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# Balancing Tradition and Development

A deliberative procedure for the evaluation of  
cultural traditions in development contexts

Het evenwicht tussen ontwikkeling en traditie  
Een deliberatieve procedure voor de evaluatie van  
culturele tradities in ontwikkelingscontexten  
(met een samenvatting in het Nederlands)

## Proefschrift

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**Matthias Kramm**

geboren op 23 mei 1983 te Bergisch Gladbach, Duitsland

Promotor: Prof. Dr. Ingrid Robeyns

Copromotoren: Dr. Dorothea Gädeke

Dr. Krushil Watene

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# **PART I**

## **INTRODUCTION**

My research question can be formulated as a set of three interrelated questions: How can Indigenous communities evaluate cultural traditions in the context of development processes? When are such traditions worth preserving and when should they be modified or even abandoned? If the members of an Indigenous community deliberate about the implementation of a development project but still want to hold on to their cultural traditions, how can they balance these two normative commitments? These are difficult questions that are central to this dissertation, and they are of genuine relevance to communities, as the following two examples illustrate.

In the 1960s, commercial snowmobile companies arrived in the Finnmark area of Norway. The introduction of snowmobiles led to a considerable change in the traditional reindeer-herding practices of the Sámi. Within a decade, a technological revolution had taken place and reindeer herding had become mechanised. Some of the changes were beneficial: with the use of snowmobiles and aircraft, reindeer herding took less time, so the Sámi could diversify their summer activities and take care of local resources in the mountain areas by fishing and berry-picking. In addition, their summer camps became more accessible from the urbanised areas and food and medicine supplies could be delivered more frequently.

But there were also negative effects: frightened by the noise and speed of the snowmobiles, the reindeer lost weight and had fewer calves, so the productivity of reindeer herding decreased. Because of the high costs of purchasing and maintaining vehicles, the Sámi became increasingly dependent on cash and the collaboration with snowmobile companies and workshops. The newly introduced mechanised forms of transportation also had harmful effects on the sensitive lichen pasture. Finally, traditional skills like lassoing and camping in the open tundra were lost and replaced by new

skills such as riding snowmobiles and commercial shrewdness (Wheelerburg 1987, 114; Raygorodetsky 2017, 52; Williams 2003, 242; Muga 1987, 9).

There was no official development programme. Instead the snowmobile revolution was initiated by individual Sámi reindeer herders who bought snowmobiles for their personal and economic use. This drastically changed their herding practices within only six years (Williams 2003, 239-241). While some of these changes were unintended consequences of the technological revolution (e.g., the decrease in the productivity of reindeer herding), other effects were predictable (e.g., the growing dependency on foreign companies and motor vehicle workshops). But another scenario would have been conceivable: that the Sámi community engaged in an evaluative dialogue in order to discern whether they wanted to retain their traditional herding practices, replace them with new technologies, or try to find some sort of combination of the old and the new.<sup>1</sup>

Another example that is relevant to my research question regarding communities that find themselves in the tension between tradition and development is the introduction of electrical wells in a Western Indian village referred to by the pseudonym ‘Vadi’ in the 1970s (Appadurai 1990, 185). Before the electrification, the inhabitants of the village used to draw water from traditional open-surface wells. There were several benefits of this technological change, such as the increased availability of water within the community and the reduction in the physical strain on those who were responsible for providing the village with water, an activity that was often delegated to women. For the farmers, the electrified wells meant a more efficient means of irrigating their fields.

However, this change in village traditions also led to a decrease in the opportunities for informal gatherings, especially for women. Farmers began to

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<sup>1</sup> In this thesis, I do not defend the position that every initiative of an individual community member to improve his or her economic position by acquiring technology *must* be approved by community deliberation. Community deliberation is rather a means to which community members *can* resort if such individual actions might lead to major changes in their cultural traditions.

## INTRODUCTION

think about cooperation in primarily strategic terms, and the mutual trust within the community was gradually replaced by self-interested considerations. Traditional knowledge about water bodies and their environment was neglected and the community became increasingly dependent on external service providers in order to maintain their wells.

In this case, too, there was no official development programme or prior collective deliberation about the introduction of electrified wells, only the decisions of individual farmers to electrify their wells (Appadurai 1990, 203). But an evaluation of the possible consequences of electrification by the village dwellers would have been conceivable. The question could have been discussed in the local village council, which in turn could have encouraged the participation of community members, both female and male. Such a process of deliberation could have led to a decision concerning whether to retain the traditional open-surface wells or to electrify them and also to recommendations regarding how to organise the transition (e.g., by training inhabitants of the village to maintain the wells) or how to avoid possible downsides of introducing electric wells (e.g., by developing new opportunities for informal gatherings).

In this thesis, I want to develop a deliberative procedure that can help communities – and in particular Indigenous<sup>2</sup> peoples – to assess their cultural traditions and the expected change in these traditions that may result from the implementation of a development project. This project can be community driven, as in the above cases in which the Sámi deliberated about the introduction of snowmobiles or the inhabitants of Vadi about the introduction of electrified wells. But it can also be a development project that is proposed by external agents such as a government or a development agency. On the basis of their deliberation and evaluation, the community members can decide whether they want to endorse or reject this project.

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<sup>2</sup> In some countries, it is controversial to use the term ‘Indigenous’. In these cases, other terms can be used to refer to Indigenous peoples, such as ‘First People’, ‘First Nations’, or ‘Adivasi’.

## PART I

This deliberative procedure forms part of a broader normative argument directed at Indigenous and non-Indigenous scholars in the areas of development economics and development ethics. In this normative argument, I argue that Indigenous peoples are better able than external agents to evaluate their own cultural traditions and that they should have the right to deliberate about possible development projects. I distinguish between two cases. In the first case, in which a development project is initiated by the community members, the deliberative procedure can assist them in evaluating their cultural traditions and the expected effects that a development project might have on these traditions. In the second case, in which a development project is proposed by an external agent, the deliberative procedure can provide them with an argument that supports their right to free, prior, and informed consent. This right prohibits the implementation of development projects within Indigenous communities without their consent and has been defined in document C169 of the International Labour Organisation and in article 10 of the United Nations Declaration of the Rights of Indigenous Peoples (International Labour Organization 1989, article 16; UN General Assembly 2007, 5).

Before I develop this deliberative procedure for the evaluation of cultural traditions, I will, in chapter 1, first have to revisit the concept of cultural tradition. I will criticise a popular misconception of tradition that associates tradition with conservatism and will challenge the defence of cultural tradition by a number of authors who tend to view tradition in holistic terms. Neither a conservative nor a holistic conception of tradition would allow for its evaluation. I will then provide a justification for my particular focus on Indigenous peoples and their cultural traditions. The following sections will contain methodological considerations and an outline of my overall argument.

In the second chapter, I will analyse the existing literature on cultural traditions in development economics and development ethics in order to highlight the differences between existing approaches and the account of cultural tradition provided in this thesis. Based on this literature review, I will

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then be able to describe the novelty of my own approach and spell out my own commitment to the paradigm of human development. But first I have to demonstrate in the next chapter why reflecting on tradition within the context of development is important, why conservative and holistic conceptualisations of tradition are flawed, and how we can avoid relying on such conceptualisations.



# **Chapter 1 Why should we think about the role of tradition in development?**

## **1.1 Introduction**

Although my arguments will become much clearer in the course of part I of this thesis, at the outset I would like to provide a preliminary argument why it is important to consider cultural tradition when thinking about development. It is crucial to note that cultural traditions can have positive or negative influences on the wellbeing of people.

Three brief examples from the Mexican Ayuuk communities may help to illustrate this point. First, producing and selling traditionally crafted items may provide people with an income, but it can also lead to a commodification of their traditional way of life. If such a commodification is not based on the decision of the community but is imposed on it by external agents, it might lead to a devaluation of the community's culture as a marketable product that is being sold to outsiders. Selling traditionally crafted items might lead to these items gradually losing their symbolic meaning within the community. In that case, an increase in income could be accompanied by a decrease in the self-respect of a community because the community members might no longer enjoy their traditionally crafted items.

Second, traditional healing practices can be a means of providing health care within rural areas, but they can also result in the continuation of the urban–rural divide with regard to the training of health practitioners. While traditional healers guarantee good accessibility to primary health care in rural contexts, a lack of common standards of training could widen the gap between the quality of health care in cities and that in the countryside. Hence, traditional healing practices that support the physical wellbeing of people in rural contexts would have to be supplemented with common standards of training in order to reduce existing inequalities.

Third, traditional community celebrations can further social trust and political coherence among the community members, but they can also

impoverish individual community members because of the high expenses they require from the host. Communal trust and coherence can therefore increase at the expense of the financial position of a person, and hence ultimately also at the expense of her wellbeing.<sup>3</sup>

In all three examples, the cultural traditions of selling handmade crafts, healing practices, and community celebrations have an impact on the wellbeing of people. If we understand development as expanding the wellbeing of people and decreasing their domination – and I will argue in section 2.5 that we should understand it in this way – there is no way of avoiding acknowledging the important role that cultural traditions play in development. The ambivalent roles they can assume also call for an evaluative method that helps to assess the positive and negative aspects they can have.

But in order to analyse both the positive and the negative roles traditions can play in development contexts, I will first have to do some conceptual work on the notions of ‘development’, ‘cultural tradition’, and ‘wellbeing’. In this part of the thesis, I will provide some clarificatory remarks on the notion of ‘tradition’ (chapter 1) and a definition of ‘development’ (chapter 2). In part II, I will propose a definition of ‘cultural tradition’. And in part III, I will finally develop an account of ‘wellbeing’ and an account of ‘non-domination’ as parts of a normative framework for a deliberative procedure that supports communities in evaluating the positive and negative aspects of their cultural traditions. In the next section, I will start with preliminary considerations that concern the concept of ‘tradition’ and its use by conservative scholars.

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<sup>3</sup> These three examples are based on personal observations that I made during my research and teaching activities at the Intercultural Institute Ayuuk (ISIA) in the south-east of Oaxaca from 2009 to 2011.

## **1.2 Facing the conservative challenge: Associating tradition with traditionalism**

In philosophical, political, and cultural discourses, an appeal to tradition or an argument from tradition is often associated with a conservative outlook on the part of the speaker.<sup>4</sup> But this association is only correct to the extent that the speaker subscribes to one of two different forms of traditionalism: either the view that a specific practice is valuable because it forms part of a tradition, or the view that traditional practices are to be preferred over innovation because they have stood the test of time.

The first view, which holds that a specific belief or practice is valuable because it forms part of a tradition, restricts itself to the defence of that specific belief or practice. The value of this belief or practice is then derived from the value of a broader tradition of which it forms part. An example would be the defence of a binary understanding of gender on the basis that it forms part of the Judeo-Christian world view. According to that argument, the belief that persons can only be male or female and that persons cannot self-identify as transgender is valuable, because it forms part of the Judeo-Christian world view. Obviously, such an argument from tradition hinges on the justification of the value of the broader tradition. If no such justification is offered, the argument remains empty and disintegrates into a rhetorical device.

The second view – that traditional practices are to be preferred over innovation because they have stood the test of time – is more sophisticated and has been defended by conservative philosophers and political theorists like Edmund Burke, Michael Oakeshott, and Roger Scruton. The corresponding traditionalist attitude has been described by Oakeshott as preferring ‘the familiar to the unknown, [...] the tried to the untried, [...] the

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<sup>4</sup> A conservative outlook is often identified with a lack of definite political ideals, a status quo bias, and risk aversion (Clarke 2017, 551–52). But I will understand conservatism in a narrower sense as the normative view that conserving tradition is preferable to innovation.

actual to the possible’ (Oakeshott 1991a [1962], 408). Hence, the normative premise of this view is that something that has stood the test of time is more valuable than something that has not. Although this second view amounts to a complete normative justification, it can still be criticised.

My main criticism is that such a view reduces normativity to standing the test of time. It leaves normativity under-determined and opens the door for all kinds of counter-intuitive assertions. An example of such an assertion could be the following question: can we assume that something that is clearly bad for the wellbeing of X (like a drug addiction) becomes good because it has stood the test of time? In order to object to such counter-examples, the conservative would have to specify her understanding of ‘standing the test of time’ and eventually give up her reductionist stance. Scruton, for example, qualifies his condition for a valuable tradition by writing that it must have ‘the weight of a *successful* history’ (Scruton 1984, 42, italics in the original). However, he does not spell out what he means by ‘successful’, which ultimately is a normative concept.

In my approach to tradition, I abstain from any traditionalist premises that charge the concept of tradition with hidden normativity.<sup>5</sup> Instead, in this dissertation I will develop a value-neutral conception of tradition that can then be subjected to an independent evaluation, following a clear method. Once the application of such a method leads to the result that a specific tradition can be judged as positive or negative, elements of this tradition can be defended or criticised.

Yet there is one insight of conservatism that can be retained and that will become important in part IV of my thesis. There are certain complex social problems for which problem-solving cannot rely on the reasoning of one person or one generation alone, but should rely on tradition as a ‘cumulative learning process’ (Heath 2014, 87). In society, it is often difficult to identify

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<sup>5</sup> I agree with Mark Bevir that acknowledging the explanatory role of tradition – which I do in this thesis – does not commit one to a traditionalist premise or a conservative ethics or politics (Bevir 2000, 53).

causal connections, and the outcomes of an intervention remain unpredictable to a certain extent and can only be seen in the long run. Hence, it is not wise to restrict oneself to unreliable predictions about the future consequences of a planned intervention. Instead, social interventions should take into account the existing institutions, which have been developing as a series of small adjustments to environmental challenges.

This epistemic argument for tradition is much more limited than Burke's, Oakeshott's, or Scruton's arguments that are based on standing the test of time. Tradition alone does not provide any normative justification. It merely provides a rational argument that permits resorting to tradition if social problems become increasingly complex. As Joseph Heath has it: 'In some respects, tradition may be the accumulation of generations of wisdom, but in other respects it may simply be the accumulation of generations of prejudice' (Heath 2014, 108).<sup>6</sup>

### **1.3 The defence of tradition by postcolonial and post-development scholars**

While conservative thinkers argue in favour of tradition on conservative grounds, there are entirely different reasons for defending tradition from a postcolonial or post-development perspective. In the history of thought, conservative theorists have defended the status quo. Postcolonial scholars, by contrast, have sided with dominated groups to speak out against the continuing effects of colonial rule and to stand up for their rights. Post-development scholars, on the other hand, have criticised a development paradigm that reproduces power inequalities between so-called 'developed' countries and so-called 'developing' countries. Within post-development and postcolonial scholarship, Aram Ziai distinguishes between a sceptical

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<sup>6</sup> In section 6.3, I will discuss further reasons for valuing tradition, which have been suggested by G. A. Cohen and Samuel Scheffler but which require a more extensive analysis.

discourse, which allows for criticism of cultural traditions, and a neo-populist discourse, which adopts a protectionist view towards them (Ziai 2015, 837).

There is one particular strand of thinkers in the latter category who view tradition exclusively in holistic terms: a tradition is either conserved as it is or abandoned. Even minor modifications cannot be permitted and constitute impermissible interventions. In this way, this holistic perspective tends to narrow down the space for discussions and arguments and foreclose any normative evaluation of traditions and their elements.

The economist Stephen A. Marglin, for example, views certain beliefs and practices as always being embedded within a cultural whole (Marglin 1990, 12). If these beliefs or practices are changed, the cultural tradition changes as well. In addition, traditions possess a ‘logic and efficacy on their own’, which cannot be understood from the outside (Marglin 1990, 15). In this way he is able to make a strong case for the conservation of cultural traditions, but the strength of his argument comes at a high price. Each concession on the part of the cultural community to integrating elements of another culture leads inevitably to a loss of identity. By focusing primarily on the community’s identity, Marglin neglects the agency of the community members in maintaining and modifying their own tradition in response to internal and external challenges. Consequently, a normative evaluation of their cultural tradition is severely restricted, because too much criticism could lead to too much change and eventually to a complete loss of the community’s cultural identity, which is the good of overriding importance in Marglin’s (implicit) normative framework.<sup>7</sup>

Majid Rahnema goes one step further and argues that we should protect traditional social structures from any form of development, because development implies an economised conception of human beings. While

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<sup>7</sup> Marglin might be more permissive with regard to an internal evaluation of a cultural tradition by its adherents, but since he regards rationality as interwoven with culture, the standards and criteria of this evaluation might vary considerably between different cultures.

social structures guarantee a sense of ‘communal solidarity’ within traditional societies (Rahnema 1997a, x), the introduction of the idea of the *homo oeconomicus* necessarily results in a ‘fundamental change’ in their modes of living (Rahnema 1997b, 384). Traditional meeting spaces are commercialised and the principle of reciprocity gradually dissolves and is replaced by individual aspirations to accumulate wealth. While Rahnema acknowledges that violence and domination also exist in traditional societies, he nevertheless advocates that development agencies refrain from any intervention. His protectionism does not envisage an evaluation of the traditional structures of those societies, but dogmatically presupposes that they are more valuable than any conceivable alternative.

In addition to my criticism of Marglin and Rahnema, I also agree with Kwame Gyekye’s criticism of an extreme revivalist position. The starting point of this position is a colonial context in which African cultural traditions have been oppressed. Revivalists advocate a return to one’s pre-colonial tradition for five reasons. The first reason is that such a return will lead to a rediscovery of one’s cultural identity. The second reason is that it can mentally liberate people from the oppressing, colonial mindset. The third reason for this return is that it will help to criticise any remaining compromise with the colonising culture. The fourth reason is that those who return to their tradition can benefit from the strength of their traditional value systems. And the fifth and final reason is that after such a return, people will be able to contribute their own cultural tradition and in this way further the building of nation states (Gyekye 1997, 233-235). While the revivalist position can be balanced and remain open to criticism of these five claims, it can also become dogmatic by idealising the positive aspects of a cultural tradition and by denying that there could be any negative aspects at all. Such an uncritical wholesale acceptance of one’s cultural tradition would ultimately stifle any conceivable criticism or critical evaluation.

Gyekye’s alternative project is an ‘objective, normative assessment’ (Gyekye 1997, 272) of one’s cultural tradition, which is able to distinguish

between the positive and the negative features of African cultures. Although I am sympathetic to this vision, my project in this thesis will be a different one. While Gyeke restricts his analysis to cultures that exist in the African continent, the analysis of this thesis will not have a particular geographical focus but will be applicable to a variety of cultures and, in particular, Indigenous cultures. It will be a procedural approach with an underlying normative framework and a number of substantive requirements. While Gyeke argues that philosophers can evaluate the content of cultural traditions, I will assign this task to the affected communities themselves but will develop a normative framework and a deliberative procedure that can support them in this evaluative exercise. I will discuss the underlying conception of cultural tradition in part II and the underlying normative framework in part III. The deliberative procedure will be introduced and discussed in part IV.

### **1.4 Rejecting cultural holism**

In sections 1.1 and 1.2, I questioned the conservative strategy of reducing normativity to the test of time and the holistic defence of tradition by some postcolonial and post-development scholars. I have criticised a particular strand of thinking of postcolonial and post-development scholars for its uncritical protectionism of cultural tradition. In this section, I will extend this criticism by adding the theoretical point that interpreting cultural traditions as integrated wholes is inadequate and by adding the practical point that such a misinterpretation can lead to fatalism with regard to social change. The problem of cultural holism is that it inevitably leads to an all-or-nothing approach. Either we accept a tradition as a whole or we reject it completely; more nuanced positions between these two polar options are not possible.

From a theoretical point of view, holism gets one thing right and one thing wrong. It is true that the different elements within a cultural tradition do not exist in isolation from each other; instead, they are connected. For example, the act of slaughtering chickens and offering eggs and alcoholic beverages, which form part of a specific ritual of the Ayuuk people, cannot

be changed without somehow altering the meaning of the ritual itself (Reyes Gómez 2017, 117). The three items represent food that is consumed during community celebrations and the eggs symbolise fertility. Replacing these elements with snakes, berries, and blessed water, for example, would therefore modify the meaning of the ritual, as the symbols of community and fertility would be absent. Thus, there is a relationship between the parts and the whole. Yet it would be wrong to assume a static relationship between the acts and their meaning. Within one community, diverse ways in which a certain ritual is performed can exist.

It would consequently be misleading to think of a tradition as an integrated whole comprising its various elements. The metaphor of a network is much more adequate in this regard. Pascal Boyer criticises some of his anthropologist colleagues for committing a comparable intellectualist fallacy. Instead of analysing cultural traditions in terms of actual interactions and actual behaviour, they focus on the ‘conservation of underlying models’ of beliefs and convictions (Boyer 1990, 10). They regard the actual traditional behaviour of a people as but a manifestation of their underlying world view. I suspect that this intellectualist fallacy often lies at the root of cultural holism. The appeal to an underlying core of beliefs and convictions suggests the idea that even minor modification at the behavioural level would have to be accompanied by profound changes at the level of a people’s understanding of the world and of themselves.

From a practical point of view, cultural holism results in a certain fatalism. We may, for example, imagine a cultural tradition in which festive celebrations are inseparably linked to excessive alcohol consumption, which in turn leads to domestic violence.<sup>8</sup> According to cultural holism, we could

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<sup>8</sup> This example of a problematic cultural tradition is imaginary and in no way related to the case studies that I discuss in this thesis. Excessive alcohol consumption might be encouraged by the norms and conventions of a specific cultural tradition (Brady 1992), but it might also be the consequence of a lack of traditional norms and values and the resulting feeling of disconnectedness (McCormick 2000). Since I have no

either accept the cultural tradition and the domestic violence or try to change the violent behaviour and thereby abandon the tradition. More recent work on social norms (Bicchieri and Mercier 2014, 61-64; LeJeune and Mackie 2008, 18–36), however, has shown that change in such situations is indeed possible without having to incur the loss of a whole tradition. Instead of prohibiting community feasts, one could challenge the social norms that connect celebrating with alcohol consumption. In this way, community members could select and modify an element of the tradition that has some effects on other elements but does not undermine the tradition as a whole. Community feasts could continue even if alcohol consumption was reduced or (partly) replaced by the consumption of non-alcoholic beverages. Hence, the fatalist attitude of cultural holists is unfounded.

In sum, cultural holism has shortcomings at both the theoretical and the practical level. In my own proposal, I will reject cultural holism and conceptualise tradition as a network. While I will take into account both the behavioural and the meaning dimension of tradition, I will avoid the intellectualist fallacy of assigning priority to the meaning dimension. By making use of a pragmatist action theory, I will also be able to show how these two dimensions are connected.<sup>9</sup>

Now that I have rejected a traditionalist and a holistic interpretation of tradition, I will provide a reason for my focus on Indigenous cultural traditions in the next section. Afterwards I will describe my methodology and provide an outline of the thesis's main argument.

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competence to discuss this empirical question, I have chosen to keep the example imaginary and abstract.

<sup>9</sup> The connection between the behavioural and the meaning dimension of tradition will be further explored in section 4.7.

## **1.5 Indigenous cultural tradition and the right to free, prior, and informed consent**

In this section, I will give reasons why I have chosen to focus on Indigenous cultural traditions. Although the argument of this thesis engages to some extent with Indigenous philosophy, it is primarily an argument that sits within the discipline of development ethics. From a development ethics perspective, Indigenous cultural traditions are of particular normative importance, because there is a need for a proper interpretation of the Indigenous right to free, prior, and informed consent, as it has been defined by the International Labour Organization and the United Nations. The right to free, prior, and informed consent is also crucial for many non-Indigenous communities, for example with regard to questions of displacement and relocation in the context of development projects (Penz, Drydyk, and Bose 2011). In the case of Indigenous communities, however, there is an additional strong link between this right and the question of how these communities deal with the cultural traditions with which they identify.

The right to free, prior, and informed consent requires external parties that plan development projects on Indigenous territory to obtain the consent of the local Indigenous communities. This right is meant to prevent development projects being imposed on Indigenous communities without their agreement. I will discuss such cases of exogenous development in chapter 7 and chapter 11. Such an imposition of a development project without consent would be paternalistic, disempowering, and disrespectful of the local culture. It would be paternalistic, because the project leaders would be assuming that they know what is good for the local community without having consulted its members. It would be disempowering, because the communities would be reduced to being passive recipients. And it would be disrespectful, because the local cultural resources and their possible contribution to development would be ignored.<sup>10</sup>

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<sup>10</sup> In section 6.6, I provide an in-depth discussion of paternalism, empowerment, and cultural resources in the context of self-determination.

The right to free, prior, and informed consent has been specified in document C169 of the International Labour Organization. Article 16 of this document demands that prior to carrying out any relocation projects on Indigenous territories, external parties have to obtain the ‘free and informed consent’ of the affected Indigenous peoples (International Labour Organization 1989, article 16). The United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) reinterprets this right of ‘free, prior and informed consent’ on the basis of an Indigenous right to self-determination and extends it to other development initiatives (UN General Assembly 2007, articles 10, 19, 28, 29). Yet although document C169 requires the member states of the International Labour Organization (ILO) to comply with the standard of free, prior, and informed consent, the UNDRIP is not legally binding. The ILO convention can be enforced in court, whereas the declaration does not allow for such legal measures. A further problem is the interpretation of the right to free, prior, and informed consent, which could lead to differences in the application of this right by different governments or development agencies. So what does free, prior, and informed consent imply according to the documents of the ILO and the United Nations?

*Free* means that there should be no ‘coercion, intimidation or manipulation’ on the part of development agencies or governments and that an Indigenous community is allowed to disagree. *Prior* means that consent should be sought before any activity on Indigenous territory is initiated and that ‘sufficient time’ is provided for the affected communities to arrive at a decision. And *informed* requires that the project developers disclose their plans to the affected communities and ‘that each community has enough information’ to have a reasonable understanding of the development project and its likely consequences (Vanclay and Esteves 2011, 6–7).

Development projects not only affect the environment of a community but also its cultural tradition. Thus, it would not be sufficient if the Indigenous communities were merely informed about possible intended and unintended effects on their territories. I agree with Mauro Barelli that complete

information also includes information on probable negative impacts on the ‘cultures and lives of Indigenous peoples’ (Barelli 2012, 32). The Indigenous community could then evaluate their existing cultural traditions and compare them with the expected change in these traditions that may result from the implementation of a development project.

The ideal of informed consent should therefore involve, among other things, the evaluation of people’s cultural traditions and the impacts of a development project on these traditions prior to approving or rejecting the project.<sup>11</sup> Governments and development agencies should grant Indigenous communities the temporal and socio-political resources they need to evaluate their own cultural traditions and compare them with the way in which these traditions are most likely to be changed by a proposed development project. This is the reason why parts III and IV of this thesis focus on Indigenous communities and Indigenous cultural traditions.

Hence, the main goal of my thesis is to develop an evaluative method that can support Indigenous peoples in evaluating their own cultural traditions in the context of development processes and in this way exercise their right to free, prior, and informed consent. I will develop this evaluative method both for communities whose community members have initiated the development project and for communities that have to negotiate with external development actors such as development agencies or the government. However, the question of free, prior, and informed consent only becomes important in the latter case.

Some Indigenous peoples (e.g., the Māori people) already practise such an evaluation within their communities, so in those cases, my argument can merely provide normative support of such already established practices. Other

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<sup>11</sup> Such an evaluation would, of course, still be limited regarding dealing with the unintended consequences of development. But these limitations do not render the evaluation any less valuable. Furthermore, this evaluation would not replace a more comprehensive analysis of whether the project should be implemented or not. This comprehensive analysis would have to include stakeholders beyond the confines of the community that could be negatively affected by the project.

Indigenous peoples (e.g., the Ayuuk people) are struggling to establish such procedures. In these cases, the argument of this thesis can provide some normative guidance on how to develop such procedures. I will argue that free, prior, and informed consent ultimately requires a deliberative procedure that should take place within a self-determined Indigenous community. However, I will also consider empirical cases in which such self-determination is still a far cry from being realised. This connection between empirical case studies and normative reasoning forms part of my methodological toolbox, which I explain in the next section.

## **1.6 Methodology: Integrating theoretical reasoning and case studies**

In my thesis, I employ a variety of philosophical methods such as (1) classification, (2) conceptual analysis, (3) philosophical and ethical analysis, (4) wide reflective equilibrium, and (5) non-ideal philosophy. While the first half of the thesis remains on a conceptual level, the second half engages also with case studies that discuss the role of cultural traditions in Indigenous communities and in development projects.

In chapters 3 and 4, I compare and classify conceptualisations of tradition from various academic disciplines and propose an analytical grid that can help us to understand the structure of the concept of tradition. In addition to taking philosophical conceptions of tradition into account, I also consider anthropological, sociological, and economic conceptions so that the resulting analytical grid is interdisciplinary. On the basis of this analytical grid, I develop a specific conception of cultural tradition that is particularly suitable for evaluation.

Subsequently, I provide a conceptual analysis (Olsthoorn 2017) of three normative concepts – wellbeing, non-domination, and self-determination – and suggest understanding them as cross-cultural values. Wellbeing is defined in terms of capabilities, whereas the definitions of non-domination and self-determination are based on the republican conception of freedom as non-

domination. In order to defend these definitions against possible alternatives, I provide philosophical and ethical arguments (Thomson 1999; Walton 2003) in those parts of the thesis in which I develop my normative framework.

In chapter 7, I illustrate the normative framework of this thesis – which combines the values of wellbeing, non-domination, and self-determination with a specific conception of cultural tradition – by means of two empirically informed case studies.<sup>12</sup> This illustration can be understood as an application of wide reflective equilibrium to the moral principles of my normative framework, the underlying non-moral considerations, and the case studies (Rawls 1971; Daniels 1996; Van der Burg and Van Willigenburg 1998; Knight 2017). Applying wide reflective equilibrium implies that I will show that the values of wellbeing and non-domination are applicable to the case studies and that the emerging normative results cohere with our considered intuitions. My normative framework provides a basic structure for a deliberative procedure for the evaluation of traditions, but is open to the inclusion of further values and principles so that it can be adapted to a variety of development contexts. It is therefore an attempt to build a bridge between philosophical and ethical analysis and deliberation at the community level.

Towards the end of the thesis, I develop an ideal and a non-ideal deliberative procedure to put this normative framework into practice. In the ideal version, I determine a minimum standard for the discourse rules, which this procedure should measure up to. In the non-ideal version (Robeyns 2008; Valentini 2012), I discuss less ambitious versions of the discourse rules, add empirical considerations, and consider the colonial background with which many Indigenous peoples have to struggle. There are three crucial differences between the ideal and the non-ideal deliberative procedure. First, the non-ideal procedure takes feasibility constraints into account with regard to the ways in which individuals can arrive at a consensus. Second, the non-ideal

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<sup>12</sup> The value of self-determination, which specifies the political preconditions that must exist if communities are to be able to evaluate their cultural traditions, will be presupposed in that chapter.

procedure does not unrealistically assume that individuals will automatically comply with the discourse rules. Third, the non-ideal procedure holds that we do not need a single ideal solution, but rather a number of alternatives that are adaptable to different contexts.

Another aspect of my methodology concerns the interaction between the researcher and the community he or she is researching. As a scholar of mixed Asian and European descent, I do not belong to any Indigenous community. From 2009 to 2011 I worked as a researcher, teacher, and fundraiser at the Intercultural Institute of Ayuuk (ISIA) and lived in a village of the Ayuuk people in Oaxaca, a state in the south-east of Mexico. The Ayuuk are an Indigenous community whose members rely to a large extent on subsistence agriculture and strive to keep their cultural traditions alive. Government officials refer to them as Mixe, a name that was given to them by surrounding communities. During two formative years, I had the privilege of getting to know their language, their culture, and their way of life. I also experienced first-hand the tension between the Ayuuk culture and Western culture, both in education and in the daily life of the community. This experience constitutes the origin of my research interest in the role of cultural traditions in development.

According to Linda Tuhiwai Smith, the word *research* is ‘probably one of the dirtiest words in the indigenous world’s vocabulary’ (L. T. Smith 2012, 1). In the past, Indigenous peoples have often been used as objects of research and have become victims of exploitative methodologies. Examples include research within Indigenous communities without the consent of the community members and the use of Indigenous knowledge for pharmaceutical innovation without a fair sharing of the subsequent benefits (Battiste 2007, 119-120). Whenever I am writing about Indigenous philosophy in general or about Māori philosophy<sup>13</sup> more specifically, I cannot

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<sup>13</sup> The Māori people do not form a homogeneous community; it is composed of different tribes (*iwi*) and sub-tribes (*hapū*). However, it is possible to speak of Māori philosophy as a philosophy that works out the commonalities in the conceptual

claim to speak for any Indigenous individual or tribe. I consider myself instead as someone who learns from these rich traditions and seeks to accurately depict them and discuss them in the context of development ethics. The normative framework of my thesis does not provide a solution to Indigenous problems and does not judge Indigenous communities. But I hope that it can at least offer a contribution to Indigenous discussions about the tension between cultural traditions and development projects. The value of this contribution can only be determined by Indigenous communities themselves. I would also like to share my thoughts on these questions with Ayuuk and Māori scholars and leaders in the near future. By demonstrating that there are good reasons to assign the evaluation of cultural traditions to Indigenous communities, I also hope to strengthen the Indigenous struggle for self-determination.

While engaging with Indigenous philosophy, I pay particular attention to four issues: respect for the Indigenous context, attention to the scope of an Indigenous framework, explication of my mode of engagement, and awareness of the challenge of translation. Firstly, it is important to consider how an Indigenous philosophy is embedded within the life of the community, whether it is written or oral, and in which locations it is being taught and developed. In this way, it is possible to distinguish first-hand accounts of Indigenous philosophy from secondary sources that attempt to systematise it. Secondly, I take heed of the scope and the particular topics that are addressed by the Indigenous framework. For example, if the framework is predominantly answering ontological and ethical questions, it should also be approached on these levels. Thirdly, it is crucial to clarify one's reason for engaging with Indigenous philosophy. In part III, I engage with Māori philosophy because it provides a genuine alternative to liberal wellbeing standards that are based on ethical individualism. The fourth and last issue concerns translatability. As this thesis is written in English, I have to translate

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frameworks of the different tribes and sub-tribes. Māori philosophy forms part of a broader collection of Pacific philosophies.

some of the Indigenous concepts, but this translation can only be tentative and preliminary. I rely on Indigenous terminology as much as possible and review my conclusions by comparing them with the conclusions that can be reached within an Indigenous framework or that have been reached by Indigenous scholars.

There are two types of target audiences that I have in mind for my thesis. The first half of the thesis addresses Indigenous and non-Indigenous scholars who work on cultural tradition, development economics, and development ethics. It provides an analysis of the concept of cultural tradition in the areas of philosophy, sociology, anthropology, and economics and a particular conception of cultural tradition that may be useful for development ethicists. The second half of the thesis addresses those groups as well, but in addition may also be interesting for Indigenous communities, Indigenous community leaders, and Indigenous and non-Indigenous development practitioners. It contains a normative framework and a deliberative procedure for the evaluation of cultural tradition. I hope that especially chapter 11 will appeal to both groups, although I am aware that the suggested five-step procedure would need to be further tailored to the political and sociocultural reality of concrete Indigenous communities. This five-step procedure determines how community members can assess their cultural traditions and the expected change in these traditions that can result from development projects. The procedure also includes a number of policy recommendations, which Indigenous communities could adopt in order to defend their right to free, prior, and informed consent and their right to self-determination.

### **1.7 Structure: How does the argument proceed?**

At the beginning of the thesis, I formulated my research question as a set of three interrelated questions: How can Indigenous communities evaluate cultural traditions in the context of development processes? When are such traditions worth preserving and when should they be modified or even abandoned? If the members of an Indigenous community deliberate about the

implementation of a development project but still want to hold on to their cultural traditions, how can they balance these two normative commitments?

In order to answer my research question, I will proceed in three steps: firstly, I will develop a conception of cultural tradition (part II). I will then determine a set of normative criteria for the evaluation of cultural traditions (part III). Based on the conception of cultural tradition in part II and the normative criteria in part III, I will finally sketch out an evaluative method and a deliberative procedure for Indigenous contexts (part IV). In order to provide some orientation to the reader, I will use this section to give an overview of the four parts of this thesis and how my argument will unfold.

In part I of the thesis, I use the current chapter (chapter 1) to introduce my research question, my methodology, and the general structure of the thesis's argument. In the next chapter, I will provide an overview of existing accounts of cultural tradition in development economics and development ethics and show how my account of cultural tradition differs from them (chapter 2).

In part II of the thesis, I will develop a conception of cultural tradition. At the beginning of this part (chapter 3), I will analyse conceptions of tradition from the areas of philosophy, sociology, anthropology, and economics. I will argue that we cannot construct an overarching or unified conception of tradition, because such a conception could neither bridge the gap between behavioural and hermeneutical conceptions of tradition nor the gap between value-neutral and value-laden conceptions of tradition. Instead of a comprehensive conception of tradition, I will propose an analytical grid that is based on a sample of 28 accounts of tradition that can be found in the scholarly literature and which provides seven dimensions to distinguish between these conceptions.

With the help of this analytical grid, I will develop my own proposal for a conception of tradition (chapter 4). This conception of tradition will make use of the action theory of John Dewey and George Herbert Mead and will employ the concept of habit that has been developed by them (Dewey 2002

[1922]; Mead 1974). I will also discuss the empirical evidence for their action theory, which has been provided by Alva Noë, Giacomo Rizzolatti, and Corrado Sinigaglia (Noë 2009; Rizzolatti and Sinigaglia 2008). Following a discussion of the conception of culture of Franz Boas (1935), I will suggest a definition of tradition as ‘basic habits within a culture’. Within this conception, I will distinguish between a behavioural dimension and a meaning dimension. While cultural tradition can be transmitted in an unconscious or conscious way, it can also be used as a means of resistance by Indigenous peoples (Bonfil Batalla 1996). By engaging with anthropological literature and in particular with the work of Arjun Appadurai (1994), I will develop a non-essentialist understanding of cultural continuity as a third alternative between essentialism and anti-essentialism. At the end of this chapter, I will provide a set of criteria for identifying Indigenous communities and Indigenous cultural traditions.

In part III of the thesis, I will develop a normative framework for the evaluation of cultural traditions. In the first chapter of this part (chapter 5), I will address the question of whether the normative evaluation of cultural traditions in a culturally diverse world is possible. I will discuss four possible answers to this question. According to option A, a normative evaluation of cultural traditions is impossible. According to option B, such an evaluation is possible, but presupposes cross-cultural normative standards. According to option C, cross-cultural standards do not exist but the evaluation could be based on standards that are internal to one’s culture. According to option D, the standards would have to be immanent in one’s social practices. While I will defend a soft version of option B and the use of cross-cultural normative standards, I will also integrate insights from options A, C, and D.

In the second chapter of this part (chapter 6), I will identify three ethical presuppositions of my normative framework. First, instead of appealing to a single value or principle, I will refer to a multiplicity of values and therefore base my framework on value pluralism (Wolf 1992). My framework will also include normative individualism, so that each individual voice or evaluation

is counted and treated equally (Bhargava 1992; Robeyns 2017). The third presupposition is the capability approach, which provides the necessary tools for my conceptualisation of wellbeing. After a discussion of several normative reasons for valuing tradition, I will then go on to explain what an evaluation of cultural traditions by means of the key values of wellbeing, non-domination, and self-determination could look like. The value of wellbeing will be divided into four further dimensions: economic wellbeing (e.g., food or income), broader material wellbeing (e.g., health), socio-political wellbeing (e.g., education), and meaningfulness-related wellbeing (e.g., harmony with the natural world). By referring to the work of Sabina Alkire (2002, 2015), I will assign a list of concrete capabilities to each dimension.

In the third chapter of this part (chapter 7), I will illustrate my normative framework by applying it to two case studies. The first case study examines the effects of a specific cultural tradition of unpaid communal work – the so-called *tequio* tradition – that can be found in Oaxaca, in the south-east of Mexico. In the case study, I will demonstrate that the normative framework of this thesis can capture the effects of this tradition. Subsequently, I will address the objection that hiring contract workers would be more time-efficient than this tradition of unpaid communal work. The second case study is concerned with the effects of cultural traditions within Indigenous tourism projects and shows how they can be assigned to dimensions of my normative framework. The second case study addresses two different criticisms: the economic criticism that the financial gains of Indigenous tourism projects only benefit third parties; and the cultural criticism that such a form of tourism leads to a loss of authenticity in Indigenous cultures. Subsequently, I will specify a number of conditions that must be met for Indigenous tourism to benefit Indigenous peoples.

In the fourth and final chapter of this part (chapter 8), I will introduce a Māori standard of wellbeing as an alternative to the capability list in chapter 6. A Māori standard of wellbeing allows for an appreciation of cultural tradition as being instrumentally or intrinsically valuable, but puts more

emphasis on the latter by referring to genealogical relationships and the intrinsic value of nature (Watene 2016). However, while such a Māori standard of wellbeing can in principle be framed in terms of capabilities and functionings, there is a certain tension between Māori philosophy and ethical individualism. I will therefore argue for an expansion of ethical individualism so that it can also include non-human agents.

In part IV of the thesis, I will build on the conception of cultural tradition that I proposed in part II and the normative framework that I outlined in part III in order to develop a deliberative procedure that can assist Indigenous communities to assess their cultural traditions and the expected change in these traditions that may result from the implementation of development projects. At the beginning of the fourth part of the thesis (chapter 9), I will determine the conditions that should be met if a community wants to examine its own cultural traditions: ideal conditions would be self-determination and a deliberative procedure that complies with a specific set of discourse rules. With regard to this deliberative procedure, the dangers of adaptive preferences have to be taken seriously. Further factors that could undermine deliberation are power inequalities and dominating social norms. Only if all three factors, adaptive preferences, power inequalities, and dominating social norms are taken into account can deliberation within a community succeed. In order to construct a regulative ideal for such a deliberative procedure, I will suggest a number of discourse rules and discuss them.

In the second chapter of the fourth part of the thesis (chapter 10), I will compare my normative framework with two alternative frameworks. I will also give three reasons that provide an argument for Indigenous communities to adopt the value of non-domination into their evaluative frameworks. Subsequently, I will explain how a deliberative procedure for evaluating cultural traditions could work under ideal conditions. Firstly, a consensus among the community members has to emerge that indicates that they want to evaluate their cultural traditions and compare them with the impact of a proposed development project. Secondly, they have to gather the necessary

information about their cultural traditions and about the effects a development project might have on these traditions. Based on this information, they can then evaluate their cultural traditions *before* and *after* the hypothetical implementation of a development project and draw a comparison. In a final step, they can choose a method of ranking or weighing the positive and negative effects in order to come to a decision regarding whether to accept or reject the project.

In the third chapter of part IV (chapter 11), I will develop a five-step procedure as a way to apply this deliberative procedure to concrete Indigenous development projects under non-ideal conditions. I will distinguish between four different scenarios, depending on whether development is endogenous or exogenous and whether the community has a tradition of deliberation or not. The chapter will end with a summary of the results and a critical look at the limitations of the proposed procedure.

In the fourth and final chapter of part IV (chapter 12), I will summarise the main argument of the thesis. I will also identify the various ways in which the thesis contributes to the current academic discussion and indicate directions for further research.



## **Chapter 2 Cultural tradition in the development literature: Existing approaches**

### **2.1 Introduction**

In order to distinguish the approach to cultural tradition that underlies my research question from other approaches, I will now provide an overview of some of the ways in which the concept of cultural tradition has been treated in the literature on development economics and development ethics. Although the concept had almost disappeared in development economics as so-called traditional societies had been considered unfit for economic growth, it was later rediscovered in the work of Denis Goulet (1977). I will survey six different discourses in which the concept of cultural tradition has received renewed attention. The first discourse is the political debate of ‘ethnodevelopment’, which allows for culturally diverse paths to economic modernisation. The second discourse is the epistemic discussion on the notion of ‘Indigenous knowledge’ and deals with the differences and commonalities between Western forms of knowledge and Indigenous knowledge traditions. The third discourse concerns the paradigm of ‘Buen Vivir’ as an Indigenous alternative to a Western notion of development. The fourth discourse revolves around the ‘right to culture’ within the contemporary human rights discourse and the way it addresses culture and tradition. The fifth discourse deals with the notion of ‘intangible cultural heritage’ employed by UNESCO. And the sixth and final discourse addresses Indigenous traditions within the framework of the ‘capability approach’. Finally, I will point out commonalities and differences between how these bodies of literature address cultural tradition and the way I will conceptualise cultural tradition in this thesis.

## **2.2 The neglect of the concept of cultural tradition in development economics**

In development economics, the concept of cultural tradition came into disrepute with the rise of the paradigm of modernisation in the 1960s. According to this paradigm, economic development requires certain structural and cultural changes and an abandonment of one's traditions. Modernisation and tradition were seen as binary opposites. Walt Whitman Rostow claims that agricultural traditions have to give way to a 'predominance for industry, communications, trade and services' (Rostow 1960, 19). Only societies that leave a subsistence economy behind can build up social overhead capital (i.e., capital that is available to anybody and that is necessary for a variety of economic activities) such as infrastructure and schools. Rostow specifies further non-economic preconditions for development: the new elite has to embrace the values of modernity, it has to replace old social and political authorities, and it has to get used to 'a life of change and specialized function' (Rostow 1960, 26). Rostow also recommends nationalism and the emergence of nation states as a powerful driving force towards modernisation.

However, a critical look at his five stages of economic growth reveals that cultural tradition is treated as something to be overcome in the first stage, whereas later on a specific set of cultural values from the cultural tradition of Western capitalism is recommended as necessary for economic progress. Hence, cultural traditions are perceived as obstacles to development and modernisation unless they incorporate Western values. In Rostow's account, development is a linear process and the final stage consists in Western mass consumption.

In 1990, John Williamson formulated a neoliberal version of Rostow's modernisation theory by specifying a list of economic recommendations that should apply to the developing countries of Latin America, a list for which he coined the term 'Washington Consensus'. This list contains the following items: fiscal discipline, a redirection of public expenditure towards fields that

improve income distribution, tax reform, interest rate liberalisation, a competitive exchange rate, trade liberalisation, liberalisation of foreign direct investment inflows, privatisation, deregulation, and secure property rights (Williamson 1999). Similar to Rostow, Williamson recommends a series of structural adjustments that will replace traditional structures in order to make development possible.

The end of the Second World War led to an increasing scepticism about Rostow's thesis that nation states should be the primary driving forces of economic progress. Various examples from different parts of the world showed that the attempt to force cultural traditions into prefabricated development patterns had disastrous consequences. The compulsory villagisation in Tanzania from 1973 to 1975, when at least five million Tanzanians were relocated to newly designed ujamaa villages, resulted in a variety of economic and ecological failures, because the underlying model of agricultural development was not adapted to the local circumstances (Scott 1998, 225). The 'Green Revolution' in Bali in the 1970s, when government officials replaced the traditional system of water temple networks by a 'bureaucratic model of irrigation control' led to a series of pest outbreaks and severe water shortages because the new system completely neglected the mutual coordination of the farmers (Lansing 2007, 127). In both cases, development projects were considered superior to existing cultural traditions, but they were not sufficiently adapted to the local circumstances or local networks as the cultural traditions had been. Likewise, the attempts to implement the Washington Consensus in Latin America proved to be much less successful than expected.

In the aftermath of these and several other development failures, cultural tradition was rediscovered as a topic in development economics. In the pioneering work of the development economist and development ethicist Denis Goulet, cultural tradition is no longer necessarily an obstacle to development. According to Goulet, innovation has to be proposed in such a way that it does not 'threaten the inner limits' of a culture's core and elicits

flexible responses in its ‘outer boundaries’ (Goulet 1985, 191). Change should only be regarded as positive if it does not challenge the survival, identity, or group solidarity of a culture, is compatible with the culture’s image of desirable societal life, and is capable of improving its life sustenance, esteem, and positive freedom (Goulet 1985, 205 and 304). Goulet therefore recommends an open debate about values within the population. He does not specify the criteria for this debate, however, but instead outlines a research method concerning how value change can be observed and analysed. A subsequent key publication on the role of culture within development that builds on the work of Goulet and others is the 1995 Report of the World Commission for Culture and Development, *Our Creative Diversity*, which affirms that ‘[d]evelopment and the economy are part of a people’s culture’ (Pérez de Cuéllar 1995, 15).

Paul Streeten (2007) describes how culture and cultural tradition have also been rediscovered in other branches of development economics and development ethics. Development is no longer defined as economic growth or as more efficient labour utilisation, trusting that the benefits will be spread ‘widely and speedily’ through market forces (Streeten 2007, 68). The new paradigm does not primarily refer to how development can be brought about, but to its goals. The satisfaction of basic needs like income, education, safe water, family planning, and health services becomes a criterion for good development (Streeten 2007, 73). Amartya Sen’s ‘capability approach’ even goes beyond this focus on needs satisfaction and looks more broadly at the ability of persons ‘to lead the kind of lives they value – and have reason to value’ (Sen 2001, 18).

Both approaches, the ‘basic needs approach’ and the ‘capability approach’, are significant improvements on their theoretical predecessors with regard to their ability to take the role of culture and cultural tradition into account. Basic needs, such as the need for education, point to the importance of knowledge transfer and cultural transmission. In the capability approach, culture and cultural tradition influence the value formation of agents and

enable the coordination of participatory processes in communities. In addition, they also provide the context for the exercise of certain capabilities, like, for example, the capability to speak one's mother tongue. However, the basic needs approach and the capability approach are not the only options that can be used to discuss the role of cultural traditions in development.

In the following six sections, I will introduce a number of discourses that provide alternatives to Rostow's modernisation theory and explicitly refer to culture or cultural tradition as a positive factor for development. While some of these discourses are compatible with the basic needs approach or the capability approach, others introduce novel frameworks. I will provide a critical appraisal of how these approaches deal with tradition and will close this chapter by pointing out the commonalities and differences between these approaches and my own approach to tradition.

## **2.3 Six accounts of cultural tradition in development economics and development ethics**

### **2.3.1 Ethnodevelopment**

The first of these alternative approaches to classic modernisation theory that assign a positive role to cultural tradition is ethnodevelopment, or 'development with cultural identity' (Nieuwkoop and Uquillas 2000, 22), which has influenced thinking about development in Latin America, Africa, and South East Asia. The concept was first introduced by Rodolfo Stavenhagen (1984), who proposes that development should be defined according to each cultural context. This definition focuses on ethnic identities and the survival of peoples who are threatened with extinction. In contrast to classic modernisation theory and its unilinear understanding of development, ethnodevelopment allows for a variety of culturally diverse paths to economic modernisation. A meeting of UNESCO experts summarised the key claim of ethnodevelopment as people's 'fundamental freedom to live their distinctive cultural lives' (Lembeleme 1982, 1).

In its initial phase, ethnodevelopment addressed four goals: strengthening culture, reasserting ethnic identity, exercising self-determination, and establishing self-management. More recently, these goals have been revised and refined: an intercultural perspective has been added that highlights the dialogue between one's culture and the surrounding cultures. There is a new emphasis on collaboration with nation states in order to establish self-determination and development policies. There is less resistance to the involvement of external development agents who help with project management and evaluation. And the understanding of ethnic identity has become more dynamic in order to also accommodate peasants and urban Indigenous populations (Nieuwkoop and Uquillas 2000, 7-8).

The current concept of ethnodevelopment tries to build a bridge between an economic perspective that distinguishes between various types of capital and a multicultural perspective that allows for various forms of development. Cultural traditions are reinterpreted as 'important sources of social capital', because they support associational networks and mutual trust (Andolina, Radcliffe, and Laurie 2005, 689). Examples of such traditions might be community feasts, norms of reciprocity, or a council of elders. This social capital can be transformed into economic capital if third parties provide the necessary financing, education, and technology transfer.

In evaluating the approach of ethnodevelopment, I would first like to acknowledge that it manages to bring culture and ethnicity back into thinking about development. Cultural tradition is taken into account as a possible contribution to economic productivity. Yet the conception of cultural tradition that the approach employs is problematic for two reasons. The first reason is that its appreciation of cultural tradition remains merely instrumental. Tradition is only valued to the extent that it maintains social networks and relationships of trust. As ethnodevelopment focuses on economic productivity and regards social coherence and trust as contributing factors, other possible benefits are not considered. Examples of such benefits are the contribution of cultural traditions to a community's sense of self-respect and

the role of tradition in a community's exercise of political agency. The second reason is that there are no criteria for the normative evaluation of cultural traditions. If a culture forms part of a community's ethnic identity, it is automatically regarded as being worthy of support. The possibility that specific cultural traditions that support social networks and generate trust could still be harmful to individual members or internal minorities is ignored.

I can therefore draw two conclusions from the concept of ethnodevelopment for the account of cultural tradition that I will develop in this thesis. When constructing this account, I will attempt to redress the shortcomings of ethnodevelopment by moving beyond a merely instrumental appreciation of tradition. The account that I will develop must also allow for criteria to evaluate both the positive and the negative aspects of tradition.

### **2.3.2 Indigenous knowledge**

The second approach that deals with the role of cultural tradition in development puts the concept of Indigenous knowledge centre stage. Indigenous knowledge is described as 'tacit, intuitive, experiential, informal, uncodified knowledge' that is specific to a certain locality, subject to dynamic change, shared within a community, and embedded in everyday life activities and broader cultural traditions (Roy and Harris 2000, 26). In order to document Indigenous knowledge, researchers have been using ethnographic methods that help them to determine the differences along 'gender, age, class, caste, occupational and other lines' in the way knowledge is distributed (Sillitoe and Marzano 2009, 15).

In development processes, practitioners are aiming to establish a dialogue between Indigenous knowledge and Western scientific knowledge in order to acknowledge the contribution of Indigenous peoples and to guarantee the successful implementation of development policies into local contexts. Yet attempts to generalise the findings of research on Indigenous knowledge have remained largely ambiguous due to the highly context-dependent structure of those bodies of knowledge. John Briggs therefore

recommends that research on Indigenous knowledge should focus not so much on generalisation but rather on the empowerment of communities to exercise their knowledge at the local level (Briggs 2014, 130).

There is also an epistemological branch of research on Indigenous knowledge in which scholars try to conceptualise the structural differences between Western scientific thought, with its emphasis on ‘evidence, repeatability and quantification’, and Indigenous knowledge, with its focus on the interpretation of one’s environment in qualitative terms (Berkes and Berkes 2009, 8). Legal scholars have been discussing possible ways of protecting Indigenous knowledge, as is recommended in article 31 of the UN Declaration on the Rights of Indigenous Peoples and by the Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore (Tobin 2014, 162-163).

In my view, the introduction of the concept of Indigenous knowledge has been a major step forward in thinking about development and has significantly enriched the discourse on Indigenous cultures within development economics and development ethics. While participatory approaches have primarily been interested in Indigenous agency, the inclusion of Indigenous knowledge adds a concern for Indigenous ways of thinking and Indigenous ways of understanding one’s environment.

However, if we evaluate the Indigenous knowledge approach with regard to its treatment of cultural tradition, two problems emerge. The first problem is an intellectualisation of culture and cultural tradition. When Indigenous culture and Indigenous cultural traditions are compared with a Western epistemic framework, only those aspects that contribute to a community’s knowledge are taken into account. Other aspects of traditions, such as their significance for a meaningful experience of one’s life, are neglected. An example of such an aspect is the relationship of Indigenous peoples to their environment, which not only produces knowledge but also provides meaningful relationships. The second problem is that the value that mainstream thinking about development attributes to Indigenous knowledge

remains, in many cases, instrumental. Briggs criticises, in particular, the World Bank for reducing Indigenous knowledge to a resource of ‘technical, place-specific solutions’ for the implementation of predefined development goals (Briggs 2014, 128). By extending the notion of Indigenous knowledge to also include other elements of cultural tradition, such as values or practices, this instrumentalist approach could be challenged. In the account of cultural tradition that will be developed in this thesis, I will avoid an intellectualisation of cultural tradition and take into account both its instrumental and its intrinsic value.

### **2.3.3 Buen Vivir**

The third approach I would like to discuss is the post-development paradigm of ‘Buen Vivir’, or ‘Vivir Bien’. By critically analysing how concepts are constructed and how knowledge is produced in the context of development, post-development scholars were able to create a sociological account of the development discourse and the power inequalities between its various participants (Ziai 2015, 846). With the help of this analysis, they criticise how notions of development have been employed by the global North in order to assert its hegemony over the global South. The paradigm of ‘Buen Vivir’, or ‘Vivir Bien’, draws on Indigenous cultural traditions in order to provide an alternative to Western notions of development. It includes an account of Indigenous knowledge but also comprises other aspects of cultural tradition, such as values, norms, and practices.

The concept became known to a broader public after a series of publications in the aftermath of the National Dialogue 2000, which was organised by the German Technical Development Cooperation in Bolivia at the beginning of this millennium (Altmann 2014, 85). Indigenous movements began to promote the Ecuadorian concept of ‘Buen Vivir’ and the Bolivian concept of ‘Vivir Bien’ as specifically Indigenous interpretations of the good life, which promote Indigenous nations within nation states, intercultural

learning, and the assignment of rights to nature (Waldmueller and Rodríguez 2019, 2). Catherine Walsh provides the following definition:

‘[B]uen vivir denotes, organizes, and constructs a system of knowledge and living based on the communion of humans and nature and on the spatial-temporal-harmonious totality of existence. That is, on the necessary interrelation of beings, knowledges, logics, and rationalities of thought, action, existence, and living.’ (Walsh 2010, 18)

The concept was incorporated in the 2008 Ecuadorian Constitution as a set of rights that are granted to nature, which are in turn embedded within a broader framework of human rights with regard to, among other things, a healthy environment, culture, science, education, and health (República del Ecuador 2008, articles 71-74). In the 2009 Bolivian Constitution, ‘Vivir Bien’ does not have intrinsic value but is conceptualised as an ethical principle that is protected by a range of ‘classical third generation human rights’<sup>14</sup> that are based on an anthropocentric point of view (Gudynas 2011, 443). According to these third-generation human rights, nature should be protected because of its contribution to the quality of life of human beings. In 2012, the Bolivian constitution was supplemented by the ‘Framework Law of Mother Earth and Integral Development to Live Well’ in which rights for nature are specified and an ombudsman is appointed who represents Mother Earth in legal proceedings. In the cases of both countries, Ecuador and Bolivia, the introduction of rights of nature extends classic ways of thinking about development and introduces a specifically Indigenous vision of development.

Yet the political reality in both countries often lags behind these legal and ethical frameworks. In 2010, the Confederation of Indigenous Nationalities of Ecuador (CONAIE) broke up the dialogue with the Ecuadorian government of Rafael Correa because it had issued a new law

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<sup>14</sup> Third-generation human rights are collective developmental rights and have only been included in some international legal documents, such as the 1994 Draft Declaration of Indigenous Peoples’ Rights. These rights comprise, among other things, the right to self-determination, the right to a healthy environment, and the right to participation in cultural heritage.

regarding mining and had made several concessions for petroleum exploitation in the Amazon (Altmann 2014, 90). Although these extractive activities violated the rights of nature, the government had given priority to the country's economic interests. Another example was the termination of the Yasuní-ITT oil moratorium proposal by the Ecuadorian government in 2013. The government had originally committed itself to protecting the Yasuní national park, but withdrew that commitment three years later in order to extract oil (Waldmueller and Rodríguez 2019, 17).

When evaluating the paradigm of 'Buen Vivir'/'Vivir Bien', it is clear that it has been able to unite a great number of Indigenous peoples, NGOs, and grassroots organisations in the fight for an Indigenous vision of development, and this is impressive. In particular, the rights-based conceptualisation of the Ecuadorian constitution has a lot of normative power and allows individuals to legally claim the rights of nature. The discourse about the core concepts of the approach, for example the role of nature, has sparked fruitful debates within and beyond Latin America.

It is still an open question, however, whether the underlying conception of cultural tradition can do justice to the existing diversity of Indigenous traditions and the different roles they can play in development processes. One criticism can be directed at the universalising tendencies of the approach. Alberto Acosta argues against understanding 'Buen Vivir' as a 'single global command defining what society should look like' (Acosta 2017, 2604). 'Buen Vivir' should not be perceived as an abstracted image of Indigenous cultural traditions which comprises all the essential values of those Indigenous peoples who subscribe to it but which ultimately remains static. Hence, more work has to be done to connect the approach to the cultural traditions of Indigenous peoples by enriching its normative framework. One option would be to distinguish between individual Indigenous traditions and a thinner notion of 'Buen Vivir' that the diverse Andean communities could approve of. Another criticism concerns the lack of criteria that could help to evaluate cultural traditions. Although the approach does not exclude such an

evaluation, it mainly endorses a specific set of cultural values that are common to a number of (mostly Andean) Indigenous peoples without providing an explicit philosophical justification for endorsing this particular set rather than another.

Because of these two criticisms of the conception of cultural tradition that underlies the paradigm of ‘Buen Vivir’, the conception of cultural tradition that this thesis will use will differ from that conception. In order to allow a critical evaluation of cultural traditions, which could be either (partly) positive or (partly) negative, the notion of cultural tradition needs to be conceptualised in a value-neutral way that allows for a subsequent evaluation. And it will not be based on a specific set of values, but on a value-neutral concept of habit, which I will introduce in chapter 4.

### **2.3.4 The right to culture and human rights**

The fourth way to address the role of culture and cultural traditions within development thinking is to use a rights-based approach. According to development economists of the 1940s and 1950s, an improvement in the human rights situation was supposed to follow as a consequence of economic development. But it was only with the introduction of the Human Development Index (HDI) in 1990 and the Gender Development Index (GDI) in 1995 that economic, social, and cultural rights like the right to education or the right to gender equality were turned into explicit ends of development (Elliot 2014, 46-48). Nowadays, Indigenous peoples can refer to article 27 of the International Covenant on Civil and Political Rights (ICCPR), article 15 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), the ILO Convention 169, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) to claim their right to enjoy ‘those aspects of their culture that are inherently and inextricably associated with their way of life’ (Tobin 2014, 149; Dana 2011, 41; Hadjioannou 2005, 197). Hence, the right to culture is well established in the contemporary human

rights discourse. But can it also address the role of cultural traditions within development?

The right to culture can be justified in different ways. Will Kymlicka argues for a general right to cultural membership, because it provides people with ‘an intelligible context of choice, and a secure sense of identity and belonging’ (Kymlicka 1996, 105). On the one hand, culture provides a variety of options so that individuals can exercise their freedom of choice; on the other hand, it enhances the self-respect of people, which supports their sense of agency. Following the work of Kymlicka, two main views have emerged in the literature. The first view emphasises the value of freedom and the right to choose one’s culture. The second view highlights the importance of cultural affiliation for one’s sense of identity.

Amartya Sen is one of the representatives of the first of these two views. He argues that cultural liberty should have priority over cultural diversity. He even warns against treating ‘cultural diversity as valuable no matter how it is brought about’ (Sen 2004a, 23). According to Sen, cultural diversity should only be considered positive to the extent that it allows for cultural liberty and the exercise of human freedom. Avishai Margalit and Moshe Halbertal, however, can be viewed as having the second view. They criticise the first view for merely defending the right to ‘have some sort of cultural affiliation’ but failing to defend the right to remain affiliated to *one’s own* culture (Margalit and Halbertal 2004, 541). Accordingly, they consider the contribution of cultural traditions to one’s sense of identity to be more important than one’s right to choose culture.

There are three advantages of framing the role of culture and cultural traditions in human rights language. First, human rights claims exercise a strong normative force, because they have been the result of political processes at an international level. These processes provide them with political legitimacy, although this legitimacy remains contested in some parts of the world. Second, they can receive additional support from institutional backing. An example of such support is the European Court of Human Rights

in Strasbourg, to which individuals, groups, and states can appeal in order to report human rights violations that have been committed by contracting states. And third, the human rights discourse is well established at a national and international level so that nation states can in principle be held accountable. On the one hand, there are international treaties and conventions. On the other hand, there is human rights activism in countries that are not contracting parties but are nevertheless measured by the human rights yardstick (Nickel 2014, 214-216).

However, there are also two problematic aspects of the right to culture. First, if the value of culture is reduced to its value for individual freedom or for an individual's sense of identity or agency, other valuable contributions that cultural traditions can provide are neglected, such as the role that cultural traditions play in organising one's community or in maintaining relationships of trust. The second problem is that the right to culture only provides two criteria to evaluate cultural traditions: whether they enhance individual freedom and whether they contribute to one's sense of identity or agency. But these two criteria do not allow for the possibility that some cultural traditions are intrinsically rather than instrumentally valuable. For example, some communities might value their relationship with the environment not because it contributes to their sense of identity but because they consider the environment to be an intrinsically valuable living being. Assigning intrinsic value to the environment would consequently form part of their cultural traditions and shape their way of life. While there are good reasons to include the right to culture in the human development paradigm, the concept alone cannot adequately capture the role of cultural traditions in development.

In the account of cultural tradition of this thesis, I will therefore consider a plurality of ways in which cultural traditions can contribute to the wellbeing of human beings and develop a multidimensional wellbeing standard. Furthermore, I will account for the possibility that cultural traditions can be both instrumentally and intrinsically valuable.

### 2.3.5 Intangible cultural heritage

The fifth way to address the role of cultural traditions within development contexts is the concept of an ‘intangible cultural heritage’. In 2003, the Convention for the Safeguarding of the Intangible Cultural Heritage (CSIH) defined the concept as referring to

‘the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage.’ (UNESCO 2003, Article 2.1)

The definition focuses on the self-recognition of heritage by communities or groups and adds further descriptive criteria such as continuous cultural transmission and recreation and a connection with the community’s history, identity, and territory. A normative requirement for the recognition of heritage is that the practices, representations, expressions, knowledge, or skills are compatible with existing human rights and mutual respect between communities (Lenzerini 2011, 108). The concept of ‘intangible cultural heritage’ could therefore be seen as an apt candidate for addressing the role of cultural traditions within development.

Yet the definition has been criticised for its gender-neutral language and for protecting cultural heritage that reinforces existing gender inequalities (Moghadam and Bagheritari 2007, 16). The definition’s appeal to human rights adds a normative dimension, but it does not provide criteria for identifying sexist or other types of oppressive cultures. Furthermore, William Logan has raised the question of whether UNESCO’s approach of listing heritage might lead to favouring the heritage of some communities at the expense of others (Logan 2009, 17). If the resources available to support communities are scarce, then these resources might be dedicated exclusively to the communities included in the list. Tourists might also focus exclusively on these communities and neglect others.<sup>15</sup> A crucial concern has been voiced

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<sup>15</sup> Logan (2012) also provides a list of questions that the definition of ‘intangible cultural heritage’ cannot answer and that I attempt to address in this thesis. Among

by Erich Hatala Matthes, who challenges the definition's tendency to be a one-sided positive view of heritage (Matthes 2018, 88). The definition is therefore unable to acknowledge historical injustices that might form part of a community's heritage.

In sum, UNESCO's definition of an 'intangible cultural heritage' has been an important step in extending the protection of cultural heritage to cultural practices, representations, expressions, knowledge, and skills. The descriptive part of the definition goes beyond a mere focus on knowledge and also includes a behavioural and a narrative dimension. The references to cultural transmission and identity are helpful markers to distinguish cultural heritage from more transitory cultural phenomena.

However, I agree with Matthes that a significant shortcoming of this concept is its inability to address negative aspects of heritage such as oppression or historical injustice. The problem with the UNESCO definition is that it only recognises beliefs, practices, and values as heritage if they are compatible with a certain number of human rights. In this way, all cultural traditions that violate human rights are excluded from the start. Heritage is consequently regarded as something that is exclusively positive and there are no further normative criteria to evaluate communal heritage once it has been included in the list. But in order to capture the role of cultural traditions within development, it is crucial to also acknowledge the possible negative effects they might have. In order to allow for an evaluation of cultural traditions in this thesis, I will therefore develop a value-neutral conception of cultural tradition that can account for both the positive and the negative aspects of cultural traditions.

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them are questions about the right to reject one's traditions, the commodification of tradition in the context of tourism projects, and the use of tradition by elites to secure their own status.

### **2.3.6 Indigenous cultural tradition in the capability approach and the SDGs**

The sixth and final approach to the question of cultural traditions within development contexts that I want to discuss can be found in the literature on Indigenous peoples and development. I will focus in particular on the capability approach and the critique of the Sustainable Development Goals (SDGs).<sup>16</sup> Krushil Watene and Mandy Yap criticise the almost complete absence of culture as a dimension of development in the SDGs (Watene and Yap 2015, 51). It is mentioned five times in the targets of the SDGs, but constitutes merely a means rather than an end of development. It is never valued for its own sake (Watene and Yap 2015, 52). This understanding of culture as merely instrumental contradicts the self-understanding of many communities, in particular Indigenous peoples, who consider culture to be constitutive of their wellbeing. An example of this is the way in which the Māori understand their relationship to what they call *whenua*, the natural earth. This relationship shapes their value system and their cultural traditions and is important not just because it is instrumentally valuable for development; it is valued for its own sake. It is also instrumentally valuable because it provides the community with meaning and harmony. But it can only provide the community with such meaning and harmony, because it is valued for its own sake in the first place.

A promising candidate for a theory that could account for such cultural goods, which lie outside the economic sphere but nevertheless contribute to wellbeing, is the capability approach. With its focus on the freedom to achieve the kind of life one has reason to value, a capabilitarian account of wellbeing could include the filial relationship to one's territory. While this filial relationship goes beyond economic growth, it nevertheless helps to enhance

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<sup>16</sup> The Sustainable Development Goals were formulated as a 'plan of action for people, planet and prosperity' by the United Nations General Assembly in 2015 (UN General Assembly 2015, preamble). They consist of 17 global goals, and the aim is to implement them by 2030.

‘the lives we lead and the freedoms we enjoy’ (Sen 2001, 14). A second advantage of the capability approach is its use of the notion of conversion factors (i.e., the factors that determine if and to what extent a person can convert a good into a being or doing she has reason to value). Christina Binder and Constanze Binder suggest that Indigenous knowledge could be thought of as such a ‘(social) conversion factor’ (Binder and Binder 2016, 305). Accordingly, Indigenous peoples could use their knowledge to derive specific capabilities from their relationship to their territories, such as the treatment of diseases using herbs and medicinal plants. A third advantage of the capability approach is its emphasis on participation and value pluralism. The members of an Indigenous community could take part in a participatory process and select and rank their own list of capabilities. In this way, their self-understanding and cultural traditions would form the basis of their specific vision of development. To sum up, the capability approach provides a conceptual framework that could do justice to Indigenous cultural traditions by accommodating non-economic goods, Indigenous knowledge, and the self-understanding of Indigenous peoples.

Although these three reasons count in favour of the capability approach and its conceptualisation of cultural tradition, there remain two critical questions. The first question relates to the role of cultural tradition in the approach. By engaging in a participatory exercise, the members of an Indigenous community could create a list of capabilities that could then be used to evaluate Indigenous wellbeing. In this case, Indigenous peoples’ cultural tradition would provide the normative background for the list. The beliefs, values, and practices of their cultural traditions would determine which capabilities they selected. Although this list could be used to evaluate Indigenous wellbeing, it would not be sufficient alone to evaluate Indigenous cultural traditions, because it would remain unclear what exactly was being evaluated. The list would therefore need to be supplemented with an additional, value-neutral conception of cultural tradition, which could then be measured against this normative standard. Cultural tradition could then form

the normative framework of an evaluative exercise, but it could also be the object of evaluation. I will develop such a value-neutral conception of cultural tradition in chapter 4 of this thesis.

The second question poses a challenge to the capability approach's capacity to adequately capture the cultural values of Indigenous peoples. From the point of view of Andean Indigenous peoples, Roger Merino criticises the focus on individual wellbeing and the neglect of communal values such as the value of living together or living in harmony with nature (Merino 2016, 282). From a Māori point of view, Watene calls into question the emphasis on freedom as the ultimate value. For Māori the natural world is not valuable because it 'contributes to the well-being and agency of people' (Watene 2016, 291). Instead, nature is valuable for its own sake. During the last few decades, there has been a lively debate among scholars about whether the capability approach is committed to ethical individualism and if so whether this would imply that communal values and the claim that nature has intrinsic value cannot be accounted for by the capability approach.

I would therefore draw the following preliminary conclusions about the capacity of the capability approach to account for the role of cultural traditions in development: two significant advantages of the capability approach are its openness to comprising development goals that go beyond mere economic growth and its ability to account for a plurality of values. Yet if we want to be able to criticise cultural traditions by using a list of capabilities, the approach would have to be supplemented: a value-neutral conception of tradition would have to be added that could be submitted to a normative evaluation. Such a value-neutral conception of tradition will be developed in chapter 4. In addition, the approach would have to undergo further transformations, if we wanted to include Indigenous visions of development that include communal values or the intrinsic value of nature. In chapter 8, I will therefore examine the challenge that genealogical relationships and the intrinsic value of nature pose to the capability approach.

## **2.4 The key question: The evaluation of cultural traditions within development contexts**

In chapter 1, I formulated my research question as a set of three interrelated questions: How can Indigenous communities evaluate cultural traditions in the context of development processes? When are such traditions worth preserving and when should they be modified or even abandoned? If the members of an Indigenous community deliberate about the implementation of a development project but still want to hold on to their cultural traditions, how can they balance these two normative commitments? In the preceding six sections, I reviewed six different approaches that deal with cultural tradition in the context of development economics or development ethics. So what can we conclude about the respective advantages and disadvantages of these six different approaches and how they describe the role of cultural tradition in development processes? I will first list the specific shortcomings of each of the six approaches and will then summarise the critiques that concern more than one account.

In ethnodevelopment there is a tendency to subordinate cultural traditions to economic productivity, while in Indigenous knowledge approaches there is a tendency to overly intellectualise them. In the framework of ‘Buen Vivir/Vivir Bien’, a specific set of cultural traditions is abstracted from the Andean context, whereas in the right to culture approach and the intangible cultural heritage approach, cultural tradition is reduced to being in need of protection. Finally, the capability approach has limitations regarding taking sufficient account of those cultural traditions that contain communal or intrinsic values. Several accounts can be criticised because they suggest that cultural tradition can only be appreciated as a means to something else or because they lack the criteria to evaluate cultural traditions.

The scope of my own research question is more limited than the scope of these six approaches in that I do not wish to propose a novel approach to cultural tradition and development *in general*. I want to develop a deliberative method that can help Indigenous peoples to assess their cultural traditions and

the expected change in these traditions that may result from the implementation of a development project. Hence, in section 2.5 I adopt the term ‘human development’ from the development ethics literature and subsequently focus on developing a normative framework and a deliberative procedure. And instead of focusing on ethnicity, knowledge, rights, or capabilities, the starting point of my discussion will be the concept of cultural tradition.

With regard to the six approaches that I have analysed in the previous sections, I will attempt to address the critical points by developing a conception of tradition that is not intellectualistic and does not generalise from a specific subset of traditions. In addition, I will treat cultural tradition as something that can be both positive and negative, that can be valued instrumentally and intrinsically, and that can contain communal and intrinsic values. Furthermore, I will develop a number of criteria that can help to evaluate these various aspects of tradition.

My project is limited in at least two aspects: On the one hand, the criteria that I suggest in this thesis can be employed by Indigenous communities to evaluate their cultural traditions and the impact of proposed development projects on them. But in order to decide whether a development project should be implemented or not, further information would be necessary, such as, for example, information about the effects of the project on stakeholders outside the community or information about the project’s feasibility.

On the other hand, the evaluative method will be applicable to the context of Indigenous peoples but not to small-scale communities in general. In many small-scale communities, a broader set of cultural traditions is present, and this would require a deliberative procedure that could integrate a variety of cultural understandings and identities. In this thesis, I will restrict myself to developing a deliberative procedure for Indigenous communities in which the community members identify with one specific cultural tradition, although interpretations of this tradition may vary considerably among the community members. A deliberative procedure for small-scale communities with a

plurality of traditions could build on the deliberative procedure of this thesis, but it would have to be supplemented by further principles of intercultural communication and intercultural deliberation. This is an important project, but it lies beyond the scope of this thesis.

In order to answer my research question, I need three elements. First, I need a value-neutral conception of cultural tradition, which I have not been able to find in any of the six approaches outlined above. I will develop such a conception in part II. Second, I need a set of normative criteria for the evaluation of cultural traditions, which I will discuss in part III. And third, I need an evaluative method and a deliberative procedure for Indigenous contexts, which I will propose in part IV.

In part III, I will make use of the capability approach to conceptualise wellbeing. Of the six approaches analysed above, the capability approach is the most suitable for my purpose, because it is bottom-up<sup>17</sup> and procedural. It also provides an open-ended conceptual framework that can be supplemented by additional ontological and explanatory theories, weighing dimensions, methods for empirical analysis, and additional normative principles and concerns (Robeyns 2017, 68). In chapter 8, I will discuss whether the framework of the capability approach can be extended or modified to include communal and intrinsic values.

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<sup>17</sup> There is a disagreement between Amartya Sen and Martha Nussbaum on the question of whether the capability approach should be bottom-up. Nussbaum proposes a list of ten capabilities for a life worthy of human dignity. She then assigns to governments the responsibility to ‘secure to all citizens at least a threshold of these ten Central Capabilities’ (Nussbaum 2011, 33). Yet it is much more helpful to interpret Nussbaum’s capability list as a capability theory that focuses on questions of justice than as a rival version of the general capability approach. The general capability approach can also be used for other purposes besides giving an account of social justice (Robeyns 2017, 171).

## **2.5 The distinction between economic development and human development**

After this literature review of the concept of cultural tradition within development economics and development ethics, I would like to conclude this chapter with some reflections on the concept of development that underlies this thesis. In the course of this thesis, I will employ the broader concept of human development and only occasionally speak about development in a more restricted, economic sense. Communities that plan to evaluate their cultural traditions and the effects of a proposed development project on these traditions can employ this concept of human development and assess whether a particular development project lives up to certain aspects of human development or not.

Economic development has often been equated with an increase in the gross national product per capita. The gross national product comprises the value of all goods and services that are produced by a national economy in a year, adding ‘the income that accrues to domestic residents from investment abroad’ and deducting ‘the income earned in the domestic economy which is owned by people abroad’ (Gasper 2005, 29). The result is then divided by the number of inhabitants of the corresponding nation state. In its 1990 report and subsequent reports, the United Nations Development Programme challenged the idea that there is an automatic link between economic growth and human development if the latter is understood as a process of enlarging people’s choices or expanding their functionings and capabilities (United Nations Development Programme 1990, 10). Without additional policy measures, it is highly unlikely that economic growth leads to human progress in terms of empowerment, cooperation, equity, sustainability, and security (United Nations Development Programme 1996, 55–56).

The United Nations Development Programme’s (UNDP) notion of human development constitutes an attempt at a minimal definition of development that applies to all human beings. I will adopt this definition in this thesis, but with some reservations. In the case of Indigenous peoples,

important dimensions are lacking, such as the value of relationships within the family or tribe, or the intrinsic value of nature. These dimensions might also be lacking for a number of non-Indigenous communities that emphasise the value of family or nature. Hirschman distinguishes in this regard between an ego-focused image of growth and a group-focused image of growth (Hirschman 1960, 23). The former is typical of communities in which individual agency is considered more important than group agency, whereas the latter can rather be found in communities in which group agency trumps individual agency. Indigenous communities might in many cases feel more attracted to the group-focused image, which has a strong emphasis on the equal distribution of the benefits of growth, and they might sometimes even prioritise equality over raising individual living standards. These issues will be further discussed in chapter 8.

The UNDP measures development in terms of human wellbeing, but supplements this notion with other indicators such as participation, self-respect, empowerment, and a sense of belonging (United Nations Development Programme 2000, 17). When I evaluate cultural traditions, I will primarily appeal to the values of *wellbeing* and *non-domination*. While the value of *wellbeing* can help to evaluate the wellbeing-enhancing and the wellbeing-constraining aspects of cultural traditions, the value of *non-domination* can help to evaluate their dominating aspects. In this way, an extended notion of *wellbeing* can cover the importance of self-respect and a sense of belonging, and *non-domination* can capture the significance of participation and empowerment. But what about indicators that concern the political situation of the community and its recognition by surrounding neighbours? I will try to take these dimensions into account by adding a third value – the value of political *self-determination* – in part III and by defining a minimum standard for the discourse rules that a deliberative procedure should satisfy in part IV.

The final topic with regard to the notion of development used in this thesis is efficiency. Within a primarily economic understanding of

development, arguments from efficiency often tip the scales when a choice between two options has to be made. But efficiency considerations are not restricted to the economic sphere. As a relational concept, efficiency can be broadly defined as the relationship or ratio between inputs and outputs. According to Gasper, the scope of efficiency depends on ‘certain values or certain beliefs concerning what is valuable’ and how the inputs and outputs are framed (Gasper 2005, 64). Hence, efficiency considerations can also apply to human development by measuring how certain inputs (for example, energy, time, or money) compare with outputs such as longevity, education, a decent standard of life, security, sustainability, and so forth. Theoretically, even an increase in equality within a community or the greater inclusivity of a procedure can form part of efficiency considerations (Gasper 2005, 65). While an economic development paradigm focuses on GNP per capita and economic efficiency, there can also be efficiency in a human development paradigm, but it would be one among several other considerations. In the following chapters, I will mainly refer to human development, as will also become apparent in the values of wellbeing and non-domination, which I develop in part III. An exception will be my analysis of the tradition of unpaid communal work in section 7.3, which contains a critique of a narrow understanding of economic efficiency.



## **PART II**

# **THE CONCEPT OF TRADITION**

In part I of this thesis, I presented my research question, gave an overview of my methodology, and explained the structure of the thesis's main argument. Subsequently, I reviewed six accounts of cultural tradition in development economics and development ethics and drew lessons from a critical analysis of these accounts regarding how we should conceptualise the notion of cultural tradition for an evaluative procedure. In section 2.4, I concluded that we need a value-neutral conception of cultural tradition that is not intellectualistic and that does not generalise from a specific subset of traditions. Furthermore, a suitable conception of tradition should be able to account for both the positive and the negative effects of tradition, to be valued instrumentally and intrinsically, and to accommodate both communal and intrinsic values.

In this part, I proceed one step further and develop this conception of cultural tradition. Although the term 'tradition' is mentioned regularly in scholarly publications, there is, surprisingly, not a straightforward answer from this literature to the question of how 'tradition' should be conceptualised. The situation is made even more difficult by the fact that different authors mean different things when they write about 'tradition'. Thus, in order to develop a value-neutral conception of cultural tradition, we first have to clarify the concept of 'tradition' and the diverse ways in which it can be employed. A helpful tool for providing such clarification without having to reduce the existing multiplicity of conceptions is an analytical grid of 'tradition', which I will develop in chapter 3.

In chapter 4, I will employ this analytical grid to develop my own proposal for a conception of cultural tradition. This conception of cultural tradition will be based on the action theory of Dewey and Mead and their pragmatist concept of habit. In this way, I will be able to construct a value-neutral conception of cultural tradition that can be submitted to a normative

## PART II

evaluation. Furthermore, I will distinguish between a behavioural and a meaning dimension of cultural tradition and explain how these two dimensions are connected. Subsequently, I will argue that cultural traditions do not have clear boundaries but that these boundaries remain soft and fluid and open to contestation. At the end of this chapter, I will provide two criteria for identifying Indigenous communities and Indigenous cultural traditions.

Both chapters, chapter 3 and chapter 4, will not deal specifically with Indigenous cultural traditions, but will instead reflect on the concept of tradition in general. I therefore ask the reader to bear with me, as I will begin part II with a reflection on traditions in general and will only discuss the specific case of Indigenous traditions in a few places, such as in section 4.8.3 and section 4.10. In part III, I will resume the discussion of Indigenous traditions.

## Chapter 3 An analytical grid for conceptions of tradition

### 3.1 Introduction

The analytical grid<sup>18</sup> that I develop in this chapter will be based on various definitions and accounts that I have found in the relevant literature and will identify a number of criteria for distinguishing different conceptions of tradition. Some of these characteristics apply to all conceptions of tradition, others only to some of them. The analytical grid will also be limited to conceptions in philosophy, sociology, anthropology, and economics. Thus, it will possibly not do justice to notions of tradition as they have been developed in folklore studies, history, literary science, theology, and other academic disciplines. However, in the course of my argument I will appeal to valuable insights of scholars from these domains. In chapter 4, I will use the criteria of this analytical grid as the basis on which to develop a value-neutral conception of cultural tradition that can help me to answer my research question.

There are two reasons for limiting the analytical grid to philosophy, sociology, anthropology, and economics. Firstly, I had to limit myself to a feasible set of conceptions, because a comprehensive analytical grid would certainly require a whole monograph on its own. Secondly, the conception of tradition that I will propose in chapter 4 addresses primarily philosophical, sociological, anthropological, and economic questions, and hence it makes most sense to focus on the conceptions of tradition in the corresponding academic disciplines that study those kinds of questions.

Table 1 lists a number of important definitions and accounts of tradition that can be found in the philosophical, sociological, anthropological, and economic literature and that I will refer to in this chapter.

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<sup>18</sup> In section 3.3, I will explain in more detail what an analytical grid consists of and how it differs from other ways of systematising concepts and conceptions, such as a taxonomy.

Table 1: Definitions and accounts of tradition (in the order in which they appear in the text)

Karl Popper: Tradition is the ‘uniformity of people’s attitudes, or ways of behaviour, or aims or values, or tastes’ (1989 [1948], 133).
Roger Scruton: Tradition is a ‘manner of custom, ceremony, and participation in institutional life’ justified by references to the past (1984, 40).
Eric Hobsbawm: Tradition is ‘a set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with the past’ (1984, 1).
Hans-Georg Gadamer: Tradition ‘has a justification that lies beyond rational grounding and in large measure determines our institutions and attitudes’ and it ‘needs to be affirmed, embraced, cultivated’ (Gadamer 1999 [1960], 281).
Edward Shils: Tradition is a pattern of belief or action that is created ‘through human actions, through thought and imagination’ and that is ‘handed down from one generation to the next’ (1981, 12). Two transmissions over three generations must occur before a pattern of belief or action can be considered to be a tradition (1981, 15).
Alasdair MacIntyre: Tradition is ‘an historically extended, socially embodied argument, and an argument precisely in part about the goods which constitute that tradition’ (2007 [1981], 222).
Michael Oakeshott: ‘[T]hough a tradition of behaviour is flimsy and elusive, it is not without identity, and what makes it a possible object of knowledge is the fact that all its parts do not change at the same time and that the changes it undergoes are potential within it. Its principle is a principle of continuity: authority is diffused between past, present, and future; between the old, the new, and what is to come. It is steady, because, though it moves, it is never wholly in motion; and though it is tranquil, it is never wholly at rest’ (1991b [1962], 128).

AN ANALYTICAL GRID FOR CONCEPTIONS OF TRADITION

Jack Goody: Tradition is ‘a “handing over,” in the sense of intergenerational communication, if only over a single generation’ (2000, 13).
Josef Pieper: Tradition is ‘the tradition of truth, where the traditum (or tradendum) is a teaching, a statement about reality, an interpretation of reality, a proverb’ (2010 [1970], 9).
Pascal Boyer: Tradition is an ‘interaction which results in the repetition of certain communicative events’ (1990, 23).
Anthony Giddens: Tradition is ‘bound up with memory’, ‘involves ritual’, ‘is connected with [...] a formulaic notion of truth’, ‘has “guardians”’, and ‘has binding force which has a combined moral and emotional content’ (1997, 63).
Shmuel Eisenstadt: Tradition is the ‘routinized symbolization of the models of social order and of the constellation of the codes, the guidelines, which delineate the limits of the binding cultural order, of membership in it, and of its boundaries, which prescribe the “proper” choices of goals and patterns of behavior; it can also be seen as the modes of evaluation as well as of the sanctioning and legitimation of the ‘totality’ of the cultural and social order, or of any of its parts’ (Eisenstadt 1973, 139).

As table 1 shows, there is a wide variety of definitions and accounts of tradition in the four disciplines of philosophy, sociology, anthropology, and economics. Appendix 1 describes them in more detail, but at this stage it is important to notice how diverse they are.

A number of scholars have tried to construct a unified conception of tradition that is applicable to philosophy and other related disciplines in the humanities. That is, they have proposed a conception of tradition that is able to integrate all the different ways and manners in which tradition can be understood. To illustrate my point, we only have to turn to two prominent examples of unified conceptions of tradition that can be found in the works of Karl Popper and Roger Scruton. Popper describes tradition as ‘uniformity

of people's attitudes, or ways of behaviour, or aims or values, or tastes' (Popper 1989 [1948], 133), while Scruton refers to traditions as 'all manner of custom, ceremony, and participation in institutional life' justified by references to the past (Scruton 1984, 40). Although both scholars are philosophers, their conceptualisations of tradition are not limited to philosophy or a specific philosophical discipline, but aim to encompass the whole realm of the humanities.

In the following two sections, I argue that such a unifying project is not feasible. There is not a single conception of tradition, but rather a plurality of such conceptions. I argue that no unified conception can bridge the gap between behavioural and hermeneutical conceptions of tradition or the gap between value-neutral and value-laden conceptions of tradition. Subsequently, I suggest replacing the project of a unified conception with an analytical grid of tradition. I discuss three taxonomies proposed in the literature and then develop the proposed analytical grid as an alternative.

## **3.2 Against unified conceptions of tradition**

### **3.2.1 The first-person/third-person perspective argument**

The first reason why we cannot have a unified conception of tradition is that it is impossible for a conception to bridge the gap between behavioural and hermeneutical conceptions of tradition. The gap is unbridgeable because a behavioural conception of tradition is based on an action theory from a third-person perspective, whereas a hermeneutical conception of tradition is based on a hermeneutical approach from a first-person perspective. Although these two perspectives could be presented as two poles of a continuum, this approach would still require two different ways of conceptualising tradition.

If we construct a behavioural conception of tradition, we look at the behaviour of agents and describe bodily movements, gestures and facial expressions, expressed beliefs, and mutual interaction. As such a conception focuses on observable behaviour, its perspective is that of a third person. An

example of this is Eric Hobsbawm's definition of invented tradition as 'a set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with the past' (Hobsbawm 1984, 1).<sup>19</sup> Such a third-person conception of tradition would be used predominantly in the empirical sciences such as sociology or economics.

However, if we construct a hermeneutical conception of tradition, we understand ourselves as being embedded within language and describe linguistic tradition from a first-person perspective. According to Hans-Georg Gadamer, in understanding ourselves, each other, or a text before us, 'we are always situated within traditions' (Gadamer 1999 [1960], 282). His conception of tradition forms part of his philosophical inquiry into the nature of human understanding and its presuppositions. Meaning cannot be described; it can only be interpreted. Thus, tradition 'has a justification that lies beyond rational grounding' (Gadamer 1999 [1960], 281). Such a first-person conception of tradition would be used in literary studies or in other sciences that rely on the interpretation of texts.

It is not possible to provide a unified conception of tradition covering both Hobsbawm's account and Gadamer's account. The first-person perspective and the third-person perspective cannot be fused; they can only be juxtaposed. The hermeneutical account is the point of view 'of a particular individual, having a specific constitution, situation, and relation to the rest of the world' (Nagel 2013, 206). If we abstract from this individual her specific spatial and temporal position, her individuality, and eventually her historical and linguistic embeddedness, we can gradually arrive at a behavioural point of view.

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<sup>19</sup> Hobsbawm and Ranger's account focuses on tradition in the context of nationalism. According to Hobsbawm and Ranger, the secular decline of ancient traditions and the rise of the nation state have created a new need for invented traditions to establish social cohesion and membership, legitimise institutions and authority, or spread certain beliefs and values. However, their definition is not restricted to nationalist traditions and can be applied to tradition in general.

Yet we should not forget that we have left something out in the behavioural description that can only be understood from a hermeneutical perspective. A move towards a third-person perspective is not an extension of a first-person perspective – rather, it is comparable to moving from one pole to the other. We must keep in mind ‘what we are leaving behind’ (Nagel 2013, 213): the person’s local and temporal context and her embeddedness in a specific history and language. While a third-person perspective employs a vocabulary that is applicable to a number of persons and their interactions with each other, which is useful for descriptive disciplines such as sociology and economics, it cannot integrate a person’s self-understanding, which is crucial for interpretative disciplines such as hermeneutics. Instead, it must abstract from this self-understanding and appeal to a shared understanding of the persons who are described.

### **3.2.2 The descriptive/prescriptive argument**

The second reason why a unified conception of tradition does not succeed is that it is impossible for such a conception to bridge the gap between descriptive and prescriptive conceptions of tradition. A descriptive conception of tradition is value-neutral and is based on a descriptive approach and a descriptive research question (e.g., ‘How did the republican tradition influence the French revolution?’), while a prescriptive conception of tradition is value-laden, based on a normative approach, and prescribes certain actions, beliefs, or values (e.g., ‘Heirs of the French revolution should honour the republican tradition!’).<sup>20</sup> A descriptive conception provides an explanation, whereas a prescriptive conception makes a recommendation. It is not possible for one conception of tradition to cover both the descriptive and the prescriptive approaches.<sup>21</sup>

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<sup>20</sup> Other combinations are also possible, such as a normative research question that employs a value-neutral conception of tradition. This is the approach that I have chosen for this thesis.

<sup>21</sup> This does not exclude the possibility that prescriptive approaches contain descriptive content. However, the problem is that they include an additional value

While some philosophers and economists construct a prescriptive conception of tradition, sociologists and anthropologists tend to work with descriptive conceptions of tradition.<sup>22</sup> For example, Edward Shils, espousing a descriptive conception, states that the two crucial criteria that must be satisfied to establish that something is a tradition are that it has been created ‘through human actions, through thought and imagination’ and that ‘it is handed down from one generation to the next’ (Shils 1981, 12). He also stipulates that two transmissions over three generations must occur before a pattern of belief or action can be considered a tradition (Shils 1981, 15). Thus, a pattern of belief or action must be received and passed on by at least two different persons or communities belonging to different generations.<sup>23</sup> He defines traditions by their adherence and their substantive content and connects them in this way to collectivities on the one hand and symbolic constructions on the other (Shils 1981, 285).

Alasdair MacIntyre, by contrast, conceptualises tradition in a value-laden way as ‘an historically extended, socially embodied argument, and an argument precisely in part about the goods which constitute that tradition’ (MacIntyre 2007 [1981], 222). His conception of tradition emphasises the continuity of moral enquiry within a community. The question MacIntyre tries to answer via this conception is an epistemological one: how can we recognise and attain the moral good in a world that has disintegrated into a plurality of mutually incommensurable points of view? His answer consists

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judgement, which descriptive approaches deliberately abstain from including. Examples of this are the critiques of tradition by Theodor W. Adorno (1992) and David Gross (1992), which I summarise in section A1.1.

<sup>22</sup> While the great majority of sociological and anthropological conceptions of tradition are value-neutral, sociologists and anthropologists might still have to make a normative judgement when identifying a specific set of practices as tradition.

<sup>23</sup> I interpret Shils as regarding one transmission (e.g., giving a gift to someone) as necessary but not sufficient for a tradition. For there to be a tradition, the pattern of belief or action being passed on must have been received beforehand. Shils does not justify his temporal condition of three generations and concedes that the boundaries of generations often remain ‘vague’. His temporal condition is therefore merely a pragmatic ‘minimum’ condition (Shils 1981, 15).

of advocating a return to communal tradition and arguing that rationality can only develop within a tradition and is therefore ‘largely tradition-constituted’ (Lutz 2004, 3). His conception therefore implies a value judgement in favour of tradition: as human beings, we should commit ourselves to a community and its corresponding discursive practice, which includes the requirement to immerse ourselves in that practice. As for MacIntyre rationality is always bound to a particular tradition, living without tradition would mean that we ‘place ourselves outside the bonds of rational discourse itself’ (Stout 2005, 136). According to MacIntyre, a tradition is not just an historically extended, socially embodied argument dealing with goods; it is also good to commit oneself to a tradition and to submit oneself to a certain extent to authoritative texts in order to exercise one’s rationality.

No unified conception of tradition can cover both Shils’s descriptive approach and MacIntyre’s prescriptive approach. Scholars either avoid taking a stand on the value of tradition or argue that a commitment to tradition is something valuable. The value judgement can also be negative, as in the case of Hannah Arendt’s analysis of tradition as ‘tyrannical’ and ‘coercive’, which she applies in particular to traditions of thought (Arendt 2006 [1961], 25–26). In the case of a prescriptive approach, there is always a descriptive element that is supplemented with a value judgement. In the case of a descriptive approach, this explicit value judgement is absent, although there are exceptions where the evaluation remains implicit. Thus, a prescriptive approach contains in its definition of tradition the element ‘traditions are good/bad’, while descriptive approaches do not include such normative elements. In sum, there cannot be a unified conception of tradition since no conception can be descriptive and prescriptive at the same time.

### **3.3 From a unified conception to a plurality of conceptions**

The analysis so far has clarified that different authors mean different things when they write about tradition. But in order to develop a value-neutral conception of tradition that can be submitted to an evaluation, we need to

have some clarity about the concept of tradition and the diverse ways in which it can be employed. In the previous two sections, I have argued that a unified conception of tradition is not a viable option. An alternative method, which can provide clarification without having to abstract from the plurality of conceptions, is a taxonomy. Assigning conceptions of tradition to different categories can help to identify the distinctions between them. In what follows, I will therefore examine three taxonomies and evaluate whether they succeed in providing an overview of the various ways in which tradition can be conceptualised. Unfortunately, these taxonomies only succeed to a certain extent. Consequently, I go one step further and move from a taxonomy of conceptions of tradition to an analytical grid of the concept of tradition.

While a taxonomy looks for similarities among conceptions of tradition in order to assign them to a certain category, I propose an analytical grid as a more flexible alternative to taxonomies. Under an analytical grid of tradition I understand a conceptual framework that is based on an analysis of the concept of tradition and that derives from this analysis a set of criteria. These criteria are then applied to some or all conceptions of tradition. Instead of referring to categories, the different criteria form a complex picture of how conceptions of tradition can be constructed. While taxonomies, with their reliance on categories, are a useful device for providing a first overview, only the criteria of an analytical grid can do justice to the multiplicity of conceptions and the complexity of the concept of tradition itself.

A taxonomy can be compared to a manual for birdwatching in which all birds are put into one of a limited number of categories, whereas an analytical grid is a different type of manual in which the categories are replaced by a multiplicity of criteria to ensure that the individuality of each bird is taken into account. While a birdwatching manual distinguishes between categories such as cranes, cormorants, and doves, an analytical grid would replace these categories by criteria such as the size, colour, and shape of the different birds. The analytical grid that I develop in the following sections focuses on certain

characteristics of the idea of tradition, which I have collected from various definitions and accounts in the relevant literature.

### **3.4 Taxonomies: State of the art**

Providing a taxonomy for conceptions of tradition as developed in philosophy, sociology, anthropology, and economics is not a straightforward task. There are, to the best of my knowledge, three taxonomies in the literature that aim to provide such a multidisciplinary overview: those by James Alexander, Siegfried Wiedenhofer, and Norbert Hintersteiner.<sup>24</sup> In what follows, I present and evaluate these three taxonomies of Alexander, Wiedenhofer, and Hintersteiner and subsequently put forward my own account.

In his ‘Systematic Theory of Tradition’ (2016), Alexander introduces a three-layered account of tradition and distinguishes between tradition as continuity, tradition as a canon, and tradition as a core. While continuity refers to the repetition of certain patterns of action, a canon ‘establishes standards’ of evaluation that allow us to judge what we do and do not want to count as tradition (Alexander 2016, 15). A core, then, singles out one or several elements of tradition as unconditionally true and beyond criticism. According to Alexander, there are three categories of tradition: ‘those with only continuity, those with also a canon in addition to continuity, and those with also a core in addition to canon and continuity’ (Alexander 2016, 24). Thus, all authors who write about tradition regard continuity as a necessary requirement for their conception. Some authors add a canon as an additional requirement (e.g., a canon of writings that constitute a certain tradition in Japanese literature). Whether a piece of writing can be added to that canon depends on evaluative criteria, such as date of origin, style, and quality. A further subgroup of authors believe that a core is necessary as well. This core

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<sup>24</sup> A taxonomy that does not deal with conceptions of tradition but with the patterns they transmit is offered by Thomas Arne Winter (2017).

is often religiously inspired and refers to some sort of revelation. While the tradition can change, the core remains stable.

Alexander's taxonomy succeeds in connecting anthropological, literary, and religious ways of talking about tradition and is helpful in examining how traditional content can be structured, but as a taxonomy, it does not offer sufficient distinctions. In particular, the subcategory of continuous traditions is too comprehensive and would encompass such diverse conceptions of tradition as Popper's and Shils's without being able to distinguish between them.<sup>25</sup> It also neglects how traditions are transmitted due to the exclusive focus on the content aspect of tradition.

In his essay 'Traditionsbegriffe', Wiedenhofer develops a taxonomy that distinguishes between six understandings of the concept of tradition (Wiedenhofer 2005, 261). His first understanding of tradition is a dogmatic and ethical one. Here, tradition designates a certain truth, value, or rule that is so important for the identity of a group that there is a corresponding duty to transmit it to further generations. This understanding can often be found in the religious domain. Secondly, there is a rational understanding of tradition. Tradition is seen as a necessary process of transmission and a possible resource for problem-solving. It can also be criticised, corrected, and transformed. The third way that tradition can be comprehended is in a romantic-aesthetic manner. According to Wiedenhofer, this understanding regards tradition not so much as imitation but as the creative reproduction of cultural inheritances involving feeling, sympathy, and congeniality. Fourthly, Wiedenhofer describes a hermeneutical or transcendental understanding of tradition. Authors associated with that particular interpretation write about tradition as contributing to the foundational act of understanding ourselves and the world or as the condition of possibility of our cognition. They focus

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<sup>25</sup> In the analytical grid that follows in the next section, Popper's and Shils's conceptions of tradition can be distinguished from each other with regard to their treatment of truth and rationality. Such a distinction is helpful because Popper's conception of tradition is better suited to characterising scientific traditions, while Shils's conception can be applied to a broader variety of social phenomena.

on the different ways in which we resort to tradition to comprehend ourselves, others, or our environment. A fifth understanding of tradition is descriptive and constructive. Tradition is constructed and embedded within socio-political power relationships. The sixth and final interpretation of tradition is a theological one. While it is somehow connected to the dogmatic and ethical understanding, it also exhibits features of the rational understanding. It reflects the believer's subjective point of view that he or she has received the gift of life from his or her divinity.

While Wiedenhofer's taxonomy is able to integrate a variety of ways in which tradition has been conceptualised in the course of history, it still remains somewhat coarse-grained. Regarding philosophical conceptions of tradition, it can distinguish between the account of Popper (rational) and the account of Gadamer (hermeneutical). But sociological and anthropological conceptions are subsumed under the descriptive–constructive understanding. Thus, additional distinctions would have to be added within that category to distinguish between Shils's conception of tradition on the one hand and Hobsbawm's conception of invented tradition on the other.<sup>26</sup>

A short but nevertheless very interesting taxonomy of conceptions of tradition can be found in Hintersteiner's *Traditionen Überschreiten* (Hintersteiner 2001, 31–36). Hintersteiner focuses on how tradition is defined and distinguishes between three groups of definitions: one group that emphasises the tacit dimension of tradition, a second one that acknowledges both a tacit and an explicit dimension, and a third one that deals exclusively with the explicit dimension of tradition. The tacit dimension refers to the habitual transmission of tradition without the agents being aware of it, whereas the explicit dimension includes intent. Hintersteiner then introduces subdivisions in each group, which refer to diverse aspects such as the

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<sup>26</sup> While Shils's conception of tradition also includes the handing over of objects from older individuals to younger individuals, these actions are not included in the conception of Hobsbawm. A further difference is that Hobsbawm focuses more on the behavioural aspect of tradition (e.g., practices, rules, values and norms), whereas in Shils's account stories, texts or objects can also become the content of tradition.

structure of the definition, the perspective of the corresponding account, and the main focus. Thus, his taxonomy can be summarised in the following table.

Table 2: Summary of Hintersteiner's taxonomy

1) Definitions that emphasise the tacit dimension of tradition and
a. enlist elements of tradition,
b. conceptualise the subjective point of view on tradition,
c. understand tradition as transmitting rules,
d. elaborate the symbolic aspect of tradition,
e. conceive of tradition as the handing down of normative structures, or
f. focus on the values and value judgements implied within tradition.
2) Definitions that acknowledge both a tacit dimension and an explicit dimension and
a. put forward a holistic understanding of tradition,
b. analyse the structures transmitted by tradition,
c. describe the beliefs and institutions being handed down, or
d. provide a psychological and social interpretation of the content of tradition.
3) Definitions that deal exclusively with the explicit dimension of tradition.

Hintersteiner's taxonomy is more fine-grained than Wiedenhofer's account. Yet it comprises a variety of criteria that refer merely to the formal structure of a definition (list, analysis, description) rather than to aspects of the conception of tradition itself. While these criteria might help to distinguish conceptions of tradition from each other, they do not provide further insight into the concept of tradition; they only help to explain how specific definitions are structured. Hintersteiner's taxonomy is thus partly a taxonomy of conceptions of tradition and partly a taxonomy of definitions of tradition and how they are structured. The resulting structure is eclectic and ranges from highly specific categories (e.g., 1b, which would, for example, contain Gadamer's conception of tradition) to quite broad ones (e.g., 1a).

### 3.5 An analytical grid of tradition

I now move from the critical part of this chapter, in which I have criticised unified conceptions of tradition and argued that existing taxonomies are insufficient, to the constructive part of this chapter, in which I develop an analytical grid of the concept of tradition. In this analytical grid, I build to some extent on the above accounts, but I also amend these approaches where they fail to do justice to the existing multiplicity of conceptions of tradition. Hence, supplementing Alexander's taxonomy, I refer to both the process aspect and the content aspect of tradition. To further refine Wiedenhofer's descriptive–constructive understanding, I provide conceptual resources to distinguish between Hobsbawm's conception of tradition and Shils's account. And by only employing criteria that are in some way connected to the concept of tradition itself, I avoid Hintersteiner's overly comprehensive categories. In a first step, I provide an analysis of the logical structure of the concept of tradition. This logical structure will help me to develop the criteria on which the presented analytical grid is based.

The concept of tradition can be analysed as a three-place predicate that requires three arguments: 'A hands down/transmits C to B' (Pieper 2010 [1970], 9–14; Shils 1981, 12–18; Dittmann 2004, 120–22; Gross 1992, 8). If we describe this concept of tradition as a function, it could be written as *Transmitting* (*A*, *B*, *C*). By replacing *A*, *B*, or *C* respectively with the open variables *x* or *y*, we can then distinguish between the process aspect of tradition, which in Latin would be the *tradere*, and the content aspect of tradition, which in Latin would refer to one *traditum* or various *tradita*. In this way, the process aspect of tradition, *Transmitting* (*A*, *B*, *x*), can be analytically distinguished from the content aspect of tradition, *Transmitting* (*x*, *y*, *C*). An additional difference can be made between the 'transmitter', *A*, and the 'receiver', *B*, of a tradition. These four distinctions are also reflected in the criteria set out in the following analytical grid.

Methodologically, I proceeded as follows: In a first step, I collected definitions and accounts of tradition from the disciplines of philosophy,

sociology, anthropology, and economics. I took into account the conceptions of tradition of fifteen philosophers (Adorno 1992; Arendt 2006 [1961]; Burke 2001 [1790]; Dittmann 2004; Gadamer 1999 [1960]; Gross 1992; MacIntyre 2007 [1981], 1989; Nussbaum and Sen 1987; Oakeshott 1991b [1962]; Pieper 2010 [1970]; Popper 1989 [1948]; Scruton 1984; Stout 2005; Winter 2017), four sociologists (Eisenstadt 1973; Giddens 1997; Shils 1981; Weber 1978 [1922]), seven anthropologists (Asad 2009; Boyer 1990; Douglas 2004; Goody 2000; Hobsbawm and Ranger 1984<sup>27</sup>; Redfield 1955), and four economists (Hayek 1978; Hoselitz 1961; Marglin 1990; North 1981).<sup>28</sup> Subsequently, I compared these definitions and accounts with one another to identify the criteria needed to draw relevant distinctions. While some of the criteria could be applied to all definitions and accounts, others were only applicable to a subset. Thirdly, I analysed the concepts underlying my criteria to highlight possible connections among them. Finally, I divided them into three groups: one group concerns the scope of the conception of tradition and its descriptive or prescriptive character, another group concerns the process aspect of tradition, and a third group deals with the content aspect of tradition. Ultimately, the analytical grid that I propose comprises seven dimensions under three clusters: scope and normativity in the first cluster; the mode of transmission, the role of authority, and the role of institutions in the second cluster, which focuses on the process aspect; and finally, the role of truth and the role of continuity in the third cluster, which focuses on the content aspect. The following table provides an overview of these seven dimensions and how they are grouped into three clusters.

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<sup>27</sup> Hobsbawm and Ranger are historians, but their edited volume *The Invention of Tradition* (1984) can be considered the starting point of a renewed anthropological debate about tradition and its conceptualisation.

<sup>28</sup> In Appendix 1, I provide more detailed descriptions of the different ways in which these 30 scholars conceptualise tradition.

Table 3: Overview of the analytical grid of tradition

Scope and normativity:
1) Scope: Does the conception of tradition focus on the behavioural aspect of tradition or on its hermeneutical aspect?
2) Normativity: Does the conception of tradition contain an implicit or explicit valuation of tradition, or does it remain descriptive?
Process aspect:
3) Mode of transmission: Does the conception of tradition describe the act of transmitting traditional content as unconscious or conscious, tacit or explicit?
4) Role of authority: To what extent does the conception of tradition refer to authority in the process of tradition?
5) Role of institutions: Does the conception of tradition restrict the transmission of traditional contents to institutionalised contexts or does it also comprise non-institutionalised contexts?
Content aspect:
6) Role of truth: Does the conception of tradition refer primarily to the transmission of truth or true statements, or does truth play only a subordinate role?
7) Role of continuity: How is continuity conceptualised in the conception of tradition: as pure succession, as the formation of a canon, or as the definition of a fixed core of tradition?

### 3.5.1 Scope and normativity

The first group of criteria builds on the gap between behavioural and hermeneutical conceptions of tradition and the gap between descriptive and prescriptive conceptions of tradition, as discussed earlier on in this chapter. These criteria concern the scope of the conception of tradition (i.e., the ‘tradita’ it refers to) and the question of whether the author makes a value judgement. When I compared the gathered definitions and accounts, I discovered that these two questions can be answered for each and every one

of them. The subsequent two groups of criteria, however, which concern the process and content aspects of tradition respectively, only apply to subsets of those 28 definitions.

On the one hand, there are conceptions of tradition that comprise a wide range of ‘tradita’, including behavioural patterns, language patterns, and scriptural patterns. A focus on behaviour is, for example, essential to Shils’s conceptualisation of tradition, although his focus is not exclusive. In contrast, Gadamer writes primarily on oral and written traditions. Rather than being separated by a strict line of demarcation, these two groups of authors can be conceived of as occupying different positions along a continuum. This continuum ranges from a more behaviour-oriented conception of tradition to a more language- and scripture-oriented perspective.

A further question is whether the conception of tradition entails a value judgement. While some philosophers and economists aim at a normative evaluation of tradition, most sociologists and anthropologists restrict themselves to description. Although Shils advocates a ‘respectful treatment of traditions’ (Shils 1981, 329), he does not engage in a normative defence of the value of tradition, as, for example, his contemporary Michael Oakeshott does. Many scholars who have taken the trouble to write about tradition have evaluated it positively, but that group does not include Hannah Arendt and Douglass North, who have evaluated it negatively or as something to be overcome. Thus, I call a treatment of tradition prescriptive if the author’s research project explicitly or implicitly includes a judgement, whether positive or negative, of tradition. Otherwise, I deem it descriptive. In the following diagram, I map some of the authors mentioned above – namely, those I consider to be paradigm cases – on the four quadrants according to the scope of their conception of tradition and according to the normative stance they take.

Diagram 1: Scope and normativity of different conceptions of tradition

behaviour-oriented and prescriptive (e.g., Michael Oakeshott)	meaning-oriented and prescriptive (e.g., Hans-Georg Gadamer)
behaviour-oriented and descriptive (e.g., Edward Shils)	meaning-oriented and descriptive (e.g., Jack Goody)

### 3.5.2 Process aspect: Mode of transmission

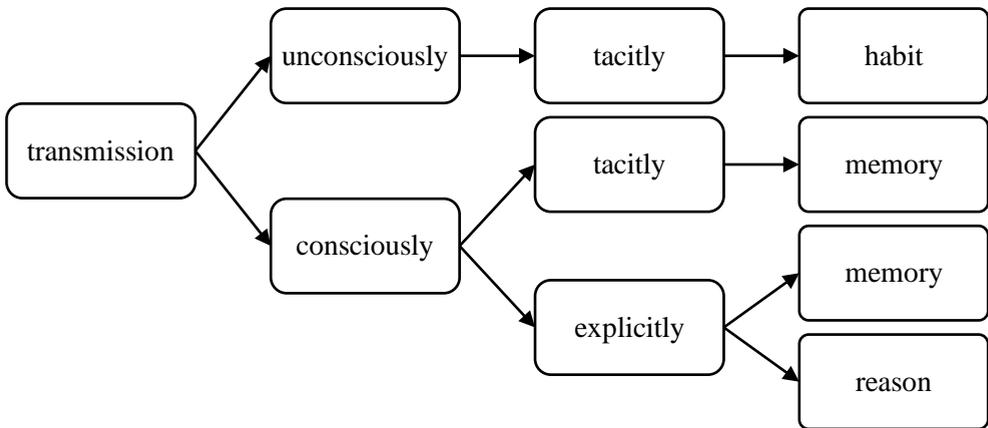
Different conceptions of tradition can also be distinguished from one another via analyses of the process aspect of tradition, the ‘tradere’. The question regarding this second group of criteria is how the process of tradition occurs. It can occur unconsciously or consciously; tacitly or explicitly; and by means of habit, reason, or memory. The process may or may not involve authority, and it may revolve primarily around the transmitter or around the receiver of a tradition. In addition, a tradition can be transmitted collectively or individually, within an institutional framework or outside of institutions.

As connections can be drawn among the questions concerning whether a process occurs unconsciously or consciously, whether it has a tacit or an explicit dimension, and whether habits, reason, or memory are involved, I examine those aspects together. Some authors remain silent about these dimensions of their conception of tradition. Nussbaum and Sen (1987), for example, do not address the question of whether the transmission of tradition occurs consciously or unconsciously. And Hobsbawm does not engage with the question of whether transmission occurs by habit, reason, or memory. But drawing these distinctions can be helpful for a considerable subset of conceptions.

The criteria are interpreted in the following manner. A process remains unconscious as long as the persons involved are not aware of it. As soon as they become aware of it, the process is called conscious even if there is no

intentionality or decision on their part. The transmission is described as tacit if it proceeds without explicit intention or a decision to transmit or receive content. Once such an intention arises or such a decision is made, I speak of explicit transmission. Habit is interpreted as an unconscious, repeated, ingrained behavioural pattern<sup>29</sup> and memory as the intellectual ability to store information both collectively and individually. Finally, reason is interpreted as the intellectual ability to form judgements about the truth or the adequacy of descriptive and normative statements. Based on these criteria, I constructed a tree diagram.

Diagram 2: The different modes of the transmission of tradition



### 3.5.3 Process aspect: Role of authority

The process aspect of tradition can also be analysed with regard to the actors involved. Firstly, conceptions of tradition can be divided into those in which tradition always goes hand in hand with authority and those in which it does not.<sup>30</sup> Secondly, some scholars have declared either the transmitter or the

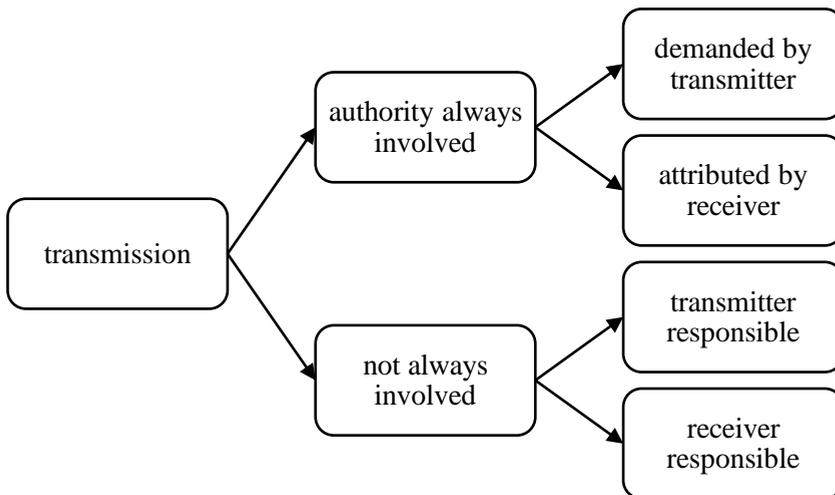
<sup>29</sup> The concept of habit that I employ in the analytical grid is different from the pragmatist concept of habit that I will introduce in section 4.4.

<sup>30</sup> Max Weber's characterisation of his ideal type of traditional authority as legitimated 'by virtue of the sanctity of age-old rules and powers' (Weber 1978

receiver of a tradition responsible for the process. The transmitter can be responsible by initiating the transmission and by demanding from the receiver that he or she recognise the authority of the transmitter. The receiver can be responsible by attributing authority to the transmitter or by deciding to accept or reject the ‘traditum’.

I employ the concepts of transmitter and receiver in a technical sense. Thus, these concepts do not necessarily designate individuals but can also refer to communities, generations, or other collective units. The concept of authority is employed as a relational concept describing the quality of the relation between transmitter and receiver. Authority then transforms an equal relationship into a hierarchical one. The diagram below illustrates the possible connections between authority, transmitter, and receiver.

Diagram 3: The role of authority in the transmission of tradition



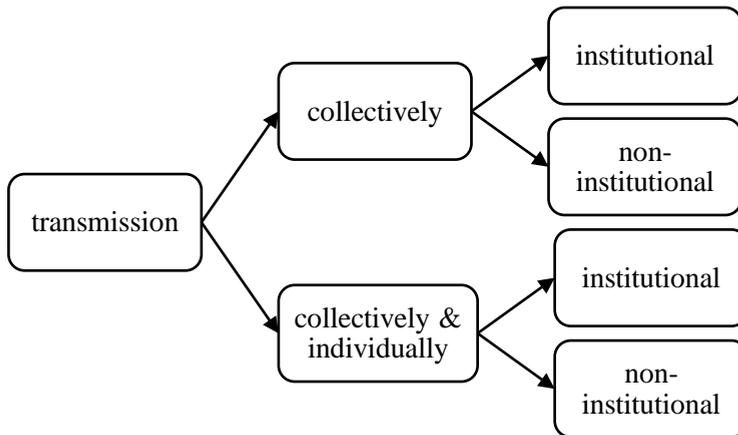

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[1922], 226) has been highly influential. Yet it neither implies that authority is always legitimated by an appeal to tradition nor that tradition is always connected to appeals to authority. In this chapter, I therefore do not assume that tradition is necessarily accompanied by authority. Instead, I analytically decouple the concepts of tradition and authority. I discuss Weber’s ideal type of traditional authority in section A1.2.

### 3.5.4 Process aspect: Role of institutions

The final way of examining the process aspect of different conceptions of tradition is by considering how the actors are specified. Are they individual actors or collective units? And if they are collective units, are they embedded within institutions? For this criterion, I employ Geoffrey M. Hodgson’s definition of institutions as ‘systems of established and embedded social rules that structure social interactions’ (Hodgson 2006, 18).<sup>31</sup> Every process of transmission that does not form part of such a system is called a non-institutionalised process. Furthermore, I restrict the concept of the individual to human beings. Although in ordinary language we sometimes treat groups as individuals, I consider such use of language to be metaphorical. Collective units include every group formation that contains two or more individuals. Consequently, the role of institutions can be illustrated as follows.

Diagram 4: The role of institutions in the transmission of tradition




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<sup>31</sup> Hodgson’s definition of institutions is quite broad and does not specify whether the social rules are explicit, non-legal, or legal. A narrower definition of institutions that presupposes that the rules are explicit would leave more space for non-institutionalised transmission of tradition.

Most authors are not interested in processes of transmission that occur between individuals because they do not want to confuse private customs and cultural traditions. However, there are exceptions. According to Josef Pieper, the paradigm case for tradition is ‘sacred tradition’, which consists in the handing down of a sacred truth from a teacher to a disciple (Pieper 2010 [1970], 41). Shils, on the other hand, offers a very wide, process-oriented conception of tradition, which includes individual actors as well as institutionalised transmission. Hence, there are a few conceptions of tradition in the literature in which individual actors are either essential or at least not excluded.

There are also differences with regard to the treatment of institutions. MacIntyre develops a conception of tradition that includes a discourse about goods. Such a discourse is not conceivable without some set of institutionalised rules that structure the exchange of arguments. Although Pascal Boyer does not share this rational emphasis, his conception of tradition is attached to certain ‘social positions’, which also presuppose institutional structures (Boyer 1990, 105). Hence, according to these two authors, the transmission of tradition is always connected to institutions.

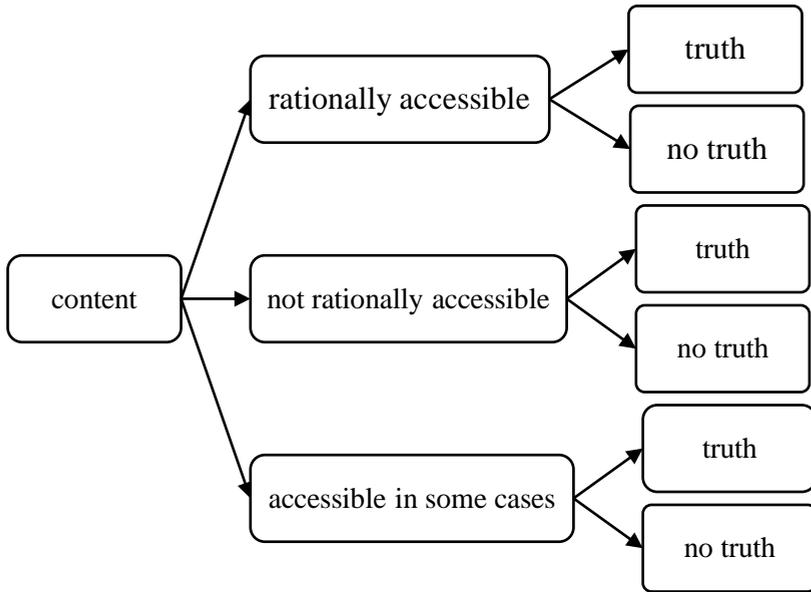
### **3.5.5 Content aspect: Role of truth**

Now that I have examined the process aspect in three different ways, I will turn to the analysis of the content aspect of tradition. This aspect allows for the following questions: Is the content rationally accessible? Do traditions transmit truth, or do they transmit something else? How is the content structured? Is everything of equal importance, or are some elements more important than others?

To begin, I focus on truth and rational accessibility. A content is called rationally accessible if it can become subject to rational scrutiny and if such scrutiny can result in judgements about its adequacy, consistency, or coherence. If a content cannot be assessed in this way, it is classified as not rationally accessible. Truth is understood broadly as the truth claim ‘It is true

that p' including a statement p, which may include references to natural or supernatural entities, norms, values, or rituals. To allow for a concept of truth that is as comprehensive as possible, there is no further specification of p. Rational accessibility and truth claims can be connected in a variety of ways, as can be seen in the subsequent diagram.

Diagram 5: The role of truth in the content of tradition



I found one example of a conception of tradition according to which tradition is rationally accessible but does not contain particular truth claims (Popper) and one example of a conception of tradition according to which traditions contain truth claims but are not rationally accessible (Pieper). Popper's conception of tradition is particularly interesting because it is tied to his endorsement of the method of falsification (i.e., the method of searching actively for ways to falsify truth claims instead of searching for their verification). First-order traditions contain truth claims that can be criticised and rejected. Second-order traditions provide the scientist with critical methods and procedures but do not imply truth claims themselves. By

critically discussing first-order traditions and rejecting false truth claims, one can nevertheless approximate a true description of the world (Popper 1989 [1948], 127). Pieper's conception of tradition exemplifies the rare case of a 'traditum' that contains a truth claim but is not rationally accessible. For Pieper, tradition only becomes necessary if a truth cannot be verified 'by means of experience or rational argument' (Pieper 2010 [1970], 17–18). In that case, it must be handed down from teacher to disciple while keeping alive the conviction that it is true and valid. According to this rather narrow conception of tradition, a truth that can be rationally justified loses its traditional character because the receiver no longer depends on the transmitter to appropriate it.

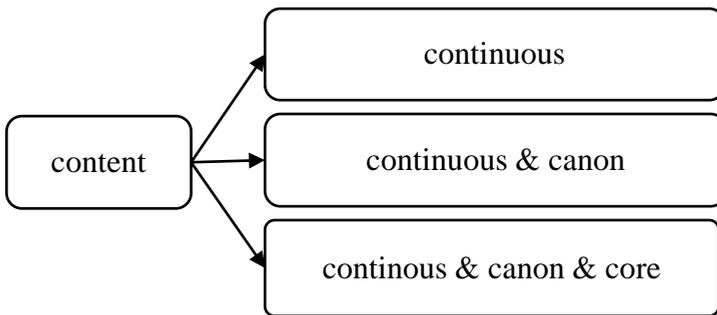
Various authors' conceptions of tradition exhibit a more complex relationship between truth and rational accessibility than is captured by the above tree diagram. This is the case for Boyer's use of truth in the context of cognitive psychology, Gadamer's hermeneutics, and Anthony Giddens's 'formulaic notion of truth' (Giddens 1997, 63).

### **3.5.6 Content aspect: Role of continuity**

The second way in which the content aspect can be analysed makes use of the conceptual distinction between continuity, a canon, and a core, which is suggested by Alexander in his article 'A Systematic Theory of Tradition'. I introduced this distinction earlier, in section 3.4. While continuity refers to the repetition of certain patterns of action, a canon adds normative criteria that determine whether something counts as a tradition. A core adds a further layer by singling out one or several elements of a tradition as unconditionally true and beyond criticism. According to Alexander, there are three forms of tradition: 'those with only continuity, those with also a canon in addition to continuity, and those with also a core in addition to canon and continuity' (Alexander 2016, 24). In the literature, there are also conceptions of tradition that are comprehensive enough to include all three types of conceptions outlined by Alexander. Examples of such conceptions are those of Shils and

Shmuel Eisenstadt (Eisenstadt 1973, 139). While Alexander’s conception is able to accommodate Pieper’s conception of tradition, Alexander rightly disagrees with Pieper that a core is a necessary constituent of every conception of tradition. The following diagram depicts Alexander’s three types.

Diagram 6: The role of continuity in the content of tradition



### 3.6 Conclusion

In order to develop a value-neutral conception of tradition that can be used to answer my research question, this chapter served to clarify the concept of tradition and the diverse ways in which it can be employed. I have argued that a unified conception of tradition is not possible for two reasons. First, no conception can bridge the gap between the third-person perspective of behavioural conceptions of tradition and the first-person perspective of hermeneutical conceptions of tradition. Second, no conception can encompass the descriptive conceptions of tradition put forward by some anthropologists and sociologists and the prescriptive conceptions of tradition developed by some philosophers and economists.

I evaluated three taxonomies suggested in the literature and subsequently developed an alternative. This alternative analytical grid is based on a sample of 28 noteworthy accounts of tradition that can be found in the scholarly literature and makes use of seven dimensions to distinguish between those

### CHAPTER 3

conceptions. Although this list of criteria is in principle open-ended, I consider it sufficiently rich to capture the differences between the conceptions of tradition that can be found in the philosophical, sociological, anthropological, and economic domains. Our task in the next chapter is to use this analytical grid to develop an initial characterisation of a value-neutral conception of tradition.

## **Chapter 4 A conception of tradition based on habits**

### **4.1 Introduction**

In the previous chapter, I have shown that there is a great variety of conceptions of tradition to be found in philosophy, sociology, anthropology, and economics. In the following sections, I will develop a value-neutral conception of tradition that can help us to answer the following research question: how can Indigenous communities evaluate their cultural traditions in the context of development projects? This conception of tradition will then be supplemented with a normative framework in part III of the thesis and with a deliberative procedure in part IV.

In section 2.4, I proposed that in order to assess cultural traditions and the expected change in these traditions that may result from the implementation of development projects, we should employ a value-neutral conception of tradition. This value-neutral conception of tradition should meet two criteria: it should not be intellectualistic or generalise from a specific subset of traditions. In order to meet these criteria, I will base my conception of cultural tradition on a pragmatist concept of habit. As I will show in section 4.3, a pragmatist concept of habit overcomes a one-sided intellectualistic view of tradition by encompassing both its habitual and its reflective aspects. In sections 4.8 and 4.9, I will demonstrate that a habit-based conception of cultural tradition also allows for a diversity of habits within a community on the basis of which an Indigenous cultural tradition can be identified. In this way, it can avoid generalising from a specific subset of traditions and instead can comprise a variety of Indigenous cultural traditions.

Furthermore, I specified three additional criteria that this value-neutral conception of cultural tradition should satisfy. It should be able to account for both the positive and the negative effects of tradition, it should be able to be evaluated both instrumentally and intrinsically, and it should be able to contain both communal and intrinsic values. A discussion of these three criteria will have to wait till part III of this thesis. In chapter 7, I will illustrate

how cultural traditions can be evaluated with regard to their positive and their negative effects and with regard to their instrumental and intrinsic contributions. And in chapter 8, I will show that an evaluation of Indigenous cultural traditions can also be extended to cultural traditions that contain communal and intrinsic values.

But first I will have to lay the foundation for such a value-neutral conception of tradition. That will be done in this chapter. Chapter 4 can be divided into seven steps. In the first step, I will show how a conception of tradition can be analysed and how new conceptions of tradition can be constructed by employing the criteria that I developed in the analytical grid in chapter 3. Secondly, I will introduce and explain the notion of habit as it has been developed by John Dewey and George Herbert Mead and which I will use as the basic concept of my action theory. Thirdly, I will employ this notion of habit to construct a conception of cultural tradition as the set of basic habits within a culture. In the fourth step, I will distinguish between the behavioural and the meaning dimension of cultural tradition. Fifthly and sixthly, I will determine the intension of cultural tradition (i.e., its structure and fabric) by discussing the notion of basic habits and the extension of cultural tradition (i.e., the objects, ideas, or phenomena that it comprises) by delimiting it from other cultural phenomena. In a seventh and last step, I will suggest a non-essentialist understanding of cultural continuity and provide a set of criteria that can be used to identify Indigenous communities and Indigenous cultural traditions.

## **4.2 Analysing conceptions of tradition: Two examples**

The analytical grid presented in section 3.5 is divided into three groups of criteria concerning the scope of the conception of tradition and the author's normative stance, the process aspect of tradition, and the content aspect of tradition. While these criteria can be used to analyse a conception of tradition, they can also be used to construct one. I will provide two examples to

demonstrate that these criteria can help to analyse certain conceptions of tradition, before I employ them later to develop my own proposal.

The first example is the conception of scriptural tradition as it is used in anthropology of religion. Several religions base their teachings on sacred texts or books that are passed on from one generation to another (e.g., the Bhagavad Gita in Hinduism, the Bible in Christianity, or the Quran in Islam). The conception of scriptural tradition attempts to capture the way in which these texts are embedded within the life of the corresponding religious community. Concerning the scope of such a conception, it focuses on language and scripture but also includes behaviour such as storing books in places that are considered to be holy. With regard to the normative stance that underlies this conception, anthropologists restrict themselves to the description of tradition and abstain from pronouncing any value judgements. Regarding the process aspect, scripts and texts are transmitted consciously and explicitly to the next generation by means of reproduction, recitation, and memorisation. Scriptural tradition usually involves authority and the transmitter is responsible for its maintenance. Scripts and texts are the property of communities and can be passed on within institutionalised and non-institutionalised contexts. Regarding its content aspect, scriptural tradition is rationally accessible in some, but not all, cases and may also contain truth claims. It is characterised by continuity and often by a canon of holy books or texts. In the case of revealed religion, scriptural tradition may also contain a core that is considered to be revealed truth.

The second example is the conception of culinary tradition in cultural anthropology. If a social group or cultural community transmits a specific combination of food and beverages and a set of associated ideas and values from generation to generation, anthropologists speak of a culinary tradition. Here, the scope is primarily on behaviour, although language and scripture can play a role too. Once again, as a conception within an anthropological framework, it is a descriptive one. The process of transmitting culinary traditions does not have to be conscious and explicit but can like the process

of compiling cookbooks. It is mainly based on habits and memory and proceeds via imitation or learning. In many cases, authority is involved, such as in the distinction between food that is halal and food that is haram.<sup>32</sup> In these cases, the transmitter is responsible for enforcing these distinctions. Culinary traditions are collective traditions and can be observed within institutionalised and non-institutionalised contexts. The content of culinary traditions is rationally accessible only in a few cases, for example when a rational justification is given. It is characterised by continuity and in many cases by a canon. Culinary traditions can also contain a core, which often specifies a set of prohibitions.

These two examples show that the analytical grid in chapter 3 can provide a framework for analysing specific conceptions of tradition. However, the analytical grid can also serve as a framework to construct new conceptions of tradition, which will be demonstrated in the following sections.

### **4.3 A conception of cultural tradition for our research question**

In the remainder of this chapter, I will develop a conception of tradition that will help us to answer our research question concerning how Indigenous peoples can evaluate their cultural traditions and the effects of development projects on these traditions. This research question combines the normative aspect, which holds that traditions can be evaluated, the sociological aspect, which states that traditions are passed on within groups or communities, the anthropological aspect, which holds that traditions are meaningful, and the economic aspect, which implies that traditions are considered in development contexts. The conception of tradition should therefore fulfil the following four conditions: it should (1) be able to be normatively evaluated, it should be (2)

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<sup>32</sup> Halal is an Arabic word and means ‘lawful’ or ‘permitted’. The opposite of halal is haram, which means ‘unlawful’ or ‘prohibited’. Both words are used in Islam to specify the dietary standard prescribed in the Quran.

sociologically and (3) anthropologically sound, and (4) it should be able to form part of an economic discourse.

I have chosen a conception of tradition with an emphasis on culture because I consider a conception of *cultural* tradition to be particularly suitable for fulfilling these four conditions. Culture has been the subject of internal discourses in all four of these disciplines and there have been several interdisciplinary research projects that connect two or more of these disciplines with one another. Examples of the latter are the debates around moral relativism and communitarianism. Moral relativism has been discussed primarily in anthropology and philosophy (Hatch 1983, Tilley 2001), while the communitarian debate combines arguments from philosophy and sociology (Mackenzie and Stoljar 2000). In behavioural economics, which focuses on the influence of culture on the behaviour of economic agents, many sociological and anthropological results have been integrated (Henrich and Henrich 2007).

With regard to different approaches to culture, Jesse Prinz distinguishes between psychological approaches to culture, approaches with a focus on artefacts, a focus on behaviour, a focus on symbols, a materialist orientation, and a focus on mental states (Prinz 2011).<sup>33</sup> The main focus of the conception of cultural tradition that I want to propose is on behaviour. The reason for this is a conceptual one and goes back to my analysis of tradition as having both a process and a content aspect. Psychological and materialist approaches reduce culture either to psychological states or to material conditions. But psychological and mental states cannot be transmitted, because they are not accessible on an intersubjective level. We have no access to one another's inner life or thoughts. Material conditions, on the other hand, can be linked to each other by causal chains but not by cultural transmission. One set of material conditions can cause another, but this causation is independent of

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<sup>33</sup> Prinz's distinctions could be compared to different positions on the continuum between behaviour-oriented and meaning-oriented approaches, which I introduce in section 3.5.1.

cultural mediation. Hence, psychological and materialist approaches cannot include the process aspect of tradition. The three remaining candidates for cultural tradition are artefacts, symbols, and behaviour.

While behaviour can be involved in the content aspect as well as the process aspect of tradition, artefacts and symbols can only address the content aspect of tradition. The tradition of putting on a ring during marriage ceremonies would be insufficiently described by restricting the content to a specific symbol or artefact. The content of this tradition is, instead, a certain pattern of behaviour that involves the ring and a symbolic understanding of the act of putting it on one's finger. The process aspect of this tradition refers to how this pattern is being handed on from one's own behaviour to the behaviour of later generations, be it by imitation, by learning, or by other ways of transmission. An evaluation of cultural traditions that seeks to consider both aspects (i.e., the process aspect and the content aspect) should therefore focus on behaviour.<sup>34</sup>

But what exactly do I mean by the word 'culture'? Kroeber and Kluckhohn (1952) survey 164 definitions of culture and provide a summarising formula that is meant to represent a possible consensus that lies between these definitions. John Baldwin et al. extend this list to include 313 definitions, but criticise the attempt to construct a summary definition as being 'at best problematic', as some of the definitions contradict one another (Baldwin et al. 2006, 24). I agree with Baldwin et al. that different projects concerning social analysis require different types of definitions of culture (Baldwin et al. 2006, x).<sup>35</sup> I will therefore not adopt Kroeber and Kluckhohn's summarising formula, but the classic definition of culture by Franz Boas.

Franz Boas defines culture as embracing, firstly, 'all the manifestations of social habits of a community', secondly, 'the reactions of the individual as

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<sup>34</sup> I have now explained why I have chosen a focus on behaviour. In section 4.7, this focus will be supplemented by a meaning dimension.

<sup>35</sup> I took a similar approach when developing the analytical grid of tradition in chapter 3.

affected by the habits of the group in which he lives', and thirdly, 'the products of human activities as determined by these habits' (Boas 1935, 79). Boas's conception is particularly useful, because it already employs a concept of habit, albeit not a pragmatist one. As an enumerative definition, it also provides a list of three elements that each conception of culture should include: the manifestations of culture, the reactions to culture, and the products of culture.

As noted earlier, I will now employ the three groups of criteria from my analytical grid to provide an initial characterisation of my conception of cultural tradition. The scope of the conception will clearly be on its behavioural dimension. But in order to also account for language and scripture, I will introduce a meaning dimension as well. I neither intend to defend nor to attack cultural tradition per se and will abstain from any explicit evaluation during the introduction of the conception to make sure that an unbiased normative assessment can take place at a later stage. The conception will consequently be value-neutral. Regarding the process aspect, the conception will allow for unconscious and conscious transmission, which can occur tacitly in the former case and explicitly in the latter. While the unconscious transfer of cultural tradition proceeds by means of habits, the process can also become conscious, so memory and reason then become involved. Cultural tradition may also involve authority, and in most of these cases the transmitter is held responsible for its transmission. It is always a collective tradition and can be both institutionalised and non-institutionalised. Regarding the content aspect, my conceptualisation of cultural tradition will allow for rational accessibility and truth claims, although neither of them constitutes a necessary condition. Cultural tradition requires continuity and may also include a canon. In many cases, it will also contain a core that singles out one or several elements of a tradition as unconditionally true and beyond criticism. This core often has a religious meaning.<sup>36</sup>

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<sup>36</sup> Unfortunately, it is beyond the scope of this thesis to engage with religious truth claims that belong to the core of a tradition. Thus, I will distinguish between religious

#### 4.4 The Deweyan–Meadean concept of habit

In this section, I will introduce the concept of habit as it has been developed by John Dewey and George H. Mead. This concept of habit is particularly suitable to explicate the transition from unconscious to conscious tradition and to integrate both aspects as two sides of the same coin. It also provides a convincing view of how reason can engage with tradition. As the ‘basic concept in classical pragmatism’ (Kilpinen 2015, 158), it will constitute the basic concept of my action theory and, consequently, also the concept on the basis of which my conception of cultural tradition will be built. In a first step, habit will be distinguished from routine. I will then substantiate the claim that habits are always social. A third step will provide a comparison between the pragmatist notion of habit and Bourdieu’s notion of habitus. In a fourth and final step, I will delimit the concept of habit from the concepts of value and rule and show that habits are superior to rules and values in conceptualising the unconscious part of tradition.

In his article ‘The Matter of Habit’, Charles Camic reports a common understanding of the word ‘habit’ in which it is associated with behaviour that consists in a fixed, mechanical reaction to certain impulses and as such is meaningless from the point of view of the actor (Camic 1986, 1046). This is not the way pragmatists understand the notion of habit. According to Dewey, habit is not mindless repetition, but rather

‘an acquired predisposition to *ways* or modes of response’ (Dewey 2002 [1922], 42, italics in the original),

‘which is projective, dynamic in quality, ready for overt manifestation; and which is operative in some subdued subordinate form even when not obviously dominating activity.’ (Dewey 2002 [1922], 41)

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cultural traditions and religious truth claims. I will treat the former category as being accessible to critique and evaluation, and bracket the latter category. I am aware that this will result in a simplistic and inadequate view of religion.

According to this definition, a habit is first of all an acquired predisposition to react to stimuli in a certain way. This predisposition is not fixed, but can adapt to changing circumstances. It is also sufficiently flexible to be executed in different contexts and can remain operative while other habits assume control over our behaviour.

A good example to illustrate this notion of habit is the activity of driving a car, because it is based on a variety of different habits. Once I know how to drive a car, I do not have to think every time I change gears, but this does not mean that I engage in mindless repetition. Acquiring a habit implies being able to take the situation into account. To a certain extent, habits can adapt to the situation.<sup>37</sup> This flexibility allows me to change gears in one manner if I drive uphill and in a different manner if I drive downhill. Yet the nature of habits remains assertive, insistent, and self-perpetuating (Dewey 2002 [1922], 58). Adaptation has its limits. Once the situation changes in an unforeseeable way – say, the road is covered with snow – my habits are interrupted. I then have to analyse the situation and reorient my behaviour (i.e., in this example, to restrict myself to the lower gears). This does not mean that phases of habitual action and reflection are mutually exclusive, however. We can be ‘discursively aware of our own habits, even during their occurrence’ (Kilpinen 2013, 4020). Reflection only becomes necessary once the situation has become problematic, but it does not take place in a vacuum; it occurs in a space that is pervaded by habits, some of which are interrupted while others are ongoing.

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<sup>37</sup> I am not sure which side Dewey would take in the well-known debate between Hubert L. Dreyfus and John McDowell. While McDowell argues that rationality pervades our skilful embodied comportment, Dreyfus claims that there is a sphere of ‘absorbed coping’ that lies outside the scope of conceptual rationality (Scheer 2013, 2). But as Dewey assumes a continuity between animal behaviour and the behaviour of rational human beings, he would probably be sympathetic to McDowell’s rejection of a view of the human mind as being detached and to his attempt to expand the concept of rationality beyond reflective thought and action (McDowell 2013). More recently, Christos Douskos (2018) has argued that the criterion of automaticity should not form part of the definition of habit.

In their outline of a pragmatist action theory, Hans Joas and Erkki Kilpinen write that ‘social action rather than individual action is the paradigmatic form of human action’ (Joas and Kilpinen 2006, 329). How does this apply to the notion of habit? While Dewey’s action theory is particularly useful in pointing out what habits are, we have to turn to George Herbert Mead to learn about how habits are acquired and about their intersubjective embeddedness. According to Mead, we are able to take the attitudes of other individuals towards our common environment and can thereby participate in socially shared habits (Mead 1974, 255). As Kilpinen emphasises, it is misleading to think of habits as being personal or individual possessions. A *participatory* notion is much more helpful in explaining how the transmission of habits occurs (Kilpinen 2009, 16). If habits are conceptualised as individual property, it becomes mysterious how they can be transferred from one individual to another. But if the participation in socially shared habits lies at the very basis of habit acquisition, the corresponding process can be explicated. At the same time, there is variation among habits (Gronow 2012, 34). My participation in a socially shared habit does not necessarily mean that my habit is identical to that of the others. Slight variations can always occur. In the next section, I will provide some empirical evidence in favour of this intersubjective understanding of habits.

Another concept that bears a lot of resemblance to the Deweyan–Meadean concept of habit is Pierre Bourdieu’s concept of habitus. Bourdieu defines habitus as a

‘system of durable, transposable dispositions, structured structures predisposed to function as structuring structures,<sup>38</sup> that is, as principles which generate and organize practices and representations that can be objectively adapted to their outcomes without presupposing a conscious aiming at ends or an express mastery of

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<sup>38</sup> Bourdieu refers here to structures that have been unconsciously or consciously structured by human beings and that in turn can structure further human interactions.

the operations necessary in order to attain them.’ (Bourdieu 1990, 53)

It is clear from this quotation that habitus designates a set of habits. According to Antti Gronow, one could argue that habitus refers particularly to those habits that are related to our socio-economic background and status, which would correspond with Bourdieu’s general focus on competition and social hierarchies (Gronow 2011, 117). Yet the concepts of habitus and habit have more in common than what separates them. Both concepts refer to an embodied, durable disposition that structures the way we respond or adapt to our objective environment but that does not have to be intentional or conscious.

To conclude this short introduction to the concept of habit, I want to give three reasons in favour of constructing a conception of tradition that is based on the notion of habit. I will argue that conceptualising tradition on the basis of habits is more suitable than conceptualising tradition on the basis of values or rules or doing so in a prescriptive manner.

The first reason in favour of a habit-based conception of tradition is that habits are superior to values in conceptualising the unconscious part of tradition. If we presuppose a pragmatist action theory, we can say that habits are operative in action even when there is no explicit orientation towards specific values. Values only come into play once habits are interrupted and the actor has to reorient herself. As tradition often remains unconscious, the notion of habit is the better option for an adequate understanding of tradition and, in particular, of its unconscious part.

The second reason in favour of a habit-based conception of tradition is that habits are also superior to rules in conceptualising the unconscious part of tradition. Rules can be defined as ‘socially transmitted and customary normative injunctions or immanently normative dispositions’ that require a certain amount of prior reflection in order to be equipped with normative power (Hodgson 2006, 18). Habits do not require reflection, nor are they

immanently normative. Thus, in order to conceptualise the unconscious part of tradition, habits are again the better option.

The third reason in favour of a conception of tradition based on habits is that a habit-based conception of tradition serves my research project better, because it is value-neutral. A prescriptive conception of tradition that includes a recommendation or rejection of tradition would introduce a normative dimension at the level of conceptualisation. Traditions would then be either good or bad according to the value judgement they include. An evaluation of such traditions could only be circular and there would be no further justification for the goodness or badness of tradition outside of the conception itself. A value-neutral conception is necessary for an unbiased normative assessment. Hence, the concept of habit is suitable because it is ‘neither good nor bad’ (Matthews, 2017, 397).

#### **4.5 Empirical evidence for a pragmatist concept of habit**

Dewey and Mead based their notions of habit and intersubjectivity on the best empirical research that was available to them. Dewey discussed the reflex arc concept in psychology (1896) and Mead analysed the function of vocal gestures in human evolution (1974, 46-48). Accordingly, I would like to make a few suggestions regarding how a pragmatist action theory could be undergirded by contemporary empirical research in neurobiology and psychology.

Alva Noë (2009) supports the pragmatist thesis that habits play a fundamental role in our interaction with our environment. He argues that habits of thought and behaviour are frequently ‘expressions of intelligence and understanding, even if they are spontaneous, automatic responses to things’ and therefore a life without them would be robotic (Noë 2009, 118–19). According to Noë, an intellectualist conception of human action has to be rejected and replaced with a habit-based conception in which habits respond to and adapt to our environment. He backs his thesis by appealing to a wide range of arguments from neurobiology.

Further empirical evidence for an intersubjective understanding of these habits has been gathered by Giacomo Rizzolatti and Corrado Sinigaglia (2008). While Mead still had to assume a psychological faculty that enables us to take the attitudes of others, the discovery of mirror neurons at the beginning of the 1990s suggests that our brains are indeed able to trace the movements of others and compare them with our own bodily movements (Rizzolatti and Sinigaglia 2008, xii). Thus, the imitation of others and the acquisition of habits involve the activation of specific mirror circuits, although they cannot be reduced to it. Moreover, this process does not require any reflexivity (Rizzolatti and Sinigaglia 2008, 125).

In his essay ‘Minding Minds: Evolving a Reflexive Mind by Interpreting Others’, Radu Bogdan assembles evolutionary arguments and psychological data to support his thesis that self-reflection emerges from the interpretation of other minds. The interpretation of other minds therefore occurs prior to ‘reflexive consciousness’ (Bogdan 2003, 173). In this way, Bogdan provides further empirical backing for Mead’s thesis that intersubjectivity does not necessarily require fully developed reflexive selfhood. Hence, we can conclude that there is neuropsychological and psychological support for a pragmatist action theory.

#### **4.6 Tradition as basic habits within a culture**

I am now able to put forward my first proposal for what a habit-based conceptualisation of cultural tradition could look like. This conceptualisation reflects the focus on behaviour that I argued for in section 4.3. This behavioural dimension will later be supplemented by a meaning dimension.

In his definition of culture, Franz Boas distinguishes between the ‘manifestations of social habits of a community’, ‘the reactions of the individual as affected by the habits of the group in which he lives’, and ‘the products of human activities as determined by these habits’ (Boas 1935, 79). But the Deweyan–Meadean concept of habit is richer than the one Boas employs and already includes an intersubjective aspect and the aspect of one’s

interaction with one's environment. If we now replace Boas's concept of habit by Dewey and Mead's, the definition can be simplified: culture is the web of habits (involving its manifestations, individual reactions to it, and its products) that is shared by a community.

Shils distinguishes tradition from non-tradition by requiring two transmissions over three generations (Shils 1981, 15). However, he also adds that the boundaries of any generation remain vague (Shils 1981, 35). I will therefore abstain from defining a minimum threshold, but side with Shils and Dittmann in holding that a tradition can only be identified retrospectively (Dittmann 2004, 130). Cultural tradition will hence be defined as those habits within a culture that remain constant throughout change. I propose to call such habits *basic habits*. Basic habits can in principle change and be changed as well, but in the moment of retrospective analysis they are identified as those habits that remain constant or at least more constant than others.

A helpful metaphor to illustrate the relationship between habits and basic habits is the web metaphor: habits do not exist in isolation. In our cultural activities, there is always a variety of habits involved and these different habits are interdependent. While habits within a culture are connected to one another and form a web, basic habits are more strongly connected than other habits. Cultural habits can change or adapt easily without affecting other parts of the web. But this web thickens around basic habits, which means that a change in tradition has an effect on the surrounding cultural habits. Hence, a change in culture (i.e., cultural habits) and a change in tradition (i.e., basic habits as a subset of cultural habits) occur within the same web, but the latter is less frequent and has a bigger impact.

An example of such a change in tradition is the way in which gods are portrayed in ancient Greek literature: In Homer's *Iliad*, they are portrayed like human beings, fighting against each other and weaving intrigues behind each other's backs. In Plato's *Republic*, this human-like depiction of gods is criticised and replaced with a discussion of gods as perfect beings. Before the emergence of philosophy, there were mostly cultural habits to depict gods

with personal attributes. These habits could be changed to a limited extent by adding new attributes or modifying existing ones. But with the development of philosophy, a shift in the basic habits occurred and gods were treated in terms of values or first principles.

Another way to distinguish basic habits from cultural habits could involve testing their historicity or authenticity. For example, Hobsbawm distinguishes between genuine and invented traditions (Hobsbawm 1984, 1). According to this distinction, habits would only be basic habits if they can be traced back to an authentic historical origin and have not been invented. However, it remains difficult to determine a threshold of historicity or standards of authenticity. On the one hand, a context-independent threshold of historicity that determines traditions in terms of their age seems arbitrary. Where should the line between tradition and non-tradition be drawn? On the other hand, imposing standards of authenticity would include the risk of paternalism.<sup>39</sup>

In order to account for the phenomenon that Hobsbawm describes, I would look instead for power imbalances between groups that want to impose a tradition and groups that are expected to adhere to it. In this regard, it is helpful to distinguish between the tradition in which a community is embedded and the tradition that an elite or a majority claims for a community

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<sup>39</sup> I do not think that Hobsbawm's distinction between 'invented' and 'genuine' tradition is helpful with regard to the evaluation of Indigenous cultural traditions. Hobsbawm and Ranger introduced the concept to refer to traditions that are fabricated in order to unite different cultural communities under one national history and one national banner. But by applying it to Indigenous communities, we quickly run the risk of imposing standards of authenticity on the community's self-understanding. An Indigenous community has various ways to respond to colonial domination: 'appropriation', 'innovation', and 'resistance' (Bonfil Batalla 1996, 132). It may appropriate and integrate elements from other cultural traditions, create new elements in order to achieve some degree of coherence, or reassert traditional ways of life as a form of silent resistance. To label the first two responses as inauthentic would more or less reproduce a colonial point of view and undermine the community's cultural agency. A more detailed analysis of these questions can be found in section 4.8.3.

by picking and choosing certain elements and neglecting others. Instead of speaking about traditions that have been invented, I would consequently recommend speaking about specific interpretations of traditions that are imposed by one group upon another.<sup>40</sup>

Having decoupled the questions of historicity and authenticity from the questions of power relationships and identity politics, I do not see the necessity to be sceptical about younger traditions as long as they are shared by the whole community.<sup>41</sup> Furthermore, I interpret Hobsbawm as making two claims, the first about the construction of invented traditions and the second about the justification of certain values, rights, and obligations ‘by reference to the past’ (Hobsbawm 1984, 4). The first claim will be addressed in my analysis of conscious tradition in section 4.8.2, whereas the second claim concerns the political use of the label of ‘tradition’ and has to be postponed till sections 4.8.3 and 4.9.1.

A distinction that can be made within the category of basic habits is the distinction between basic habits that belong to the process aspect of cultural traditions and basic habits that belong to their content aspect. This means that basic habits encompass two sets of habits: the habits of transmitting and receiving and the habits that are being transmitted and received. Because the set of habits that belong to the process aspect of tradition has to be transmitted as well, it forms part of both the process and the content aspect. An example is the tradition of a specific cultural practice (e.g., the practice of speaking a particular language). The habits of speaking that language are different from

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<sup>40</sup> This problem, which can also be called the problem of the plurivocality of tradition, refers to conflicting interpretations of cultural tradition within one community. These conflicting interpretations are often based on power inequalities and dominating structures. In section 4.9.1, I will elaborate further on this problem, and in sections 9.3 and 9.4, I will develop a proposal regarding how such internal domination can be addressed.

<sup>41</sup> The fact that a cultural tradition is shared by a whole community does not necessarily require that all community members interpret their tradition in exactly the same way. Cultural continuity can also be understood in a non-essentialist way, as I will explain in section 4.9.2.

the habits of teaching that language. But in order to pass on a language to future generations, both the habits of speaking and the habits of teaching have to be transmitted. While the general human capacity to participate in habits is a necessary condition for the transfer of tradition, more complex habits demand non-institutionalised or institutionalised ways of instruction, which require specific habits of transmission.

We arrive therefore at the following partial definition: cultural tradition comprises the basic habits (being unconsciously or consciously transmitted and received) within a web of habits (involving its manifestations, individual reactions to it, and its products) that is shared by a community. This definition is only partial, because it still lacks a meaning dimension.

#### **4.7 Behavioural and meaning dimension of cultural tradition**

So far, I have been describing cultural tradition in terms of non-linguistic behaviour. But behaviour can also be extended to language and writing. In this way, we can distinguish between a (non-linguistic) behavioural dimension of tradition and a meaning dimension. But why do we need a meaning dimension in the first place? If the behavioural dimension can already account for the way people take part in a cultural tradition and how this tradition is being transmitted to younger generations, what gap does the meaning dimension fill? The problem of the behavioural dimension is that it neither provides a way to draw distinctions between cultural traditions that seem to be based on similar basic habits nor explains the emotional attachment to one's tradition.<sup>42</sup> However, it is important to keep in mind that the meaning dimension is restricted to cultural traditions that have become conscious at some point in the history of a community so the community members had to reflect on them. The results of this reflection can then be transmitted to further generations without them being conscious of it.

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<sup>42</sup> From here onwards I will use the term 'tradition' to designate cultural tradition, if not otherwise indicated.

However, unconscious tradition that has always remained unconscious lacks this dimension.<sup>43</sup>

I will first discuss the question of distinguishing between cultural traditions. While examples within cultural tradition abound,<sup>44</sup> Dean Hammer provides an example of a religious tradition, which can serve as an illuminating illustration: the eating of bread and drinking of wine during the Christian liturgy (Hammer 1992, 558). This tradition would be interpreted by Roman Catholics as the sharing of the body and blood of their saviour, but reformed Protestants who follow the theology of Huldrych Zwingli would consider it a symbolic act of remembrance. Thus, it is the meaning dimension of tradition (i.e., how the members of a community describe their tradition) that enables us to distinguish the corresponding sets of habits from each other. Without the meaning dimension, this difference could not be articulated. As Jonathan Lear puts it, human beings ‘inhabit a way of life that is expressed in a culture’ (Lear 2006, 6).

Pentti Määttänen sketches a connection between habitual action and linguistic meaning and claims that the latter ‘evolves on the top of tacit (non-linguistic) meanings’ (Määttänen 2015, 46). But he hastens to add that neither of them can be reduced to the other. In order to distinguish cultural traditions from one another, we have to consider the meaning dimension in addition to the behavioural dimension.

The meaning dimension is not only necessary for the task of differentiation, however; it also helps us to understand the emotional

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<sup>43</sup> In addition, there may be cases where some members of a community are in charge of maintaining the meaning dimension of some of their cultural traditional habits, while others do not have this responsibility. If the latter participate in traditional activities (e.g., a ritual), their actions are somehow supported by an intersubjective web of meaning without them being aware of it.

<sup>44</sup> Clifford Geertz, for instance, refers to Gilbert Ryle’s distinction between twitching and winking. A person who twitches is merely contracting her eyelid, while somebody who winks is relying on a cultural code to communicate a specific meaning. By comparing a bodily reaction to a meaningful gesture, Geertz explains the meaning dimension of culture and cultural tradition (Geertz 1973, 6).

attachment that people can have to their traditions (Hammer 1992, 564). We have to know something about how the members of a community describe and interpret the basic habits of their culture if we want to account for their identification with their tradition. Without this subjective point of view, these emotions would remain mysterious.<sup>45</sup>

A revised definition of cultural tradition would thus take the following shape:

Cultural tradition comprises the basic habits (being unconsciously or consciously transmitted and received) within a web of habits (involving its manifestations, individual reactions to it, and its products) that is shared by a community and, in addition, the meaning that the members of that community assign to the conscious part of that tradition.

We are now in a position to provide a definition of a value-neutral conception of cultural tradition. In order to gain a deeper understanding of this conception, we will proceed to analyse its intension and its extension in the following sections. Every concept has an intension and an extension and the same applies to the conception of cultural tradition as defined above. The *intension* of a concept refers to its structure or fabric and the elements that form part of it. The *extension* of a concept refers to the objects, ideas, or phenomena that are denoted by it. In the case of cultural tradition, the extension can be determined by delimiting it from other cultural or social phenomena. In the following sections, I will provide a brief analysis of both the intension and the extension of our conception of cultural tradition.

#### **4.8 Intension: Habits and social structures**

In the following analysis of the intension of cultural tradition, I will focus mainly on its behavioural dimension. I will use a pragmatist action theory with the notion of habit at its centre for the reasons I provided at the end of

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<sup>45</sup> Shannon Sullivan (2013), on the other hand, starts by analysing human emotions and the meanings we attribute to our behaviour and refers to the concept of habit in order to emphasise the extent to which these emotions and meanings are embodied.

section 4.4. According to this action theory, reflection does not precede action but is embedded within action. Hence, I will first describe unconscious tradition, which is transmitted without any reflection being involved. This unconscious tradition can enter into moments of crisis, which can be caused by internal or external factors. In order to cope with such moments of crisis, the members of a community have to engage in some sort of reflection or deliberation. In the course of this process, parts of the tradition become consciously accessible. While some basic habits may have to be modified or abandoned, other basic habits may have to be strengthened or newly established. But habits can only be changed indirectly, not directly. This can occur by introducing beliefs, formulating values, establishing conventions or norms, developing rules, or erecting institutions. Once a set of basic habits has been reoriented in this way and the community has found a (temporary) solution for the crisis, most of the habits become unconscious again.

Next, I will describe the transition from unconscious to conscious tradition and back again, and after that I will dedicate a section to the use of tradition as a means of resistance against colonial domination (section 4.8.3). Although it is true that unconscious tradition tends to resist change in general, there is a specific way of making use of conscious tradition to articulate one's resistance.

### **4.8.1 Unconscious tradition**

Unconscious tradition is tradition that is transmitted without the transmitter or receiver being conscious of it.<sup>46</sup> The most basic form of this transmission is one's participation in a shared habit. By habitual 'attitude-taking' (Gronow 2011, 81), I can take part in the shared habits of the community I am living in. In the case of more complex habits, I might need to have some sort of

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<sup>46</sup> By employing the word 'unconscious', I do not intend to refer to a psychological or psychoanalytical understanding of it. My use of the word is restricted to habits as being 'operative in some subdued subordinate form even when not obviously dominating activity' (Dewey 2002 [1922], 41).

instruction to acquire the corresponding skills. While such instruction may or may not have an explicit rationale, this rationale rarely accounts for more than a small portion of the habits that are transmitted. A football coach usually instructs her team in the rules of the game and the skills that they need in order to master it. But she cannot prepare them for all the possible situations that may occur during a football match. Thus, the players have to acquire additional habits on an unconscious level (e.g., pattern recognition). Instruction is always a mixture of conscious and unconscious transmission. The less institutionalised the instruction is, the larger the set of habits that is being transmitted on an unconscious level becomes.

According to the Deweyan–Meadean concept of habit, basic habits are flexible to a certain extent. Thus, the custom of telling fairy tales to one’s children can be adapted by using modern media, thereby accommodating the development of language and technology. But habits are not infinitely flexible, and if habits can no longer be sustained in a new context, they may become dysfunctional. The dysfunctionality of a small number of cultural habits may go unnoticed, but once a significant number of basic habits are affected, the situation becomes problematic: the habitual behaviour of a community comes to an impasse in a particular area and has to be reoriented. Dysfunctional basic habits are no longer adapted to the environment and lead to a blockage or confusion, which in turn induces in the community a quest for alternatives. In the course of this quest, some of the affected basic habits are actively reflected upon and, consequently, become conscious tradition. Chris Shilling distinguishes between changes in the ‘external environment’ and changes in the ‘internal environment’ that may produce dysfunctional habits (Shilling 2008, 16). If we apply this distinction to the community level, we can speak of external challenges if changes in the social or physical environment lead to a blockage of basic habits within a community. And we can speak of internal challenges if basic habits within a community prove to be incompatible with one another.

Dewey was not naïve with regard to his conception of habits. He was well aware that ‘[m]ost persons object to having their habits unsettled’ (Dewey 1954, 59). The same applies to communities as collectivities of persons. Within communities there is a tendency to neglect, deny, or suppress the need for reorientation or change. Yet the ‘real opposition is not between reason and habit’ (Dewey 2002 [1922], 77), because reflection takes place in a space pervaded by habits, some of which are dysfunctional while others are not. The opposition is between what Dewey vaguely calls *rigid habits* and *intelligent habits*. This distinction can only be made once a problematic situation arises. While *intelligent habits* are those habits that are accessible to reflection and that can be reoriented, *rigid habits* are excluded from reflection and consequently remain unresponsive. What causes such an exclusion can be manifold: it might be simple inertia, it might be that there is a taboo regarding discussing the habit, or it might be that maintaining the habit is in the interest of a specific group within the community.<sup>47</sup> I will get back to the question of rigid habits in part IV of this thesis when I attempt to provide some criteria for the evaluation of tradition.

### 4.8.2 Conscious tradition

In a problematic situation, a set of basic habits becomes dysfunctional. Some of the habitual ways in which the community used to interact with its environment are blocked or lead to bad results and consequently demand reflection on the part of the community. Reflection and reorientation can occur in various ways; some of them are helpful, others less so. In chapter 10, I will propose a deliberative procedure that can assist communities in reflecting on their own traditions and the effects of development projects on them. The result of such a process of reflection and reorientation can be an indirect modification of the basic habits, which can be implemented by

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<sup>47</sup> Here, the analysis of the rigidity of cultural tradition focuses on its non-linguistic behavioural dimension. In section 4.8.2, we will see that beliefs, values, conventions, norms, rules, and institutions can reinforce this rigidity.

introducing beliefs, formulating values, establishing conventions or norms, developing rules, or erecting institutions.

In the following paragraphs, I will briefly outline how habits become conscious and how they are connected to beliefs, values, conventions, norms, rules, and institutions. I will also give a description of how these elements of conscious tradition can in turn be employed to modify habits. In this way, I can demonstrate that a habit-based conception of cultural tradition is open to both evaluation and modification.

I will begin with the concept of *belief*. According to Dewey, habit can be defined as ‘an acquired predisposition to *ways* or modes of response’ (Dewey 2002 [1922], 42, italics in the original). Once such a habit is blocked or leads to conflict, it becomes conscious. Cooking habits could be used as an example. Jim has been cooking different sorts of pasta for an equal length of time.<sup>48</sup> But one day he cooks macaroni and it turns out to be too hard to eat. His habit becomes conscious to him and he starts to reflect on it. Jim’s predisposition to interact in a certain way with his environment contains the implicit belief that this behaviour will lead to a certain result: edible pasta. But this belief only becomes explicit and conscious once this habit is challenged. The concepts of habit and belief can therefore be connected by the notion of predisposition: habits are acquired predispositions that contain implicit beliefs. But how can beliefs modify our habits? If we return to Jim and his cooking skills, we can assume that he will modify his belief to something like ‘I believe that pasta in general needs 10 minutes cooking time, but there might be exceptions and macaroni is one of them.’ Changing his belief in this manner enables Jim to develop a modified set of habits and thereby to avoid making the same mistake the next time.

The next concept is the concept of *value*. In his *Theory of Valuation*, Dewey distinguishes between ‘prizing’ and ‘appraisal’ (Dewey 1943, 25). He describes ‘prizing’ as an unconscious preliminary stage in which the

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<sup>48</sup> The examples in this paragraph and the following ones are taken from everyday life and do not necessarily refer to basic habits or cultural habits.

individual is drawn towards or away from certain objects. Hence, ‘prizing’ occurs on the level of unconscious habits. But once such a habit is blocked or leads to conflict, it demands reflection. During reflection we can test how the prized object compares with alternatives and come to a practical judgement that makes our values explicit. An example of this may be Jeanette, who is fond of drinking lemonade during a hot day in order to quench her thirst. One day she opens the refrigerator and there is only mineral water left. She becomes conscious of her craving for lemonade, but is also able to compare it with an alternative. In the end, she may conclude that mineral water can quench her thirst as well but that lemonade still tastes better. Hence, values can influence our habits. Introducing rankings between different ways of interacting with our environment can help us to diversify our set of habits and, consequently, to respond differently to different situations.

While the two foregoing cases of beliefs and values can be applied at the individual as well as at the community level, *conventions* and *norms* presuppose multiple agents. Yet they can be employed to modify both individual and shared habits and to reorient habitual behaviour. In their work on social norms, Cristina Bicchieri and Hugo Mercier analyse conventions as behavioural rules that are supported by ‘empirical expectations of compliance, and a preference to follow the convention provided one expects most [...] others to comply with it’ (Bicchieri and Mercier 2014, 63–64). Conventions are thus upheld by beliefs about the future behaviour of other agents. Social norms, in contrast, are behavioural rules that are supported by a ‘combination of empirical and normative expectations’ (Bicchieri and Mercier 2014, 61). In this case, beliefs are not restricted to the future behaviour of other agents but also comprise expectations about obligations and potential sanctions. Traffic rules are examples of conventions and an example of a social norm is reciprocity (i.e., returning a favour one has received). Conventions and norms are powerful tools for modifying habits. By changing or creating empirical and normative expectations, conventions and norms can be dissolved or established. These conventions and norms can

then make a person adopt certain habits even if they conflict with her interest or self-interest.

I come now to the concept of *rules*, which I will define according to Geoffrey Hodgson's definition as 'socially transmitted and customary normative injunctions or immanently normative dispositions, that in circumstances X do Y' (Hodgson 2006, 18). Rules can be codifiable and may even be codified in publicly accessible documents, but they do not have to be. Conventions and norms can be understood as subclasses of rules. Rules may be adopted by a community in order to coordinate the interests of its members, but they may also be employed in order to organise deliberative procedures, cope with complex or uncertain situations, or structure communication processes (Hodgson 1997, 665). Rules can guide habitual behaviour once they are embodied within a community's repertoire of shared habits, but in many cases they may also be accompanied by positive or negative sanctions.

The last concept I want to discuss are *institutions*, which Hodgson defines as 'systems of established and embedded social rules that structure social interactions' (Hodgson 2006, 18). This broad definition encompasses a very wide spectrum of social phenomena ranging from language in general to social organisations. As the definition indicates, institutions can fulfil the same purposes as rules by structuring interactions. According to Hodgson, institutions can influence habits by 'reconstitutive downward causation' (Hodgson 2007, 107). They can structure, constrain, or enable individual behaviour to a certain extent and even change aspirations. In this way, they can produce concordant habits within a community.

In this section, I have provided an outline of the mutual connections between habits on the one hand and beliefs, values, conventions, norms, rules, and institutions on the other. Evaluating or modifying a habit-based conception of cultural tradition therefore also affects the beliefs, values, conventions, norms, rules, and institutions that are present in a community. In the next section, I will address a specific case of conscious tradition in which tradition is employed as a means of resistance.

### 4.8.3 Tradition as a means of resistance

‘This is the way our ancestors have done it.’ ‘It has always been this way from time immemorial.’ ‘It is our tradition.’ These or similar justifications for day-to-day activities, ceremonies, or solemn rituals have frequently been observed and noted down by anthropologists who have been doing research on Indigenous peoples. But what do these answers indicate about Indigenous peoples and their relationship to their cultural traditions?

In the literature, two interpretations have been suggested. First, that these answers could be interpreted as a preference for traditional ways of life and an aversion to change on the part of Indigenous communities. Second, that they could be seen as an active expression of Indigenous communities who resist colonial domination and fight for the survival of their cultural traditions. These two alternatives do not exclude each other.

There has been a long history of attempts to argue for the first interpretation. Dewey was a child of his time and described ‘savage life’ quite bluntly as a way of life in which all customs are structured according to a homogeneous pattern and in which personal feelings and thoughts are determined by customs to an extent unknown in ‘civilised life’ (Dewey 2002 [1922], 104). A more sophisticated argument is provided by Duane Champagne, who writes that societies in which the economic, the social, the political, and the cultural sphere coincide to a large extent and are not differentiated from each other have less capacity for change (Champagne 1989, 10). But he hastens to add that this theoretical argument about structural differentiation can only be ‘a heuristic device’ (Champagne 1989, 11).

Whether an Indigenous community favours tradition over change is in the end an empirical question and depends on a multiplicity of factors. Due to the philosophical and normative character of this thesis, I will not be able to discuss empirical evidence in favour of or against this assumption. But as there is a great variety among the responses of Indigenous communities to change, a multidimensional methodology appears much more promising than a single-factor argument. Champagne proposes such a multidimensional

historical–comparative methodology that takes into account the way in which a community’s political, cultural, and economic institutions are interdependent; the way in which a community is affected by geopolitical relations and global interchanges; and finally the way in which a community is embedded within its material environment (Champagne 2007, 200-220).

Here I want to argue for the second interpretation and the possibility that the preservation of a community’s tradition, once it has become conscious to a community, can also be a form of resistance against colonial domination.<sup>49</sup> Nelson Graburn rightly notes that a ‘consciousness of tradition arose primarily [...] in those historical situations where people were aware of change’ (Graburn 2001, 6). Such a historical situation can be the pressure that Indigenous peoples experience when colonial powers arrive on their territory. Guillermo Bonfil Batalla distinguishes between three possible ways in which Indigenous communities can respond to colonial force: appropriation, innovation, and resistance (Bonfil Batalla 1996, 132). Communities may appropriate and integrate foreign cultural elements into their own culture. They may also create new elements in order to adapt to the situation or to achieve coherence between the foreign culture and their own culture. Appropriation and innovation can therefore be active ways to demonstrate the agency of one’s community. The same applies to what is often interpreted as attachment to one’s cultural tradition. According to Bonfil Batalla, performing one’s cultural tradition can be a ‘periodic affirmation of the existence of the group’ and a ‘show of autonomy’ (Bonfil Batalla 1996, 133). It can thus be a form of resistance. Maria Bargh makes a similar point when she writes that communities that reassert their particular cultural practices can ‘challenge the neoliberal form of world construction’ (Bargh 2007, 16).

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<sup>49</sup> Although I will stay agnostic on the first interpretation due to its empirical character, I suspect that in a lot of cases it unnecessarily reproduces the stereotype that modern societies are culturally superior to Indigenous communities because they are more open to change. This interpretation, and the corresponding stereotype, might not be needed, however, if the second interpretation can provide an equally plausible explanation of resistance to change.

An illustration of these three possible reactions to colonial force can be found in the actions of the Zapatista Movement, which was founded in 1983 in Eastern Chiapas, Mexico. The movement combines the struggle of various Tseltal, Tojolabal, and Tzotzil communities with a more general rejection of neocolonial politics and economic globalisation. Among its supporters are both Indigenous and non-Indigenous women and men. A clear case of *appropriation* can be seen in how the members of the Zapatista Army of National Liberation (EZLN) have made use of mass media in order to broadcast their cause. Although videos and the internet are not Indigenous inventions, the Zapatistas have used them for their own purposes. *Innovation* can be seen in the establishment of the so-called ‘caracoles’ as an alternative form of community organisation in 2003. These caracoles combine networks of autonomous villages and existing organs of power into self-governing bodies (Casanova 2005, 82). They are based on Indigenous tradition and promote Indigenous ideas of participatory government. A very important case of *resistance* is the emphasis on Indigenous languages as one’s mother tongue. Literacy is taught in one’s mother tongue and only later followed by Spanish (Mora 2008, 262). In this way, not only are Indigenous languages preserved but also a rich heritage of myths, legends, stories, songs, and dances.

James Scott incorporates this particular form of resistance into his concept of infrapolitics. He describes infrapolitics as a silent form of public resistance that avoids loud manifestations (Scott 1990, 199). The reassertion of one’s own cultural tradition and the implied symbolism can be the infrapolitical equivalent of a public counter-ideology and can be employed to undermine the ‘public symbolism of ideological domination’ (Scott 1990, 199). According to Scott, this form of resistance is particularly suited to the needs of powerless groups because it undercuts possible countermeasures such as the imprisonment of visible leaders, threats to identifiable members of a movement, or the prohibition of public demonstrations.

#### **4.9 Extension: Delimiting cultural tradition**

The definition of cultural tradition that I have proposed in the preceding sections is deliberately broad and comprises all sorts of cultural phenomena. But do we have criteria which can distinguish cultural tradition from cultural phenomena that do not fall into that category? If we do not, the conception might just end up as an all-encompassing umbrella term. I have already introduced the condition that cultural traditions have to be shared in order to be traditions. According to that criterion, habits that are merely private and are not shared do not belong to this category. Hence, a private habit like brushing one's teeth in a particular order each morning would not qualify as tradition. The second criterion is that those habits remain constant throughout change (i.e., that they are basic habits). Habits that cannot be identified in hindsight as stable do not fall under my definition. An example of such a habit is a fashion trend that develops within one generation but vanishes quickly without being transmitted to further generations. The third criterion is that cultural tradition always has a meaning dimension, although this meaning may not be consciously accessible to all members of a community at the same time. Thus, habits that are merely repeated mechanically (e.g., a specific manner of walking) cannot be called tradition.

In the following sections I will address the question of how the extension of my conception of cultural tradition can be further specified. In a first step, I will refer to the connection between the meaning dimension and the identity of a community in order to show that we can distinguish between traditions that are more important and traditions that are less important for a community. Most of the traditions that are less important for a community are usually not referred to as 'tradition' by its members, although they are traditions in a technical sense (i.e., according to my definition). In a second step, I will ask whether the community that adheres to a cultural tradition has clear boundaries in space or in time. Does cultural tradition require unanimity within the community or strict continuity during the transmission process?

My answer to that question will lead to a critique of both essentialist and anti-essentialist conceptualisations of cultural continuity.

### **4.9.1 The meaning dimension and the community's identity**

The conception of cultural tradition that I have developed in the previous sections is usually much broader than the cultural tradition that a specific community would regard as its own. This gap can be explained if we take into account the community's understanding of itself and its identity. A community's self-understanding can be influenced by hermeneutical principles and by socio-political phenomena. Two possible hermeneutical principles are that community members identify a cultural tradition with a certain subset of that tradition or that community members identify their cultural tradition by comparing it with and distinguishing it from surrounding traditions. Two possible socio-political phenomena are that some community members and their interpretation of their traditions dominate within the community or that the community members use their cultural traditions strategically in the context of identity politics.

An example of the first hermeneutical principle, in which cultural tradition is identified with a subset of that tradition, is the particular use of the word 'tradition' in the Catholic church. Within this community, it refers to the 'living transmission of a doctrine' and is thus confined to doctrinal questions and propositions (Congar 2004, 4). Although the word is sometimes also used to refer to other areas, such as music and liturgy, the use of tradition with a capital T is predominantly connected to the Catholic church's self-understanding as a community of believers who are united by a common creed and its doctrinal content. In this case, talk about tradition with a capital T among Catholics refers merely to a subset of cultural tradition.

An example of the second hermeneutical principle, in which a cultural tradition is identified by its commonalities with and differences to surrounding traditions, are greeting rituals. Although greeting rituals do not have a significant impact on a community's economic, social, cultural, or

political organisation, they are nevertheless very visible in a community's everyday life. For example, in France, differences in culture and mentality between communities are often explained by pointing to the number of kisses that are exchanged or whether people shake hands or hug each other. Hence, the perceived differences between one's cultural tradition and the tradition of others are considered more important than other parts of one's cultural tradition.

The first socio-political phenomenon, in which an internal group dominates the rest, is probably present to a greater or lesser extent in every small-scale community. Community members often differ in their understanding of their cultural traditions, and depending on their socio-economic position, some members might be able to dominate or even silence the cultural self-interpretation of others. Consequently, the dominant interpretation may determine which parts of a cultural tradition the majority of community members identify with.

The second socio-political phenomenon, the strategic use of cultural tradition, is probably the most complex one. Cultural minorities can express, perform, or construct their identity in a particular way in order to achieve certain political or economic aims. John L. Comaroff and Jean Comaroff describe, for example, how communities adapt their indigeneity to court decisions or 'to the consumer of otherness' (Comaroff and Comaroff 2009, 142-144). Accordingly, cultural tradition can be reinterpreted in the light of political or economic aims so that certain aspects are emphasised at the expense of others. Such a strategic use of cultural tradition can also be a means of resisting colonial domination.

Cultural traditions can hence be arranged along a continuum between, at one end, traditions that are more important to a community's sense of identity and, at the other, traditions that are less important to it. Although cultural traditions might be traditions in the formal sense, because they are shared, stable, and have a meaning, they might not form part of a community's self-understanding, because they are not included in a specific subset, because

they constitute neither relevant commonalities nor relevant differences to surrounding communities, because they are not recognised by internal elites, or because they do not form part of the image a community employs in its struggle for political recognition or economic privileges.

In addition, the connection of any cultural tradition and therefore of any basic habit to a community's identity is subject to change and can become stronger or weaker. Dietary laws, for example, may become much more important for the religious identity of a community when that community comes into contact with more powerful religions that have alternative habits with regard to food. The factors that have an influence on that connection are complex and vary from case to case, yet how a community ranks the importance of its cultural traditions cannot be understood without referring to its sense of identity.

#### **4.9.2 A non-essentialist understanding of cultural continuity**

When we speak about the cultural tradition of a certain community being the set of basic habits that is shared by the community members, we quickly encounter problems. Do all community members have to share the same set of basic habits? As habits are not transmitted in the same way as sequences of computer code, some 'variation among habits' is bound to occur (Gronow 2012, 34). Hence, unanimity would be too strong a requirement. But if we allow for some variety within the community, how can we indicate the boundaries where one cultural tradition ends and another one starts? Or should we cease to speak of such boundaries at all?

Answering this question of identifying the members of a cultural tradition is crucial to my overarching research question. In order to develop a procedure for evaluating cultural tradition in the context of development projects, it is necessary to know who is doing the evaluating and who is being evaluated. In the following paragraphs, I will therefore address this question. I will begin by outlining a non-essentialist understanding of cultural

continuity and will then add a few thoughts on the epistemic authority of community members.

I will distinguish between an anti-essentialist and an essentialist understanding of cultural continuity. My own proposal is to steer a middle course between these two positions and to avoid cultural essentialism, while at the same time allowing for a soft conception of boundaries. This proposal will be called a non-essentialist understanding of cultural continuity.

Cultural essentialism tends to treat cultures as 'local, functionally integrated units' (Clifford 1988, 273) and to describe them by employing organic metaphors. Cultures are compared to living organisms, which adapt to change but can also fail to adapt and die if the change is too radical. James Clifford criticises this imagery because '[a] community, unlike a body, can lose a central "organ" and not die. All the critical elements of identity are in specific conditions replaceable: language, land, blood, leadership, religion' (Clifford 1988, 338). If we challenge a holistic and organic conceptualisation of culture in this way, we can come to the following conclusions: it is not cultures that die, but rather individual elements of culture, such as language, political structure, religion, or art, which may come under such pressure that they are deliberately abandoned or that the community members gradually cease to perform them. Consequently, if certain basic habits are no longer transmitted within a particular cultural tradition, this does not necessarily mean that the continuity of that cultural tradition has come to an end.

In response to cultural essentialism, cultural anti-essentialism has tried to get rid of the notion of cultural boundaries. Arjun Appadurai suggests a new way of thinking about cultural forms as being without 'Euclidean boundaries, structures or regularities' (Appadurai 1994, 337). While a Euclidean approach assumes that we can draw a clear line between the elements that belong to a culture and those that do not, Appadurai argues in favour of replacing this approach with a dynamic account of ever-changing non-Euclidean shapes. But by doing this, he throws out the baby with the bathwater. Although the boundaries of a culture or cultural tradition may be

much softer and more fluid than cultural essentialists believe them to be, strongly weakening the notion goes against the self-understanding of communities and may lead to conceptual confusion. As Tariq Modood writes: ‘In individuating cultures and peoples, our most basic and helpful guide is not the idea of an essence, but the possibility of making historical connections, of being able to see change and resemblance’ (Modood 1998, 382). Without a concept of boundaries, we may become unable to speak about historicity, change, and similarities.

My own proposal for *a non-essentialist understanding of cultural continuity* will allow for the transformation of cultural traditions without them losing a putative essence. In addition, it will contain a pragmatic argument in favour of retaining a concept of boundary. According to this understanding, the continuity of a cultural tradition does not mean that the same set of basic habits has to be present in a community at each moment in time. Likewise, it does not require that the same set of basic habits is present in each community member at a specific moment in time. There can be continuity even though the set of basic habits grows and shrinks in the course of time and even though there is variety among the members of a cultural community. Continuity is understood in a manner similar to Wittgenstein’s metaphor of a thread: ‘And the strength of the thread does not reside in the fact that some one fibre runs through its whole length, but in the overlapping of many fibres’ (Wittgenstein 1958, 32). The thread can be seen as representing a culture and the fibres as representing different sets of basic habits regarding, among other things, language, political structure, religion, or art.

We can distinguish between the diachronic and the synchronic dimension of cultural continuity. The diachronic dimension concerns the continuity between sets of basic habits in a community throughout time. In order for there to be continuity, there has to be some overlap between these sets of basic habits. Thus, at time  $t_1$  a cultural community could contain a set of basic habits  $\{U, V, W, X\}$ , at time  $t_2$  a set comprising  $\{V, W, X, Y\}$ , and at  $t_3$  a set comprising  $\{W, X, Y, Z\}$ . Although some basic habits disappear

from the set and others are added, we can speak of continuity in the sense Wittgenstein did. The synchronic dimension concerns the continuity between different sets of basic habits among the members of a community at a specific moment in time. Again, we can employ the thread metaphor to speak about an overlap where, for example, person 1 has a set of basic habits {A, B, C, D}, person 2 a set comprising {B, C, D, E}, and person 3 a set comprising {A, C, E, F}. Although the sets vary, we can speak of Wittgensteinian continuity. Drawing a boundary is then no longer a straightforward matter. Boundaries are soft, remain fluid, and can be contested.<sup>50</sup> Nevertheless, for pragmatic reasons it is useful to retain the notion, because it enables us to compare and distinguish cultural traditions and to describe how they change and develop in the course of time.

But if we conserve a weak notion of a boundary, who has the authority to ‘draw the line’? I cannot provide a complete and satisfactory answer to this question, but only a few observations on the question of epistemic authority and hence concerning the question of who has the authority to answer this question. Most important of all, boundaries will always remain a subject of debate. This debate is not a deficit, but forms part of the social, cultural, and political context in which boundaries are constructed and reconstructed. There are strong arguments that support the recognition of the epistemic authority of the members of cultural communities themselves. Two such arguments are that they have first-hand experiences of their culture and that paternalism should be avoided wherever possible.<sup>51</sup> If we were to recognise the epistemic authority of members of cultural communities, we could rely on their notions of we-ness and other-ness.<sup>52</sup> There might still be differences

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<sup>50</sup> Such a concept of fluid boundaries would also allow us to talk about Indigenous minorities who live on the outskirts of a megacity as still sharing a specific cultural tradition.

<sup>51</sup> Aileen Moreton-Robinson has analysed how ethnic markers have been employed by Australian and US–American courts in order to perpetuate the marginalisation of Indigenous peoples (Moreton-Robinson 2015, xi–xiii).

<sup>52</sup> However, notions of we-ness and other-ness have the potential to exclude community members who challenge a cultural norm that is supported by a powerful

within the community about these attributions, though. And sometimes their criteria concerning delimitation could turn out to be ‘multiple, redundant, incongruent, and overlapping’ (Brightman 1995, 519). In section 4.10, I will discuss this question of cultural boundaries in the context of Indigenous cultural traditions. And in chapter 9, I will resume this discussion and also address the question of membership criteria.

#### **4.10 Identifying Indigenous communities and Indigenous cultural traditions**

At the beginning of this chapter, I summarised my research question in the following way: how can Indigenous communities evaluate their traditions in the context of development projects? I then proposed a conception of cultural tradition that is guided by the following four criteria: It should (1) be able to be normatively evaluated, it should be (2) sociologically sound and (3) anthropologically sound, and (4) it should be able to form part of an economic discourse. I have tried to do justice to these conditions in the following way. First, I have opted for a focus on behaviour and meaning instead of on values in order to facilitate an unbiased normative assessment at a later stage. Second, I have based my conception of tradition on a pragmatist concept of habit and related it to the sociological treatment of beliefs, values, conventions, norms, rules, and institutions. Third, I have taken a stand in the anthropological discourse on cultural essentialism and suggested interpreting cultural continuity in a non-essentialist way. In order to satisfy the fourth criterion, I will first have to develop a wellbeing standard in part III of this thesis, which includes economic wellbeing. Subsequently, I will demonstrate

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majority or minority within their community. In section 6.5, I will discuss food taboos and female genital mutilation as examples of how cultural traditions can dominate community members and lead to the exclusion of those who do not comply with those particular traditions. Relying on notions of we-ness and other-ness might therefore become problematic if a community is pervaded by dominating relationships. The discussion of we-ness and other-ness will also be continued in section 9.2, in which I will address the limitations of membership criteria.

that the conception of cultural tradition used in this thesis can be assessed by means of this wellbeing standard to evaluate whether or not it contributes to economic wellbeing.

At the beginning of this thesis (section 1.5), I argued that a proper interpretation of the Indigenous right to free, prior, and informed consent implies that Indigenous communities should have the right to assess their cultural traditions and the expected change in these traditions that may result from the implementation of a development project. Up to now, I have mostly written about cultural traditions in general. But how can we distinguish Indigenous cultural traditions from other cultural traditions? In this section, I will suggest two criteria for identifying Indigenous communities and Indigenous cultural traditions, which will subsequently have to be fleshed out and supplemented by community discernment.

One possible criterion would be the self-categorisation of communities as Indigenous, but this possibility remains open to abuse by non-Indigenous groups. Without further criteria regarding what an Indigenous identity consists in, any group could claim to be Indigenous. It is likewise not helpful to construct indigeneity as a set of cultural characteristics. Indigenous communities are too diverse for such a criterion. I will therefore follow James Clifford by limiting myself to two criteria, a historical one and a cultural one. The first criterion refers to the ‘comparable experiences of invasion, dispossession, resistance, and survival’ of Indigenous peoples (Clifford 2013, 15). These historical struggles have often led to their marginalised socio-economic position in present societies, their absence from a nation’s view of itself, and their discrimination in everyday life (Walter 2010, 130). The second criterion refers to a cultural sense of belonging to a particular territory and of linking one’s identity to a certain piece of land. Clifford calls this criterion ‘landedness’ or ‘the power of place’ (Clifford 2013, 63).

By using these two criteria, Clifford successfully avoids reducing indigeneity to a specific world view on the one hand or to a postmodern invention in terms of identity politics on the other. Employing only two

criteria instead of a multiplicity of criteria allows for a recognition of Indigenous cultural diversity and of the diverse ways in which communities articulate their traditions in the political sphere. At the same time, they require an appeal to the community's historical and cultural self-understanding. Combined with a non-essentialist understanding of cultural continuity, the historical criterion of colonisation and the cultural criterion of 'landedness' can help to identify Indigenous cultural traditions within soft, fluid, and contested boundaries.

Note that these two criteria also capture the essence of the list of key characteristics provided by the UN-REDD Programme's tentative definition of Indigenous peoples. According to that definition, members of Indigenous communities have 'historical continuity or association with a given region [...] prior to colonization or annexation', have 'strong links to territories and surrounding natural resources', often maintain 'distinct social, economic and political systems' and 'distinct languages, cultures, beliefs and knowledge systems', and although they typically form non-dominant sectors of society, they are resolved 'to maintain and further develop their identity [...] as distinct peoples and communities' (United Nations Development Programme 2013b, 38).

Clifford's criteria also echo some elements of José Martínez Cobo's influential definition from 1987; he defined Indigenous peoples in the following way:

'Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural,

social institutions and legal systems' (Martínez Cobo 1987, paragraph 379).

Cobo's definition has been adopted by various Indigenous communities and has been endorsed by a number of Indigenous scholars. The fact that Clifford's two criteria overlap with Cobo's definition is therefore a further argument in favour of his criteria.

#### **4.11 Conclusion**

We have now reached the end of part II of this thesis, in which I developed a value-neutral conception of cultural tradition. In order to do so, I referred mostly to cultural tradition in general, and Indigenous cultural traditions were only reintroduced towards the end of chapter 4. This conceptual analysis was necessary to obtain a value-neutral conception of cultural tradition that can be submitted to an evaluation. The normative framework for this evaluation will be constructed in the next part of this thesis, which is part III. But first, I will recap the results of chapter 3 and chapter 4.

In chapter 3, I developed an analytical grid for different conceptions of tradition as they have been used in philosophy, sociology, anthropology, and economics. With the help of this analytical grid, I was able to point to a diversity of conceptions of tradition that fulfil different functions within their disciplines depending on the particular context and the research question that is being asked. Consequently, I decided not to develop an overarching conception of tradition that unites all these different purposes, but to conceptualise tradition in a way that suits my own evaluative approach. My aim was a conception of tradition that would fulfil the following four conditions: it should (1) be able to be normatively evaluated, it should be (2) sociologically and (3) anthropologically sound, and (4) it should be able to form part of an economic discourse. The criteria set out in the analytical grid helped me to develop an initial characterisation of this conception.

In chapter 4, I developed a conception of *cultural* tradition that focuses on behaviour. I combined Boas's definition of culture with a Deweyan–

Meadean concept of habit and defined tradition as the basic habits within a culture. In a further step, I added a meaning dimension in order to draw distinctions between different cultural traditions and to account for the emotional attachment that is often felt by their adherents. An analysis of the intension of cultural tradition resulted in the distinction between unconscious and conscious tradition. I also described a special use of conscious tradition as a means of resistance against colonial domination. With regard to the extension of tradition, I specified three criteria that can delimit cultural tradition from other social and cultural phenomena. Furthermore, I showed that cultural communities tend to rank their own traditions according to their own sense of identity, which means some traditions are less important to them than others or may not even be regarded as traditions at all. I also suggested a non-essentialist understanding of how a cultural tradition is transmitted from one generation to the next and of how a cultural tradition is shared by the members of a community. In the final section, I suggested two criteria for identifying Indigenous communities and Indigenous cultural traditions.

Now that I have proposed my own conception of cultural tradition, I can return to my original research question: how can Indigenous communities evaluate their cultural traditions in the context of development processes? In part III, I will analyse the normative implications of this question. I will first address the general question of whether the normative evaluation of cultural traditions is possible at all and then suggest a normative framework that could structure such an evaluative exercise. In a further step, I will illustrate this normative framework with the help of two case studies and demonstrate that it can capture the relevant effects of cultural traditions. And in a final step, I will develop an Indigenous wellbeing standard, which can form part of this normative framework.

## **PART III**

# **EVALUATION OF CULTURAL TRADITIONS**

Having introduced a conception of cultural tradition that is based on a pragmatist notion of habit, I am now able to address my original research question: how can Indigenous communities evaluate cultural traditions in the context of development processes? A community that intends to evaluate its cultural traditions and the effects of a proposed development project on these traditions in order to decide whether to endorse or reject the project, first of all needs a set of criteria that can be applied to cultural traditions.<sup>53</sup> In this chapter and the following ones, I will therefore develop a framework for the normative evaluation of the positive and negative aspects of cultural traditions within development contexts.

In chapter 5, I will address the challenge of cultural relativism and argue that the best type of criteria for the normative assessment of cultural traditions in a culturally diverse world are cross-cultural criteria. Here, cross-cultural means that these criteria are applicable across at least two or more traditions (e.g., one's own tradition and at least one tradition that is different from one's own).

In chapter 6, I will discuss whether there are normative reasons for valuing cultural traditions regardless of their specific content. Yet, while there are such normative reasons, there are other positive and negative aspects of cultural traditions that cannot be captured by them. I will therefore suggest

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<sup>53</sup> The development project can be an initiative of some of the community members, but it can also be a proposal of an external agent (e.g., the government or a development agency). In both cases, the community can evaluate its cultural traditions and the effects of the proposed development project on these traditions in order to decide whether to accept or reject the proposal. Another possibility is that a development project is imposed on a community by an external agent. In that case, an evaluation of the project would be an act of resistance. I will consider these different scenarios in chapter 11.

that communities could assess whether their cultural traditions promote or constrain wellbeing and whether they are dominating or not. In order to address these positive and negative aspects of traditions, I will make use of the values of wellbeing and non-domination and connect them to the UNDP's notion of human development, which I outlined in section 2.5.

As the evaluation of one's cultural tradition is always embedded in a political context, I have to specify political preconditions that have to be in place for such an evaluative procedure to be undertaken. In this thesis, I will argue that the self-determination of a community is a necessary precondition for the evaluation of its traditions. In addition to defending the values of wellbeing and non-domination, I will therefore also defend the value of self-determination.

The normative argument in chapters 5 and 6 will deal with cultural traditions on a rather abstract level. Although I will occasionally refer to concrete sociocultural contexts in examples, the main argument concerns cultural traditions in general. The goal of this argument is twofold. The first goal is to show that there are good reasons for development ethicists as well as communities to reflect on the evaluation of traditions. The second goal is to provide a framework that includes both the positive and the negative aspects of cultural traditions. In chapter 7, I will illustrate this normative framework and apply it to two Indigenous cultural traditions in order to demonstrate how these traditions can enhance or constrain wellbeing but can also be dominating. In chapter 8, I will explore the possibility that Indigenous communities could develop their own Indigenous wellbeing standard and analyse to what extent such a standard would challenge ethical individualism, which is one of the presuppositions of the normative framework of this thesis.

Taken together, these four chapters will lay the ground for part IV of this thesis. In part IV, I will develop and argue for a deliberative procedure that could assist self-determined communities to compare the positive and negative aspects of their cultural traditions with the positive and negative aspects of these traditions after the hypothetical implementation of a

development project. This procedure will be based on the values of wellbeing, non-domination, and self-determination as they have been developed in part III.

The following table provides an overview of chapters 5 to 8 and also shows how they relate to part IV of the thesis.

Table 4: Overview of the normative framework

Type of criteria (chapter 5)
<i>Cross-cultural criteria</i> as the best type of criteria for the evaluation of cultural traditions
Normative framework (chapter 6)
<i>Value of wellbeing</i> to evaluate whether cultural traditions promote or constrain wellbeing
<i>Value of non-domination</i> to evaluate whether cultural traditions are dominating or not
<i>Value of self-determination</i> as a political precondition for the evaluation of cultural traditions
Illustration of the normative framework (chapter 7)
Discussion of two case studies in order to illustrate the normative framework
An Indigenous wellbeing standard (chapter 8)
An Indigenous wellbeing standard as an alternative way to concretise the <i>value of wellbeing</i>
Deliberative procedure (part IV)
Outline of a deliberative procedure that is based on the values of <i>wellbeing</i> and <i>non-domination</i> and presupposes a <i>self-determined</i> community



## **Chapter 5 Criteria for the normative evaluation of cultural traditions**

### **5.1. Putting cultural relativism aside**

In this chapter, I will answer the question of what the best type of criteria are for the normative evaluation of cultural traditions in a culturally diverse world. This is a thorny issue. Whether there are criteria for the evaluation of cultural traditions within a culturally diverse world has been the subject of significant debate. If a community decides to evaluate its cultural traditions and the effects of a proposed development project on these traditions, which type of criteria should its members adopt? Do such criteria exist at all and if they do, how can they be identified? In the next sections, I will discuss a number of different proposals regarding the question of whether such an evaluative exercise is possible and which type of criteria it would require.

But before I can proceed to analyse these proposals, I first have to address a worry on the meta-level: should communities engage in such a normative evaluation in the first place? The anthropological school of Franz Boas has been defending a version of cultural relativism in order to avoid the imposition of a supposedly universal yardstick, which unwittingly reproduces a Western normative framework. Boas criticised the comparative method used by his contemporary anthropologists, who compared and ranked cultures in order to construct a history of cultural evolution (Boas 1896, 908). According to this comparative method, cultures were considered more valuable the higher they were in the ranking. One of Boas's students, Melville J. Herskovits, argued that cultural relativism should be the ethical premise of anthropological research, because it demands tolerance and respect for the existing plurality of cultures (Herskovits 1972, 33). According to this version of cultural relativism, all cultures are of equal value and should not be subjected to the rankings of the comparative method. Furthermore, cultural relativism implies the imperative of refraining from evaluating cultures.

Under Boas's and Herskovits's influence, the demand for tolerance and respect transformed anthropology and opened up new areas of research by focusing on the differences between cultures rather than on their commonalities (Moore 2009, 43). However, on a philosophical level, cultural relativists can be criticised for committing the fallacy of deducing an ought-judgement from an is-statement. They derive a demand for tolerance and respect from the empirical fact of cultural variety (Hatch 1983, 67–68). Cultural relativism is therefore not a consistent position and offers no cogent reason to abstain from the evaluation of cultural traditions. Most contemporary anthropologists have therefore abandoned Boasian relativism and replaced it with a methodology for ethnographic description, which emphasises the suspension of value judgements and a contextualist understanding of cultural practices (Brown 2008, J. Tilley 2001). In contrast to cultural relativism, this anthropological methodology is restricted to the descriptive task of the anthropologist and does not affect normative questions.

But the question I am concerned with in this thesis is first and foremost a normative one, as many questions in development ethics are. Local communities and in particular Indigenous peoples find themselves increasingly in situations where a development project is initiated by community members, a development project is proposed to them by external agents, or a development project is even imposed on them. Thus, they have to make difficult normative decisions in which they must balance several values, such as the value they attach to their own cultural traditions and the value that a development project might add to these traditions. In such a situation, it is impossible to remain neutral and abstain from using normative criteria, be they external or internal to one's cultural traditions. There is simply no non-normative option available in such circumstances; even doing nothing and refusing to address the question has normative implications. Renouncing a value judgement would implicitly confirm the status quo. Even

if we insist, with Herskovits, on a critical reflection of our own ethnocentrism, we still have to employ normative criteria to evaluate the alternatives.<sup>54</sup>

But once communities decide that they should engage in the evaluation of cultural traditions, which set of normative criteria would be the best choice for such an evaluation in a culturally diverse world? Is it, for example, better to appeal to the internal conventions of their cultural traditions or to cross-cultural standards? In the following sections, I will address these issues by discussing four alternative approaches to the question of normative evaluation. But first, I will specify three characteristics that render a set of normative criteria particularly suitable for a culturally diverse world.

*Characteristic 1: Normative criteria are based on a minimal account of human rationality or human nature so that they are understandable for a variety of cultural communities.*

If the normative criteria of a community include assumptions about human rationality and human nature that are implausible to other cultural communities, those communities would be unable to understand them. In the context of development projects, it would consequently become difficult to explain these criteria to stakeholders from other cultural communities, such as members of other communities who are affected by the project, a development agency, or the local government. In a culturally diverse world, it is therefore preferable to strive for a minimal account of human rationality or human nature that is shared by several cultural communities or that is at least supported by an overlapping consensus.<sup>55</sup>

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<sup>54</sup> An alternative option would be to suggest a decision-making procedure that is based on procedural criteria. But even such procedural criteria would to some extent have to rely on substantial values.

<sup>55</sup> In an overlapping consensus on a minimal account of human rationality or human nature, I understand the possibility that an account can be endorsed by a variety of cultural communities, although their reasons for endorsing this account may differ considerably and even contradict one another.

Characteristic 2: *Normative criteria enable the evaluator to address all the basic habits of a cultural tradition so that no basic habit is exempt from criticism or excluded from evaluation.*

It is possible to specify normative criteria in such a way that certain aspects of a cultural tradition (e.g., the question of leadership) cannot be criticised. But in that case, the specification of the criteria would determine the outcome of the evaluation. In order to prevent an evaluation remaining restricted to selected parts of a cultural tradition, it is preferable to specify normative criteria in such a way that they allow for an evaluation of the whole tradition.

Characteristic 3: *Normative criteria avoid metaphysical or epistemic commitments that could be a source of dispute for other cultural communities so that unnecessary controversies can be prevented.*

Characteristic 3 is similar to characteristic 1 and concerns the question of whether other cultural communities can understand the set of normative criteria a community has chosen. Such an understanding is helpful for explaining criteria to other stakeholders in development projects. While characteristic 1 refers to commitments with regard to an account of human rationality or human nature, characteristic 3 refers to commitments in philosophical areas that are only implicitly connected to a community's conception of humanity or rationality. Examples are metaphysical and epistemic commitments in areas such as the philosophy of history (e.g., a cyclical understanding of history) or the philosophy of religion (e.g., a rejection of the material world as a possible source of knowledge). Hence, in order to prevent misunderstandings or controversies in a culturally diverse world, it is preferable to avoid using such commitments as a basis for cultural evaluation.

In the following four sections, I will discuss four options for specifying normative criteria. Proponents of option A deny that intersubjectively valid

normative criteria are possible at all. Proponents of option B argue that it is possible to develop cross-cultural standards of evaluation that are applicable to two or more cultural traditions. Proponents of option C claim that such normative standards would have to be internal to one's cultural tradition. And proponents of option D defend the position that normative standards for the evaluation of cultural traditions should be immanent to one's social practices. My own answer to the question of the normative evaluation of cultural traditions in section 5.6 will try to do justice to valid intuitions of all four alternatives while taking one of them as the most plausible account: the appeal to cross-cultural standards.

## **5.2 Option A: Rejecting the normative evaluation of cultural traditions**

The first possible answer to the question of the normative evaluation of cultural traditions in a culturally diverse world is a negative one: such a project is impossible. Defenders of this position could argue that the normative evaluation of cultural traditions in a culturally diverse world requires *intersubjectively valid normative standards*. But according to the proponents of this position, such intersubjectively valid normative standards are not available. Thus, the normative evaluation of cultural traditions in a culturally diverse world is impossible. This position could be further fleshed out as anti-foundational relativism or as foundational relativism.

The qualifier 'anti-foundational' in anti-foundational relativism refers to the absence of any objective foundation (e.g., a fundamental belief or a fundamental principle) for normative judgements. According to anti-foundational relativism, all normative judgements are expressions of subjective preferences. In contrast, a foundational relativist would assume that such an objective foundation for normative judgements is given but would argue that normative judgements are still relative to this objective foundation (e.g., a cultural group or an ethnic group).

Scholars who defend claims that come close to anti-foundational relativism claim that moral objectivity is not possible. All conceivable normative standards are considered ‘pure, subjective constructs’ (Johnson 2013, 13), so every judgement of a cultural tradition would necessarily be arbitrary and result in an imposition of one’s subjective perspective (Li 2006, 121). While this is a conceptually conceivable option that one could hold, I have not found any scholar who explicitly defends this view without further qualifications.<sup>56</sup> A major problem of anti-foundational relativism is that without moral objectivity it becomes impossible for anti-foundational relativists to criticise cultural imposition. If there are no objective moral standards, why should it be considered arbitrary or morally bad if one person or one culture imposes its values upon another? Such a statement would require at least some degree of moral objectivity.

Scholars who defend foundational relativism may define relativism with regard to culture or ethnicity and argue that normative statements are only valid within a particular culture or ethnic group. In contrast to Herskovits, who derives his cultural relativism from the empirical fact of cultural variety, foundational relativists base their relativism on metaethical arguments. However, in order for their definition to be coherent, foundational relativists would still have to determine where one ethnic or cultural group ends and another one begins. If group A understands itself as including the members of group C and if group B claims the same, to which group do the members of C belong? Without a minimal account of objectivity, this question cannot be settled.<sup>57</sup>

A detailed discussion of anti-foundational and foundational relativism would go way beyond the project of this thesis. Thus, I have to content myself

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<sup>56</sup> For example, Stanley Fish (Fish 1980, 14) defends the position that descriptive and normative statements are only true or valid within a particular interpretive community, yet he would only self-identify as anti-foundationalist, not as a relativist.

<sup>57</sup> The foundational relativist could avoid this problem by assuming a dichotomy between an objective account of how the world is and relativism with regard to normative judgements. For a critique of such a dichotomy, see Putnam (2002).

with the following conditional claim: if relativism leads to serious problems with regard to its understanding of objectivity, the relativist claim that intersubjectively valid normative standards are impossible becomes doubtful. Hence, relativism does not give us a compelling reason to abandon our search for normative criteria for the evaluation of cultural traditions.

### 5.3 Option B: Cross-cultural standards

In contrast to anti-foundational relativists, proponents of option B argue that it is possible to develop normative standards for the evaluation of traditions in a culturally diverse world. They would argue that the normative evaluation of cultural traditions in a culturally diverse world requires *cross-cultural normative standards*. Furthermore, they would maintain that such cross-cultural normative standards exist and are based on a common human rationality or human nature. Thus, the normative evaluation of cultural traditions in a culturally diverse world is possible.

The critical rationalist Karl Popper writes in this regard that human beings are able to examine ‘existing traditions critically, weighing their merits against their demerits’ (Popper 1989 [1948], 132). Of course, there can be disagreement on the content of a normative matrix among scholars who support the application of cross-cultural standards. What unites them is their insistence that such values are not restricted to one particular cultural tradition and that they can be justified with reference to human rationality or nature.<sup>58</sup> Cultural traditions can then be evaluated by the degree to which they do justice to a specific set of cross-cultural values.

But are cross-cultural standards the best type of criteria for the normative evaluation of cultural traditions in a culturally diverse world? One advantage of cross-cultural normative criteria is that they allow for a powerful criticism of a community’s biases. We can take Michael Walzer’s example of the

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<sup>58</sup> Another way to justify cross-cultural standards is by appealing to an overlapping consensus between different comprehensive conceptions of the human being, as Martha Nussbaum (1998, 284) does.

distribution of a grain heap in an Indian village as an illustration (Walzer 1983, 313). In this example, the inhabitants of an Indian village have to distribute a grain heap among themselves. Instead of bargaining or applying distributive rules, the villagers rely on their traditional customs for the distribution of the heap, which are based on the caste system and other religious obligations. The portions are unequal but nobody seems to protest, because the villagers are apparently committed to a shared system of values. Cross-cultural criteria that are based on human rationality or nature (e.g., equality) can be used to criticise the system of values that guides the distribution of the grain heap in this example. There is no need to exempt these values from criticism just because they seem to be shared by the community members. Hence, cross-cultural standards fulfil the second of my three characteristics. They enable the critic to address *all* the basic habits of a cultural tradition.

One disadvantage of cross-cultural criteria is that they presuppose a justification based on a more or less detailed account of human rationality or human nature. In order to be plausible to various cultural communities, cross-cultural criteria require a justification that refers to certain commonalities between the diverse members of cultural communities. An account of human rationality or human nature provides such a point of reference. In order to fulfil the first of my three characteristics, which is that various cultural communities find this account understandable, this account should be minimal.

### **5.4 Option C: Internal standards**

There are a number of philosophers who reject option B because they feel uneasy about an exclusive justification of normative criteria in the rationality or nature of individual human beings. Instead, they emphasise the constitutive role of the community in the individual's self-understanding (Sandel 1983, 173) and propose internal standards that refer to the shared values of a

community. Their appeal to internal standards constitutes our option C.<sup>59</sup> Philosophers who defend option C argue that a cultural tradition can be normatively evaluated according to *standards that are internal to the community's way of life*. According to their position, cultural tradition is part of a community's way of life and the normativity is embedded within its shared values. Thus, cultural traditions can be normatively evaluated by considering to what extent they live up to the shared values of a community.<sup>60</sup>

We can return to Walzer's example of the grain heap to illustrate the difference between options B and C. According to Walzer, 'justice is rooted in the distinct understandings of places, honors, jobs, things of all sorts, that constitute a shared way of life' (Walzer 1983, 314). Thus, the distribution rule in that village can only be criticised by appealing to the shared understanding of social goods in which this particular community is embedded. If the members of higher castes get a greater share than the members of lower castes due to their ritual purity, this rule can only be criticised by reinterpreting purity or by relating it to other aspects of the community's way of life. Walzer's ethical position is somehow mitigated to the extent that he also allows for an appeal to 'some wider political or religious tradition' within which one's own tradition is located (Walzer 1987, 65).

A clear advantage of option C is the close connection between the normative standards and the self-understanding of a community, which means that cultural evaluation cannot be perceived as an external imposition.

But there are also two disadvantages of option C that weigh heavily. Firstly, internal criteria might prove ineffective in challenging certain normative biases if the criteria are based on a shared understanding of social

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<sup>59</sup> I owe the distinction between internal and immanent standards to Rahel Jaeggi's illuminating distinction between internal and immanent critique (Jaeggi 2014, 263–309).

<sup>60</sup> The criterion that internal standards are *shared* by the members of a community and that this sharing 'cannot be the result of radical coercion' (Walzer 1994, 27) distinguishes internal standards from the value imposition of anti-foundationalist relativism and any version of foundational relativism that abstains from prescribing criteria for identifying community values.

goods that includes these normative biases. For example, if internal criteria are based on a self-understanding that presupposes the caste system, the caste system could not be challenged. Internal criteria consequently do not conform to the second of our three characteristics, which is that they enable the critic to address *all* the basic habits of a tradition. Secondly, internal criteria presuppose an essentialist image of cultural communities as homogeneous collective units (compare my criticism of such an essentialist understanding in section 4.9.2). Cultural communities are defined by a shared understanding of social goods, which requires that all community members subscribe to a common set of values. But this assumption of a shared set of values exaggerates the homogeneous character of local cultures and neglects their cultural dependence on trans-local connections (Gasper 2005, 206–208).<sup>61</sup>

### **5.5 Option D: Immanent standards**

I now turn to the fourth and last way to answer the question of how cultural traditions in a culturally diverse world could be evaluated. Option D does not locate normativity in a community's shared understanding of social goods, but rather assumes an 'implicit normativity of social practices' (Jaeggi 2014, 289). These social practices do not have to be restricted to one particular local community but can form part of the cultural traditions of various communities, such as the social practice of partner dances. Proponents of option D would reason that traditions can be normatively evaluated according to *standards that are immanent to social practices*. According to option D, cultural traditions contain cultural forms of normative social practices. Thus,

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<sup>61</sup> Nussbaum and Sen (1987) propose a hybrid method for the evaluation of cultural traditions. While they start with internal standards by treating the values of a specific cultural tradition as an essential point of reference, they later introduce cross-cultural standards as well when they demand a commitment to 'standards of consistency and clarity' and 'non-contradiction' (Nussbaum and Sen 1987, 29-30). But as the normative work is ultimately done by the cross-cultural standards, their hybrid method eventually collapses into a method of option B.

traditions can be normatively evaluated by looking at the extent to which they live up to the task of these normative social practices.

Two philosophers who, albeit in different ways, defend option D and the application of immanent standards are Rahel Jaeggi and Alasdair MacIntyre. Jaeggi evaluates forms of life in the context of problem-solving processes. From this context she derives two normative criteria: whether forms of life can cope with dialectic contradictions and whether they can develop ethical–functional norms that guide and underlie problem-solving processes (Jaeggi 2014, 373). Human beings form families, for example, in order to balance the contradictions between their need for dependence and their need for independence. But families can also serve to solve emerging problems by preparing offspring for a world of increasingly rapid change. Consequently, cultural traditions would be evaluated positively if they allow human beings to successfully balance dependence and independence within families and if they support these families in preparing children for an ever-changing world.

MacIntyre, however, evaluates traditions according to their contribution to communal enquiry and obtains a set of three criteria that can be used to compare a tradition with its predecessor. Firstly, it has to solve problems that its predecessor could not solve. Secondly, it has to explain why its predecessor was incapable of solving these problems. And thirdly, it has to exhibit some fundamental continuity with its predecessor (MacIntyre 1989 [1988], 362). According to MacIntyre, traditions would be evaluated positively if they are superior to their predecessor because they meet all three of these criteria.<sup>62</sup>

Let us return to the distribution of the grain heap again in order to point out the differences between internal and immanent standards. According to Jaeggi and MacIntyre, a problem or crisis has to emerge within the customary

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<sup>62</sup> MacIntyre's conception of tradition as 'an historically extended, socially embodied argument' (MacIntyre 2007 [1981], 222) is much more intellectualistic than Jaeggi's forms of life and can capture the dynamics of cultural change only to a limited extent.

social practices. Once this problem or crisis – for example, the protest of lower caste members – has been acknowledged by the community, they will ideally look out for alternatives. An alternative can only be considered a better alternative if it satisfies Jaeggi’s or MacIntyre’s criteria. Hence, internal standards do not presuppose a crisis or a problem, whereas immanent standards do. And while internal standards are based on a shared understanding of social goods, immanent standards are based on the implicit normativity of forms of life or traditions.

What are the advantages and disadvantages of immanent standards? An advantage of option D is its reference to emerging problems and crises. In this way, it is able to do justice to the way in which traditions may be challenged if they no longer contribute to communal enquiry or if the forms of life they contain no longer solve problems.

A disadvantage of option D is the conceptualisation of tradition as containing inherently normative practices. In the case of MacIntyre, this presupposes an Aristotelian interpretation of communal enquiry as a search for the moral good. In the case of Jaeggi, it is based on a Hegelian interpretation of history as a multiplicity of learning processes. Thus, both have to commit to comprehensive claims in philosophical areas that are only implicitly connected to a community’s conception of humanity: MacIntyre to an Aristotelian epistemology and Jaeggi to a Hegelian philosophy of history. In both cases, the third desideratum for the criteria – that it would be better if normative criteria avoided metaphysical and epistemic commitments that other cultural communities could find controversial – is not met.<sup>63</sup>

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<sup>63</sup> In section 5.3, I suggested a minimal account of human rationality or human nature as a way to guarantee that a set of normative criteria remains understandable to other cultural communities. Theoretically, it would be also possible to minimise the metaphysical or epistemic commitments of Jaeggi’s and MacIntyre’s accounts. However, I have not been able to construct a minimalist account of Aristotelian epistemology or of Hegelian philosophy of history.

## **5.6 An account that does justice to all four options**

Having the choice between using cross-cultural, internal, and immanent criteria to evaluate cultural traditions in a culturally diverse world, I choose option B and the application of cross-cultural standards as the best type of criteria. I base this choice on the following argument: while internal standards (option C) do not succeed in making all basic habits of a tradition accessible to criticism, as is specified in the second characteristic, immanent standards (option D) go along with comprehensive claims in metaphysical and epistemic areas and therefore cannot comply with the third characteristic to avoid controversial commitments. Option B, in contrast, fulfils the second and the third characteristic. Although it could, but does not have to, clash with the first characteristic by requiring a comprehensive account of human rationality or human nature, it is still the best candidate out of the three options.

Accordingly, cross-cultural standards have two advantages over the other two options: first, they allow for an evaluation of all the basic habits of a cultural tradition; second, if they are based on a minimal account of human nature and human rationality, they can be communicated to stakeholders of other cultural communities within development projects. Such stakeholders could be members of other communities who are also affected by the development project, a development agency, or the local government. In a culturally diverse world, such cross-cultural communication is crucial, because development projects are in most cases based on the collaboration of various stakeholders.

In the following evaluative exercise, I will therefore employ cross-cultural criteria that are based on a minimal account of human rationality. According to this account, human beings have the rational capacity to reflect on conscious habits and compare different habits with one another once they have become conscious. This minimal account of human rationality will later be supplemented with a minimal account of human nature once I introduce the key value of wellbeing and specify its different dimensions. I think that

the remaining options, A, C, and D, capture important intuitions with regard to the concepts of culture and tradition, though. In the remainder of this section, I will spell out what these valuable intuitions are.

The kernel of truth in option A is that there may always be a significant part of cultural tradition that cannot yet be normatively assessed by the members of a community. This part consists in those habits that are unconscious at a specific moment in time and therefore cannot be reflected upon. An example would be littering habits in a community that has no ecological awareness. Yet it would be wrong to suppose that it is generally impossible to evaluate this part of tradition – even at a later stage. The only precondition for its normative assessment is that those habits have become conscious to the community members. In the case of littering, such awareness may arise as a result of ecological problems.

Option C emphasises the shared understanding of social goods within a community. In section 4.9.2, I have argued for a non-essentialist understanding of cultural continuity and a soft notion of the boundaries of a community, which remain fluid and can always be contested. Thus, I admit to much more internal diversity within cultural communities than option C suggests. Still, it contains an important insight concerning the community's role for a normative assessment of its cultural traditions: the meaning dimension of a cultural tradition is always accompanied by a certain interpretation on the part of the community members, which cannot be left out of the evaluation. In order to take this dimension into account, I will argue in chapter 9 that the cultural community should be the subject of its normative assessment. If a community evaluates itself, the meaning dimension can be integrated into the evaluative exercise.

According to Option D, there is a specific starting point for a normative assessment: once a cultural tradition enters a crisis or becomes problematic, a need for evaluation and reorientation emerges. This is also the moment when a part of the unconscious habits becomes conscious and can become an

object of reflection.<sup>64</sup> This idea of a problematic situation triggering a process of evaluation will be taken up in chapters 10 and 11. In this way, the task of finding a solution for the problematic situation (e.g., a development initiative of the community members or the threat of imposed development by external agents) can provide additional guidance to the evaluative exercise.

Now that I have argued in favour of cross-cultural criteria as the best type of criteria for the evaluation of cultural traditions within a culturally diverse world, I am able to specify the content of my normative framework in the following chapter. In order to do so, I will discuss its ethical presuppositions and develop conceptions of wellbeing, non-domination, and self-determination.

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<sup>64</sup> Sen and Nussbaum's concept of 'value rejection' tries to capture the same phenomenon but ends up being too intellectualistic. A community may abandon or change its basic habits without necessarily having to reject its values (Nussbaum and Sen 1987, 2).



## Chapter 6 Standards of normative evaluation

### 6.1 Introduction

As I have already indicated at the beginning of part III, I will develop a deliberative procedure for the evaluation of cultural traditions and the expected effects of development projects on these traditions in two stages. In the first stage, I will suggest a normative framework, and in the second stage – which has to wait until part IV – I will supplement this normative framework with an account of deliberation.

In this chapter, I will introduce a normative framework that is based on the cross-cultural values of wellbeing and non-domination as standards for the evaluation of cultural traditions. These two values will be supplemented with the cross-cultural value of self-determination in order to determine the political preconditions for such an evaluative exercise. These three values are based on a minimal account of human rationality and human nature. I will show that they can also be related to the UNDP's notion of human development.

In section 2.5, I introduced the UNDP's definition of human development and its emphasis on people's capabilities and functionings, their self-respect, and their sense of belonging on the one hand, and participation and empowerment on the other (United Nations Development Programme 1996, 49; United Nations Development Programme 2000, 17). I will frame the value of wellbeing in terms of capabilities and conceptualise it in such a way that it also comprises questions of self-respect and belonging as identified in the UNDP's definition of human development. Furthermore, I will demonstrate how the values of non-domination and self-determination can be a source of empowerment and encourage participation. By focusing on wellbeing, non-domination, and self-determination, I do not have to adopt the UNDP's comprehensive definition of human development but can concentrate on certain aspects of it that are particularly relevant for the evaluation of cultural traditions.

Communities that plan to evaluate their cultural traditions and the effects of a proposed development project on these traditions can employ the values of wellbeing, non-domination, and self-determination in order to decide whether to accept or reject a development project. In this way, they can assess whether the particular development project lives up to certain aspects of the UNDP's definition of human development or not.<sup>65</sup>

The three values of wellbeing, non-domination, and self-determination can be used to evaluate different aspects of cultural traditions. The value of wellbeing will be framed in terms of capabilities and will contain four dimensions: (1) economic wellbeing, (2) broader material wellbeing, (3) socio-political wellbeing, and (4) meaningfulness-related wellbeing. Accordingly, cultural traditions can be evaluated to the extent that they enhance or constrain the wellbeing of individual community members in these four dimensions. The value of non-domination can help to evaluate the dominating aspects of cultural traditions such as dominating beliefs, values, conventions, norms, rules, or institutions. The value of self-determination specifies the political context that is necessary for a community to become the subject of an evaluative exercise.

In part IV of this thesis, a second construction stage will be added in which the normative framework of part III is supplemented with an account of deliberation. Based on the normative framework of part III and the values of wellbeing, non-domination, and self-determination, I will delineate a deliberative procedure that can help self-determined communities to compare the positive and negative aspects of their current cultural traditions with the positive or negative aspects that these traditions might exhibit after the hypothetical implementation of a development project.

This deliberative procedure will take a crisis or problem within the community as its starting point and it will integrate the community members'

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<sup>65</sup> If the development project is proposed by a development agency that claims to have designed the project according to UNDP standards, the communities might also challenge the particular interpretation of these standards that underlies the project.

interpretation of their cultural tradition. I understand crisis or problem in a broad sense so that it can be caused by both external or internal pressure. In the case of external pressure, the crisis is caused by external agents who seek to impose a development project on a community. In the case of internal pressure, the development project is initiated by one or several community members.

Although the value of wellbeing will figure in this deliberative procedure, the content of this value can be specified in different ways. Under the procedure that I propose, communities can adopt alternative, cross-culturally applicable standards of wellbeing as long as they are based on a minimal account of human nature and as long as they are framed in terms of capabilities or functionings. I will develop one concrete wellbeing standard in this chapter and an alternative, Indigenous wellbeing standard in chapter 8. With the help of these two wellbeing standards, I can show that the normative framework of this thesis allows for a plurality of wellbeing standards.

But first things first. In the following sections, which contain the first construction stage, I will develop my normative framework. The ethical presuppositions of this framework will be identified in section 6.2 and will influence the way I conceptualise the subsequent values. In section 6.3, I will discuss four possible reasons for valuing traditions in general, that is, regardless of their specific content. These reasons, however, can still be outweighed by reasons that are based on the values of wellbeing and non-domination. I will therefore introduce the value of wellbeing in section 6.4 and the value of non-domination in section 6.5. In section 6.6, I will specify the political preconditions for an evaluation of cultural traditions and argue in favour of self-determination. The three key values of wellbeing, non-domination, and self-determination form an irreducible plurality, as I will show in section 6.7. Finally, in section 6.8, I will conclude the chapter with a brief summary of the main arguments.

## 6.2 Ethical presuppositions

In the framework that I will develop in this chapter, I will endorse three ethical presuppositions. Due to the lack of space, I am not able to argue for each of them in detail and will have to restrict myself to a number of short comments. In this section, I will describe the three presuppositions and briefly justify why I endorse them.

The first ethical presupposition of the normative framework that I will develop is a commitment to *non-relativist, weak value pluralism*. Susan Wolf defines value pluralism as the view that there is ‘an irreducible plurality of values or principles that are relevant to moral judgment’ and that this plurality is not subject to a complete rational ordering (Wolf 1992, 785). In this way, value pluralism can reconcile a commitment to normative objectivity with the sobering insight that ethical disagreements will continue to persist (Wolf 1992, 798). Like Frank Lovett, I distinguish between strong value pluralism, which implies the incommensurability of values, and weak value pluralism, which allows in principle for comparisons and trade-offs (Lovett 2010, 141). Weak value pluralism is capable of integrating the value of wellbeing, the value of non-domination, and the value of self-determination as a plurality of values. Trade-offs between those three values are sometimes possible, but – as I will show in section 6.7 – a complete ordering is not possible. Thus, the three values are not reducible to a single overarching value or principle. In some cases (e.g., where there is danger of starvation), though, one value might outweigh the other two.

The second ethical presupposition is *ethical individualism*, which refers to a commitment to the ethical point of view ‘that individuals, and only individuals, are the units of *ultimate* moral concern’ (Robeyns 2017, 184, italics in the original). With regard to ethical individualism, I share Nussbaum’s Kantian intuition that each person is ‘worthy of equal respect and regard’ and that no person should be used as a means (Nussbaum 2011, 35). However, ethical individualism should not be confused with ontological individualism, which denies that collectivities or communities have any

ontological status apart from the fact that they are an accumulation of individuals. Nor should it be confused with methodological individualism, which proceeds by explaining all social phenomena by exclusively referring to individuals.<sup>66</sup> When we assess whether cultural traditions enhance or constrain wellbeing and whether they are dominating or not, the wellbeing and non-domination of each and every community member counts and should be given equal consideration. However, in chapter 8 I will also discuss Māori philosophy and argue that a Māori standard of wellbeing requires an extension of the scope of ethical individualism to include non-human animals and nature.

The third ethical presupposition is the conceptual framework of the *capability approach*. This ethical presupposition concerns how the value of wellbeing will be conceptualised and therefore only applies to one of the three values of the normative framework of this thesis. It is consequently not on the same level as the first two ethical presuppositions, which apply to all three values. In his Dewey Lectures, Sen argues against interpreting wellbeing only in terms of happiness, desire fulfilment, or choice and makes the suggestion that it should be interpreted ‘in terms of functioning vectors and the capability to achieve them’ (Sen 1985, 203). Functionings are defined by him as the beings and doings of a person, considered to be her actual achievements, while capabilities represent ‘the freedom to achieve’ (Sen 2001, 75). I agree with Sen that the main advantage of the capability approach – if used as a wellbeing framework – is its focus on the ends of development rather than its means. For example, it does not focus on distributing books to children but on children acquiring the ‘capability to read’ or having the ‘functioning of reading’. In this way, it can specify different implications of implementing capabilities or functionings that are tailored to a particular context and specific circumstances (Sen 1992, 26–28). An example of such an implication would be the introduction of literacy courses.

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<sup>66</sup> Methodological individualism would be incompatible with Kilpinen’s participatory notion of shared habits as described in section 4.4.

There are four additional reasons to opt for the capability approach as a framework for conceptualising wellbeing in order to evaluate cultural traditions. First, capabilities and functionings are particularly suitable for an evaluation of cultural traditions, because capabilities and functionings can be measured in degrees. Cultural traditions can then be assessed with regard to the degree to which they enhance capabilities or functionings or constrain them. This means that unhelpful dichotomies can be avoided that would require us to confirm whether a specific cultural tradition either enhances a capability or functioning or not.

Second, the language of the capability approach can be implemented in community discussions because it is close to the ordinary language used in everyday deliberation and more comprehensive than deliberation about resources or preferences.<sup>67</sup> Within a capability framework, a community is no longer restricted to discussing whether community members should own bikes (i.e., as resources) or whether they prefer cycling over walking, but can also address issues such as the lack of roads or the lack of cycling training courses.

Third, capabilities as the freedoms to be or to do certain things imply the freedom to acquire certain habits that underlie these beings and doings. Functionings, on the other hand, imply that the habits that underlie the corresponding beings and doings have already been acquired. This allows for a direct comparison between the capabilities or functionings a community may strive for and the basic habits that the community members can acquire within their cultural traditions. If community members cannot acquire a certain set of habits within their cultural traditions, they do not have the corresponding capability or functioning.<sup>68</sup>

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<sup>67</sup> In their empirical research on the attributes of a quality of life index for older people in the UK, Ini Grewal et al. (2006) observe that a capability framework is better able to express the concerns of their respondents about their quality of life than a preference-based framework.

<sup>68</sup> The relationships between the concepts of capability, functioning, habit, and cultural tradition will be further explored in chapters 10 and 11. A detailed discussion

And fourth, capabilities emphasise individual agency and provide communities with a range of possible ways of life from which they can choose instead of prescribing a particular account of the good life. Hence, the capability approach prevents certain values being imposed on a community.

Now that I have identified the three ethical presuppositions of my normative framework, which consist in weak value pluralism, ethical individualism, and the capability approach, I am in the position to introduce the value of wellbeing, which will be framed in terms of capabilities and functionings, the value of non-domination, and the value of self-determination. But first I will have to discuss whether traditions can be said to be valuable independent of their specific content.

### **6.3 Normative reasons for valuing tradition**

In section 4.3, I argued that an unbiased normative assessment of cultural tradition requires a conception of tradition that is not value-laden. But such a value-neutral conception does not exclude the idea that there might be *pro tanto* reasons for valuing traditions regardless of their specific content. Such *pro tanto* reasons for valuing traditions *qua* traditions would later have to be balanced with other reasons for or against valuing a specific tradition. In this section I will briefly revisit Joseph Heath's argument for the potential value of traditions that was introduced in section 1.2 and will then describe and analyse Gerald A. Cohen's and Samuel Scheffler's arguments for valuing tradition.

Heath's point does not amount to a full-blown argument that traditions are valuable in general, but rather provides a *pro tanto* reason to resort to traditions if social problems become increasingly complex. According to Heath, we do not have to invent a solution from scratch in order to solve social problems. Instead, we can draw from traditions, which in some cases can be interpreted as the outcome of a 'cumulative learning process' (Heath 2014,

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of the relationship between the concepts of capability, functioning, and habit can also be found in my article 'Capability and Habit' (Kramm 2019).

87). Social institutions develop as a series of small adjustments to environmental challenges and can – in some cases – be seen as the result of a transgenerational process of improvement and adaptation. Hence, Heath provides an epistemic argument to resort to tradition in order to solve complex social problems, but his argument does not contain any reasons to assign positive value to traditions as such, that is, to all traditions *merely because they are traditions*. It is also not an argument for traditions in general, since it only holds for traditions for which we have reasons to believe that they are the outcome of cumulative learning processes.

In his defence of tradition, Cohen distinguishes between two different types of non-instrumental value that people may assign to an object: personal value and particular value. A person may value something because of her special relationship to that thing and therefore attach a *personal value* to that object. Or a person may value something as the particular valuable thing that it is and consequently attach a *particular value* to that object (Cohen 2011, 206–7). In the first case, relationships are crucial for assigning value to something. As Scheffler discusses personal value and relationships as well, I will restrict myself to Cohen’s analysis of particular value.<sup>69</sup> According to Cohen, things can be valued as ‘particular bearers of value’ (Cohen 2011, 14). An example would be Leonardo da Vinci’s *Mona Lisa* as a bearer of particular aesthetic values such as simplicity or elegance. Yet the *Mona Lisa* is not merely valued *for instantiating* these values but also *as the particular object* that instantiates these values.

Cohen compares his own version of conservatism with the utilitarian alternative of valuing things only to the extent that they contribute to the maximisation of overall value. From such a utilitarian perspective, it would be perfectly rational to destroy a particular bearer of value (e.g., the *Mona*

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<sup>69</sup> Scheffler distinguishes between three ways in which relationships can motivate adherence to a tradition: the value of one’s relationship to a particular tradition; loyalty to a certain person or group for whom this tradition was important; and personal integrity with regard to a value, principle, or ideal that has influenced one’s personal development.

*Lisa*) and replace it with an alternative that generates more value (e.g., an even more simple and elegant depiction of the *Mona Lisa*). Cohen, in contrast, would prefer to retain this particular bearer of value and create additional bearers of value. While the utilitarian philosopher does not see any problem with regard to destruction and replacement, Cohen argues that conservation of existing value and creation of new value is more justifiable than the destruction of existing value and subsequent replacement of it. The reason for this is that a bearer of values is not just valuable because of the values it instantiates but also as the particular object that instantiates values at a particular moment in space and time.

Although I agree with Cohen that there is an important moral difference between the conservative and the utilitarian point of view, it is not entirely straightforward to apply this distinction to cultural traditions. The moral claim would read as follows: it is morally better to retain a certain cultural tradition and create additional traditions rather than abandoning it and replacing it with alternatives. Yet there is one crucial difference: a material object can have value because it instantiates values at a particular moment in space and time. It continues to exist as long as it is maintained or kept safe. But in order to retain a specific cultural tradition, it is often necessary to modify it in some respects and adapt it to changing circumstances. Consequently, the corresponding notion of conservation would have to allow for minor changes in a tradition's content. Cohen's argument therefore only applies to cultural traditions if the conservation of cultural traditions can also involve some degree of modification and adaptation.

Compared to Heath's and Cohen's rather short discussions of tradition, Scheffler provides a much more extensive examination of reasons for valuing traditions. He starts off by enumerating seven features of tradition that may lead people to act on traditional grounds. He then distinguishes between these features and five further features of tradition that concern its role in relation to 'broader human attitudes toward the past and the future' (Scheffler 2010, 295). Scheffler's examination is strictly descriptive, so he neither endorses

nor defends these reasons for valuing tradition. I will therefore focus on those reasons that I consider normatively relevant for the question I am trying to answer in this section (i.e., reasons that might provide a justification for valuing traditions regardless of their specific content).

In his account, Scheffler discusses the case of persons who value traditions because these traditions have personal value for them. A person may value something because she has a special relationship to it. Or she may want to express her loyalty to a person or a group of persons for whom adherence to this tradition was important. Or she may express her personal integrity with regard to a certain value, principle, or ideal that has influenced her personal development. But concerning these cases, I share Apaar Kumar's analysis that the reasons for adhering to a particular tradition do not lie in tradition itself. They lie instead in the value the person assigns to a specific relationship, to loyalty, or to integrity (Kumar 2019, 12–13).

However, Scheffler provides three further reasons that contain interesting *pro tanto* reasons for assigning a positive value to tradition. The first of these three reasons concerns the feature of traditions to introduce collective habits and thereby enable deliberative efficiency. For example, the collective habit of going to the beach on Sundays can help people to get some rest without having to deliberate beforehand where to go and what to do. I agree with Scheffler that deliberative efficiency in terms of saving time and energy can be of some importance, although it can also be outweighed by other considerations.

In his second reason, Scheffler refers to the wisdom of a tradition, which 'may be regarded as a repository of experience' (Scheffler 2010b, 292). This argument is a bit underdeveloped and Scheffler's notion of wisdom remains too vague, but it seems to me that it resembles Heath's point when he describes certain traditions as learning processes. I therefore consider it to be an endorsement of Heath's argument.

Scheffler's third reason concerns the way in which traditions can guide us to live up to certain values and imperfect duties, because they provide us

with an interpretation of values and a timing to implement them. Scheffler certainly has a point here about only being able to put certain values (e.g., the value of truthfulness) into practice if they are supplemented with an interpretation that specifies the corresponding practical context (e.g., the context of dialogue for the value of truthfulness). This interpretation can be contained in the meaning dimension of cultural tradition, which I introduced in section 4.7.

Now that I have discussed the approaches of Heath, Cohen, and Scheffler, I can extract four reasons from their respective arguments that can serve as *pro tanto* reasons in favour of tradition. The first reason is that traditions can enable deliberative efficiency by introducing collective habits. Deliberative efficiency by itself will not always tip the scales in favour of retaining a certain tradition, because it can be outweighed by other considerations. But it can serve as a caveat against prematurely discarding traditions before they have been properly evaluated. The second reason is that traditions can provide experiential wisdom or the results of a cumulative learning process. This reason refutes the prejudice that traditions necessarily have to be outdated and warns against ignoring them if complex social problems have to be solved. The third reason is that traditions can help us to understand certain values and to determine where and when they can be applied. This reason contains a plausible argument to appreciate the meaning dimension of tradition as a hermeneutical key for the implementation of values. The fourth reason is that it is morally better to retain an existing tradition and its values and create new values than to destroy it and replace it with something more valuable. This argument presupposes that the respective tradition already instantiates positive values that can be conserved. But it condemns the destruction of traditions where such destruction leads to an unnecessary loss of values.

If we compare these four reasons for valuing traditions with the question of whether traditions promote the values of wellbeing or non-domination, the impact of these four reasons remains quite limited. In the evaluation of

tradition, they are often outweighed by other criteria. For example, a tradition such as compulsory community celebrations can provide deliberative efficiency but still be dominating. In this case, the community members might want to liberate themselves from domination rather than preserve the advantage of deliberative efficiency. But – taken together – these four arguments can deliver a rationale against discarding traditions prematurely, ignoring them, underestimating their meaning, or destroying them in order to create new values. So although there are reasons to preserve traditions, as is the case with all reasons, they can be outweighed by other reasons.

In the previous paragraphs, I discussed a variety of reasons for valuing traditions and came to the conclusion that there are four *pro tanto* reasons for maintaining traditions. There may be other criteria for the evaluation of tradition, however, that carry more normative weight than these four reasons. In the following sections, I will introduce the values of wellbeing and non-domination. These values will form the basis of the normative framework for the evaluation of cultural traditions that I am developing in this thesis.

## **6.4 Four dimensions of wellbeing**

In this section, I will outline a conception of wellbeing as the first part of a normative framework. Such a conception of wellbeing can help communities to assess their cultural traditions and the expected change in these traditions that may result from the implementation of a development project. If a development project enhances the way in which a community's cultural traditions contribute to the wellbeing of individual community members, this can be considered a *pro tanto* reason for accepting this project. However, if the development project constrains the contribution of a community's cultural traditions to the wellbeing of individual community members, this can be considered a *pro tanto* reason for rejecting this project.

The value of wellbeing is most commonly defined as what is good *for* a person as opposed to other kinds of goodness (e.g., moral goodness) (Tiberius 2015, 158). In chapter 5, I argued that cross-cultural criteria that are based on

a minimal account of human nature or human rationality are the best type of criteria for the evaluation of cultural traditions. The conception of wellbeing that I propose will therefore be a cross-cultural conception that is based on a minimal account of human nature. However, I will merely provide an enumerative theory of wellbeing and remain agnostic about underlying explanatory theories. While enumerative theories of wellbeing specify a list of wellbeing-enhancing items, explanatory theories offer an explanation of *why* these items enhance wellbeing (G. Fletcher 2013, 206).<sup>70</sup> In order to restrict myself to an enumerative theory of wellbeing, I will derive items for a wellbeing list from a minimal account of human nature, but I will not further justify this minimal account of human nature. However, what I want to argue is that in order to be a cross-culturally applicable criterion for the evaluation of traditions, such a wellbeing list should meet two criteria. It should be a list that (1) is based on a minimal account of human nature and that (2) is best framed in terms of capabilities or functionings.

I will begin with the second criterion that a cross-culturally applicable wellbeing list for the evaluation of cultural traditions is best framed in terms of capabilities or functionings. In section 6.2, I have already provided four reasons why the capability approach is particularly suitable as a framework for conceptualising wellbeing to evaluate cultural traditions. Capabilities and functionings can be measured in degrees, the language of capabilities and functionings can be implemented in community discussions, capabilities and functionings can be compared with the basic habits people can acquire within their cultural traditions, and capabilities emphasise individual agency.<sup>71</sup> In

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<sup>70</sup> Consequently, I will not engage with desire-fulfilment theories of wellbeing and the corresponding claim that something enhances a person's wellbeing if it fulfils her desires. And I will likewise not engage with perfectionist alternatives that explain the notion of wellbeing by referring to notions of natural teleology or flourishing.

<sup>71</sup> In the capability list that I propose in this section, each capability can be seen as referring to a lower threshold of wellbeing that specifies a life free from destitution. I will not determine this threshold with regard to each capability, but simply want to point out that such a lower threshold of wellbeing could easily be included in my conception of wellbeing. A lower threshold could, for example, indicate that each

order to avoid a commitment to a specific notion of reason and leave space for a variety of procedures concerning how capabilities are selected, I will adopt Robeyns's definition of capabilities as freedoms to achieve what we 'are able to do and to be' (Robeyns 2017, 24; Byskov 2019) and will not include the further criterion that capabilities are something that we 'have reason to value' (Sen 2004c, 5; Sen 2001, 6; Sen 2009, xii). On the basis of this value-neutral definition of capabilities, I will identify a list of capabilities that can be assigned to the value of wellbeing.

The list of capabilities that I suggest in this chapter will primarily serve as an illustration of a wellbeing standard that is based on a minimal account of human nature. I will discuss an alternative yet equally comprehensive wellbeing standard that is based on Indigenous values in chapter 8. By developing two wellbeing standards, I show that the value of wellbeing can be conceptualised in a plurality of ways. Furthermore, the capability list that will be presented in this section is not intended as a universal list that is directly applicable to concrete development contexts. Instead, it must be specified and then adapted to the particular circumstances of each case (Nussbaum 2001, 77). The list will remain on an ideal level so that limitations in measuring or collecting data or questions of political and socio-economic feasibility will not be taken into account (Robeyns 2003, 41–42).

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community member is entitled to a specific set of capabilities as a matter of justice. However, in this thesis I am not concerned with justice within communities but rather with developing a deliberative procedure for the evaluation of cultural traditions. In section 6.6, I will distinguish between two different levels: the level of the individual community and a federal level at which several communities are represented by a decision-making body. Answering the question of justice could help to justify a community's self-determination. If the structures, traditions, and institutions of a community are just, self-determination would be justified. If they are unjust, a decision-making body at the federal level could deliberate whether an intervention would be justified in order to guarantee minimal standards of justice. However, given the research question that is central to this thesis, I will not be able to address these questions of justice in detail. Instead I will focus primarily on developing a deliberative procedure for the evaluation of cultural traditions.

I now return to my first criterion that a cross-culturally applicable wellbeing list for the evaluation of cultural traditions should be based on a minimal account of human nature.<sup>72</sup> The reason for this criterion is that a wellbeing list based on a comprehensive account of human nature risks being controversial on a cross-cultural level, so it would become difficult to explain the list to stakeholders from other cultural communities. A minimal account of human nature, however, can avoid such controversies. I therefore propose a minimal account of human nature, according to which human beings have economic and broader material needs, are embedded in a socio-political community, and strive for a meaningful life.<sup>73</sup> On the basis of this minimal account of human nature, I suggest four wellbeing dimensions. These four dimensions are 1) material wellbeing economically conceived (I will refer to this as economic wellbeing), 2) broader material wellbeing, 3) socio-political wellbeing, and 4) meaningfulness-related wellbeing.

These four dimensions of wellbeing can be the starting point for a list of capabilities or functionings by means of which each of these four dimensions is filled. Note that filling these four dimensions is neither a necessary nor a sufficient requirement for the compilation of a wellbeing list. Compiling a wellbeing list would require further justification on the basis of normative arguments, empirical research at the community level, or the selection of wellbeing items by the members of a specific community (Byskov 2015). However, by resorting to using existing capability lists from the development ethics literature, I can make sure that the wellbeing list includes all important elements. And by filling the above four dimensions, I can make sure that the wellbeing list is based on the underlying minimal account of human nature.

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<sup>72</sup> In accordance with the ethical presupposition of ethical individualism, the list will focus on the wellbeing of individuals. If I refer to ‘community wellbeing’ in some places, it is therefore always short-hand for ‘the wellbeing of each and every member of the community’.

<sup>73</sup> This minimal account of human nature can supplement the minimal account of human rationality described in section 5.6, according to which human beings have the rational capacity to reflect on conscious habits and compare different habits with one another once they have become conscious.

The resulting list can then be considered a cross-culturally applicable standard of wellbeing because it based on a minimal account of human nature and because it is framed in terms of capabilities or functionings.

I will now explain the four dimensions of economic, broader material, socio-political, and meaningfulness-related wellbeing and the distinctions between them. The first wellbeing dimension refers to the *economic* aspect of human nature, which concerns one's adequate nourishment and the economic activities that such an adequate nourishment presupposes. The second wellbeing dimension includes *broader material* aspects of human life that go beyond this purely economic perspective and include, for example, bodily health and security. The third dimension focuses on the *socio-political* embeddedness of human beings and comprises the contributions of social and political organisations to individual wellbeing. The fourth and final wellbeing dimension refers to the aspects of wellbeing that help human beings to lead *meaningful* lives.

For the fourth wellbeing dimension of meaningfulness-related wellbeing, I adopt Susan Wolf's definition of a meaningful life as a life that 'the subject finds fulfilling' and that 'connects positively with something the value of which has its source outside the subject' (Wolf 2010, 20). An example for meaningfulness-related wellbeing are friendships. A friendship is fulfilling for the persons who maintain it. But the value of a friendship does not lie within the experience of the person who is enjoying it, but rather in that particular relationship he or she has with another person. However, as the experience of a friendship is a fulfilling experience, it has an impact on a person's wellbeing. If we compare two persons with each other and person A has the capability to form friendships but person B does not, this difference amounts to a difference in wellbeing. Further activities or projects that a subject might find fulfilling and that connect to a value outside the subject

are, for example, the pursuit of knowledge for its own sake, living in harmony with nature, or the worship of divine beings.<sup>74</sup>

These four wellbeing dimensions merely provide a starting point for a wellbeing list. In order to be able to apply the normative framework of this thesis to concrete case studies, I will have to flesh out the different dimensions. For this purpose, I will make use of two different wellbeing lists that have been proposed in the literature. Note that I do not claim that these particular lists are better than alternative lists. The two claims I defend are that in order to be a cross-cultural criterion for the evaluation of cultural traditions, a wellbeing list (1) should be based on a minimal account of human nature and (2) is best framed in terms of capabilities or functionings. The concrete list that I am going to develop will therefore primarily serve as an illustration of a capability list that is based on the minimal account of human nature I have outlined above.

Regarding dimensions I to III, I will refer to a list that has been developed by Sabina Alkire, James E. Foster, Suman Seth, Maria Emma Santos, Jose M. Roche, and Paola Ballon and that is based on the Alkire–Foster framework for measuring multidimensional poverty.<sup>75</sup> According to Alkire et al., this list attempts to include all relevant aspects that are important for individuals within development processes. It has been compared and enriched by the

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<sup>74</sup> I am aware that including items in a wellbeing list that connect to a value outside the person stretches how the value of wellbeing is usually defined: as values that are good for a person (Tiberius 2015, 158). One might think that it would be less of a stretch to subsume those items under the category of *flourishing*, because flourishing can be defined in terms of values that make a life meaningful and that a good life should therefore aim to incorporate (e.g., friendship). However, the notion of flourishing suggests an explanatory theory regarding why certain things enhance individual wellbeing. According to such an explanatory theory, certain things enhance individual wellbeing because they contribute to those values that denote a good life. Since I wish to remain agnostic with regard to explanatory theories, I prefer to expand the notion of wellbeing rather than to refer to the notion of flourishing.

<sup>75</sup> Those aspects of ill-being that go beyond economic, broader material, and socio-economic poverty will be addressed subsequently in the discussion of meaningfulness-related wellbeing.

results of two surveys, the ‘Voices of the Poor’ survey, which comprises 81 reports from 50 countries on questions of poverty (Narayan et al. 2000), and the ‘MyWorld’ survey, which collected more than one million individual replies on questions of development (United Nations Development Programme 2013a). The list has also been compared with the 17 Sustainable Development Goals (UN General Assembly 2015) and the six core disadvantages discussed in Jonathan Wolff and Avner De-Shalit’s work on poverty (Wolff and De-Shalit 2007). It contains the following twelve items:

1. Food and nutrition
  2. Health
  3. Employment, income, and labour
  4. Education
  5. Utilities, services, and sanitation
  6. Shelter/housing
  7. Security
  8. Empowerment
  9. Child conditions
  10. Social cohesion and connectedness
  11. Governance
  12. Environmental conditions’
- (Alkire et al. 2015, 22–23)

I will translate these twelve items into capabilities and assign them to one of the first three dimensions of my conception of wellbeing (i.e., to the economic, broader material, or socio-political dimension of wellbeing).

However, this list does not contain any items that are relevant for the fourth dimension, meaningfulness-related wellbeing. In order to fill this gap, I will resort to a wellbeing list that Sabina Alkire has developed by reviewing seven other accounts and by applying a set of principles by John M. Finnis, Germain Grisez, and Joseph Boyle. According to these principles, the items ‘must be based in practical reason’, they ‘must be irreducible’, they ‘must be intrinsically rather than only instrumentally valuable’, and they should neither

be ‘virtues nor personal qualities’ (Alkire 2002a, 89). Alkire’s focus on the intrinsic value of her items is my main reason for resorting to her list, because intrinsic values meet Wolf’s second criterion for a meaningful life, which is that it should connect positively with something valuable outside the subject (Audi 2005, 339; Wolf 2010, 20). In addition, I have examined each item in her list to decide whether it also meets Wolf’s first criterion, which is that subjects can experience the underlying being or doing as fulfilling. Yet by adopting Alkire’s list I do not commit to her practical reasoning approach or to Finnis’s list of basic reasons for action that underlie it. Alkire ends up suggesting nine items:

- ‘1. life (health, security, reproduction);
2. understanding for its own sake
3. skilful performance and production
4. creative expression (play, humour, sport)
5. friendship and affiliation
6. meaningful choice and identity
7. inner harmony between feelings, judgements, and behaviour
8. harmony with a greater-than-human source of meaning and value
9. harmony with the natural world’

(Alkire 2002a, 99)

For the fourth dimension of wellbeing, I will reformulate eight of these nine items in capabilities language. The first item will be left out, as questions of life, health, security, and reproduction will be addressed in the dimensions of economic wellbeing and broader material wellbeing.

The last list, which has been very influential, is Martha Nussbaum’s list of ten central capabilities that she first suggested in 1992 and that has since then been developed and expanded. Rather than conceptualising wellbeing for the context of development, Nussbaum’s list aims at influencing constitutional and legal frameworks and was integrated later into a partial theory of justice (Gasper 2003, 32-33). The items on her list are therefore conceptualised at a rather abstract level, which does not lend itself to a

community's evaluation of its concrete cultural traditions. Due to the abstract nature of her list, I will not use it, but will link my four wellbeing dimensions to her central capabilities in order to show where there is some overlap. In this way, I will be able to show that Nussbaum's list is also compatible with the minimal account of human nature, which I have outlined above. Her list consists of the following items: 1) life, 2) bodily health, 3) bodily integrity, 4) senses, imagination, and thought, 5) emotions, 6) practical reason, 7) affiliation, 8) other species, 9) play, and 10) control over one's environment (Nussbaum 2011, 33–34).

Based on the previous considerations, I want to propose the following four-dimensional conception of wellbeing, which I have organised as a list of twenty capabilities:<sup>76</sup>

Dimension I: economic wellbeing

1. capability to be adequately nourished
2. capability to earn an income or to engage in subsistence farming or other non-market-related activities  
(parallels to Nussbaum's life)

Dimension II: broader material wellbeing

3. capability to access health care services<sup>77</sup>
4. capability to have access to proper utilities, services, and sanitation
5. capability to have adequate shelter or housing

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<sup>76</sup> I have opted for capabilities instead of functionings, because capabilities allow for a variety of ways of life within communities and do not impose a particular notion of the good. That the wellbeing standard is framed in terms of capabilities does not exclude that in some cases there might be good reasons to transform them into functionings in order to implement wellbeing. Especially with regard to infants or community members who are severely cognitively disabled, functionings might be preferable, because they do not presuppose the capacity for autonomous choice (Claassen 2014, 63–64; Robeyns 2017, 108). Functionings will also become important when I discuss Indigenous wellbeing standards in chapter 8.

<sup>77</sup> These health care services could be seen as also providing help for mental health problems, although mental health is strongly connected to the capabilities included in the third dimension as well.

## STANDARDS OF NORMATIVE EVALUATION

6. capability to be safe and physically secure  
(parallels to Nussbaum's bodily health and bodily integrity)

Dimension III: socio-political wellbeing

7. capability to take part in education
8. capability to organise one's community and exercise one's political agency
9. capability of children and adults to receive equally good treatment regardless of gender, ethnicity, caste, etc.
10. capability to maintain social relations and to enjoy community bonds
11. capability to participate in one's government politically
12. capability to enjoy one's environment and to live in a sustainable way

(parallels to Nussbaum's senses, imagination, and thought, but is restricted to education, affiliation, and control over one's environment)

Dimension IV: meaningfulness-related wellbeing

13. capability to pursue knowledge for its own sake
14. capability to perform in work and play
15. capability to express oneself creatively (art, play, humour, sport)
16. capability to form friendships and enjoy meaningful relationships
17. capability to make meaningful choices and to experience one's identity as being meaningful
18. capability to achieve inner harmony between feelings, judgements, and behaviour
19. capability to be in harmony with a greater-than-human source of meaning and value
20. capability to live in harmony with the natural world  
(parallels to Nussbaum's senses, imagination, and thought; emotions; practical reason; affiliation; other species; play)

The resulting list is an illustration of a cross-culturally applicable wellbeing list for the evaluation of cultural traditions that (1) is based on a minimal account of human nature and (2) is framed in terms of capabilities or functionings. This list is not meant to compete with Nussbaum's 2011 list or Alkire's lists of 2002 or 2015. As a philosopher, Nussbaum puts her emphasis on the philosophical justification of the different items and an implementation of the ten items on a constitutional level. Her aim is to achieve an overlapping consensus which is at the same time politically feasible. Alkire's 2002 list is motivated by a specific idea about how the different items can be justified, whereas her 2015 list is intended for measurement and for empirical applications. In contrast, the list that I have compiled will serve as an illustration of the four wellbeing dimensions that I have outlined above, but I am not committed to using a particular philosophical method regarding how the specific items on the list are justified. Fleshing out the four wellbeing dimensions merely allows me to illustrate my conception of wellbeing by applying it to a number of empirical case studies.<sup>78</sup> Rather than defending a specific list of capabilities, I defend the idea that a cross-culturally applicable wellbeing list for the evaluation of cultural traditions should be based on a

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<sup>78</sup> One might wonder whether these four dimensions are also present in Amartya Sen's work on culture and development. Sen (2004b) distinguishes between seven different ways in which culture can matter for development: (1) culture can be a constitutive part of development, (2) cultural activities and objects can be economically remunerative, (3) cultural factors can influence economic behaviour, (4) cultural conditions can determine political participation, (5) culture can affect social solidarity and association, (6) culture can include cultural sites and the recollection of past heritage, and (7) culture can have a central role in value formation and evolution (Sen 2004b, 39–42). Each of these seven aspects can be related to one of the four wellbeing dimensions. Economic wellbeing would comprise aspects 2 and 3, socio-political wellbeing would cover aspects 4 and 5, and the dimension of meaningfulness-related wellbeing would encompass aspects 1, 6, and 7. What is missing in Sen's list is the instrumental value of culture for broader material wellbeing. Cultural traditions can, for example, ensure the continuity of healing practices or hygiene habits, or they can provide a variety of crafts that are necessary for house-building. Hence, three of the four wellbeing dimensions are also identified by Sen, whereas the second dimension is not explicitly addressed.

minimal account of human nature and is best framed in terms of capabilities or functionings.

Let me briefly summarise how I conceptualised the value of wellbeing in this section. I proposed a minimal account of human nature, according to which human beings have economic and broader material needs, are embedded in a socio-political community, and strive for a meaningful life. From this account, I derived four dimensions of wellbeing and filled these dimensions with the help of two capability lists from the development economics literature.

In order to evaluate their cultural traditions, Indigenous communities can make use of this or other wellbeing standards as long as these wellbeing standards are capability or functioning lists that are based on a minimal account of human nature. There are four advantages if communities employ capability or functioning lists. First, the language of capabilities and functionings is close to the ordinary language used in everyday deliberation and is more comprehensive than the language used in deliberation about resources or preferences. Second, the evaluation of capabilities and functionings allows for a language of degrees. Third, capabilities and functionings can be compared with the basic habits of a community's cultural traditions. And fourth, by employing capability lists, communities can respect the individual agency of their community members. By basing their account on a minimal account of human nature, they can also guarantee that they can communicate this standard of wellbeing to other stakeholders in a development project, such as development agencies or the local government. And they can make sure that they can evaluate all the basic habits of a cultural tradition, as I argued in chapter 5.

## **6.5 Non-domination**

Now that I have established a conception of wellbeing to evaluate whether cultural traditions enhance or constrain the wellbeing of individual community members, I will introduce the value of non-domination in order

to allow for an assessment of the possible dominating effects that traditions may have. This value will add a further component to the minimal account of human nature described in section 6.4: the capacity of human beings to dominate one another. Some of the negative effects of cultural traditions (e.g., their restricting effects on capability sets) can be addressed with the help of the value of wellbeing.<sup>79</sup> Other negative effects (e.g., relationships of dependence) can only be identified with reference to a republican conception of freedom as non-domination. I will introduce two types of dominating tradition – dominating tradition and invasive tradition – and integrate them into the normative framework of this thesis.

I will first give two examples of cultural traditions that can be constraining and dominating. The first example is food taboos. A food taboo constrains members of a cultural community because they cannot enjoy a particular comestible that they might want to eat or might want to enjoy if there was no taboo regarding its consumption. But they can usually eat other foods to satisfy their hunger, although there have been cases in which food taboos had a negative impact on the nutritional status of communities (Ogbeide 1974). An example of a food taboo that is constraining and also appears to be dominating can be found among the Kaluli people of Papua

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<sup>79</sup> According to Sen, identifying the constraints on a person's capability set can capture the opportunity aspect of freedom, but not the process aspect of freedom. In the socio-political dimension of wellbeing, I included the capability to organise one's community and exercise one's political agency and the capability to participate in one's government politically. However, these two capabilities do not tell us much 'about the fairness or equity of the processes' that community members might want to utilise (Sen 2009, 296). I will therefore address the question of fair and equitable procedures in chapter 9, in which I suggest a set of rules for community deliberation. Henry Richardson makes the related claim that a focus on a person's capability set cannot adequately capture basic liberties such as freedom of thought and liberty of conscience. According to Richardson, capabilities always leave room for choice, but the implementation of basic liberties should not be dependent on whether people choose them (Richardson 2007, 396). In this thesis, I will not be able to engage further with the question of basic liberties, but I want to point out that an account of basic liberties could be added to the value of self-determination, which I discuss in section 6.6.

New Guinea, who forbid menstruating women to eat fresh meat, juicy bananas, and red forest fruits (Schieffelin 2005, 66).<sup>80</sup>

The second example of a cultural tradition that is constraining and can be dominating is so-called female circumcision, which is more appropriately called female genital mutilation (FGM). Sandra Danial distinguishes between three forms of female genital mutilation – clitoridectomy, excision, and infibulation – which pose serious health risks to women (Danial 2013, 4). All three forms of female genital mutilation violate the female body’s integrity, lead to health complications, cause pain, and imply all sorts of problems for everyday activities (Mitchum 2013, 592).

In both examples, the cultural traditions have restricting effects on capability sets. In the first case, the ‘capability to eat all comestibles’ is constrained and in the second case the ‘capability to bodily integrity’ is restricted. With the help of the value of wellbeing, communities can identify the areas that are constrained and the degree to which they are constrained. But with the help of a republican conception of freedom as non-domination, communities can identify whether the cases also include relationships of dependence: in the first case, there might be an internal elite that dominates the rest of the community by imposing a particular food taboo. In the second case, there might be an internal elite that dominates the rest of the community by enforcing the practice of female genital mutilation.

A republican conception of freedom as non-domination becomes particularly important if there is domination within a community without any identifiable constraints on the capabilities of the community members. An example of this would be a tradition of leadership that allows for the arbitrary interference of the leader in community questions. In this case, the fact that

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<sup>80</sup> However, the constraining effect of food taboos does not always have to be harmful for the wellbeing of people. Volpato et al. (2020, 8) discuss food taboos as mechanisms that regulate the consumption of certain species in order to prevent the spread of diseases (e.g., COVID-19). It is therefore necessary to examine whether food taboos merely constrain behaviour in order to protect the wellbeing of people or whether they actually constrain their wellbeing.

the leader could interfere at any time already constitutes a case of domination – even if the leader never does. Domination can therefore be facilitated by cultural traditions. In section 4.8.2, I described various ways in which conscious tradition can modify or reinforce basic habits by means of beliefs, values, conventions, norms, rules, or institutions. In this section, I will refer to these different aspects of conscious tradition as social structures and show how these structures can create or maintain relationships of dependence.

One problem of this approach, though, is that social structures per se cannot be considered morally problematic. Frank Lovett illustrates this claim by comparing social structures to ‘a newly erected fence’ (Lovett 2010, 73). If I want to make my way to a museum, that fence may prevent me from going any further. Thus, the fence can be constraining. Yet it does not have any choice regarding changing its position – it just stands in the place where it happened to be erected. Although the fence has consequences that are bad for me because I cannot follow my freely chosen path into the museum, the fence in itself is not morally bad. I could, for example, attempt to jump over the fence or cut a hole into it to get to the museum. If there are no sanctions for ignoring the fence, such behaviour would merely be an exercise of my freedom in a given environment. Jumping over the fence would not be any different from climbing a steep mountain or overcoming any other environmental obstacle.

But if there is a group of people who decided to set up the fence in that particular place and who make sure that persons who ignore it are sanctioned in one way or another even though they have not agreed to these sanctions, the fence becomes morally problematic as a means of one group to dominate another.<sup>81</sup> However, this does not mean that every structure has to begin with a conscious decision of a group of people. It is also possible that certain structures emerge within communities and are maintained unconsciously. Certain conventions or social norms are examples of this. In this case,

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<sup>81</sup> However, in cases where the fence stands literally in the middle of nowhere, this domination would hardly be noticeable.

structures can be a manifestation of unconscious domination, which means that domination is a consequence of unconscious behaviour. So it is not structures that are morally problematic in themselves, but conscious or unconscious human behaviour that maintains dominating structures.

Lovett's claim that real persons must occupy the roles of agent and subject in dominating structures in order 'for the experience of domination to exist' (Lovett 2010, 49) is also confirmed by Philip Pettit's analysis of social structures. According to Pettit, social structures can be organised in such a way that some people have power in relation to others so that they 'dominate them directly, and dominate them without necessarily wishing for domination or even approving of it' (Pettit 2012, 63). Social structures may constrain choices, but they may also facilitate people invading or dominating the choices of others.<sup>82</sup>

Anthony Giddens describes structures as being 'both enabling and constraining' (Giddens 1984, 169; Lovett 2010, 41). While discussing some observations made by Émile Durkheim, Giddens lists three properties of structures that might lead social actors to perceive them as constraining: firstly, their long duration pre-exists and postdates individual lives; secondly, they stretch across space and time and are resistant to manipulation by individuals; thirdly, they limit the individual's scope of action to a certain extent (Giddens 1984, 170–72). These three properties can also be applied to conscious tradition and beliefs, values, conventions, norms, rules, and institutions. Such structures can even persist in unconscious tradition. In order to identify structural constraints that are morally problematic, communities can evaluate whether they constrain the capability sets of community members. But if the aim is to identify relationships of domination, an exclusive focus on the structure is insufficient. Instead, it is necessary to pay attention to how agents are connected to this structure. They may benefit from

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<sup>82</sup> Dorothea Gädeke (2020) even argues that structures should not merely form part of an account of domination but that domination should be conceived as a structurally constituted form of power.

it consciously or unconsciously, they may actively uphold it, or they may uphold it without being aware of it.

In the previous paragraphs, I have argued that some of the negative effects of cultural traditions can be evaluated via the value of wellbeing as constraints on capability sets. Other negative effects require a republican conception of freedom as non-domination. I referred to certain elements of tradition (i.e., beliefs, values, conventions, norms, rules, and institutions) as social structures and argued that these social structures can constrain capability sets or create and uphold relationships of dependence. I will now further investigate the relationship between this notion of dominating structures and the republican conception of freedom as non-domination. The republican conception of freedom as non-domination does not demand interference on the part of the dominating group and can in this way also account for instances of domination that occur in the absence of self-conscious oppressors.

According to Pettit, domination encompasses cases of vitiating, invasion, invigilation, and intimidation. The former two cases focus on our freedom of choice: vitiating of choice means that our freedom is restricted or constrained by unwilled, external factors, while invasion ‘comes about via the imposition of the will of another’ (Pettit 2012, 295). The latter two cases extend domination to a realm where there is no direct interference with our will: during invigilation, someone is guarding our behaviour and is ready to interfere whenever she pleases. Although no actual interference occurs, we are dependent on her goodwill and therefore subject to her will. Intimidation consists in the belief that someone has the resources to supervise our behaviour and interfere whenever she wants, although this might never happen. The mere belief on our part is enough to give someone control over us (Pettit 2012, 61–62). In Pettit’s language, cultural tradition is able to vitiate our freedom of choice and can be accompanied by intimidation, invigilation, or even invasion.

In this thesis, I will restrict myself to a simple distinction between dominating cultural tradition (without explicit interference) and invasive cultural tradition (in which interference takes place).<sup>83</sup> A cultural tradition is dominating if the beliefs, values, conventions, norms, rules, or institutions that it contains entangle individual persons in relationships of dependence. Once these persons or groups become conscious of their role in such a dominating situation, but choose to uphold and reproduce the corresponding beliefs, values, conventions, norms, rules, or institutions, the cultural tradition can become invasive. In this case, a person or group of persons imposes an individual or collective will upon another group by means of a cultural tradition. I can therefore draw the following distinction between dominating and invasive cultural traditions: dominating cultural traditions are cases of domination *without* explicit interference on the part of the dominating person or group. And invasive cultural traditions are cases of domination *with* explicit interference on the part of the dominating person or group. Hence, dominating cultural traditions and invasive cultural traditions are both cases of domination, but differ from each other with regard to the question of interference.

By returning to the two examples of cultural traditions I mentioned above – food taboos and female genital mutilation – we can test whether my distinction between two types of tradition is able to cover them. Firstly, food taboos fulfilled different functions in the past. For example, they protected community members from certain ailments or guarded a certain resource from extinction (Meyer-Rochow 2009, 7–8). More recently, food taboos have increasingly been employed to strengthen the cohesion and identity of groups and are often accompanied by certain beliefs, rules, or norms (Theobald 2012). In all three of these instances, community members are aware of their

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<sup>83</sup> However, in all other contexts that do not explicitly refer to the concept of cultural tradition, I will continue to employ the concept of domination for both domination with interference and domination without interference (e.g., dominating aspects, dominating structures, dominating relationships, dominating norms).

food taboos but no community member profits from them more than others. But food taboos can also be restricted to internal minorities without their consent and in this way become a manifestation of the domination of a majority group. Cultural or religious conflicts can even transform such taboos into invasive traditions with the consequence that one community imposes its food taboos upon another.

Secondly, female genital mutilation can occur in three forms – as a constraint on capability sets, as a dominating tradition, and as an invasive tradition. While it is unlikely that there are communities in our world today that still take the practice of FGM for granted, it is conceivable that in some communities of the past it represented a deeply rooted traditional rite of passage from ‘girlhood’ to ‘womanhood’ (Mitchum 2013, 594). In those communities, nobody questioned the tradition or considered it dominating. Yet in most contemporary communities, there are heavy sanctions for young girls who refuse to undergo FGM. FGM is often connected to certain values and norms concerning marriageability, and girls who do not live up to these values and norms are ostracised from the community (Cassman 2008, 135). If FGM is heavily sanctioned and if these sanctions are not controlled by the community members, FGM might become a dominating tradition which results in some members of the community being dependent on others. FGM can also become an invasive tradition if it is adopted by religious extremist groups like Boko Haram and reinforced in communities that practise it or forced on communities that have not practised it before.

Before I proceed to the next value, the value of self-determination, let me briefly recap the results of this analysis of the dominating aspects of cultural traditions. In this section, I showed that human agents can employ social structures (i.e., beliefs, values, conventions, norms, rules, and institutions) and therefore also cultural traditions to dominate others. Communities can identify the constraining effects that cultural traditions may have on individual capability sets. Yet domination goes beyond these constraining effects by creating and maintaining relationships of power that are marked by

dependence. According to Sen, the concept of capability focuses on the question of whether a person is actually free to be or to do what she wants to be or to do and therefore on the absence of actual interference (i.e., the absence of invasion). But the republican understanding of non-domination ‘adds to the capability-based perspective’ by introducing the notion of relationships of dependence (Sen 2009, 308, italics in the original). As cultural traditions can be dominating without anyone actually interfering, I have to supplement the value of wellbeing with the republican conception of freedom as non-domination.<sup>84</sup>

## 6.6 Self-determination

In sections 6.3 and 6.4, I introduced the values of wellbeing and non-domination, which provide the basic concepts for my normative framework. I now proceed to the specification of the political preconditions that have to be fulfilled so that the evaluation of cultural traditions is not dominated by external agents and the process of evaluating is not undermined by their domination. While wellbeing and non-domination provide criteria for the normative evaluation of cultural traditions, the political context determines the subject of evaluation and how it relates to other political agents. In the following sections, I will provide arguments that support the ideas that the Indigenous community should be the subject of evaluation and that the self-determination of an Indigenous community is a presupposition for its evaluative activities.<sup>85</sup> To do this, I will introduce Iris Young’s conception of self-determination as non-domination (Young 2005). While the previous

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<sup>84</sup> Pettit has argued that Sen’s account of capabilities concurs with the republican account of freedom as non-domination in its emphasis ‘on the connection between freedom and non-dependancy’ (Pettit 2001, 18). According to Pettit, Sen’s notion of capabilities goes beyond mere non-interference, because it also requires independence from others’ favours.

<sup>85</sup> Sen argues that the people who are affected by a development project should have the opportunity to participate in the decision concerning whether to continue or abandon a specific tradition (Sen 2001, 31). However, he does not discuss whether they should be the subject of the evaluation of this tradition.

section addressed domination within communities, this section will discuss the domination of communities by external agents.

There are three reasons why the Indigenous community should be the subject of evaluation: anti-paternalism, the value of empowerment, and the value of collective interpretative resources. If an external agent is entrusted with the evaluation of the cultural traditions of an Indigenous community, there is the immediate danger of paternalism: that one is ‘substituting one’s own values for those one is trying to help’ (Davis and Wells 2016, 2). A related risk is that external experts might misunderstand the community’s values (Werkheiser 2016, 32).<sup>86</sup> In order to counter this challenge, there are different options available, such as the community having an advisory role or the use of a deliberative procedure in which both the external agent and the community take part. Another solution would be to confer the evaluative task on the community itself and recognise the right of its members to free, prior, and informed consent.

The second reason why the Indigenous community should be the subject of evaluation is the empowerment of that community. The first criterion for empowerment is that people are enabled to ‘better shape their lives *for the better*’; the second criterion is that domination between groups and domination within groups can be overcome (Drydyk 2013, 260, italics in the original). Among Indigenous peoples, there might be some communities that perceive themselves as powerless and as passive agents who depend on the decisions of others. If that is the case, self-determination can help them to exercise their own agency in evaluating their own traditions and in doing so experience themselves as being capable of shaping their own lives for the better.<sup>87</sup>

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<sup>86</sup> In chapter 11, I provide additional empirical evidence from Ellen Gruenbaum and Frédérique Apffel Marglin that paternalism is often instrumentally ineffective because it arouses resistance and discourages cooperation and commitment.

<sup>87</sup> I will discuss obstacles to empowerment such as internal domination, power inequalities, and dominating structures in sections 9.3 and 9.4.

The third reason why the Indigenous community should be the subject of evaluation is the value of collective interpretative resources. Applying Miranda Fricker's account of epistemic injustice (2007) to the case of Indigenous peoples, Christine Koggel argues that the collective interpretative resources of Indigenous peoples continue to be 'ignored, dismissed, marginalized, or silenced' by national governments and other external agents (Koggel 2018, 241). But these collective interpretative resources are crucial for an evaluation of cultural traditions and, in particular, of its meaning dimension. An evaluation of cultural traditions remains incomplete if the community members' interpretation of their stories, symbols, and rituals is not included. The integration of these collective interpretative resources therefore constitutes an epistemic reason for the Indigenous community to be the subject of evaluation.<sup>88</sup>

The argument from empowerment can therefore be reconstructed as an argument in favour of the community's agency, and the argument from the value of collective interpretative resources can be reconstructed as an argument in favour of its epistemic authority. Together, anti-paternalism, the value of empowerment, and the value of collective interpretative resources make a strong case for entrusting the task of evaluation to the Indigenous community itself. If the Indigenous community is the subject of evaluation, cross-cultural values like wellbeing or non-domination have to be endorsed by the members of a community before they can be employed in any evaluative exercise.

However, the argument that communities necessarily occupy a better epistemological position than external agents regarding developing a wellbeing standard or endorsing an existing one has been criticised by Rutger

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<sup>88</sup> This epistemic reason is a pro tanto reason why Indigenous peoples should be the subjects of the evaluation of their cultural traditions. However, it is *not* a reason to doubt the value of external criticism. The account of self-determination developed in this section distinguishes between two levels: the community level at which the community members evaluate their own tradition and a federal level at which external criticism can be expressed.

Claassen (2011). Claassen argues that without further criteria, communities could engage in ‘massively unjust processes of public reasoning’ (Claassen 2011, 495). I share the worry that communities that are characterised by pervasive power inequalities and dominating structures would not be able to take the values of all community members into account. They would most probably only facilitate the participation and agency of a powerful minority or majority and make incomplete use of their collective interpretative resources. In chapter 9, I will therefore introduce a set of criteria for community deliberation that neutralise imbalances of power and challenge dominating structures within the community.

In the previous paragraphs, I have provided three reasons why the community should be the subject of the evaluation of its cultural traditions. I will now propose a conception of self-determination that provides the necessary political conditions for a community to fulfil the corresponding subject role. I will first argue that in order to be free to evaluate *all* aspects of its cultural tradition, a community should be self-determined. I will then introduce Iris Young’s conception of self-determination as non-domination (Young 2005) and argue that Indigenous communities and states have five reasons to adopt it.

I begin with the argument that an Indigenous community should be self-determined in order to be able to evaluate *all* the aspects of its cultural tradition. In our current world, an Indigenous community can be in different relationships with other political agents. Its members could form part of a single nation state in which they enjoy the same rights as non-Indigenous citizens. Or they could form part of a multicultural state in which certain group and collective rights are assigned to them in addition to their citizenship rights. In both cases, their claim to control their own land and resources could only be respected to a limited extent. In addition, they would not have the freedom to determine their life at the political level and would be dependent on the decisions of the state.

Why would that be a problem for their normative evaluation of their traditions? The main problem would be that several cultural traditions concern political institutions as well, such as traditional ways of organising one's community or traditional ways of preparing and determining community leaders. But an Indigenous community that is under pressure to adapt its cultural traditions to the broader political context cannot evaluate them freely. The evaluation would inevitably be affected by political and feasibility considerations. Thus, in order to be free to evaluate *all* aspects of its cultural traditions, an Indigenous community should be self-determining.

In the following paragraphs, I will follow the UN's definition of the self-determination of Indigenous communities, which is 'autonomy or self-government in matters relating to their internal and local affairs' (UN General Assembly 2007, article 4), and will connect this definition to Young's conception of self-determination as non-domination. In her conception, Young adds the crucial qualification that each self-determined community should relate to other political agents through a federal government in which it and the other political agents are represented (Young 2005, 148). There are five good reasons for Indigenous communities and states to adopt Young's conception of self-determination. When discussing these five reasons, I will explain step by step how Young's conception of self-determination operates.

The first reason to adopt Young's conception of self-determination as non-domination is that it can take account of existing relationships of dependence in which many Indigenous communities find themselves. If an Indigenous people or community is self-determined, it can be embedded within a broader political context in two different ways. The first option is to become an independent state. But according to Young, there is a crucial disadvantage to this option: it ignores the dependence of smaller peoples or communities on nation states in economic, political, and cultural terms. There may be economic dependence if an Indigenous people relies on the national infrastructure. There may be political dependence if the nation state is able to impose political conditions on the Indigenous community. And there may be

cultural dependence if the survival of the Indigenous culture or language can only be ensured by the community's collaboration with national media organisations. Thus, the first option of an independent Indigenous state 'fails to respond to interdependence and relations of domination' (Young 2005, 153). It also ignores the contemporary realities of a world that is moving toward 'greater interconnectedness and decentralization' (Anaya 2009, 189).

The alternative option for an Indigenous community is to become a self-determining unit within a federal state that comprises a multiplicity of self-determining sub-units. This option has two advantages. One advantage is that existing relations of domination can be taken into account. The smaller sub-unit can claim against the federal unit that it should enable the realisation of its self-determination rights. Another advantage is that a decision-making body at the federal level could intervene if people in a sub-unit are dominated by their local government (Young 2005, 146).

The second reason to adopt Young's conception of self-determination as non-domination is that it can be implemented in the particular geographical situation of many Indigenous communities. Indigenous peoples often live among non-Indigenous citizens yet consider themselves distinct. There is no clear border that separates Indigenous territory from non-Indigenous territory. Young's conception of self-determination makes it possible to group together territories that are not directly connected with each other, like towns or villages, and grant the communities who are living there territorial rights and the right to self-determination. Instead of creating a single, continuous border for a self-determined Indigenous state, self-determined Indigenous territories could be defined as a number of geographical regions that do not necessarily have to be connected to one another.

The third reason to adopt Young's conception of self-determination as non-domination is that it allows for both evaluation on the part of the community and external criticism. If certain human rights are violated within a community (e.g., women's rights), the decision-making body at the federal level could deliberate about a corresponding modification of community law.

Hence, we can distinguish two levels in this account: the level of self-determined communities that evaluate their own cultural traditions and the federal level at which the decision-making body criticises human rights violations and injustices that occur within the communities.<sup>89</sup> Young follows James Tully here in conceptualising federalism as capable of integrating a diversity of peoples so that those peoples can assemble ‘the legal and political differences they wish to continue’ in the federal association (Tully 1995, 140).

The fourth reason to adopt Young’s conception of self-determination as non-domination is that it is in line with the UN Declaration on the Rights of Indigenous Peoples, which was approved by the UN General Assembly on 13 September 2007. The declaration grants Indigenous peoples individual and collective rights such as the right to self-determination and nationality; the right to spiritual, linguistic, and cultural identity; the right to education, information, and labour; the right to development and health; various economic and social rights; and finally land and resource rights (Panzironi 2009, 306). Yet the inclusion of self-determination quickly led to worries on the part of many nation states, which were concerned about their territorial integrity. Replying to these worries, article 46(1) was introduced, which affirms Indigenous peoples’ right to self-determination but which also affirms the legal apparatus of existing national governments. Accordingly, all efforts to implement Indigenous self-determination should respect the territorial integrity and political unity of existing nation states (Samson and Gigoux 2017, 162). Young’s conception of self-determination as non-domination succeeds in conceptualising full self-determination in such a way that secession is avoided and the territorial integrity and political unity of existing nation states remains intact.

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<sup>89</sup> At the federal level, self-determined communities would also have the opportunity to justify practices that are considered human rights violations by other parties. The decision-making body could decide to reject this justification, though.

According to the legal scholar and former UN special rapporteur on the situation of the human rights of Indigenous peoples S. James Anaya (2009, 189–96), the right to self-determination is best understood as an instrument of reconciliation that does not necessarily involve secession or independent statehood. Stacy Kosko writes similarly about self-determination as a ‘a jigsaw of overlapping jurisdictions in which the degree of self-rule can vary’ (Kosko 2013, 296). Thus, Young’s conceptualisation of self-determination as non-domination, which implies ‘joint governance among self-determining units’ within a federal system, is particularly suited to the existing legal framework concerning Indigenous peoples (Young 2005, 147).

The fifth and final reason to adopt Young’s conception of self-determination as non-domination is that it is able to address three wrongs of colonialism: cultural imposition, political domination, and the taking of land (Moore 2016). With regard to the first wrong of colonialism, cultural imposition, self-determination can be an important step for Indigenous communities to reassert their cultural identity as self-determined sub-units within a federal structure. With regard to the second wrong of colonialism, political domination, self-determined Indigenous communities can reassume the collective political identity they had before the time of colonial domination (Moore 2016, 454). And with regard to the third wrong of colonialism, the taking of land, a deliberative forum can be set up at the federal level on which Indigenous communities can discuss their land claims.

A fourth wrong of colonialism is the lack of recognition for oppressed groups. Not acknowledging the worth of another culture ‘can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being’ (C. Taylor 1994, 25). While a lack of recognition can indeed be harmful and should be redressed by self-determination, Indigenous scholars have pronounced two caveats against an exclusive focus on the paradigm of recognition. First, a politics of recognition should not replace a politics of redistribution and consequently ignore land claims by Indigenous peoples. Instead, recognition and redistribution should go hand in hand

(Coulthard 2014). Second, a politics of recognition should avoid essentialist notions of identity that exclude community members who have left their Indigenous territory or who have abandoned their Indigenous language. Instead, a politics of recognition should challenge such implicit assumptions and be as inclusive as possible (Sylvain 2014).

I will now briefly summarise the argument of this section. At the beginning, I gave three reasons why communities should be the subject of the evaluation of their cultural traditions. I then argued that this role as an evaluating subject requires that communities are self-determined so that they can evaluate *all* of their cultural traditions. Subsequently, I combined the UN definition of self-determination with Young's conception of self-determination as non-domination and provided five reasons why the resulting account is attractive for Indigenous communities and states. First, Young's conception can take account of existing relationships of dependence in which many Indigenous communities find themselves. Second, her conception can be adapted to the particular geographical situation of many Indigenous communities. Third, her conception allows for both evaluation on the part of the Indigenous community and external criticism. Fourth, her conception is in line with the UN Declaration on the Rights of Indigenous Peoples. And fifth, her conception can address each of the four wrongs of colonialism.

However, Young's conception does not answer the question concerning how a people with all its homogeneities and heterogeneities can become the subject of a deliberative procedure. Panzironi distinguishes between at least three levels of deliberation within an Indigenous community: the 'individual', the 'familial', and the 'collective' (Panzironi 2009, 321). How do these levels relate to each other and how do they influence the evaluation of cultural traditions? And how can such a deliberative procedure address possible power inequalities within the community or dominating structures that undermine the communication among community members? In chapter 9, I will address these questions in detail and suggest a deliberative procedure that can address these challenges.

## **6.7 The three key values: An irreducible plurality**

In the previous sections, I introduced three key values that form the basis of the normative framework of this thesis: wellbeing, non-domination, and self-determination. Following my distinctions between different types of normative standards in chapter 5, these three values are neither internal to the way of life of a specific community nor are they immanent to a specific social practice. They are cross-cultural values that are based on a minimal account of human rationality and human nature and that can be applied to more than one community and more than one practice. They presuppose a minimal account of human rationality, according to which human beings have the rational capacity to reflect on conscious habits and compare different habits with one another. In addition, they presuppose a minimal account of human nature, according to which human beings have economic and broader material needs, are embedded in a socio-political community, strive for a meaningful life, and have the capacity to dominate one another.

I would now like to show that these three values can be related to one another but that they cannot be reduced to one another or to a single overarching principle. As a weak value pluralist, I regard these values as an irreducible plurality, but I also allow for comparisons and trade-offs between them in particular cases.

How can these three key values be related to one another? Firstly, there is an overlap between the values of wellbeing and non-domination. In many cases of domination in which one group invades the choices of others and imposes their will upon them, this domination is accompanied by constraining effects on their capability sets. An example of this would be colonial governments that impose monolingual education on Indigenous communities. Such policies harm the socio-political wellbeing of community members while at the same time create relationships of dependence.

Secondly, we can draw a link between self-determination and wellbeing because there is significant empirical evidence for the impact of self-determination on the wellbeing of individuals and their communities. Self-

determination can be a means to decrease the economic and socio-political marginalisation of communities and remove their sense of powerlessness and dependency (Murphy 2014, 326–27; Deci and Ryan 2008, 184).

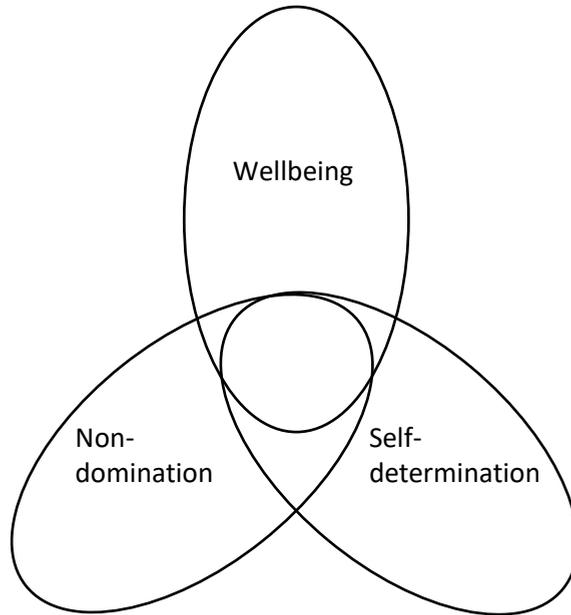
And thirdly, we can analyse Young's conceptualisation of self-determination as non-domination in order to highlight the various possible connections between those two values. By employing non-domination as 'a normative ideal for interpreting self-determination', it becomes clear that self-determination goes beyond prohibiting actual interference and also addresses other types of domination such as vitiation, invigilation, or intimidation (Young 2005, 150).<sup>90</sup>

Yet each of these values applies to areas and normative questions that are not covered by the other two. In the case of wellbeing, possible examples of such areas are the effects of individual health, education, and the environment on individual wellbeing. Although accounts of power relationships or self-determination can take into account some of these effects, others remain unnoticed. In the case of non-domination, an example would be its concern with the arbitrary use of power in non-political relationships. While non-political relationships are ignored in accounts of self-determination, the possibility of arbitrary interference does not necessarily have effects on individual wellbeing. Finally, in the case of self-determination, there is a legal dimension with regard to territorial rights, which cannot be adequately captured by the values of wellbeing and non-domination. This legal dimension comprises, among others, questions concerning land claims and the right to secession. Thus, the relationship between the three key values can be pictured in the following way:

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<sup>90</sup> Young's conceptualisation of self-determination as non-domination does not reduce self-determination to non-domination but instead considers non-domination to be 'a normative ideal for interpreting self-determination' (Young 2005, 150). It is therefore still possible to distinguish between self-determination and non-domination as concepts and as values in her account.

Diagram 7: The key values of wellbeing, non-domination, and self-determination



In this diagram, we can see that there are various domains in which the three key values overlap. However, there are also domains in which each of the three key values delimits a separate area. Consequently, the three values are related to one another but they cannot be reduced to one another or to an overarching principle. By resorting to the three cross-cultural values of wellbeing, non-domination, and self-determination, communities can identify the wellbeing-enhancing and wellbeing-constraining effects of cultural traditions on the one hand and their dominating effects on the other.

## 6.8 Conclusion

In chapter 5, I have discussed the question of whether a normative evaluation of cultural traditions in a culturally diverse world is possible and if so, which sort of criteria communities would need to use for such an evaluation. I have defended the view that cross-cultural standards would be the best choice, because they enable the critic to address all the basic habits of a given

tradition and they avoid metaphysical and epistemic commitments that could lead to controversies between cultural communities. From the alternative options A (no standards), C (internal standards), and D (immanent standards), I derived three additional insights. First, cultural tradition has to be conscious in order to be normatively assessed. Second, cultural traditions have to be evaluated by the cultural community itself and not by third parties if their meaning dimension is to be taken into account. And third, the idea of a problematic situation can provide guidance for the evaluative exercise.

In chapter 6, I began with the construction of a normative framework for the evaluation of cultural traditions. I specified three ethical prerequisites: value pluralism, ethical individualism, and the capability approach. I then discussed four *pro tanto* reasons for valuing traditions regardless of their specific content and subsequently introduced three key values that are needed for the evaluation of traditions: wellbeing, non-domination, and self-determination. The conception of wellbeing was framed in terms of capabilities and was divided into four dimensions: economic wellbeing, broader material wellbeing, socio-political wellbeing, and meaningfulness-related wellbeing. The value of non-domination was supplemented with the subcategories of dominating cultural traditions and invasive cultural traditions. Subsequently, I introduced self-determination as a political precondition for the evaluation of tradition and conceptualised it as non-domination, which allows for self-determined units within a larger federal state. Accordingly, cultural traditions can be evaluated with regard to the values of wellbeing and non-domination, but the community should be self-determined in order to carry out such an evaluation.

In the following chapter, I will introduce two case studies. The first case study deals with the cultural tradition of *tequio*, a tradition of unpaid communal work that can be found in the south-east of Mexico. In the second case study, I discuss cultural traditions in the context of Indigenous tourism projects. With the help of these two case studies, I can illustrate that the normative framework of this thesis can capture the effects of these cultural

traditions. Up to now, I have not engaged in a discussion of Indigenous concepts of wellbeing, so the following discussion will primarily appeal to an audience that can subscribe to the conception of wellbeing outlined above.<sup>91</sup>

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<sup>91</sup> An Indigenous standard of wellbeing based on Māori philosophy will be developed in chapter 8. This Indigenous wellbeing standard will provide an alternative conceptualisation of the value of wellbeing, which can replace the capability list set out in section 6.4. But first I will show that the normative framework of this thesis – which is based on the values of wellbeing, non-domination, and self-determination – can capture the relevant aspects of cultural traditions. Before developing alternative wellbeing standards, I want to make sure that the normative framework of this thesis is suitable for an assessment of cultural traditions.

## Chapter 7 Illustrating the normative framework: Case studies

### 7.1 Introduction

In chapter 6, I introduced a normative framework for the evaluation of cultural traditions that is based on the values of wellbeing, non-domination, and self-determination. The value of self-determination helps to specify the political context of the communities that intend to evaluate their cultural traditions and the expected impacts that a development project might have on them. The value of wellbeing can assist communities in assessing the wellbeing-enhancing and the wellbeing-constraining effects of cultural traditions. And the value of non-domination can provide criteria for evaluating whether these traditions facilitate domination or non-domination. The value of wellbeing was divided into four different dimensions: economic wellbeing, broader material wellbeing, socio-political wellbeing, and meaningfulness-related wellbeing. Within the value of non-domination, I distinguished between dominating cultural traditions and invasive cultural traditions.

In this chapter, I will illustrate this normative framework with the help of two case studies. The first case study deals with the tradition of unpaid communal work (*tequio*). I will analyse the tradition of *tequio* and compile a list of its effects on Indigenous communities. Subsequently, I will demonstrate to what extent the criteria of my normative framework can capture these effects. In this way, I can illustrate how the normative framework can be applied. If the effects can be assigned to one of the four dimensions of wellbeing or to one of the two types of dominating tradition, this confirms the suitability of the framework for the evaluation of traditions. If not, the framework will have to be modified or extended. However, a critic might challenge this framework and point out that the tradition of *tequio* may provide a positive contribution to wellbeing but that other alternatives would make an even more positive contribution. According to the critic, such alternatives should also be taken into account in the framework. I will address

this objection in a separate section (section 7.3). The second case study deals with cultural traditions in the context of Indigenous tourism projects. In this case study, cultural traditions already form part of development projects. Again, I will analyse the effects of these traditions on Indigenous communities and illustrate to what extent my framework can capture them.

The first case study focuses on a cultural tradition *before* the implementation of a development project, whereas the second case study examines cultural traditions *after* they have been transformed by a development project. In part IV of this thesis (chapter 10), I will build on these two case studies and show how communities can apply the normative framework to compare the positive and negative aspects of cultural traditions *before* and *after* the hypothetical implementation of a development project. In this way, they can evaluate their cultural traditions and the effects that a proposed development project might have on these traditions and deliberate on this basis whether to endorse or reject the development project.

## **7.2 Case study: The cultural tradition of unpaid communal work (*tequio*)**

The first case study deals with the cultural tradition of unpaid communal work (*tequio*). This cultural tradition can be found among many Indigenous communities in Oaxaca, a state in south-east Mexico. Although these communities are diverse with respect to their languages and their cosmologies, they share certain features that anthropologists have called *comunalidad*.<sup>92</sup> *Comunalidad* can be translated as ‘the way of being a community’ and consists in four central elements: the community’s

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<sup>92</sup> The concept of *comunalidad* was first introduced by Floriberto Díaz, whose writings have been compiled by Sofía Robles Hernández and Rafael Cardoso Jiménez (Díaz 2007) and in this way have been made available to a broader public. From 2009 to 2011, I lived in a small village among the Ayuuk people where I could experience the various aspects of *comunalidad* first-hand and also participate in various *tequios*.

relationship to its territory, communal work, communal government, and community celebrations (Topete Lara 2014, 16, Footnote 9).

In this case study, I will focus on *tequio*, which is unpaid but obligatory work that all community members have to carry out and which benefits the community as a whole. If a community member is not able to take part in a *tequio*, he or she must pay a fine or compensation depending on the customary law of the corresponding village or town. But if somebody refuses to take part in this type of communal work in general, he or she can be locked up in the community prison for up to 24 hours (Maldonado Alvarado 2011, 70). There are two articles in the ‘Law on the Rights of Peoples and Indigenous Communities of the State of Oaxaca’ that refer to the practice of *tequio* and encourage the local authorities to preserve it (López Bárcenas 2008, 205).

### **7.2.1 The effects of unpaid communal work (*tequio*)**

In this analysis of the cultural tradition of unpaid communal work (*tequio*), I will enumerate ten effects of this tradition on Indigenous communities (E1 to E10). In the next section, I will illustrate how these effects can be assigned to one of the four wellbeing dimensions or one of the two types of dominating tradition, which I have outlined in chapter 6.

The first effect of the *tequio* tradition is that the collaboration between the community members allows them to accomplish tasks that cannot be done by one person alone (E1). For example, the community members can cooperate in order to clean the pasture of a certain area, to gather the harvest, or to build a house.<sup>93</sup> The results of such cooperation can yield two further effects. If the *tequio* helps with sowing or harvesting, the agricultural products can be consumed by the farmer and his or her family if they engage in subsistence farming or they can be sold on the market in order to earn an income (E2). If the *tequio* supports the building of a house for individual

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<sup>93</sup> In more technical terms, the tradition of *tequio* enables the community members to achieve ‘economies of scale’ (Heath 2006, 319).

community members or for common use, these buildings can provide shelter and bodily security (E3).

But the *tequio* tradition can also have effects for the Indigenous community as a social and political group. As the community members can solve certain problems on their own, they no longer need to depend on governmental authorities in these matters (E4). They can, for example, decide to fix a damaged road in their community area without having to request governmental assistance. In this way, they can exercise their agency as a group and reassert their independence. Another effect is that by participating in a *tequio*, the community members can build up networks of reciprocity among one another in which they preserve and pass on their knowledge and skills (E5). If somebody regularly participates in communal labour without being paid, the community will support him or her at a later point in time. Yet *tequio* is not only hard work. A day of communal work often concludes with a common meal and alcoholic beverages such as beer or mezcal (Maldonado Alvarado 2011, 70). This gives the community members the opportunity to enjoy the fruits of their labour and one another's company (E6).

Two further effects concern the joy of engaging in the activities that are performed during a *tequio* and the joy of spending time with one another. In order to clean the pasture of a certain area, it is necessary to be skilled in handling a machete. In order to build a house, one needs to know something about the stability and the aesthetics of the local architecture. Performing these skills and applying this knowledge can be a source of joy (E7). Joy can also arise from being among fellow community members and enjoying their company (E8). According to Floriberto Díaz, this link extends even further: *tequio* can be understood as a symbol of the capacity to voluntarily contribute to the community, a value that lies at the very heart of its *comunalidad* and makes it visible (Meza Bernal 2012, 99).

However, the tradition of *tequio* can also have effects that are less visible on the community level, but affect individual members instead. First of all, *tequio* is obligatory and those who cannot take part have to compensate for

their absence by sending somebody in their place or by paying a certain amount of money (Maldonado Alvarado 2011, 70). This system shall guarantee a high level of attendance and discourage free-riding. Informal pressures such as ‘social expectations, malicious gossip, and complaints’ may complement these formal rules (Godfrey-Wood and Mamani-Vargas 2017, 85). Such formal and informal sanctions apply to all community members who cannot or do not want to participate in *tequio* for some reason or another (E9).

Second, all community members have to participate in the *tequio* for the same duration of time. This would not lead to discernible effects in a community in which all members have a similar socio-economic background that allows for a decent standard of life. But in most communities, some individuals or families are poorer than others and still have to contribute in the same way to the community as well-off individuals or families. Thus, these individuals or families have to bear a higher economic burden than their richer neighbours (E10).

### **7.2.2 The effects of unpaid communal work (*tequio*) in the framework**

I will now analyse to what extent these ten effects fit into one of the four dimensions of wellbeing or can be assigned to one of the two types of dominating tradition, which I discussed in chapter 6. I distinguished between economic wellbeing, broader material wellbeing, socio-political wellbeing, and meaningfulness-related wellbeing. And I differentiated between dominating cultural traditions and invasive cultural traditions. In the following table, I have enumerated the ten effects of the *tequio* tradition and assigned them to one of the four wellbeing dimensions or one of the two types of dominating tradition.

Table 5: The positive and negative effects of the *tequio* tradition

E1: <i>tequio</i> enables cooperation	economic wellbeing
E2: <i>tequio</i> supports harvesting	
E3: <i>tequio</i> supports building housing	broader material wellbeing
E9: <i>tequio</i> is accompanied by formal and informal sanctions that constrain safety and physical security	
E4: <i>tequio</i> enhances independent agency	socio-political wellbeing
E5: <i>tequio</i> facilitates networks of reciprocity	
E6: <i>tequio</i> allows one to enjoy the fruits of one's labour	
E7: <i>tequio</i> allows the joyful performance of skills and knowledge	meaningfulness-related wellbeing
E8: <i>tequio</i> allows the joy of being among fellow community members	
E10: <i>tequio</i> imposes higher economic burdens on less well-off community members	dominating aspect, but also distributive fairness

The effects E1 to E3 deal with the way in which the *tequio* tradition enables a community to cooperate in order to support each other with harvesting or with building housing. Within the four-dimensional wellbeing standard, which I outlined in section 6.4, these three effects strengthen the dimension of economic wellbeing (capability to earn an income or to engage in subsistence farming or other non-market-related activities) and the dimension of broader material wellbeing (capability to have adequate shelter or housing).

The effects E4 to E6 concern the way in which the *tequio* tradition enhances the community's independent agency, facilitates networks of reciprocity, and allows the community members to enjoy the fruits of their labour. These effects contribute to the dimension of socio-political wellbeing and in particular to the capability to exercise one's political agency, the

capability to maintain social relations, and the capability to enjoy one's environment.

The following two effects, E7 and E8, address two specific kinds of joy that emerge from the tradition of *tequio*: the joy of performing one's skills and applying one's knowledge, and the joy of being among fellow community members. They can be assigned to the dimension of meaningfulness-related wellbeing, which comprises the capability to perform in work and play and the capability to enjoy meaningful relationships.

While the effects E1 to E8 show that the *tequio* tradition can enhance the wellbeing of Indigenous communities, I will now turn to the darker side of this tradition. Cultural traditions cannot only be instrumentally or intrinsically valuable for the wellbeing of an individual or a community; they can also constrain wellbeing or be dominating or invasive. In section 6.5, I draw a distinction between dominating and invasive cultural traditions: a cultural tradition is dominating if the beliefs, values, conventions, norms, rules, or institutions that it contains entangle individual persons in relationships of dependence. If a number of community members become conscious of their role as oppressors and nevertheless choose to continue in this role, the cultural tradition can become invasive. In this case, a person or group of persons imposes an individual or collective will upon another group by means of a cultural tradition.

The first negative effect (E9) of the *tequio* tradition are the formal and informal sanctions that are imposed on community members who cannot or do not want to participate in it. These sanctions are connected to the norms of this cultural tradition and can restrict the wellbeing of individuals by constraining, for example, their capability to be safe and physically secure through their temporary incarceration in the community prison.<sup>94</sup> According

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<sup>94</sup> On the other hand, if the community members have joint control over how these sanctions are imposed and can contest them, they can make sure that these sanctions constrain the wellbeing of community members only to an extent that is acceptable to them.

to Joseph Henrich and Natalie Henrich, a ‘combination of prestige and conformist biases and punishing behaviors’ can stabilise any social norm (Henrich and Henrich 2007, 68).

The second negative effect (E10) of the *tequio* tradition is that it imposes higher economic burdens on less well-off members of the community. As the *tequio* tradition is based on the distributive rule that each community member has to make an equal temporal contribution, less well-off community members have to bear a comparably higher economic burden than more affluent community members. While affluent community members have more than they need for survival, less well-off community members have to sacrifice an amount of the time they need to sustain themselves. These higher economic burdens can reinforce relationships of economic dependence and are therefore an example of the dominating aspect of the *tequio* tradition.

But while the normative framework can capture the dominating consequences of this distributive rule, it cannot address the question of distributive fairness itself. It focuses on the values of wellbeing and non-domination but does not incorporate principles of distribution. This is a limitation of my approach. According to my discussion of self-determination in chapter 6, questions of distributive justice can only be addressed on the level of the federal unit. But while the framework specifies on which level questions of distribute justice should be addressed, it does not provide further criteria for how to assess them. Principles of distribute justice do not form part of the normative framework and would therefore still have to be specified.<sup>95</sup>

For many Indigenous peoples in Oaxaca, the cultural tradition of *tequio* plays a crucial role in their Indigenous self-understanding and forms a vital part of their ‘way of being a community’. Thus, its dominating effects may

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<sup>95</sup> On the federal level, it could, for example, be argued that the principle of equal distribution (i.e., each community member must make an equal temporal contribution) should be replaced with a principle of equity so that less well-off community members are allowed to contribute less. Alternatively, they could be compensated for the disproportional burden they have to bear.

often remain hidden underneath the positive effects it has in the areas of economic, broader material, socio-political, and meaningfulness-related wellbeing. The fact that it lies at the very core of the identity of the Indigenous peoples in south-east Mexico may also make it more difficult for critical voices to find an audience. Yet *tequio* to some extent fulfils the conditions for a tradition to be categorised as a dominating tradition, as it contains beliefs, values, and norms that entangle certain community members in relationships of economic dependence.

### **7.3 Cultural traditions, the study of alternatives, and economic efficiency**

One limitation of the normative framework that I developed in chapter 6 is that it only assesses the positive and negative effects of a cultural tradition. It does not assess whether there are alternative cultural practices that could replace that tradition and contribute even more to wellbeing or facilitate non-domination. Hence, the normative framework evaluates pro tanto reasons but does not provide an all-things-considered approach: cultural traditions are good to the extent that they contribute to wellbeing and facilitate non-domination, but they are not necessarily better than conceivable alternative cultural practices.

However, in this thesis I am not so much interested in defending cultural traditions against conceivable alternatives but rather in comparing the value of a specific cultural tradition *before* the hypothetical implementation of a development project with the value of this cultural tradition *after* the hypothetical implementation of the project. I will therefore remain neutral on the question of whether other alternative cultural practices are available and whether communities should adopt them. The framework of this thesis can assist communities in comparing their cultural traditions with the expected effects of a specific development project on these traditions. But if the community decides to reject the project, this decision is merely based on the comparison of their current cultural traditions with the impact of one specific

development project on these traditions. It does not exclude the possibility that other development projects could still prove to be better in terms of wellbeing and non-domination than the community's current traditions.

One argument that I would nevertheless like to address is the objection of economic efficiency. From an economic point of view, it could be argued that cultural traditions very often lack structures that could promote economic efficiency. As they were not designed according to principles of economic efficiency, alternatives often exist that contribute equally to wellbeing but that are more efficient from an economic point of view. According to this objection, these alternative cultural practices would be preferable because they can make the same contribution to wellbeing in a shorter time. In this section, I want to discuss this objection in relation to the cultural tradition of *tequio*.<sup>96</sup>

### **7.3.1 The economist's objection to unpaid communal work (*tequio*)**

With regard to the cultural tradition of *tequio*, the economist might concede that *tequio* has value for each of the four wellbeing dimensions, but object to it because other forms of cooperation would be more time-efficient on the economic level while being equally or only slightly less supportive of the remaining three wellbeing dimensions. On this basis, development agencies or the local government could argue that communities should abandon the tradition of *tequio* and replace it with a more time-efficient alternative.

According to Douglass North, one important revolution in the development of small-scale communities into economically efficient market-

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<sup>96</sup> The lack of time-efficiency of the *tequio* tradition is only one of the points that economists could criticise. Other criticisms of the lack of efficiency of the *tequio* tradition might, for example, focus on its compulsory character, that is, the fact that everybody has to participate regardless of their talents or preferences. This results in an inefficient use of the diverse talents within a community, because talented community members cannot dedicate their time to other types of work that require their particular skills.

based societies is the transition from having common property to owning ‘exclusive property rights’ (North 1981, 89). He argues that common property tends to be inefficiently utilised because those who use it often rely on the contributions of others to maintain it. The economist’s objection to the tradition of *tequio* would thus be as follows: while *tequio* has a certain value for the wellbeing of an Indigenous community, it does not provide any incentive to do the work in a time-efficient manner and is open to exploitation by free-riders who rely on the contributions of others.<sup>97</sup> Other forms of cooperation with a formal set of rules could solve the same problem in a more time-efficient way. One example of such cooperation would be to abandon the *tequio* tradition and employ contract workers instead.

In the following section, I will argue against the economist’s perspective and defend the view that the replacement of *tequio* with an alternative form of cooperation (e.g., the employment of contract workers) would be accompanied by a considerable loss in the areas of socio-political wellbeing and meaningfulness-related wellbeing. Hence, an alternative cultural practice to the *tequio* tradition might be more time-efficient, but could nevertheless lead to a loss in other wellbeing dimensions. Note that this rebuttal only applies to the case of the *tequio* tradition and not to cultural traditions in general. But in this way, my argument can at least defeat the general claim that time-efficient alternatives *always* contribute more to wellbeing than less time-efficient cultural traditions.

### **7.3.2 Rebuttal of the efficiency objection**

As indicated above, the economist could criticise the *tequio* tradition for failing to provide incentives to accomplish tasks in a time-efficient manner and for failing to deter free-riders. According to her view, the alternative of hiring workers on a contract basis would be an improvement in these two

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<sup>97</sup> Sanctions could restrict free-riding to a certain extent, but although they could guarantee full attendance, they are often too informal to prevent some participants from leaving the bulk of the work to others.

respects and would contribute equally to the wellbeing of the community members. Against this view, I argue that replacing *tequio* with contract workers would lead to a considerable loss in the areas of socio-political wellbeing and meaningfulness-related wellbeing.

Empirically, I base this argument on Arjun Appadurai's fieldwork in a Western Indian village,<sup>98</sup> where he investigated the consequences of the electrification of traditional open-surface wells (Appadurai 1990). Although Appadurai speaks mostly about technological change, this technological change is based on economic efficiency considerations and therefore forms part of a broader economic change process. The introduction of electrified wells leads to two specific losses in the socio-political dimension of wellbeing: first, social relations between community members are increasingly seen as '*strategic interactions with other individuals*' (Appadurai 1990, 213, italics in the original). By reducing cooperation to a strategic choice to secure one's subsistence, the capability to maintain social relations and enjoy community bonds is negatively affected. Second, the knowledge of farmers about their wells is becoming gradually fragmented and dispersed among community members (Appadurai 1990, 209). This division of epistemological labour leads, on the one hand, to a reduction of the community members' agency because they increasingly depend on external technology.<sup>99</sup> On the other hand, it increases the risk for farmers who cannot keep up with the competition and are forced to return to a subsistence economy but now lack the relevant knowledge to do so successfully. In this case, it is the capability to organise one's community and exercise one's political agency that is impaired.

But the technological and economic change in the Indian village also has adverse effects on meaningfulness-related wellbeing. First, there is a deep

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<sup>98</sup> This village is located approximately 25 miles south-east of the city of Poona; Appadurai refers to it as 'Vadi', which is a pseudonym.

<sup>99</sup> In addition, the dependence of community members on external technology could in the long run also lead to relationships of dependence between the community and technology companies.

transformation of the farmer's self-understanding, which moves towards the ideal of the farmer as a 'technologically sophisticated, credit-seeking, market-oriented person' who strives to maximise profit (Appadurai 1990, 212). Although Appadurai does not provide strong evidence for this case, it could be argued that in this way the capability to experience one's identity as being meaningful is gradually undermined. The farmer no longer understands him- or herself as forming part of a community or as being related to a specific territory, and so on. Second, the traditional rhythm of community celebrations is increasingly transformed by the requirements of labour and money and the maintenance of the wells (Appadurai 1990, 211). In this way, traditional rituals, pilgrimages, and village festivals are gradually eroded and the community's capability to be in harmony with a greater-than-human source of meaning and value is increasingly restricted.

These four corrosive effects of technological and economic change in an Indian village can plausibly be extended to the replacement of *tequio* by contract work: instead of enjoying community bonds with one's fellow community members, the relationship between the community and hired contract workers would become a strategic one. Shared knowledge that is transmitted from one generation to the next during the practice of *tequio* (e.g., how to construct a house) would be delegated to experts and would sooner or later be irretrievably lost for the community.<sup>100</sup> The self-understanding of Indigenous community members would be impoverished because they would no longer see themselves as forming part of a community to which they voluntarily contribute and from which they can expect support in return. And the rituals that are usually associated with *tequio* (e.g., fertility rituals before

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<sup>100</sup> Instead of arguing in favour of replacing *tequio* with contract work, economists could also argue in favour of a division of labour within the community. However, in this case they would have to deal with a certain fragmentation of knowledge. This fragmentation could in the long run endanger collaboration within the community, as some tasks would require the full attendance of all knowledge bearers, which is difficult to guarantee.

sowing or a shared meal afterwards) would have to be abandoned because they would no longer fit into the context of contract work.

Thus, while the replacement of *tequio* with contract work would probably yield gains in terms of time-efficiency, these gains would be counterbalanced by losses in the dimensions of socio-political wellbeing and meaningfulness-related wellbeing. Once we take into account the overall wellbeing of a community, it is far from clear that replacing traditional forms of cooperation with more time-efficient alternatives is beneficial overall. The judgement regarding whether a certain cultural tradition should be given up or replaced consequently requires a set of criteria that goes beyond the single criterion of time-efficiency. Such a normative evaluation of a community's cultural traditions should, then, be left to the community itself (for reasons that I have discussed in section 6.6). And even if the community comes to the decision that this particular cultural tradition should be modified or abandoned, there would still remain the task of compensating for the negative consequences of that decision.

My conclusion is therefore that the economist's objection should be evaluated on a case-by-case basis. Furthermore, the decision regarding whether to replace a certain cultural tradition or not should not only be led by considerations of time-efficiency but should also take into account an evaluation of all four wellbeing dimensions and the dimension of domination. The decision to abandon a cultural tradition and substitute it with an alternative form of cooperation is consequently a normative one.

#### **7.4 Case study: Cultural traditions within Indigenous tourism projects**

In the first case study, I focused on the cultural tradition of *tequio* as an example of a cultural tradition that is currently being practised by Indigenous peoples within their communities as part of their culture. In the second case study, I will illustrate my normative framework by looking at cultural traditions in the context of Indigenous tourism projects. These traditions often

form part of development projects, which means that they are integrated into a market economy and that commodification and monetisation play a bigger role. Within market economies, cultural traditions can become commodities, for example, in the form of traditionally crafted items or staged performances.

By illustrating my normative framework with the help of two case studies – one of which is not directly affected by development, while the other is – I can demonstrate that the normative framework can capture the relevant effects in both cases. In a first step, the normative framework can assist communities in assessing their cultural traditions in terms of wellbeing and non-domination. In a second step, they can speculate about the effects that a development project might have on these cultural traditions and evaluate whether the expected impacts lead to an enhancement or constraint of their wellbeing or an increase or decrease in domination. In chapter 10, I will develop a corresponding deliberative procedure that could help communities to compare the positive and negative effects of cultural traditions *before* and *after* the hypothetical implementation of a development project. On this basis, they could decide whether to accept or reject the proposed development project.

I will use the term Indigenous tourism to mean all tourism projects in which Indigenous people are directly involved either by being stakeholders or by having their culture serve as the primary attraction. Indigenous tourism has been growing during the last few decades. The world market shares of Africa, the Middle East, and the Asia and Pacific region grew from 1980 to 2010 and will probably grow further during the coming decade. According to the World Tourism Organization (2012), in 2030 the world market share of Africa will have grown to 7%, the share of the Middle East to 8%, and the share of Asia and the Pacific region to 30%.<sup>101</sup> In contrast, the world market

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<sup>101</sup> These predictions of the World Tourism Organization may need to be revised in the light of the COVID-19 pandemic and its impact on global travel.

shares of the Americas and Europe have been constantly decreasing.<sup>102</sup> Although Indigenous tourism projects form only a small part of tourism in Africa, the Middle East, and Asia and the Pacific region, they have profited from this global development. During the last few decades, Indigenous cultural traditions have become an appealing attraction for a certain group of tourists who are looking for an ‘authentic experience’ or for cultural immersion.

As in the previous case study, I will first compile a list of the effects of cultural traditions that form part of Indigenous tourism projects. In a second step, I will illustrate how these effects can be assigned to one of the four dimensions of wellbeing or to one of the two types of dominating tradition, which I have outlined in chapter 6.

#### **7.4.1 The effects of cultural traditions within Indigenous tourism**

In this analysis of cultural traditions in the context of Indigenous tourism projects, I will list six effects of these traditions on Indigenous communities (E1 to E6). The first effect of cultural traditions that form part of Indigenous tourism projects is that they can empower Indigenous peoples economically (E1). One example of this are the San people, who live in the southern part of Africa, in particular the †Khomani, who generated an income by recording healing songs and producing ‘Bushmen Art’ (Comaroff and Comaroff 2009, 93). Another example is the Sa community of Vanuatu in the South Pacific Ocean, whose members began to perform the cultural tradition of *naghol*, a ritualistic leap from great heights, as a tourist attraction and as a way to raise income (Cheer, Reeves, and Laing 2013, 446).

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<sup>102</sup> The decreasing numbers in the Americas and Europe are restricted to their share in the world market. Worldwide tourism numbers (arrivals) increased from 277 million to 940 million between 1980 and 2010, so the absolute number of tourists grew in both regions.

The second effect of commercialising cultural traditions is the flip side of the first. There is a danger that this commercialisation does not empower Indigenous peoples and instead benefits third parties such as middlemen and state agencies (E2). Eric Crystal, who has analysed the beginning of the tourism industry in the Tana Toraja Regency in Indonesia, expresses the concern that most of the benefits will go to external entrepreneurs (Crystal 1989, 149). Margaret B. Swain (1989) and Charles F. Urbanowicz (1989) agree with this assessment regarding the Guna in Panama and the Tongans. Although there is evidence that some Indigenous peoples profit economically from tourism, this has neither always been the case nor is it necessarily the case. Certain conditions (e.g., with regard to the distribution of the benefits) have to be in place for the gains of tourism to be beneficial at the community level.

The third effect of cultural traditions within Indigenous tourism projects is that they provide an opportunity for community members to cooperate with each other (E3). The Kuna women in Panama, for example, have formed a sewing cooperative in order to produce and sell *mola* artwork to customers (Swain 1989, 102). Such a cooperative can help to strengthen social networks within the community.

The fourth, again rather problematic, effect of commercialising cultural traditions is the corrosion of Indigenous cultural identity (E4). Authors such as Dean MacCannell and Davydd J. Greenwood paint a rather negative picture of the tourism business, which, they believe, eventually leads to ‘staged authenticity’ (MacCannell 1976, 91) or even to the ‘collapse of cultural meanings’ (Greenwood 1989, 135). They fear that cultural traditions that are performed for tourist purposes will gradually be transformed to meet the tourists’ idea of culture and authenticity. Yet, more recently, this picture has been challenged with regard to novel tourism projects in which Indigenous peoples are the primary stakeholders. If Indigenous communities are the owner of a tourism project or at least its primary stakeholders, a performance of a cultural tradition can even be used strategically by

marginalised groups in order to gain power and to reassert their cultural identity (Cole 2007, 943).

This leads to the fifth effect that cultural traditions within Indigenous tourism projects can have: they can help community members to rediscover their identity and be proud of it (E5). According to Regina Scheyvens, local communities can be ‘active agents who may be able to adapt tourism processes to their own circumstances’ (Scheyvens 2002, 37). A good illustration of such agency is provided in Alexis C. Bunten’s analysis of Alaska Native cultural tourism: she describes how native guides in Alaska adopt a commodified persona or personality, which playfully responds to the tourist gaze but also enables the guide to control when to assume the role of the tourist guide and when to leave it (Bunten 2008, 385). A precondition of such an appropriation of touristic enterprises on the part of Indigenous communities is cultural ownership. According to Elisabeth Kirtsoglou and Dimitrios Theodossopoulos, cultural ownership means first and foremost that communities retain the right and the authority to present themselves instead of merely being presented (Kirtsoglou and Theodossopoulos 2004, 136). Accordingly, cultural performances should include the community’s perspective on its own culture.

The sixth effect of cultural traditions within Indigenous tourism projects is the possibility of *elite capture* (E6). Elite capture is a general problem of community-based development projects in which Indigenous communities are the primary stakeholders. According to Ghazala Mansuri and Vijayendra Rao, it is quite probable that administrative bodies are dominated by elites, because the well-endowed members of a community are often the only ones ‘who possess the requisite resources, capabilities, and leisure to represent their community’s interests’ (Mansuri and Rao 2013, 129). In analysing the Indigenous tourism project of an eco-hotel in Ek’Balam (Yucatan, Mexico), Sarah R. Taylor comes to the conclusion that the financial success of the project is counterbalanced by its negative effects on the social structure of the community: there is now a wider gap between the powerful and the

marginalised community members than beforehand. Her observations of the participation of different kin groups in the project indicate that after ten years there are only a few kin groups left that control the project and that obtain the greater part of its profits (Taylor 2017, 443).

#### **7.4.2 The effects of cultural traditions within Indigenous tourism in the framework**

I will now illustrate how these six effects can be assigned to one of the four wellbeing dimensions or to one of the two types of dominating tradition. Whether cultural traditions within Indigenous tourism projects have positive or negative effects often depends on questions of ownership. Do Indigenous communities own the tourism project or is it owned by an external agent? Are Indigenous communities in charge of the cultural performances or is their culture represented by somebody else? At the end of this section, I will provide a list of conditions that are required for a positive outcome of such a project.

The table below lists the six effects of cultural traditions within Indigenous tourism projects and analyses how they relate to one of the four wellbeing dimensions or one of the two types of dominating tradition.

Table 6: The positive and negative effects of cultural traditions within Indigenous tourism projects

E1: cultural traditions within Indigenous tourism projects can empower Indigenous peoples economically	economic wellbeing
E2: cultural traditions within Indigenous tourism projects can benefit third parties such as middlemen or other external agents instead of the community	
E3: cultural traditions within Indigenous tourism projects can provide an opportunity to cooperate with each other	socio-political wellbeing
E4: cultural traditions within Indigenous tourism projects can lead to a corrosion of Indigenous cultural identity	meaningfulness-related wellbeing
E5: cultural traditions within Indigenous tourism projects can help community members to rediscover their identity and be proud of it	
E6: cultural traditions within Indigenous tourism projects can lead to elite capture	dominating or invasive aspect, but also distributive fairness

Effects E1 and E2 concern the community members' capability to earn an income by commercialising their cultural tradition and consequently belong to the economic wellbeing dimension. If the Indigenous community is the owner or the primary stakeholder of a tourism project, the project can benefit it economically. If not, the project can also result in the economic exploitation of the community by middlemen or other external agents.

Effect E3 deals with the possibility of cooperating within the community in order to perform cultural traditions or sell cultural products. It can be

assigned to the dimension of socio-political wellbeing and to the capability to maintain social relations and enjoy community bonds.

The next two effects, E4 and E5, revolve around the community's identity and the capability to experience one's identity as being meaningful. These effects belong to the dimension of meaningfulness-related wellbeing because they focus on the intrinsic value of meaningful identity. Communities that control the way in which their cultural traditions are performed or commodified can rediscover their cultural identity and their self-respect. However, if they are rather passive agents in a tourism project and the performances are controlled by an external agent, this might lead to a loss of self-respect and a corrosion of their cultural identity.<sup>103</sup>

The final effect, E6, points out the possibility of elite capture. In this case, an internal elite dominates the project and receives the majority of its benefits.<sup>104</sup> If a cultural tradition provides the elite with beliefs, values, conventions, norms, rules, or institutions that support or reinforce their elite capture, this tradition could be regarded as dominating. If the elite interferes in the community by imposing certain beliefs, values, conventions, norms, rules, or institutions on it, the cultural tradition could even be seen as invasive. In addition, effect E6 and elite capture can have consequences for the four wellbeing dimensions. They might lead to a dominating situation that is aggravated by effects E2 and E4 such that the elite exploits the community and controls its members' cultural performances. Hence, there is a connection between the three negative effects. Similar to the case study on the cultural

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<sup>103</sup> Whether commodification can also have these negative consequences if the tourism project is controlled by the Indigenous community itself is a controversial matter. Early authors like Dean MacCannell (1976) and Davydd J. Greenwood (1989) have argued that this is the case. But more recently, they have been criticised for underestimating the agency of Indigenous communities in using their cultural traditions strategically to reassert their cultural identity (Cole 2007).

<sup>104</sup> Elite capture can also be accompanied by external domination. In this case, the internal elite is dependent on external entrepreneurs and there are two relationships of domination. The domination of the community members by the internal elite and the domination of the internal elite by external entrepreneurs.

tradition of *tequio*, the normative framework cannot capture questions of distributive fairness that accompany effect E6 and elite capture. Although it can address how this distribution of benefits facilitates relationships of economic dependence, it cannot assess to what extent this distribution is fair or unfair.

In sum, cultural traditions within Indigenous tourism projects can have positive effects for the community if a number of political conditions are fulfilled. First, Indigenous communities should either be the owners or the primary stakeholders of such tourism projects in order to benefit from the commercialisation of their tradition. Second, Indigenous communities should have cultural ownership and control the staging of cultural performances so that they can identify with how their cultural traditions are represented. Campbell Fletcher et al. supplement these two conditions with legal and institutional conditions such as the establishment of regulating bodies to protect local cultures, the establishment of policies that recognise ownership, and the recognition of Indigenous peoples' right to their ancestral lands (C. Fletcher, Pforr, and Brueckner 2016, 106). Although Indigenous tourism is only one among various ways to implement sustainable Indigenous development, it can contribute to wellbeing if a certain political context is present (Carr, Ruhanen, and Whitford 2016, 1075). If one or more of these political conditions is not fulfilled, there is a risk that the negative effects will prevail.

## **7.5 Conclusion**

In this chapter, I have illustrated the normative framework of this thesis by analysing two case studies. The first case study dealt with the tradition of unpaid communal work (*tequio*) that is practised by a number of Indigenous communities in Oaxaca, Mexico. I identified eight positive and two negative effects of this tradition and assigned them to one of four wellbeing dimensions or to one of two types of dominating tradition. One effect – the distribution of economic burdens – could not be adequately captured by the framework

and would have to be criticised on the basis of an extended framework that contains principles of distributive justice.

With regard to the tradition of *tequio*, I also addressed a possible objection. An economist could argue that although this tradition has positive effects on the wellbeing of a community, there might be alternative cultural practices that can have similar positive effects and that are, in addition, more time-efficient. I replied to this objection by pointing out that the gains in terms of time-efficiency would be counterbalanced by losses in the dimensions of socio-political wellbeing and meaningfulness-related wellbeing, which the economic analysis typically does not take into account.

In the second case study, I discussed cultural traditions that form part of Indigenous tourism projects. Here, I could identify three positive effects, which I connected to the dimensions of economic wellbeing, socio-political wellbeing, and meaningfulness-related wellbeing. I also identified three negative effects, which I could associate with two of the wellbeing dimensions and with dominating or invasive tradition. In this case study, there was also one effect – the distribution of economic benefits – that the framework could not accommodate. In my discussion of self-determination in chapter 6, I suggested that such violations of principles of distributive justice could be addressed on the level of a federal unit. However, I merely assigned principles of justice to this federal level without providing criteria for their evaluation. Nevertheless, it would theoretically be possible to expand the normative framework of this thesis and to specify such criteria in order to include distributive justice.

In the previous sections, I showed that the normative framework of this thesis – which is based on the values of wellbeing, non-domination, and self-determination – can capture the relevant aspects of cultural traditions. But I have still not demonstrated that the framework can accommodate a plurality of wellbeing standards. Instead of adopting an existing wellbeing standard, Indigenous communities could develop their own Indigenous wellbeing standard as a starting point for the evaluation of their cultural traditions. In

## CHAPTER 7

the next chapter, I will return to the concept of wellbeing and discuss the possibility of Indigenous wellbeing standards.

## Chapter 8 An Indigenous standard of wellbeing

### 8.1 Introduction

In section 6.4, I constructed a wellbeing standard that is based on the work of Sabina Alkire and her colleagues and that consists of twenty capabilities. This wellbeing standard meets the two criteria for cross-culturally applicable wellbeing standards for the evaluation of cultural tradition, which I defended in that section. First, it is based on a minimal account of human nature, according to which human beings have economic and broader material needs, are embedded in a socio-political community, and strive for a meaningful life. And second, it is framed in terms of capabilities or functionings. As the wellbeing standard fulfils these two criteria, I consider it cross-culturally applicable across a variety of cultural contexts.

From an Indigenous point of view, however, the list can be challenged on at least three points. First, the list seems to be overly preoccupied ‘with the individual self’ (Cram 2014, 19). Each of the capabilities centres on the individual and her freedom to be or to do certain things.<sup>105</sup> Second, the list distinguishes between the individual and the greater community but seems to neglect small and medium-sized communities such as the family or the tribe, which provide the individual with a specific identity, with a genealogy, and with valuable relationships. And while nature appears in two of the capabilities – the capability to enjoy one’s environment and the capability to live in harmony with the natural world – it always remains secondary to the individual and her enjoyment or her longing for harmony. Nature is valuable because it can be enjoyed or because it enables a harmonious lifestyle. But according to a lot of Indigenous peoples, nature is valuable for its own sake.

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<sup>105</sup> However, this focus on the individual does not amount to ontological or methodological individualism in which relationships are reduced to properties of individuals. Accordingly, the capability list includes also a socio-political wellbeing dimension.

I will argue that the list of twenty capabilities that I presented in section 6.4 cannot properly account for that view.

If we take the self-determination of Indigenous communities seriously, they should be able to resort to their own values and a corresponding standard of wellbeing.<sup>106</sup> As I have argued in section 6.4, a wellbeing standard has to meet two criteria in order to be a cross-culturally applicable criterion for the evaluation of cultural traditions. Firstly, it should be based on a minimal account of human nature and, secondly, it is best framed in terms of capabilities or functionings. One possible way of constructing an Indigenous wellbeing standard would be to assign capabilities to each of the four wellbeing dimensions of section 6.4 and base these capabilities on Indigenous philosophy. But as we will see, the construction of an Indigenous wellbeing standard goes beyond merely adding or removing certain capabilities to the list in chapter 6. It will transform some of these capabilities and the underlying conceptual framework so that genealogical relationships and the intrinsic value of nature can be accommodated. While the list of twenty capabilities is cross-culturally applicable and not limited to merely one community and its values, it is not universal. It is thus helpful to think about cross-cultural wellbeing standards in a similar way to how we think about value pluralism: a plurality of wellbeing standards exists that meet the two criteria outlined above. These wellbeing standards may supplement one another but they may also have to be weighed against one another.<sup>107</sup> By

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<sup>106</sup> Some authors argue that Indigenous communities should have the right to ‘ontological self-determination’ as part of their political self-determination (Viveiros de Castro 2009, Ludwig 2016). As ontologically self-determined communities, they would not be required to translate their knowledge into a Western conceptual framework. Furthermore, Indigenous communities should be able to employ a conception of domination based on their values, although I will provide a number of reasons in section 10.3 why adopting a republican conception of non-domination might be suitable for a lot of Indigenous communities.

<sup>107</sup> It is important to distinguish between cross-cultural and universal applicability. It does not follow from the fact that there are no universal wellbeing standards that wellbeing standards are bound to a particular community or that they are only valid within that particular community. It is certainly right that wellbeing standards

developing an Indigenous wellbeing standard in this chapter, I will demonstrate that the conception of wellbeing of this thesis can accommodate a plurality of wellbeing standards.

In the following sections, I will confront the above list of twenty capabilities with a wellbeing standard based on Māori philosophy.<sup>108</sup> I will show which specific challenges arise in this confrontation and how the capability list would have to be modified to incorporate Māori values. In order to do so, I will draw in particular on the work of Mason Durie (1985; 2006) and his conceptualisation of Māori health. Durie analysed Māori discourses on health and wellbeing at tribal gatherings and developed on this basis his health model *Te Whare Tapa Whā* (The Four-sided House). Using his results, he successfully challenged the biomedical paradigm that was predominant in New Zealand during the second half of the 20th century. The model has been adopted by the Ministry of Health and Durie's recommendations have been incorporated into subsequent health policies. As not all of my readers will be familiar with Māori philosophy, I will introduce Māori concepts as tentative 'translations' of corresponding English concepts before I incorporate them in my argument. It should be noted, though, that all translations are limited and that they never entirely capture the meaning of what is being translated.

According to Durie's *Te Whare Tapa Whā*, there are four basic tenets of life: a spiritual component, a psychic component, a bodily component, and a family component (Durie 1985, 483). These four components support each other and are dependent on each other. In 2006, Durie extended his model by distinguishing between three levels of wellbeing: an individual level, a wellbeing level for the extended family (*whānau*), and a wellbeing level for the Māori population as a whole (Durie 2006, 3–11). He also added the

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emerge within a specific community and that they are heavily influenced by its cultural traditions and its way of life. But that does not imply that those wellbeing standards cannot be applied to other communities as well.

<sup>108</sup> This chapter is not intended as a contribution to Māori philosophy but rather as an exploration of some aspects of Māori philosophy in order to challenge a capability framework that is based on ethical individualism.

principle of *indigeneity* that refers to the relationship between the Māori and their natural environment (Durie 2006, 13). Because Durie was focusing on questions of human health, he restricted his wellbeing levels to the human realm and considered the environment to be a basic foundation in which everything else is embedded. In the following attempt to construct a wellbeing framework, I will take up Durie's principle of indigeneity and treat it as a fourth dimension of wellbeing that deals with the environment.

## 8.2 A Māori standard of wellbeing

The four levels of wellbeing can be understood as four different lenses through which we look at Māori wellbeing: the lens of the individual, the lens of the extended family (*whānau*), the lens of the Māori population, and the lens of nature (*whenua*). According to Māori philosophy and the Māori concept of *whakapapa*, which can be interpreted as connectedness (Marsden 2003, 180-181), these four levels are not separate from each other but are interrelated. Each individual can relate to her family, her community, or nature as an ancestor.<sup>109</sup> Hence, the individual is never considered apart from the relationships in which she is embedded. The four levels of Māori wellbeing can be connected to capabilities from the dimensions of economic wellbeing (e.g., Māori income), broader material wellbeing (e.g., Māori health), socio-political wellbeing (e.g., Māori education), and meaningfulness-related wellbeing (e.g., Māori friendships). I will first introduce and describe each of the Māori wellbeing dimensions and then analyse the way in which they challenge the twenty capabilities that I derived from the work of Alkire and her collaborators.

On the level of individual wellbeing, four aspects can be distinguished from one another: the physical, the mental, the spiritual, and the extended

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<sup>109</sup> In the case of nature, this relationship differs from relationships to fellow human beings because it is asymmetrical. By growing up at the foot of a specific mountain or alongside a specific river, one has received something from them (i.e., water, shadow, fertile soil) and they have shaped one's identity. This relationship can be maintained by respecting nature and providing for its sustainability.

family aspect. The physical aspect refers to the individual's body, which should be healthy and adequately nourished. The mental aspect focuses on thoughts and emotions and the ways in which they contribute to one's wellbeing. The spiritual aspect is concerned with the spiritual life force, *mauri*. According to Māori cosmology, this life force pervades all living things and 'generates, regenerates and upholds creation' (Marsden 2003, 174). Its main function is to connect the different aspects of creation and overcome separation. Separation from fellow human beings or other parts of creation can diminish spiritual wellbeing. The fourth and final aspect refers to the individual's embeddedness in relationships within her extended family (*whānau*). Individual wellbeing is not isolated from the individual's social environment but is supported and strengthened by 'reciprocal relationships of respect' (Spiller 2010, 186). Instead of focusing exclusively on the body and the mind, a Māori standard of wellbeing advocates a whole-person approach to wellbeing. The person is not isolated from her environment but is embedded within a network of relationships, including a specific relationship to the land she comes from (*tūrangawaewae*).

Durie introduces the second level of *whānau* wellbeing in order to take those relationships into account that are not captured by the distinction between the individual and the broader community. *Whānau* wellbeing is rather concerned with kin-based social structures such as the extended family (*whānau*), the sub-tribe (*hapū*), or the tribe (*iwi*).<sup>110</sup> These kin-based social structures provide the individual with an identity and a sense of belonging. An individual is not just a passive member of an extended family; she accepts mutual obligations. Her extended family takes care of her and she takes care

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<sup>110</sup> The extended family (*whānau*) goes beyond the nuclear family and includes multiple generations, relatives by marriage, and sometimes even friends who have become honorary family members. The sub-tribe (*hapū*) consists of several extended families (*whānau*) who share a common genealogical descent. Tribes (*iwi*), in turn, consist of several sub-tribes, but are often more loosely organised based on their relationship to a common ancestor or by their association with a distinct territory. In contemporary New Zealand, *iwi* have gained political importance because of their ability to make land claims.

of her extended family. Durie therefore enumerates the ‘capacity to care’, ‘the capacity for guardianship’, and ‘the capacity to empower’ as important wellbeing indicators for this level. By caring for each other, guarding each other, and empowering each other, kin-based relationships can be maintained. Durie adds two further wellbeing indicators, ‘the capacity for long term planning’ and the ‘capacity for consensus’, which make sure that the family, the sub-tribe, and the tribe are capable of formulating a common will and of acting according to it. In this way, they can actively promote the wellbeing of their members instead of merely being passive associations. A last wellbeing indicator is the ‘capacity to endorse Māori culture’ (Durie 2006, 4-5), which guarantees that individuals have the cultural option to value their extended family, their sub-tribe, and their tribe and to develop affective relationships within those structures. Under colonialism, Māori were expected to assimilate into the predominantly European culture and social structures. In postcolonial New Zealand, a renewed recognition of Māori culture may be able to re-establish relationships among Māori as a source of self-respect.

Durie’s third wellbeing level concerns the Māori population as a whole. Here, Durie distinguishes between ‘human capacity’ and ‘resource capacity’ (Durie 2006, 7). While human capacity refers to the capacities of Māori as human beings and as groups within society, resource capacity refers to the availability of cultural and intellectual resources to them. On the one hand, Māori should be able to realise their human capacity by participating equally in Māori society and in the wider non-Māori society. They should also receive adequate cultural recognition with regard to their Māori identity. On the other hand, they should be able to make use of their cultural and intellectual resources, including learning and speaking their language (*te reo Māori*) and practising their own customs and traditions (*tikanga Māori*). In addition, they should own the land on which they live and to which they are connected in order to cultivate that land and benefit from it. According to Durie, resource capacity is an important presupposition for the self-determination of the Māori people (*tino rangatiratanga*).

The fourth and last wellbeing level is environmental wellbeing. Durie does not write much about it apart from pointing out that the wellbeing of the Māori people requires ‘access to an environment that is clean and healthy’ (Durie 2006, 11). But the relationship between the Māori and their land is not a one-sided relationship between an owner and her property or resource. The Māori instead view their relationship to nature (*whenua*) as a reciprocal relationship of mutual obligations. They are called to take care of the natural world, which in turn has an obligation to enhance their lives (Watene 2016, 293).<sup>111</sup> Within the relationship between an owner and her resource, the resource can be substituted as long as the substitute generates the same benefits. But within the relationship between a guardian and her charge, the charge is valuable for its own sake and therefore not substitutable.

An example of how such a relationship between the Māori and nature can be conceptualised in legal terms is the Te Awa Tupua Act. In March 2017, the Whanganui River in Aotearoa New Zealand was the first river to officially receive the status of a legal person (Charpleix 2018; Ruru 2018). This declaration was the result of a legal battle between a specific Māori tribe (the Whanganui iwi) and the New Zealand government, which had lasted for more than 150 years. The dispute began in the second half of the 19th century when certain fishing rights of the Whanganui iwi were challenged by the government. It ended in 2014 when both sides signed the Whanganui River Deed of Settlement, which was confirmed and superseded by the Te Awa Tupua Act in 2017. The document assigns the ‘rights, powers, duties, and liabilities of a legal person’ to the river and declares two guardians responsible for maintaining the river’s ‘health and well-being’ (New Zealand Ministry of Justice 2017, 15 and 88). In this case, assigning legal personhood was not merely a legal device but was accompanied by an acknowledgement of Māori philosophy and a Māori concept of nature. Within a *whakapapa*

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<sup>111</sup> I address the objection that it is implausible to assign duties to nature in section 8.2.2.

framework, the river is a person with whom other persons can build relationships and to whom they owe certain duties (Kramm, forthcoming).

### 8.2.1 The challenge of genealogical relationships

Now that I have translated Durie's conceptualisation of Māori health into a Māori standard of wellbeing, I will address two challenges that this standard of wellbeing poses to the capability list that I compiled in section 6.4. The first of these challenges concerns the value of genealogical relationships, whereas the second challenge – which I will address in the next section – deals with the intrinsic value of nature.

There are two capabilities in the capability list that deal with relationships: the capability to maintain social relations and to enjoy community bonds (socio-political wellbeing) and the capability to enjoy friendships and meaningful relationships (meaningfulness-related wellbeing). Hence, relationships appear twice in the list. They can be instrumental to wellbeing by providing networks and norms of trust, which enable the members of a community to cooperate and pursue shared goals. But they can also be intrinsic to wellbeing by providing individuals with a certain identity and a sense of belonging.

Yet there are two important differences between the conceptualisation of relationships within the capability list and the conceptualisation of relationships within a Māori standard of wellbeing based on a *whakapapa* framework. The first difference relates to the scope of the relationships: in the capability list, there are only relationships between the individual, her family, and the broader community, whereas in the Māori standard of wellbeing there is an additional layer of relationships: relationships within kin-based social structures such as the extended family (*whānau*), the sub-tribe (*hapū*), or the tribe (*iwi*) that are based on one's genealogy. The second difference concerns the normative thickness of the notion: in the capability list, the notion of relationship remains on a descriptive level. But in the Māori framework, the notion of a relationship is a prescriptive concept that implies the reciprocal

obligation to take care of each other. Having the opportunity to meet these obligations is therefore part of a Māori standard of wellbeing.

The first difference reveals the liberal framework of the capability list. According to a liberal framework, each individual is free to establish relationships with other individuals or to abandon them, and this freedom should also to a certain extent extend to the realm of families. The value of the family must therefore be weighed against the value of individual freedom (Brighouse and Swift 2006). In contrast, in Māori philosophy, the relationships within one's extended family (*whānau*), sub-tribe (*hapū*), or tribe (*iwi*) follow the lines of one's ancestors and result in stronger obligations than a liberal framework would suggest. Everything is connected and each person can trace her own genealogy (*whakapapa*) back to her ancestors (Marsden 2003, 180-181). This original network of relationships can then be extended by *kaupapa* relationships that are based on mutual respect and acknowledgement.

Discussing genealogical relationships does not necessarily require one to take sides in the communitarian debate on whether individuals or communities have priority. Instead, genealogical relationships introduce the normative claim that there is an additional set of relationships within one's extended family that is characterised by the gratitude for the origins of one's own existence and that includes a certain duty to give back. Communitarians describe the individual either as being constituted by her relationships or as being strongly causally influenced by her social and cultural environment (Mackenzie and Stoljar 2000, 22). At the same time, they hold on to the distinction between the individual and the broader community. Yet what is either lacking or given very little attention in their accounts and what is crucial for a Māori conception of relationships is the genealogy of each individual. Michael Sandel, for example, discusses the family as an intimate association 'in which the values and aims of the participants coincide closely enough that the circumstances of justice prevail' (Sandel 1983, 30-31). Hence, he presents the family as a special case of human associations in which there is

a strong consensus on common values. But from a Māori point of view, the extended family is distinct from the broader community inasmuch as *whānau* relationships are genealogical relationships that result in strong mutual obligations.<sup>112</sup>

According to a *whakapapa* framework, the important relationships are those that point back to what an individual has received from her ancestors. While a liberal framework emphasises individual wellbeing so that the value of the family or the broader community must be weighed against the value of individual freedom, a Māori framework adds an account of genealogical relationships that result in strong mutual obligations for the individual with regard to her extended family and her ancestors.

The second difference challenges the descriptive concept of relationship that underlies the capability list. From a Māori perspective, *all* relationships are prescriptive and imply to varying degrees reciprocal obligations. It is the act of giving and receiving that characterises them. The reciprocity does not always have to be direct; it can also be indirect, as in the case of deceased ancestors. Although a person may have received some benefits from an ancestor in the past, she cannot reciprocate to this ancestor directly and can only do so indirectly by giving benefits to a living or a future person. Hence, the duty to give back to ancestors is no longer a duty to reciprocate in relation to a certain person but a duty to maintain relationships between past, contemporary, and future persons. The duty to deceased ancestors thus forms part of an ongoing system of cooperation within a community in which those members who have received a benefit from past persons give back to present or future ones. While such a system of cooperation does not require ‘that the person to whom one supplies a benefit be the person from whom one receives a benefit’ (Heath 2013, 33), it is still a system where each community member

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<sup>112</sup> Before the arrival of the British, a Māori marriage required the approval of the *whānau* of both bride and groom and was in many cases an arranged marriage (Metge 1957, 166). In contemporary New Zealand, this tradition has lost its significance.

both benefits and contributes.<sup>113</sup> Regarding this duty to maintain relationships between past, contemporary, and future persons, the value of what is given does no longer have to equal the value of what has been received. However, it is crucial that something is given back.

These two challenges affect the conceptual framework of the capability list by introducing a new layer of relationships and a prescriptive notion of relationships, yet these changes need not contradict the ethical presuppositions of the capability list, which are value pluralism, ethical individualism, and the capability approach.<sup>114</sup> A philosophy based on the notion of *whakapapa* is compatible with value pluralism because it stresses the interconnectedness of the values of individual wellbeing, *whānau* wellbeing, Māori wellbeing, and environmental wellbeing. According to a *whakapapa* framework, these values cannot be reduced to one another and are not subject to a specific ordering. Relationships are still relationships between individuals and are therefore compatible with ethical individualism, although they are pervaded by normativity according to the context in which

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<sup>113</sup> A different set of challenges arises if the ancestors are also seen as forming part of deliberative procedures. As Tim Mulgan argues, incorporating one's ancestors in political decision-making procedures would require significant modifications in the framework of political liberalism (Mulgan 1999, 70).

<sup>114</sup> Peter Evans has challenged the capability approach for not being able to accommodate the role of collectivities, although choosing the life one has reason to value 'often hangs on the possibility of [...] acting together with others' (Evans 2002, 56). Sen has refused to adopt Evan's term 'collective capabilities' and has suggested instead calling them 'socially dependent individual capabilities' as long as one does not refer to capabilities of, for example, humanity as a whole (Sen 2002, 85). I agree with Davis (2015) that the question can be traced back to the underlying conceptualisation of collective intentionality or collective action. If an individual commits to a social group, does that mean that she also has to submit her agency to the agency of that group? If the answer is yes, then Evans's talk about fully integrated collective capabilities would be justified. Yet I think that there are alternative accounts – for example a '*participative* notion' (Kilpinen 2009, 16, italics in the original) of collective action – that can explain collective action and avoid the notion of fully integrated groups. Based on such a participative notion of collective action, I interpret the question of *whānau* wellbeing not so much as a question about collectivities but as a question about relationships.

they are embedded. And with regard to the capability approach, we can still talk about the freedom of persons to be or to do certain things, for example to build relationships. Even the network of kin-based relationships into which an individual is born has to be accepted and maintained by that individual. Hence, the Māori notion of relationship would not be incompatible with the ethical presuppositions of section 6.2 and would supplement them with further values and principles. A more radical challenge than the one from genealogical relationships arises from assigning intrinsic value to nature – namely a challenge to ethical individualism.

### **8.2.2 The challenge of the intrinsic value of nature**

With regard to environmental wellbeing, Māori consider their relationship to nature (*whenua*) in a similar way to their relationships to their human ancestors: as a reciprocal relationship of mutual obligations. *Whenua* is not only important because it sustains a community economically. To the extent that the culture and political structure of a community have developed in response to *whenua*, it also forms part of the community's identity. A more accurate translation of nature would therefore be '*whenua*, everything on it – rivers, lakes, mountains, forests, sites of significance – and the meaning they have for the community' (Kawharu 2010).

According to Watene, the active relationship between human beings and nature gives rise to certain trustee obligations 'to protect, enhance, and conserve' nature (Watene 2016, 292). Nature is consequently not a resource with a specific set of functions that can be replaced by another resource with the same set of functions. For example, a specific river that ceases to provide fresh water cannot simply be replaced by importing fresh water from abroad. If the river is dead, it has not just ceased to fulfil a certain function but is lost as a living being to which human beings can relate. As a partner within a relationship, nature cannot be substituted and is valuable for its own sake.

According to a Māori account of relationships, relationships always imply mutual obligations. One could object that human beings may have

duties towards nature but that it is implausible to suggest that nature has duties towards human beings. A reply to this challenge presupposes a historical perspective. Members of Māori communities are born into a network of relationships, and nature forms part of these relationships. Growing up within nature and making use of it – benefiting from it – means that nature fulfils its duties within this network. Speaking of duties with regard to nature is therefore not prescriptive for the future but rather acknowledges that nature has fulfilled its duties in the past.

In the list of twenty capabilities, there are two capabilities that refer to nature: the capability to enjoy one’s environment and to live in a sustainable way (socio-political wellbeing) and the capability to live in harmony with the natural world (meaningfulness-related wellbeing). The first of these capabilities treats nature as instrumental to the individual’s enjoyment. The second capability assigns an intrinsic value to harmony and regards nature as a necessary context for this harmony. Yet in both cases problems arise with regard to intrinsic values. In the first case, nature is merely instrumental to the individual’s enjoyment and could be replaced with something that has the same instrumental value. For example, a forest could be supplanted by fake plastic trees. In the second case, nature provides the context of harmony and could be replaced by something that provides the same sort of harmony.<sup>115</sup> A mountain hike could be exchanged for transcendental meditation. But if nature can be replaced by something else, it ceases to be an equal partner within a relationship.

If we accept the challenge of the Māori standard of wellbeing, nature can no longer be treated merely as a resource or a context of harmony. Nature would have to be added as an additional person, as a person with whom other persons can build relationships and to whom they owe certain duties. Within

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<sup>115</sup> This argument presupposes an understanding of harmony as a feeling. However, harmony could also be conceptualised as a specific property of relationships. In the latter case, it is less obvious that one partner in this relationship could simply be replaced.

a *whakapapa* framework, it makes more sense to speak about persons than about individuals in order to express their connectedness and their reciprocal relationships of mutual obligations. But we cannot apply to nature the criteria of personhood that are commonly discussed in contemporary Anglo-American philosophy, such as rationality or self-consciousness (Singer 1993, 87). Assigning personhood to non-human animals could be justified by referring to them as conscious and self-conscious living beings who act intentionally, with agency, and communicate intelligently and deliberately (Graham 2017, 187). But in the case of nature it is much more difficult to ascribe consciousness, intentionality, or agency to it, as it is a balanced system of life that consists of many parts and components (Regan 1992, 171). To claim that this system can be reduced to one conscious agent would risk belying the dynamic interconnectedness of these various parts. Therefore, the most promising argumentative strategy is to abstain from defining a fixed set of criteria for personhood and rely instead on the Māori notion of ancestry. By regarding nature as an ancestor, Māori relate to it in the same way as they relate to a person. Personhood is thus not interpreted in terms of the necessary and sufficient conditions for an entity to be assigned personhood but in terms of the network of relationships in which it is embedded.

This raises the question of whether such an understanding of nature as having personhood is compatible with ethical individualism. Ethical individualism treats individuals as ‘units of *ultimate* moral concern’ (Robeyns 2017, 184, italics in the original). When measuring wellbeing, the voice of each and every community member counts and should be given equal consideration. If Māori relate to nature in the same way that they relate to a person, they would want nature to be included as one of those units of ultimate moral concern. Within a *whakapapa* framework, nature has intrinsic value in the sense that its value does not depend on it being valued by human beings. Nature precedes human beings, and its value goes beyond its value for human

beings.<sup>116</sup> Ethical individualism would thus have to be transformed into ethical personalism and include everything that Māori regard as equal partners in their relationships, including ancestors and nature (*whenua*).<sup>117</sup> Nature would then be treated as a person who cannot speak for herself but whose interests are represented by proxies or as a person who speaks in one way or another but whose language has to be translated. In the case of the Whanganui River, this task was assigned to two guardians: one representative from the crown and one representative from the Whanganui tribe. The question is whether such a principle of ethical personalism or ancestorism could work as an extension of the principle of ethical individualism or whether the addition of further units of ultimate moral concern would ultimately undermine the purpose of ethical individualism by introducing the possibility of arbitrary trade-offs between individuals and non-individuals. That is the question to which we now turn.

### **8.3 Ethical individualism, the capability approach, and Māori philosophy**

We have seen that a Māori standard of wellbeing poses two challenges to a liberal wellbeing framework, the challenge of genealogical relationships and the challenge of the intrinsic value of nature. The challenge of genealogical relationships concerns the introduction of an additional set of relationships that do not consist of voluntary associations but are based on genealogy, and the introduction of a prescriptive notion of relationships. The challenge of the

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<sup>116</sup> In environmental ethics, such a view of nature as having intrinsic value has been criticised. On the one hand, it seems to presuppose the metaphysically ambitious claim that ‘intrinsic value exists objectively in nature’ (Callicott 1992, 131). On the other hand, it seems to require the metaethical claim that nature would even be valuable without there being human or non-human animal life at all (McShane 2009, 48). However, as I do not feel competent to judge whether these objections can also be made against a *whakapapa* framework, I leave them for future research.

<sup>117</sup> In order to avoid the connotations of the concept of person in the history of ideas, another possible term would be ethical ancestorism, which would include every being that can be considered an ancestor (*tupuna*) or future ancestor of somebody else.

intrinsic value of nature requires the introduction of additional units of ultimate moral concern. The first challenge can be answered within a liberal wellbeing framework, but in order to answer the second challenge, I have to develop an alternative wellbeing framework. In this last section, I will sketch out what such an alternative wellbeing framework would look like.<sup>118</sup> First, I will analyse which modifications would have to be made to ethical individualism and the capability approach and then offer an outline of the resulting theory.

Robeyns distinguishes within capability theories between a non-optional core, non-optional modules with optional content, and contingent modules (Robeyns 2017, 38-39). According to my analysis, the level of *whānau* wellbeing can be taken into account by adding an ontology of genealogical relationships and a prescriptive notion of reciprocity as additional modules to the core of the capability approach. Adding those elements would not require changing the core but supplementing it. Introducing the intrinsic value of nature, in contrast, would have certain consequences for the core itself. In her book, Robeyns (2017, 38) enumerates eight non-optional elements that form the core of the capability approach:

- A1: Functionings and capabilities as core concepts
- A2: Functionings and capabilities are value-neutral categories
- A3: Conversion factors
- A4: The distinction between means and ends
- A5: Functionings and/or capabilities form the evaluative space
- A6: Other dimensions of ultimate value
- A7: Value pluralism
- A8: Valuing each person as an end

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<sup>118</sup> John Taylor has suggested a ‘recognition space’ (2008, 115–17) as the place where Indigenous world views and the language of governmental policies intersect. With the help of this recognition space, it is possible to translate Indigenous perspectives into social indicators for policy making. Framing a Māori standard of wellbeing in terms of capabilities and functionings can be seen as a first step to creating such a recognition space.

The challenge of the intrinsic value of nature concerns elements A6 and A8, with A6 allowing the adding of other dimensions of ultimate value to the core and A8 expressing the principle of ethical individualism. One example of an ultimate value that could be added to the core of the capability approach is procedural fairness (Robeyns 2017, 53). Procedural fairness would be compatible with the ultimate value of freedom in the capability approach. The fairness of a procedure to choose certain capabilities and functionings does not contradict the individual freedom to be or do certain things.

But if we assign an intrinsic value to nature such conflicts can occur. In the case of the Whanganui River, a group of fishermen might want to enhance their capability space by introducing new machinery and by extending their fishing grounds. But if this leads to irreversible pollution of the river, their claim would have to be rejected. The freedom of the fishermen is not traded off against the freedom of other community members but is trumped by the intrinsic value of the river. Hence, we do not weigh the economic wellbeing of human beings against the environmental wellbeing of other human beings but against the wellbeing of the Whanganui River.

The capability approach would thus have to be modified. Ethical individualism could be retained at the level of human beings and their relationships with one another. But once nature is affected, ethical personalism would become the underlying principle. According to ethical personalism, everything that Māori regard as equal partners in their relationships would have to be taken into consideration, in particular ancestors and nature (*whenua*).<sup>119</sup> Additional principles would have to be introduced to determine when the wellbeing of ancestors and nature can be

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<sup>119</sup> Here, it is important to emphasise that ethical personalism does not differ from ethical individualism with regard to its emphasis on relationships. Ethical individualism does not deny that individuals are related to each other. While ontological and methodological individualism reduce relationships to the properties of individuals, ethical individualism does not entail such a claim (Robeyns 2017, 184–85). The difference between ethical individualism and ethical personalism is therefore, instead, one of scope. Ethical personalism includes human beings and, in addition, everything that Māori regard as equal partners in their relationships.

traded off against the wellbeing of human beings and when one of them simply trumps the other. Ethical personalism deviates from ethical individualism, because in some cases the wellbeing of living human beings would have to be curtailed because of the wellbeing of non-human beings or of human beings that are no longer alive.

Martha Nussbaum, who bases her capability theory on the notion of dignity, has suggested that non-human animals should be entitled to a range of capabilities and, in particular, to those that are ‘essential to a flourishing life, a life worthy of the dignity of each creature’ (Nussbaum 2007, 393). But in Nussbaum’s theory, there is no room for ecosystems such as mountains or rivers. In his critique of Nussbaum’s capability theory, David Schlosberg claims that we cannot talk about the flourishing of animals without reference to the environment. He therefore suggests treating ecosystems as ‘living entities with their own integrity’ and assigning capabilities to them (Schlosberg 2007, 148). I agree with Nussbaum that the wellbeing of non-human animal beings with some degree of purposeful agency could be conceptualised in terms of capabilities. But I do not think that the wellbeing of ecosystems should be conceptualised in the same way.<sup>120</sup> Contrary to Schlosberg’s proposal, I believe that the wellbeing of non-human beings that lack purposeful agency would be better conceptualised in terms of functionings. The reason for this is that functionings can be translated into clear guidelines concerning what is permitted and what is not permitted with regard to nature. The claim that nature should have the freedom to be unpolluted can be interpreted in a variety of ways and remains open to abuse. In contrast, the claim that nature should be granted to remain clean results in an unequivocal prohibition of pollution.

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<sup>120</sup> In addition, Elizabeth Cripps raises the important problem of how ecosystems can be delimited once we accept that they constantly evolve and develop (Cripps 2010, 13). For the sake of my argument, I will presuppose that Māori philosophy provides suitable resources that can help to distinguish different ecosystems from one another.

The resulting capability framework would be a hybrid framework, because it would employ the notions of capabilities and functionings but would also contain normative principles that go against elements A6 and A8, which are at the core of the capability approach (Robeyns 2017, 76). This hybrid framework would be able to include genealogical relationships and the intrinsic value of nature, which form part of Māori philosophy, and accommodate ethical personalism. If a Māori standard of wellbeing is framed in terms of capabilities and functionings, it would require this hybrid framework as a presupposition.<sup>121</sup>

But would such a Māori wellbeing standard still be cross-culturally applicable? In section 6.4, I argued that a cross-culturally applicable wellbeing standard has to meet two criteria. It (1) should be based on a minimal account of human nature and (2) is best framed in terms of capabilities or functionings. I have argued that within a Māori conceptual framework, the wellbeing of human beings and non-human animal beings could be conceptualised in terms of capabilities, while the wellbeing of non-human beings that lack purposeful agency could be framed in terms of functionings. However, the minimal account of human nature described in section 6.4, according to which human beings have economic and broader material needs, are embedded in a socio-political community, and strive for a meaningful life, would have to be supplemented with a Māori account of non-human beings. At first glance, this seems to be an argument against cross-cultural applicability. However, the minimal account of human nature that underlies a Māori wellbeing standard could be formulated in the following way: human beings have economic and broader material needs, are embedded in a community of human *and* non-human beings, and strive for a meaningful life. This Māori account of human nature could provide a basis for a cross-

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<sup>121</sup> With regard to section 6.2, this result could also be interpreted as a recommendation to replace the second ethical presupposition of this thesis's normative framework – namely ethical individualism – with the broader principle of ethical personalism.

cultural dialogue about wellbeing and could be shared by several cultural communities or supported by an overlapping consensus.<sup>122</sup> Such a cross-cultural dialogue could, for example, take place between the different stakeholders of a development project.

Constructing a Māori wellbeing standard by employing the language of capabilities and functionings and the language of different wellbeing levels also has its limits, however. On the one hand, capabilities still emphasise the value of freedom rather than the value of relationships. On the other hand, referring to different wellbeing levels may not do justice to the notion of *whakapapa* and how these levels are connected with one another. A wellbeing standard that is strictly based on the notion of *whakapapa* would assume the form of a network rather than the form of a multilevel approach. Because Durie primarily addresses health practitioners, he focuses on the individual and her relationships to herself, to her family, to the broader Māori community, and to the natural environment. In a network, further connections would have to be explored, such as the connection between family and environment or the connection between family and the Māori community. Hence, while a Māori wellbeing standard could be developed in such a way that it comprises the four wellbeing dimensions described in section 6.4 (i.e., economic wellbeing, broader material wellbeing, socio-political wellbeing, and meaningfulness-related wellbeing) and is framed in terms of capabilities and functionings, more radical alternatives are conceivable that would possibly require further modifications of the ethical presuppositions of the normative framework of this thesis.

## 8.4 Conclusion

Let me briefly summarise what I have argued so far. In this chapter, I considered the option of self-determined Indigenous communities developing their own wellbeing standard and showed that the conception of wellbeing of

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<sup>122</sup> In section 5.1, I provide more details on the possibility of an overlapping consensus.

this thesis can accommodate a plurality of wellbeing standards. I argued that in view of Māori philosophy, such an Indigenous wellbeing standard requires extensions and modifications of a liberal framework. While the liberal framework could be supplemented by a Māori ontology of relationships and a prescriptive notion of reciprocity, it would have to be modified to account for the intrinsic value of nature within Māori philosophy. These modifications would lead to the replacement of ethical individualism with ethical personalism.

A final question is whether ethical personalism remains compatible with the normative framework described in chapter 6 and the values of wellbeing, non-domination, and self-determination. There is compatibility between ethical personalism and the value of wellbeing, because ethical personalism merely supplements the wellbeing of human beings with the wellbeing of non-human beings and adds a number of principles that determine when the wellbeing of ancestors and nature can be traded off against the wellbeing of human beings and when one of them simply trumps the other. Non-domination could still apply to the relationship between human beings, which would also include genealogical relationships. With regard to self-determination, ethical personalism would introduce the option that it is not only communities of human beings that are self-determined but also communities that comprise both human and non-human beings. In order to justify self-determination for communities of human and non-human beings, Young's conception of self-determination, with its emphasis on relationships of dependence, could be supplemented with the notion of relationships of mutual obligations that is characteristic of Māori philosophy.

With this chapter and its discussion of Indigenous wellbeing standards, part III of this thesis is complete. In part IV, I will build on the normative framework that I developed in the previous chapters and supplement it with a deliberative procedure. By employing this deliberative procedure, Indigenous communities can evaluate their cultural traditions and the effects that a proposed development project might have on these traditions and deliberate

## CHAPTER 8

on this basis about whether to endorse or reject the development project. In this context, I will also discuss how communities can take into account and balance the wellbeing-enhancing effects of cultural traditions and their wellbeing-constraining and dominating effects.

In chapter 9, I will propose a number of rules for deliberation that can counteract the danger of domination within communities. In the subsequent two chapters, I will work out the details of the corresponding deliberative procedure. Chapter 10 will provide a normative justification of this procedure and chapter 11 will discuss possible applications of this procedure.

## **PART IV BALANCING TRADITION AND DEVELOPMENT**

At the beginning of part IV of this thesis, which is its final part, it is useful to pause for a moment and recall the overall research question: how can Indigenous communities evaluate cultural traditions in the context of development processes? In part III, I argued that cultural traditions can both constrain and enhance wellbeing and facilitate domination or non-domination. From this we can derive two normative claims for development contexts in which development is either imposed on a community or initiated by the community members themselves.<sup>123</sup> The first claim is that communities have a pro tanto reason to accept a development project if its impact on their cultural traditions enhances their wellbeing. The second claim is that communities have a pro tanto reason to reject a development project if its impact on their cultural traditions constrains their wellbeing or entangles them in relationships of dependence. I also introduced a third claim regarding the value of self-determination. In order to be able to evaluate whether their traditions enhance or constrain wellbeing or are dominating, communities should be the subjects of their own development and should be self-determined.

In this part, I will develop a deliberative procedure that communities can use to evaluate their own cultural traditions and compare them with the expected effects that a proposed development project might have on these traditions. In chapter 9, I will first discuss how a community deliberation can be organised that is open to both defenders of tradition and proponents of innovation and that is able to cope with power inequalities and dominating

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<sup>123</sup> In chapter 11, I will explain how the assessment of cultural traditions and the expected impact of development projects on these traditions differs in contexts in which development is imposed and exogenous and in contexts in which development is an initiative of the community members and endogenous.

#### PART IV

structures within the community. In chapter 10, I will discuss three advantages of the normative framework of this thesis in comparison with two frameworks that have been proposed in the literature. Subsequently, I will develop three reasons why self-determined communities might want to adopt the value of non-domination. In the remainder of the chapter, I will consider the steps that are necessary for the members of a community to evaluate their cultural traditions. In chapter 11, I will apply the results of this analysis to development projects that take place in non-ideal circumstances and suggest a simplified five-step procedure that can be adapted to Indigenous contexts. The thesis concludes with chapter 12, in which I will summarise the thesis's main argument, point out the thesis's contribution to the existing literature, and suggest directions for further research.

## Chapter 9 Community deliberation

### 9.1 Introduction

In section 6.6, I introduced the idea that the subject of the evaluation of cultural traditions should be the Indigenous community itself. I defended this idea on the basis of three reasons: anti-paternalism, the value of empowerment, and the value of collective interpretative resources. Since these three reasons support the argument that the Indigenous community should be the subject of an evaluative procedure, my next step was to identify the political conditions that must be in place for the Indigenous community to assume this subject position. Based on Young's conception of self-determination as non-domination, I argued that the best political context would be a federal context within which Indigenous communities form self-determined sub-units.

A fourth argument for Indigenous self-determination can be derived from the historical fact that in many cases a democratically legitimated authority within Indigenous communities was interrupted by colonial oppression. Although this argument applies to many Indigenous communities, it does not apply to those communities in which political authority was legitimated in other ways. The premise of this argument is a concept of legitimate authority that is based on democratic principles and the sovereignty of the people. On this premise, the democratically mandated self-government of an Indigenous community before colonialism was legitimate but its interruption by colonial forces was illegitimate. Consequently, the self-government of this Indigenous community should be allowed to be restored after the end of colonialism. And postcolonial nation states should make the necessary arrangements to grant Indigenous communities this right (Moore 2004, 284–85).

However, a discussion of the political conditions of self-determination does not determine how a deliberative procedure<sup>124</sup> and community

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<sup>124</sup> I distinguish between a deliberative procedure with a focus on deliberation and a decision-making procedure with a focus on making decisions. Not every deliberative

deliberation should be organised. In communities there will always be progressive members who are receptive to new proposals and conservative members who want to continue with the old ways of doing things. Both perspectives can provide valuable input for the community deliberation. In an open deliberation, arguments in favour of change can be balanced against arguments in favour of conservation. But there can also be problems and I will address these by asking three questions that relate to them in the following sections. The first question concerns the societal levels that should be involved in the community deliberation. Do these deliberations just involve a debate between individuals, do families play a specific role, or does the Indigenous community even play a role as a collective body? The second question can be asked with regard to the power inequalities (i.e., unequal socio-economic positions) that could undermine a community deliberation. And the third question will have to address the possibility of structural domination (i.e., dominating beliefs, values, conventions, norms, rules, or institutions) within the community.

By discussing these three questions, I aim to make a convincing case that community deliberation is a suitable way for Indigenous communities to assess their cultural traditions in development contexts. This argument applies, on the one hand, to Indigenous communities in which the development project is an initiative of the community members. On the other hand, it also applies to Indigenous communities that have to deal with external development actors. The latter communities could adopt this argument in order to convince governments or development agencies that deliberation is an adequate way of exercising their right to free, prior, and informed consent with regard to development proposals.

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procedure has to lead to a decision as an outcome. The result could also be a reframing of the original problem, a postponement of the decision, a consultation of experts, or a proposal to devolve the decision to another body. I will return to this discussion at the end of section 11.6.

To answer the first question – which societal levels should be involved in the community deliberation – I have to specify the steps that a community has to take in order to become the subject of a deliberative procedure. First, there has to be a certain self-understanding on the part of the community members that they form a community and share certain cultural traditions that they would like to evaluate and compare with the expected effects of a development proposal on these traditions. Second, there has to be a common will to go beyond the mere satisfaction of individual preferences or household preferences and to engage in deliberation about the proposed development project that will affect the community as a whole. As the development project will affect both the individual and the community as a whole, deliberation cannot remain at the level of individual interests.

Another reason for the involvement of the community as a collective body is that cultural traditions are transmitted from generation to generation, so their evaluation affects the community as a network of relationships rather than individual community members. Depending on the standard of wellbeing that a community endorses, the family, extended family, sub-tribe, or tribe might also have to play a part in the deliberative procedure, as would be the case for the Māori wellbeing standard described in chapter 8.

The second question with regard to power inequalities requires a number of conceptual clarifications. Ghazala Mansuri and Vijayendra Rao (2013, 75-77) distinguish between *elite control*, *clientelism*, and *elite capture*. A community leader can use her position to motivate the members of her community to take part in deliberation, but she can also abuse it by excluding some of the members or by exerting pressure on them. While *elite control* can be positive and even encourage participation on the local level, *clientelism* is problematic because it restricts deliberation to certain groups and networks. *Elite capture*, however, undermines community deliberation by using bribes and threats to manipulate its outcome. In order to prevent *clientelism* and *elite capture*, I will develop a set of normative criteria that a community deliberation should fulfil as a minimum standard. These criteria will be

derived from Young's conception of self-determination as non-domination and will be presented in section 9.5. In addition, I will discuss a proposal of Archon Fung (2005) about how power inequalities can be tackled by making them transparent to the community.

The third question requires a discussion of dominating structures within communities. While such structures are not necessarily present in every community, they can inhibit deliberation by suppressing the flow of information. Community members may have adapted their preferences to the prevailing structures (Khader 2011) or they may not express their opinion because of certain social norms (Bicchieri 2006). In developing a minimum standard for community deliberation, I will take such dominating structures into account.

Now that I have addressed these three questions, I will briefly summarise the normative criteria that a deliberative procedure should meet. There are also cases in which a community is unable to address its power inequalities and dominating structures and needs external support or even external intervention to do this. In Young's conception of self-determination as non-domination, a decision-making body at the federal level can intervene if people in a sub-unit are dominated within their own community (Young 2005, 146). Due to lack of space, I will not be able to determine the corresponding conditions under which such interventions would be justified, as this would require specifying the deliberative structures at the federal level. The self-determining sub-units should, for example, have joint control over when and how interventions are allowed and each sub-unit should have the opportunity to contest interventions.

## **9.2 A normative view of community deliberation**

How can a self-determined community set up a deliberative procedure? It can do so by developing a certain self-understanding, by expressing the will to engage in deliberation, and by establishing corresponding institutions. But in order to do this, the members of a community have to subscribe to a certain

normative notion of deliberation. In David Crocker's classification of different modes of participation, deliberative participation is the most demanding one. He defines deliberation as 'a fair way for morally free and equal group members to cooperate together and forge [...] a reasoned agreement about their goals, values, policies, and actions' (Crocker 2008, 312-313).<sup>125</sup>

A deliberative procedure is the best option to use to engage in the evaluation of cultural traditions in the context of development processes, because only a deliberative procedure can guarantee that dominating structures are exposed and challenged, as I will show in section 9.4. While dominating aspects of cultural traditions can often be addressed by identifying a majority or minority that consciously benefits from that domination, there is also the case in which a cultural community upholds certain elements of a dominating tradition unconsciously. Such unconscious domination can only be made conscious within a deliberative procedure in which all community members are allowed to speak up.

But there might also be communities that insist on their 'expressive liberty' to employ a decision-making procedure that follows their own way of life and that expresses 'their deepest beliefs about what gives meaning or value to life' (Galston 2002, 28). I do not argue that they are not free to do so

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<sup>125</sup> Bächtiger et al. (2018, 2) propose a minimal, value-neutral definition of deliberation as 'mutual communication that involves weighing and reflecting on preferences, values, and interests regarding matters of common concern'. In my analysis, I employ Crocker's normative notion of deliberation, because I discuss deliberation as an expression of the values of self-determination and non-domination. Hence, a normatively laden notion of deliberation is needed rather than a merely descriptive one. In order to avoid a substantive notion of reason, I interpret Crocker's notion of 'reasoned agreement' in a procedural way. According to this interpretation, a reasoned agreement emerges after an exchange of opinions in which the participants do not attempt to manipulate the others but to convince them and allow them to consent or dissent freely. Such a reasoned agreement need not necessarily entail a decision but it could lead to postponing the decision, consulting experts, transferring the decision to another body, or reformulating the original problem.

in those domains that do not affect the evaluation of their own cultural traditions. A model in which a wise man or woman is the leader and merely has the duty to listen to community members but does not have to follow their suggestions may be adequate for ceremonial questions or resolving conflicts. But it would not be sufficient if the evaluation of cultural traditions is at stake. As leadership and decision-making procedures are cultural traditions as well, community members have to be able to question them. Such criticism would be less problematic in communities in which the leader is also responsible for facilitating deliberative discussion among the members.

If the leaders of a community nevertheless reject deliberation with regard to the community's cultural traditions, there remain two options. First, to check whether everyone in the group agrees with that decision or whether there is a hidden elite that is imposing its will upon the remaining community members (Crocker 2008, 360). And second – if it really is a unanimous, free choice on the part of all members – to bite the bullet and accept this decision as the community members' 'autonomous choice' to no longer exercise their agency (Crocker 2008, 361). However, in that case, a comprehensive evaluation of the community members' cultural traditions cannot take place. Would the unanimous, free decision of all community members to evaluate their cultural traditions without deliberation and with limited participation of community members still be valuable? I tend to answer this question affirmatively as this evaluation could be a first step in challenging dominating social norms in other domains. Evaluation under such circumstances could initiate an upward spiral in which power inequalities and domination are challenged and gradually replaced by norms and institutions that are increasingly conducive to deliberation.

The question of who should be involved in the deliberative procedure is not as straightforward as it might seem at first glance. A first approximative answer could be that everyone should take part who shares the cultural traditions that are being evaluated or who would somehow be affected by the outcome of the deliberation (Fung and Wright 2003, 15). In section 4.9.2,

however, I argued for a non-essentialist understanding of cultural continuity. Due to the soft and fluid boundaries of cultural membership, determining who belongs to a certain cultural tradition and who does not can be difficult. Territorial criteria would not be very useful either, because many Indigenous communities have family members who work abroad and contribute to their community by means of sending remittances. Hence, the best option under the given circumstances would be to admit everybody who self-identifies as sharing the cultural traditions that are being evaluated.

However, in some cases, a person's self-identification as sharing a specific cultural tradition might conflict with the perspective of the community members, who might regard her as an outsider (Kirchner 2018, 31; Killmister 2011, 238). I interpret the value of self-determination in such a way that it also comprises the right of communities to define the criteria for sharing a specific cultural tradition. If a person self-identifies as sharing a tradition but does not meet the criteria of the corresponding community, her claim to have a right to participate in the deliberation could be rejected. The criteria for group membership are therefore subject to ongoing reiterative negotiations.<sup>126</sup> But these criteria should not violate human rights by, for example, discriminating on the basis of gender.<sup>127</sup> Bina Agarwal provides a

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<sup>126</sup> There are many cases in which the decision to reject a person who claims to meet the membership criteria of a group (e.g., being an expert on a certain topic or being able to speak a certain language) cannot be justified solely on the basis of these criteria. It must also be based on the rejection of the specific interpretation of these membership criteria that the person proposes. The group can then no longer rely exclusively on membership criteria but must also appeal to the group's right to define and interpret them. In that case, however, their appeal would be circular (i.e., they would justify their right to define and interpret membership criteria by appealing to their membership, and they would justify their membership by appealing to their definition and interpretation of the membership criteria) and the group would need further arguments regarding why the person is not included in this right to define and interpret the criteria for group membership.

<sup>127</sup> If these membership criteria violate human rights, this would constitute one of Young's cases of self-determination as non-domination in which the federal unit would be allowed to intervene. According to Young, a self-determined community could form part of a federal structure, which in turn could assign to it the right to

list of different ways in which communities marginalise groups or individuals or exclude them from participation: by appealing to rules of membership, by placing a high work burden on them, by upholding gendered behavioural norms that create hierarchies, by perpetuating social perceptions that denigrate them, by maintaining traditional mechanisms of control, or by denying them permission to possess property (Agarwal 2001, 1638–40). If there are a significant number of cases in which persons self-identify as sharing a certain tradition but are nevertheless excluded by the community or not admitted to the community deliberation, it might be necessary to include an external facilitator in the deliberative procedure to discuss the criteria for membership and participation.

As indicated above, the aim of the current section and the following ones is to create a list of normative criteria for community deliberation. These normative criteria will be based on Young's conception of self-determination as non-domination, which implies both protection from domination by outside agents and protection of community members from internal domination (Young 2005, 146). The normativity of the criteria and rules of discourse, I will suggest, will be derived from their ability to prevent internal domination, to neutralise imbalances of power, and to challenge dominating structures within the community.

### **9.3 Power inequalities within the community**

I will first deal with the negative influence of power inequalities (i.e., unequal socio-economic positions) on community deliberation. Afterwards, I will address dominating structures (i.e., dominating beliefs, values, conventions, norms, rules, or institutions) that hinder the flow of information.

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govern itself. Such a political structure would require a minimal list of human rights on which both the federal unit and the self-determined community can agree. In this case, the community could identify and evaluate power inequalities and dominating social norms within the legal framework of self-determination, but once its membership criteria amount to human rights violations, the federal unit could intervene to protect internal minorities.

Power inequalities disadvantage vulnerable community members in particular. Participation in community deliberation requires time, the ability to engage in communal life, and assertiveness. These costs favour those community members who are privileged because of their wealth, education, income, or membership of dominant racial and ethnic groups (Fung and Wright 2003, 34). In many communities, there are also differences in assertive behaviour between women and men, so we can add the advantage of being (identified as) male to this list. These advantaged community members also tend to dominate in conflicts concerning the question of how certain cultural traditions should be interpreted (Deveaux 2004, 343).

But according to Mansuri and Rao, elites do not necessarily have to play a negative role in participatory discourse. They can also ‘help mobilize communities, persuade others, and shepherd them toward collectively driven, welfare-enhancing behavior’ (Mansuri and Rao 2013, 75).<sup>128</sup> Elites can also use their socio-economic position to dominate the discourse and manipulate it in order to achieve certain outcomes, though. This phenomenon, *elite capture*, can be distinguished from *clientelism*, in which elites try to restrict the discourse to certain groups and networks. Both *elite capture* and *clientelism* presuppose relationships of dependence and are more likely to occur in communities that have problems concerning wealth inequality or in those that are isolated or poor, socially segregated, or have low levels of literacy.

In order to tackle *elite capture* and *clientelism*, Mansuri and Rao recommend mechanisms of local accountability and building on organic movements towards participation that are managed by community members (Mansuri and Rao 2013, 306; Deveaux 2004, 341). Local accountability guarantees that local elites cannot do as they please but are monitored by the community. Such accountability could, for example, mean that community

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<sup>128</sup> Concepts of leadership both in the Ayuuk culture (*consejo de ancianos*) and in the Māori culture (*rangatiratanga*) emphasise that leadership should be at the service of the community (Maldonado Alvarado 2011, 53–54; Russell 2017, 39).

members have the opportunity to contest decisions made by their leadership and ask for justification. The proposal to build on organic participation concerns only cases in which development projects are not initiated by the community members themselves but are proposed by external parties. In these cases, efforts to increase participation need not be driven by development agencies or national governments but can build on organic movements within the community. While induced participation forces the local community to adapt their institutions to a predefined blueprint within a short period of time, organic participation encourages community leaders to gradually change local structures and to mobilise community members by giving a voice to their interests (Mansuri and Rao 2013, 31). Furthermore, organic participation does not necessarily have to imply a compromise regarding one's deliberative ideals, as I will show in my discussion of the corresponding rules and criteria in section 9.5.

Another suggestion for reducing the effects of inequalities on community deliberation is made by Fung (2005). Fung proposes asking elites to acknowledge their higher socio-economic position within the community and the corresponding benefits and to endorse, in turn, measures that mitigate their advantages in deliberation (Fung 2005, 407).<sup>129</sup> In my opinion, such an endorsement on the part of elites would often be unlikely, because it would mean a permanent loss of power for them, but in some cases it might be useful to make existing inequalities transparent to the community in order to put some pressure on the elites.

#### **9.4 Dominating structures within the community**

After this discussion of power inequalities, I turn now to the analysis of dominating structures, which can have detrimental effects on community deliberation as well. Certain beliefs, values, conventions, norms, rules, or

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<sup>129</sup> Fung assigns the role of challenging elites to deliberative activists, but this role could also be filled by community members.

institutions might lead community members to adapt their preferences to the prevailing structures or to remain quiet about their own opinions.

If community members adapt their preferences to the existing dominating structures, this can lead to a lack of information about what they really want. For example, a woman who has grown up in a community in which women are not expected to speak to men in public would probably develop an adaptive preference to avoid any conversation or discussion with male community members outside her household. Unfortunately, it is very difficult for third parties to identify such adaptive preferences.<sup>130</sup> We can expect them to change under more favourable conditions, though. Such circumstances can be brought about by various strategies for empowerment that take the context, the views, and the agency of the deprived persons into account. Among other things, Serene Khader recommends deliberation as a means of identifying strategies that empower community members in a particular context (Khader 2011, 204).

Another danger that concerns the quality of community deliberation is dominating social norms that are deeply entrenched in a community. According to Cristina Bicchieri, an equilibrium of social norms can develop in a situation of unequal power positions and perpetuate inequality and domination (Bicchieri 2006, 51). In some cases, these norms can even be supported by a psychological state of ‘pluralistic ignorance’ on the part of community members (Bicchieri 2006, 186). Pluralistic ignorance is the phenomenon whereby the majority of community members are suffering because of a specific norm but nobody complains about it in public because each individual remains under the illusion that he or she is the only one who

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<sup>130</sup> Serene Khader distinguishes between three groups of cases in which external agents are prone to misidentify adaptive preferences. In some cases, they might overestimate the role of beliefs and attitudes in a person’s deprivation. In other cases, they might wrongly believe that they witness a case of adaptive preferences, whereas in reality persons have made a deliberate choice to trade off one good for another. And in a third group of cases, they might interpret a difference in world views (e.g., religious belief in divine providence) as a source of deprivation because they misunderstand it (Khader 2011, 12).

is suffering. That community members do not participate in the community deliberation can thus be a consequence of dominating social norms that are endorsed within the community. But it can also be the result of pluralistic ignorance, so these social norms could be contested once the fog of ignorance has been dispersed. Once again, deliberation is a good means to unearth pluralistic ignorance and challenge the corresponding maladaptive practices (Bicchieri 2017, 156).

### **9.5 Normative criteria for community deliberation**

I will now propose a set of criteria and rules that a deliberative procedure should incorporate to be able to prevent internal domination. I will first derive criteria from the literatures on adaptive preferences, pluralistic ignorance, elite capture, and clientelism. Afterwards I will convert these criteria into a list of rules.

If community members are to be enabled to identify adaptive preferences in their community, the deliberative procedure has to strengthen the agency of the participants and explicitly address their normative views. In this way, the participants can learn to clarify their values by ‘incorporating or rejecting the perspectives of others’, to challenge pre-established values and even form new values (Khader 2011, 68–69). Participants who are aware of their agential capacities are more inclined to believe that a change in their dominating circumstances is possible. In addition, formulating their values and visions can help them to challenge their former preferences.

Similarly, tackling pluralistic ignorance requires a ‘sincere and unrestrained’ discussion (Bicchieri 2017, 158). Only a free dialogue can provide the necessary environment in which to challenge norms or express perceptions that would otherwise be considered taboos. Such a free dialogue would require that everyone is allowed to express his or her views, introduce any assertion into the deliberation, or question any assertion made by other

participants. In this way, participants are able to get to know one another's perspectives and pluralistic ignorance can be diminished.<sup>131</sup>

Addressing elite capture or clientelism is a thorny issue. Bicchieri recommends using an external unbiased facilitator to avoid power inequalities undermining deliberation or tacit norms restricting free speech (Bicchieri 2017, 158). Mansuri and Rao, however, fear that trained facilitators will just introduce another level of hierarchy, a hierarchy between facilitators and community members (Mansuri and Rao 2013, 157). In the case of Indigenous peoples, however, it would be possible to choose facilitators from neighbouring Indigenous communities. A good candidate for being such a facilitator would be someone who is unaffected by power struggles within that particular community but who nevertheless has relevant knowledge of the issues facing Indigenous peoples in development contexts. Such an Indigenous facilitator could make sure that the deliberative procedure is designed in such a way that community members with fewer economic resources are able to participate and have their voices heard.<sup>132</sup> The Indigenous facilitator could also pay particular attention to those community members who are engaged in care work and their emotional, relational, and rational capacities (Koggel 2019, 176).

In order to avoid the imposition of a certain deliberative model on deliberative institutions that already exist within communities, it is helpful to first have a look at local decision-making traditions. Rao and Sanyal give an

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<sup>131</sup> However, free deliberation also has limitations. Miranda Fricker (2007, 149-152) argues that women did not have the opportunity to shape their language to the same extent that men did so for a long time it did not include critical concepts to address sexual harassment. In a similar way, the language in which deliberation is conducted could lack hermeneutical resources to address certain types of discrimination. One way to introduce these hermeneutical resources would be to adopt Nancy Fraser's proposal of counterpublics and organise small, protected groups within the community that are encouraged to 'invent and circulate counterdiscourses' in order to challenge the prevailing interpretations of their identities, interests, and needs (Fraser 1992, 123).

<sup>132</sup> In order to do so, the facilitator would have to rely on the cooperation of the community members.

account of the transformation of Indian village councils into deliberative fora by reserving quotas for women and underprivileged castes (Rao and Sanyal 2009, 2). Although the style of those councils departs from a certain ideal of deliberation in that they are less structured and more confrontational, it is precisely this debating style that has helped the poor and disadvantaged to challenge entrenched social relations by directly addressing and challenging members of upper castes and by uncovering implicit discrimination.

According to Monique Deveaux, in some cases it might be necessary to take a step back from the ideal of deliberation and resort to the democratic tools of ‘negotiation, bargaining and compromise’ (Deveaux 2004, 349). She refers in particular to communities with ongoing power struggles where these tools can help to unmask strategic concerns and hidden interests. Yet even local forms of decision-making such as these should measure up to a minimum standard of deliberation so that internal domination can be impeded. An additional option is that an external facilitator from another Indigenous community with relevant knowledge on Indigenous questions guides or accompanies the deliberation to prevent elites from taking over the discourse.<sup>133</sup>

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<sup>133</sup> If deliberative procedures within a community exist that incorporate the three rules of deliberation outlined below, it might be worth considering promoting organic participation and delegating the role of the facilitator to the leadership that is already in place.

Based on the previous considerations, there will be two sets of rules: one set of rules for the facilitator and another set of rules for the process of deliberation. The rules for the discourse procedure will to some extent be an adaptation of what Robert Alexy has called the ‘rules of reason’ (Alexy 1990, 166–67). The following rules apply to the facilitator:

- 1) The facilitator should strengthen the agency of the participants.
- 2) The facilitator should explicitly include the values and visions of the participants in the deliberative procedure.
- 3) The facilitator should make sure that community members with relatively few economic resources can take part in the deliberation.<sup>134</sup>
- 4) The facilitator should make sure that socio-economically disadvantaged community members have the chance to speak and are respectfully listened to.

In addition, there are three rules concerning the deliberation itself:

- 1) Everyone who self-identifies as sharing the cultural traditions that are evaluated and who is regarded as sharing these cultural traditions by the community members is allowed to take part in the deliberation.<sup>135</sup>
- 2)
  - a. Everyone is allowed to question any assertion whatever.
  - b. Everyone is allowed to introduce any assertion whatever into the deliberation.
  - c. Everyone is allowed to express his or her views.
- 3) No speaker may be prevented, by internal or external coercion, from exercising his or her rights as laid down in (1) and (2).

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<sup>134</sup> Andrea Cornwall provides a list of further possible reasons for non-participation of community members: a problematic meeting place, lack of confidence, high opportunity costs, or fatigue due to frustrating experiences with participation in the past (Cornwall 2008, 279–80).

<sup>135</sup> In section 9.2, I showed that self-identification and acceptance by the community can become problematic if they are based on diverging interpretations of membership criteria.

Young has criticised the exclusionary potential of deliberative models. Tracing the ideal of deliberation back to its origin in Western institutions such as parliaments, courts, and scientific conferences, she enlists three problematic aspects. First, deliberation tends to privilege speech that is ‘assertive and confrontational’ over speech that is tentative, exploratory, or conciliatory. Second, it privileges speech that is ‘formal and general’. And third, it privileges speech that is ‘dispassionate and disembodied’ (Young 1996, 123-124). She suggests incorporating culturally specific rituals of greeting, rhetoric, and storytelling into the deliberative procedure in order to make sure that communication can also be conciliatory, situated, and appreciative of local knowledge, values, and social perspectives.

In my opinion, enriching the ideal of deliberation in such a way would show that deliberation does not have to be imposed on Indigenous decision-making procedures but can build upon them. A good example is the Māori tradition of *Hui*, a ceremonial gathering, which can, among other things, serve as a platform for dealing with conflicts or making decisions about community issues. While it generally aims at a consensus, in some cases the participants may defer to the seniority of elder members. It involves an elaborate ritual of greetings and speechmaking as an expression of mutual recognition, which precedes a period when community members express a broad diversity of views, listen to each other, and attempt to reach consensual outcomes (Nikora, Masters-Awatare, and Te Awekotuku 2012, 403). The introductory rituals serve as a way of acknowledging each other before the deliberation begins and help the participants to adopt an attitude of listening. They therefore supplement the merely formal compliance with the above discourse rules with a virtuous attitude.<sup>136</sup> Thus, discourse rule 2c is formulated in such a way that it does not exclude greeting rituals, rhetoric, or storytelling.

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<sup>136</sup> Sass and Dryzek (2014, 21) provide two further non-Indigenous examples in which discourse rules are supported by traditional virtues: in Botswana, aggressive talk is considered a vice and is ridiculed. And in Madagascar, people regard it as rude if a speaker is interrupted or challenged during his or her speech.

## COMMUNITY DELIBERATION

In this chapter, I have analysed how power inequalities and dominating structures can inhibit deliberation within communities and how discourse rules can prevent internal domination. I will use the remainder of the thesis to integrate these discourse rules into a deliberative procedure that can help Indigenous communities to evaluate their cultural traditions and compare them with the expected effects of development projects on these traditions.



## **Chapter 10 A method for evaluating cultural traditions in the context of development**

### **10.1 Introduction**

The goal of this thesis is to provide an outline of a deliberative procedure that can help communities to evaluate their own cultural traditions and compare them with the way in which these traditions are most likely to be changed by a proposed development project. In part II, I developed a value-neutral conception of cultural tradition that can be used in such an evaluation. In part III, I constructed a normative framework based on the values of wellbeing, non-domination, and self-determination that can serve as an assessment grid. In part IV, I aim to integrate these two elements into a deliberative procedure. In order to do so, I defined a set of rules for community deliberation in chapter 9. In this chapter, I will provide an outline of the deliberative procedure and support it with further normative reasons.

The deliberative procedure that I develop in the following sections bears some similarities to Alkire's method for valuing capability change or impacts (Alkire 2002b, 223). Alkire proposes a participatory method for the evaluation of small-scale development projects in which the members of a community identify positive or negative impacts of a development project on their functionings or capabilities. Afterwards, these changes or impacts are ranked or weighed according to their importance for the community. These evaluations are guided by facilitators who either discuss with the participants whether there are impacts in certain dimensions of development or ask open questions and group the described impacts into clusters (Alkire 2002b, 225). This evaluation can show whether a small-scale development project had positive or negative effects on the wellbeing of a particular community.

There are three similarities between Alkire's method and the deliberative method that I will develop in this chapter. First, both methods rely on the participation of community members. Second, both methods employ a capability framework. And third, both methods include ranking or weighing.

There are also four differences, though. First, Alkire's method aims at evaluating the *real* impacts of development projects on a community's capabilities or functionings. Such an evaluation can only be conducted retrospectively. The deliberative method that I develop in this chapter, however, relies on conjectures and predictions about the *hypothetical* impacts that development projects could have in the future. Second, Alkire's method assesses the effects of *development projects* on the wellbeing of human beings. But what is being evaluated in the deliberative method of this chapter are the wellbeing-enhancing or wellbeing-constraining aspects of *cultural traditions*. The community members evaluate and compare their current cultural traditions with how they will probably be modified by a development project in order to decide whether to accept or reject the project. There are, of course, other ways to evaluate development projects, but the deliberative method of this thesis focuses on their impacts on a community's cultural traditions.

Two further differences concern the underlying normative framework. The third difference is that Alkire's framework focuses on the wellbeing of a community, whereas the normative framework of this thesis supplements the value of wellbeing with the value of non-domination. A fourth and final difference concerns the role of the facilitator. While Alkire's method is based on the expertise of facilitators, the method of this thesis is ideally employed by self-determined communities, which might request the assistance of a facilitator but do not necessarily have to do so.

Having pointed out the commonalities and differences between Alkire's method and the deliberative method that I develop in this thesis, I will now provide an overview of this chapter and the following one. In this chapter, I focus on the normative justification of the deliberative procedure under ideal conditions. The notions of community, tradition, and development that I employ therefore remain abstract and formal. In chapter 11, I discuss alternative versions of this procedure under non-ideal conditions and consider possible applications. In that chapter about non-ideal conditions, I also

examine the colonial context of Indigenous communities and analyse different ways in which these communities have handled the tension between tradition and development in the past and how they do so in the present.

This chapter starts with a discussion of the advantages of the normative framework of this thesis in comparison to two alternative frameworks (section 10.2). Subsequently, I develop three reasons that provide an argument for self-determined communities to take action against inner domination (section 10.3). In the subsequent three sections, I proceed to describe the intermediate steps that the members of a community have to take to evaluate their own cultural traditions *before* and *after* the hypothetical implementation of a development project, beginning with their consensus on opting for evaluation and ending with their deliberation about the positive and negative aspects of their traditions. Finally, in section 10.7, I examine a strategy for ranking or weighing the effects of developmental change.

## **10.2 Two advantages of the underlying normative framework**

In the following paragraphs, I will argue that the normative framework of this thesis has significant advantages compared with alternative frameworks, because it is based on cross-cultural values and because it emphasises the agency of the community and the community's collective interpretative resources. While the normative framework of this thesis is based on the cross-cultural values of wellbeing, non-domination, and self-determination, Matthew Johnson's approach to culture and Ruth Macklin's approach to tradition take a different stance with regard to values. Both of them subscribe to a set of universal values. Both of them also imply that any unbiased, impartial observer could be the evaluating subject as long as he or she subscribes to this set of values. In this section, I will first give a synopsis of Johnson's and Macklin's approaches and then explain why the normative framework of this thesis is better suited to the normative evaluation of cultural traditions than their respective approaches.

Johnson's account focuses on the evaluation of cultures. Instead of understanding culture as a set of practices or habits, he attempts to reconcile a notion of culture as a control mechanism with an emphasis on cultural institutions (Johnson 2013, 119). According to Johnson, cultures control and govern our behaviour, which makes it possible to evaluate whether culturally realised institutions promote value-oriented behaviour or not. He criticises cultural relativism, cultural protectionism, and cultural romanticism and argues against these views and in favour of the possibility of 'objective, universal criteria of cultural evaluation' (Johnson 2013, 29). Subsequently, he identifies three such criteria: solidarity, equality, and non-domination (Johnson 2013, 118). The first criterion is met if cultures promote solidarity and facilitate the sense of their members that they are interdependent. The second criterion is fulfilled if cultures acknowledge their members' equality and equal entitlement to eudaimonic pursuits. The third and last criterion requires an absence of domination. Although the members of a culture are dependent on one another, they should not have to be afraid of arbitrary interference (Johnson 2013, 118). Johnson's ideal culture would therefore promote solidarity and equality among its members and be free from any form of domination. Johnson does not provide a detailed discussion of the subject of evaluation, but his defence of objective and universal criteria suggests that any observer would be capable of assessing cultures as long as he or she is not biased.

Macklin's account focuses on the evaluation of cultural practices, in particular cultural practices that are related to questions of health. In order to evaluate these practices, she defends the possibility of 'universal moral principles' (Macklin 2012, 192). According to Macklin, these principles do not have to be universally *accepted* to be universal. They are universal because they are universally *applicable* and ought to be universally *binding*. She identifies three of these principles: the deontological principle of 'respect for persons', the utilitarian principle of 'beneficence', and the principle of 'justice' (Macklin 2012, 27–32). The first principle of respect for persons is

based on the dignity of human beings. It commands respect for their autonomy and requires their informed consent. According to the second principle of beneficence, individuals should strive to bring about a preponderance of positive over negative consequences in their actions. The third principle of justice demands that all persons have equitable access to goods and services that fulfil basic human needs. Macklin's ideal cultural practice would therefore entail respect for persons, bring about positive consequences, and guarantee equitable access to goods and services for all members of a community. Like Johnson, Macklin does not take an explicit stance on the question of who should be the subject of evaluation. But her defence of universal moral principles makes it difficult to conceive of any advantages that she believes an evaluation of cultural practices by the community itself could have. An external critic who is not related to communities and their specific cultural practices would be more capable of providing an impartial evaluation of them than insiders.

I will argue that Johnson's and Macklin's approaches are flawed in two respects. First, their accounts are based on universal values and unnecessarily impose restrictions on the plurality of possible normative criteria. And second, their accounts neglect the community's agency and the community's collective interpretative resources.

My first criticism of Macklin and Johnson is that in order to avoid an appeal to values that are restricted to a specific cultural tradition, they suggest a universal standard. But this is not the only option. Presupposing value pluralism, we can conceive of a diversity of values, which, having emerged in a specific culture, are nevertheless cross-culturally applicable. Although values emerge within the rationality of a specific cultural community, they can still be considered to be cross-culturally applicable, because the genesis of a value is not the same as its validity. Cross-cultural means here that these values are applicable across at least two or more traditions (e.g., one's own tradition and at least one tradition that is different from one's own). It is

therefore sufficient that an evaluative standard can be criticised and improved on a cross-cultural level. There is no need for a fixed set of universal values.

Hence, I advocate not a universal wellbeing standard but a variety of cross-culturally applicable wellbeing standards. While universal wellbeing standards prescribe a specific set of values as being universally applicable, cross-cultural wellbeing standards prescribe a set of values that are applicable to more than one culture but not necessarily to all. In section 6.4, I argued that cross-cultural wellbeing standards for the evaluation of cultural traditions have to meet two criteria. They (1) should be based on a minimal account of human nature and they (2) are best framed in terms of capabilities or functionings. These two criteria allow for a plurality of cross-culturally applicable wellbeing standards. Two examples are the rather liberal wellbeing standard described in chapter 6 and the Māori wellbeing standard described in chapter 8.<sup>137</sup>

The second criticism of Johnson and Macklin is that they imply that any unbiased, impartial observer could be the evaluating subject as long as he or she subscribes to a specific set of universal values. But in this way, they neglect the agency of the community and the collective interpretative resources of communities. As I discuss in detail in section 6.6, there is a danger that an evaluation by external observers undermines a community's agency and reinforces their sense of powerlessness. And there is a danger that such an evaluation by external observers remains incomplete, because the community members' interpretation of their stories, symbols, and rituals is not included.

An additional reason for an evaluation of cultural traditions by the affected community members themselves is that external evaluation is

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<sup>137</sup> The normative framework of this thesis allows for a plurality of cross-culturally applicable wellbeing standards, but with regard to the value of non-domination, I only introduce a republican conception of freedom as non-domination in section 6.5. In section 10.3, I will discuss three reasons for Indigenous communities to adopt this particular conceptualisation of the value of non-domination, although these reasons do not in principle exclude alternative conceptualisations.

sometimes followed by a development intervention. And development interventions by external parties can sometimes cause more harm than good.<sup>138</sup> There is evidence in development literature that external interventions can provoke a backlash. Ellen Gruenbaum reports on one case in which British efforts to ban circumcision failed. In 1946, the police imprisoned a midwife for circumcising a girl in the town of Rufa'a in central Sudan. Enraged about this disregard for their cultural tradition, an angry crowd attacked the jail and freed the midwife (Gruenbaum 2001, 206–7). A second example is provided by Frédérique Apffel Marglin and concerns the introduction of vaccination in India. People resisted vaccination because it was presented to them as an alternative that would replace their supposedly superstitious beliefs. According to Apffel Marglin, a strategy of introducing vaccination into cultural patterns that already exist would have been much more successful (Apffel Marglin 1990, 139–40).<sup>139</sup> Thus, if external interventions give the impression that they are disrespectful of community traditions, they can provoke resistance.<sup>140</sup>

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<sup>138</sup> While an external intervention is able to dismantle the dominating structures within a community, the replacement of these structure by more equal ones would still require the active participation of the community members. Implementing new structures without this participation could result in a new form of domination – this time by an external agent.

<sup>139</sup> Nussbaum's criticism of Apffel Marglin's position as an uncritical defence of traditional rituals is therefore not fair. While Apffel Marglin does indeed regret 'that the introduction of smallpox vaccination to India by the British eradicated the cult of Sittala Devi' (Nussbaum 1992, 203), this loss of a worshipping ritual is not her main point. Her main point is that a more culturally sensitive introduction of vaccination would have made its acceptance easier and would have delivered better results.

<sup>140</sup> According to Glanz and Bishop (2010, 410-411), the success of external interventions in the area of public health depends on the absence of environmental constraints, the sustainability and stability of the intervention, and the willingness of the addressees to participate. For a further discussion of paternalism and external interventions, see, for example, the work of Jessica Begon (2016) and Rebecca Gutwald (2009).

An alternative for local governments would be to respect the community's tradition by assigning the right to evaluation to the community itself and only consider external evaluation and external intervention if the community does not manage to address internal human rights violations with its own means and resources. In section 6.6, I adopt Young's proposal to create a federal structure that represents self-determined communities. According to this model, communities could have the right to evaluate their own cultural traditions in the context of development processes, but a decision-making body at the federal level could deliberate about possible interventions if these communities fail to secure the human rights of individual members.

In contrast to Johnson's and Macklin's approaches, the framework of this thesis prioritises the agency of the community by assuming communal self-determination and by regarding the community as the evaluating subject. I consider this emphasis on self-determination and the framework's openness for a plurality of cross-cultural values as particular advantages of my approach. The framework's openness for a plurality of cross-cultural values allows for a diversity of context-sensitive wellbeing standards and avoids the imposition of a fixed set of values. The framework's emphasis on self-determination respects the community's agency and allows its members to employ their collective interpretative resources.

A further difference between Macklin's and Johnson's approaches and the account I defend in this thesis is the role of tradition. Although I concur with Macklin that the fact that something is a tradition does not confer any intrinsic value to a set of practices or habits (Macklin 2012, 82), there are five *pro tanto* reasons – four of which I discussed in detail in section 6.3 – why sets of basic habits (i.e., cultural traditions) can support a community's way of life.

First, I follow Heath (2014, 87–108), who recommends taking into account existing institutions that have developed as a series of small

adjustments to environmental challenges. In some cases, such traditional institutions can provide solutions to complex social problems.

Second, Scheffler (2010, 292–94) argues convincingly that traditions introduce collective habits that can enable deliberative efficiency. Collective habits relieve people of the need to deliberate. Consequently, they only have to engage in deliberation if following the collective habit is no longer an option for them. The deliberative efficiency of cultural traditions provides a reason not to prematurely discard them.

The third reason, also put forward by Scheffler, states that traditions can help us to understand certain values and to determine where and when they can be applied. For example, we only have to be truthful in situations where true statements are demanded from us – which is not the case for situations involving storytelling. Hence, traditions contain certain hermeneutic resources, which cannot easily be replaced.

The fourth reason, which has been defended by Cohen (2011, 14), is that conservation of existing value and the creation of new value is more justifiable than the destruction of existing value and its subsequent replacement. A tradition is not merely valuable because of the values it contains, but also because it is the *particular* tradition that contains these values. If there is no overriding need to abandon this tradition, we should preserve it.

The fifth and final reason, which is noted by Mansuri and Rao (2013), recommends organic participation that builds on existing community structures and decision-making procedures in order to avoid unnecessary conflicts. Imposing participation upon communities can lead to resistance, whereas organic participation encourages community leaders to extend traditional participative practices.

In all five of these reasons, I do not consider tradition as valuable in itself, but as a possible resource for solving problems (Heath), enabling deliberative efficiency (Scheffler), providing interpretative context (Scheffler), promoting existing values (Cohen), or enhancing participation in communities (Mansuri

and Rao). Cultural traditions are not necessarily an obstacle to development, but they do have to be evaluated on a case-by-case basis.

### **10.3 Reasons to opt for the value of non-domination**

In section 10.2, I argued that the framework of this thesis has the particular advantage that it allows for a plurality of cross-cultural wellbeing standards. In order to evaluate their own traditions, the members of a community can adopt a pre-existing wellbeing standard, enrich this standard by capability selection, or develop a wellbeing standard based on their own values. Yet, the framework of chapter 6 also refers to the value of non-domination in evaluating the dominating aspects of cultural traditions.

But why should self-determined communities opt for the conception of freedom as non-domination in order to criticise the dominating aspects of cultural traditions, as I suggest in section 6.5? A community is always free to assert its ‘expressive liberty’ (Galston 2002, 28) and to employ a decision-making procedure that follows the community members’ own way of life and that does not address the dominating aspect of cultural traditions. Yet there are three reasons that provide self-determined Indigenous communities with an argument to endorse the value of non-domination.

The first reason for Indigenous communities to embrace the value of non-domination can be derived from colonial history and the analogy between a community’s freedom from domination and an individual’s freedom from domination. The experience of a history of colonial domination is shared by many Indigenous communities all over the world, and struggles for recognition of both territorial rights and legal autonomy are still ongoing (Muehlenbach 2003, 246-247). There has been progress and an experience of liberation and autonomy in some places; however, internal domination, for example discrimination against women, might still continue within a self-determined community.<sup>141</sup> But if a community takes its own struggle for

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<sup>141</sup> I have also addressed this question by adopting Young’s definition of self-determination as non-domination in which she discusses higher-level decision-

freedom from domination seriously, it has also reason to be worried about experiences of domination within its own social, cultural, and political structures. If freedom from domination is a value for the community as a collective body, it should also be adopted as a value for each member of the community.

Moore develops a similar argument with regard to minorities: if Indigenous communities have been granted certain minority rights in order to promote their culture and identity, they should also grant certain rights to internal minorities, for example to members with different sexual orientations (Moore 2004, 281–82). However, Indigenous communities often form part of larger nation states and depend to a large extent on national legislation. In these cases, internal domination might not necessarily be an effect of Indigenous traditions but could be an effect of colonial legislation that would have to be revised at the level of the non-Indigenous government (Smith 1993, 58-59). For example, as a result of colonial rule, the Bolivian government failed to provide Indigenous families with the financial means to afford schooling of both their daughters and their sons. This led to discrimination within the Aymara and Quechua communities of Bolivia, which could only send their male offspring to school (Reimão and Taş 2015, 21). This discrimination could not be challenged at the level of the Indigenous communities and would have to be addressed at the government level.

The second reason for Indigenous communities to adopt the value of non-domination can be inferred from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Cindy Holder analyses this declaration as defining self-determination both as a *right of all peoples* and as a *human right* (Holder 2004). Article 2 emphasises the freedom and equality between Indigenous peoples and all other peoples and between Indigenous individuals and all other individuals. Accordingly, Indigenous individuals have the right to be free from any kind of discrimination (UN General Assembly 2007, 4).

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making bodies that can deliberate about possible interventions if people in one of their sub-units are dominated by their local government (Young 2005, 146).

Hence, by granting freedom and equality to Indigenous peoples, the declaration deliberately includes the same rights for Indigenous individuals. Indigenous communities that base their right to self-determination on the UNDRIP therefore have good reason to commit themselves to also protecting the freedom of their community members.

The third and last reason for Indigenous communities to endorse the value of non-domination can be derived from the double affiliation of many members of Indigenous communities. A lot of members of Indigenous communities, albeit not all of them, are also members of nation states. If they experience internal domination within their communities, they end up with a dilemma. They could leave their community in order to exercise their rights as national citizens or they could accept the internal domination and forego these rights. But if the Indigenous community opts for a model of joint governance (Shachar 2004, 88) where authority is divided and shared by the Indigenous community and the state, the imposition of such an either/or choice could be avoided. Such a joint governance scheme could assume a federal shape. A decision-making unit at the federal level would allocate the right of self-determination to Indigenous communities, which in turn would grant potentially vulnerable members access to the federal unit if they feel oppressed or marginalised (Shachar 2004, 92; Young 2005, 149). Instead of having to leave their community, those community members could appeal to the federal unit and ask for mediation.

I have now provided three reasons for self-determined communities to embrace the value of non-domination. In the following three sections, I will outline the intermediate steps that the members of a community have to take to evaluate their own cultural traditions based on the values of wellbeing and non-domination in the context of development processes. I will begin with their consensus on opting for evaluation, which ultimately leads to their deliberation about the positive and negative aspects of their traditions.

### 10.4 A consensus on opting for evaluation

The following steps are those that communities would take *under ideal conditions* to evaluate and compare their cultural traditions before and after the hypothetical implementation of a proposed development project. I specify three such ideal conditions. First, the development project is not imposed on the community. Instead, there emerges a consensus among the community members that they should evaluate their cultural traditions and the effects that a proposed development project might have on these traditions. Second, the community members agree to assess all of their cultural traditions in terms of both their positive and their negative effects. And third, the community is self-determined and willing to engage in deliberation. In this chapter, I will focus on the normative justification of the evaluative procedure and therefore assume ideal conditions. In chapter 11, I will introduce four non-ideal scenarios and discuss how the evaluative procedure would have to be adapted to the corresponding non-ideal circumstances.

So how can community members arrive at a consensus regarding the assessment of their cultural traditions and the impact of a proposed development project on these traditions? At the beginning there are always individual community members who have the courage to speak up and address the failure of a certain tradition or the need for development. According to Solava Ibrahim, there are personal and contextual factors that enable community members to express their opinion. Personal factors may be self-confidence and the individual's willingness to improve her life; contextual factors may be educational level, profession, and social status (Ibrahim 2017, 206–7). In a second step, these ideas must be shared by fellow community members and also by the governing elite. In many cases, there might be some degree of resistance on the part of the established leadership or other community members.

Whether the ideas of individual community members are met with resistance or are accepted by fellow community members and opinion leaders may vary from case to case. The ideal result is that the members of the

community collectively commit to a common goal: an evaluation of their cultural traditions and the expected change in these traditions that may result from the implementation of a development project. According to Alberto Melucci, such a commitment has to be both cognitive and affective (Melucci 1996, 39). At the cognitive level, the community members have to be able to express what their need for development consists in or how they think a tradition fails. They also have to be ready to accept change even if it threatens the position of individual members. At the affective level, they have to be able to identify emotionally with the project of determining their future. The latter aspect is also described by Arjun Appadurai as being dependent on a community's 'capacity to aspire' (Appadurai 2004). According to Appadurai, this capacity to collectively envision a common future and shape it can be buried under a pervasive feeling of powerlessness.<sup>142</sup>

Even under ideal conditions, the community members need not necessarily engage in deliberation to articulate their option for evaluation. But they should arrive at a consensus regarding engaging in future deliberation in order to assess the positive and negative aspects of their traditions and compare them with the expected effects of a proposed development project on these traditions. I will presuppose such a consensus for the steps of the deliberative procedure that I will outline in the following sections.

## **10.5 Collecting information on cultural traditions and possible changes**

It is safe to say that most kinds of development lead to changes within the cultural traditions of a community. At the beginning of part I, I referred to empirical research on the effects of technological change within Sámi culture and within rural Western India. In section 7.4, I addressed the question of how

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<sup>142</sup> Lear discusses a related concept of 'radical hope' for cases in which a community has been marginalised to the point where community members have collectively abandoned their cultural traditions. This hope is then a hope for revival, 'for coming back to life in a form that is not yet intelligible' (Lear 2006, 95).

the commodification of cultural traditions within Indigenous tourism projects can affect Indigenous identity and self-respect. I return now to the example of the Sámi and the introduction of snowmobiles, which I described in part I. With the help of this example, I will illustrate the steps that a community should ideally take to evaluate their cultural traditions and compare them with the expected effects of a proposed development project on these traditions.

In the case of the Sámi and the introduction of snowmobiles in the 1960s, this technical revolution led to beneficial changes such as efficiency gains in reindeer herding and additional temporal resources for alternative economic and non-economic activities. A further gain was the improved accessibility of summer camps in order to provide them with food and medicine. Negative outcomes were a sudden weight loss in the reindeer and a decreasing reproduction rate within the reindeer herds, the high costs of technology, the dependence on cash and snowmobile companies, harmful effects on the environment, and a loss of traditional skills. While development usually promises efficiency gains within the dimensions of economic wellbeing and broader material wellbeing, there are often negative effects within the dimension of socio-political wellbeing and the dimension of meaningfulness-related wellbeing, which are frequently neglected. As Goulet writes: ‘Technology is [...] simultaneously bearer and destroyer of values’ (Goulet 1977, 249).

An ideal normative evaluation would include complete knowledge of the cultural tradition *before* the introduction of snowmobiles and *after* the introduction of snowmobiles. In that case, it could be compared how the original and the modified tradition measure up to a certain set of values. Unfortunately, even under ideal circumstances, such knowledge is not available. There are always unintended consequences that cannot be predicted, especially within complex sociocultural systems. As a consequence, an evaluation has to rely to some extent on conjectures.

In the case of the Sámi, it would have been theoretically possible for the community to compare their cultural traditions *before* the introduction of the

general ‘capability to make use of snowmobiles’ with their cultural traditions *after* a hypothetical introduction of this general capability. In order to analyse the effects of this capability on their cultural traditions, they could have identified further capabilities such as the ‘capability to purchase and maintain snowmobiles’ and the ‘capability to learn how to ride snowmobiles’ that support the general capability. On the basis of this capability set, they could then have investigated how introducing the corresponding functionings (i.e., making use of snowmobiles, purchasing and maintaining snowmobiles, learning how to ride snowmobiles) would lead to modifications of their cultural traditions and, in particular, their traditional herding practices. In the case of the Sámi, implementing these functionings would have effects on their barter economy, their transmission of lassoing skills, and so on.

The advantage of the value-neutral conception of cultural tradition that I developed in chapter 4 is that it does not conceptualise cultural tradition as a homogeneous whole but as a set of interconnected basic habits, and it therefore facilitates a fine-grained evaluation. In section 4.7, I defined cultural tradition as

the basic habits (being unconsciously or consciously transmitted and received) within a web of habits (involving its manifestations, individual reactions to it, and its products) that is shared by a community and, in addition, the meaning that the members of that community assign to the conscious part of that tradition.

While a holistic approach could only focus on the general question of whether a specific cultural tradition should be changed or not, the evaluative method that I suggest can also address the question of *which elements* of a cultural tradition should be changed. It is not possible to provide a complete analysis of a given tradition into a set of basic habits, but the conception can be helpful in the following way: if a community evaluates a cultural tradition, for example its traditional herding practices, it does not have to evaluate this tradition as a whole but can look at the different basic habits that are involved. Hence, the members of the community could appreciate that travelling

together allows them to enjoy the bonds with their fellow community members but could criticise that travelling on foot or with sleds makes it difficult to access health care services. By splitting up a cultural tradition into a variety of basic habits (e.g., travelling together and travelling on foot or with sleds), the evaluation is no longer an all-or-nothing question but becomes more fine-grained.

The three steps that I have suggested in this section can be summarised as follows. First, the community analyses the proposed development project and reformulates it in terms of general capabilities. Second, the community identifies further capabilities that would accompany the introduction of these general capabilities. And third, the community determines the functionings that correspond to the resulting capability set and estimates what effects implementing these functionings would have on its cultural traditions.

At the end of these three steps, the community members would have three items of information. The first item would be a set of capabilities that would accompany the implementation of a proposed development project. The second item would be information about their existing cultural traditions. And the third item would include information about the possible effects of the development project on their cultural traditions. The next steps – which I will discuss in the following sections – will be an evaluation of their existing cultural traditions and an evaluation of the modified cultural traditions after a hypothetical implementation of the development project.

But before we continue, one final comment on the question of deliberation is in order. In the previous section, no specific discourse procedure was required for a community to reach a consensus on the question of whether to engage in evaluation or not. However, the identification of capabilities and the identification of possible effects of the development project demand a certain deliberative procedure that guarantees that the knowledge of the whole community is taken into account. To meet that epistemic criterion, this deliberative procedure should adhere to the discourse rules I suggested in chapter 9. I will now proceed to outline the next steps that

a community should take to evaluate its cultural traditions and compare them with the expected effects of a proposed development project on these traditions.

## **10.6 Evaluating cultural traditions in terms of wellbeing and non-domination**

In order to begin their evaluation, the members of a community have to adopt a certain normative framework. In section 10.2, I suggested that the members of an Indigenous community can choose a predefined wellbeing standard, enrich this standard with additional capabilities, or develop an Indigenous wellbeing standard that is primarily based on their own values. As long as this wellbeing standard (1) is based on a minimal account of human nature and (2) is framed in terms of capabilities or functionings, it is suited as a cross-cultural criterion for the evaluation of cultural traditions.<sup>143</sup>

While a cultural tradition may or may not contribute to wellbeing, this still does not take into account the dominating aspects it may have. In section 10.3, I discussed three reasons that could prompt communities and, in particular, Indigenous communities to endorse the value of non-domination. And in section 6.5, I defined the dominating and invasive aspects of tradition as subcategories of the value of non-domination. I agree with Rachel Godfrey-Wood and Graciela Mamani-Vargas that in the case of social institutions, some degree of constraint is necessary in order to prevent free-riding and to guarantee effective operation (Godfrey-Wood and Mamani-Vargas 2017, 85).<sup>144</sup> I therefore distinguished between structural constraint, dominating cultural tradition, and invasive cultural tradition.

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<sup>143</sup> A detailed defence of these two criteria can be found in section 6.4.

<sup>144</sup> Godfrey-Wood and Mamani-Vargas abstain from criticising coercion and focus on the distinction between practices that are essential for generating valuable capabilities in contrast to practices that are not essential and that are likely to generate non-valuable capabilities (Godfrey-Wood and Mamani-Vargas 2017, 85). Yet by regarding coercion as a necessary evil in the former case, they neglect the important dimension of domination.

The normative framework for the evaluation of cultural traditions that I defend in this thesis consequently consists of the two values of wellbeing and non-domination and the third value of self-determination, which specifies the political context in which such an evaluation should ideally take place. This normative framework can help communities to evaluate their cultural traditions both *before* and *after* the hypothetical implementation of a development project.

I will illustrate the two values of wellbeing and non-domination by continuing the discussion of the introduction of snowmobiles into Sámi culture. The general ‘capability to make use of snowmobiles in reindeer herding’ and its supporting capabilities were seen to have an impact on the Sámi’s barter economy and their transmission of lassoing skills. But in the following example, I will focus mainly on the possible impact of these capabilities on traditional herding practices and evaluate this specific cultural tradition. If we take the list of twenty capabilities that I derived from Alkire et al. as a wellbeing standard and add the value of non-domination, we could expect the following findings.

Traditional herding practices (*before* the snowmobile revolution) would contribute to economic wellbeing, because the reindeer meat can be sold or bartered for other goods. They would also contribute to broader material wellbeing, because the summer camps provide adequate temporary shelter. They would contribute to socio-political wellbeing, because traditional reindeer herding strengthens community bonds and helps community members to enjoy their environment and to live in a sustainable way. They would, eventually, also contribute to meaningfulness-related wellbeing by allowing the herders to perform skilfully in their work, enjoy meaningful relationships with both human beings and animals, and live in harmony with the natural world. But dominating aspects might be present as well. Due to patriarchal policies being imposed on the Sámi by Swedish and Norwegian governments in the past, Sámi girls and women have been pushed ‘to the

margins of reindeer herding’ (Kuokannen 2009, 501).<sup>145</sup> In this case, the dominating elite might not be Sámi men but a foreign government that was able to enforce certain legislation and influence the development of Sámi tradition.

If we continue this thought experiment and assume the role of the members of the Sámi community and their hypothetical deliberation, they might have presumed that the general ‘capability to make use of snowmobiles in reindeer herding’ would have a positive impact on economic wellbeing by making reindeer herding more efficient and productive.<sup>146</sup> They might also have assumed that snowmobiles would improve their access to health services. In the areas of socio-political wellbeing and meaningfulness-related wellbeing, however, they might have predicted a loss. They might have believed that community bonds, the environment, and a sustainable way of life would be negatively affected by the technological revolution and a meaningful relationship and harmony with the natural world would be replaced with the speed and efficiency of modern herding practices. At the same time, a new form of domination would accompany the modernisation process: the dependence on snowmobile companies and their cash-based economy. The need to earn a sufficient amount of money and spend it on the purchase and maintenance of a snowmobile would quickly establish power inequalities between snowmobile companies and those that wanted to buy them or have them repaired. Rather than being simply the consequences of market interactions, these power inequalities would primarily be the result of a one-sided technology exchange. The Sámi would no longer be able to repair their means of transport on their own but would be dependent on the

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<sup>145</sup> According to Rauna Kuokannen, in Sámi society it was customary practice that women and men owned separate properties. This practice was undermined when governments began to register reindeer-owning Sámi women under their husbands’ names (Kuokannen 2009, 501-502).

<sup>146</sup> Without scientific research on animal behaviour under stressful conditions, it would have been more or less impossible for them to predict the weight loss and the decreasing reproduction rate that later resulted from the technological change.

technological skills of workshop employees. Their hypothetical deliberation could be summarised in the following table.

Table 7: Hypothetical deliberation on the introduction of snowmobiles

	Traditional herding practices	Modified herding practices
economic wellbeing	capability to engage in the economy	<b>enhanced</b> capability to engage in the economy
broader material wellbeing	capability to have adequate shelter or housing	capability to have adequate shelter or housing <b>capability to access health care services</b>
socio-political wellbeing	capability to enjoy community bonds capability to enjoy one's environment and to live in a sustainable way	<b>constrained</b> capability to enjoy community bonds <b>constrained</b> capability to enjoy one's environment and to live in a sustainable way
meaningfulness-related wellbeing	capability to perform in work and play capability to enjoy meaningful relationships capability to live in harmony with the natural world	capability to perform in work and play <b>constrained</b> capability to enjoy meaningful relationships <b>constrained</b> capability to live in harmony with the natural world
domination	domination of Sámi girls and Sámi women by foreign government legislation	domination of Sámi girls and Sámi women by foreign government legislation <b>domination of herders by snowmobile companies</b>

The decision concerning whether to introduce snowmobiles or not could be based on the evaluation that is summarised in this table and a simple lexical ranking of the four wellbeing dimensions and the dimension of domination. A simple lexical ranking that prioritises the reduction of domination and the enhancement of meaningfulness-related and socio-political wellbeing over the satisfaction of material needs would, for example, be as follows: *reduction of domination* > *meaningfulness-related wellbeing* > *socio-political wellbeing* > *broader material wellbeing* > *economic wellbeing* (with ‘>’ meaning: ‘has lexical priority over’). In this case, the decision would be against introducing snowmobiles. The opposite ranking, where material wellbeing is prioritised over socio-political and meaningfulness-related wellbeing and the reduction of domination, would lead to a decision in favour of introducing snowmobiles. However, a simple lexical ranking is problematic because it would not take the different size of the effects into account. An alternative to such a simple ranking would be to assign weights to the different effects. I will discuss this method in the next section.

But first, let me pause for a moment and recapitulate the six steps I have outlined so far. Note that I assume ideal conditions in this chapter and that non-ideal conditions will be discussed in chapter 11. In the first step, the community members analyse the development project and formulate the goal of this project as a general capability. In the second step, they identify further capabilities that would support this general capability. And in the third step, they estimate how the implementation of the corresponding functionings would change their cultural traditions. Once the community members have concluded these first three steps, they have the information that is necessary for the evaluation of their cultural traditions *before* and *after* the hypothetical introduction of a development project. This evaluation would include three further steps. In the fourth step, the community members identify the wellbeing-enhancing, the wellbeing-constraining, and the dominating aspects of their *existing* cultural traditions. In the fifth step, they evaluate their cultural traditions *after* the hypothetical implementation of a development project and

determine whether wellbeing would be enhanced or constrained and whether domination would be increased or decreased. In the sixth and final step, they choose a method (e.g., lexical ranking or weighing) in order to decide whether to accept or reject the project.<sup>147</sup>

The impact of a development project on a community's cultural traditions does not necessarily have to be the only or crucial criterion for a decision regarding whether to accept or reject the corresponding project. Other possible criteria are, among others, the feasibility or sustainability of the project. The deliberative method of this thesis, however, focuses on the impact of development projects on a community's cultural traditions.

### **10.7 Weighing the different effects**

In the previous section, I introduced a simple lexical ranking method that can help communities to decide whether to accept or reject a certain development project. By ranking the four wellbeing dimensions and the dimension of domination in a certain order, they would merely have to check whether there are changes that enhance or constrain wellbeing or that increase or decrease domination in the dimension that they have assigned lexical priority to. If there are such changes in this dimension and positive or negative effects prevail, they could make a clear decision. If that is not the case, they would have to proceed to the next dimension they have assigned lexical priority to. Provided that there is a difference between the existing cultural traditions and these traditions after a hypothetical implementation of a development project, this method would always lead to a clear decision to accept or reject the project.

However, a lexical ranking does not take into account the possibility that the size of the effects can be different in the different dimensions, which will

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<sup>147</sup> This detailed procedure is not intended for application. It provides instead a complete ordering of the steps a community has to take to arrive at an informed decision. In chapter 11, I will suggest a simplified five-step procedure that can be applied to small-scale projects within Indigenous communities under non-ideal conditions.

almost always be the case.<sup>148</sup> This can lead to implausible results. For example, a development project that increases the dominating aspect of a cultural tradition by a very small amount could be rejected on these grounds, although it might increase the wellbeing of the community by a very large amount.

An alternative method would be to weigh the wellbeing-enhancing, the wellbeing-constraining, the domination-increasing, and the domination-decreasing changes by assigning, for example, positive numbers to beneficial effects and negative numbers to detrimental effects. The greater the size of the effect, the greater would be the absolute value of the allocated number. In order to reach a decision, the community members could add up the positive numbers and subtract the sum of the negative numbers. They could calculate a first result for their existing cultural traditions and a second result for the modified cultural traditions after the hypothetical implementation of a development project. They could then compare these two results: if the second result is higher than the first result, this would count in favour of accepting the development project. If it is lower than the first result, this would count in favour of rejecting the development project.

But even this alternative weighing method is only valuable to the extent to which it supports communities in their decision-making. A weighing method remains limited because it can merely lead to the acceptance or rejection of a certain option. It cannot generate alternative development proposals (Richardson 2000, 987-988). Due to these restrictions, the weighing method has to be embedded within a broader context of deliberation that allows for the discussion of alternative development projects. The community members could, for example, decide that some elements of a project are not necessary and deliberate about a reduced version of the original project.

Another problem is that such a weighing method would treat the four wellbeing dimensions and the dimension of domination as commensurable

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<sup>148</sup> The lexical ranking method is therefore a theoretical possibility but is hardly applicable in real development contexts.

(Frank 2000, 913-914). Assigning numbers to the different effects suggests, for example, that a certain amount of domination is acceptable if it leads to a sufficient increase in economic wellbeing. But it is possible that community members might want to set a limit to the degree of domination they are willing to accept. Such a maximum threshold would have to be added to the weighing method. In this case, the project would be rejected if the domination surpasses this maximum threshold. In addition, community members might want to introduce minimum thresholds in each of the four wellbeing dimensions. In that case, the project would be rejected if economic, broader material, socio-political, or meaningfulness-related wellbeing levels fall below a certain minimum threshold.

An alternative way to address the problem of commensurability would be to specify undesirable outcomes that would lead to a rejection (Goodin 1986, 77-81; Lowry and Peterson 2001, 265-271). For example, the community members could decide to reject any outcome in which capabilities are restrained in all four wellbeing dimensions. Specifying undesirable outcomes could include minimum and maximum thresholds but could also integrate qualitative and fuzzy criteria such as ‘too much domination’.

## **10.8 Conclusion**

Before I proceed to a discussion of this deliberative procedure under non-ideal conditions in the next chapter, it is helpful to summarise the steps we have made in this chapter. In the first section, I pointed out two advantages of the normative framework of this thesis compared with the normative frameworks of Matthew Johnson and Ruth Macklin. The first advantage is the framework’s openness to a plurality of cross-cultural values and a diversity of wellbeing standards. The second advantage is its emphasis on the community’s agency and the community’s collective interpretative resources.

Subsequently, I gave three reasons why Indigenous communities that embrace self-determination might also want to consider opting for non-domination with regard to their members and internal minorities. The first

reason was derived from the experience of colonial domination and the analogy between a community's freedom from domination and an individual's freedom from domination. The second reason could be extracted from the UN Declaration on the Rights of Indigenous Peoples, which defines self-determination as both a *right of all peoples* and a *human right*. The third reason was inferred from the double affiliation of many Indigenous community members to both an Indigenous community and a nation state.

Subsequently, I delineated six steps that communities could take in order to assess their cultural traditions and the expected change in these traditions that may result from the implementation of a development project. I began with their analysis of a development project and the translation of this project into a set of capabilities. Afterwards the community members estimate the impact of this development project on their existing cultural traditions. On the basis of this information, they then evaluate their cultural traditions *before* and *after* the hypothetical implementation of the development project. Following this evaluation, they choose a method and decide whether to accept or reject the project.

## Chapter 11 A five-step procedure for a communal discussion of developmental change

### 11.1 Introduction

In the last chapter, I developed an ideal version of a deliberative procedure that Indigenous peoples could employ to evaluate their own cultural traditions *before* and *after* the hypothetical implementation of a development project. In this idealised procedure, I focused on formal and abstract conceptualisations of community, tradition, and development.<sup>149</sup> In addition, I specified three ideal conditions. First, the development project is not imposed on the community but is an initiative of the community members. Furthermore, there is a consensus among the community members that they will assess their cultural traditions and the expected change in these traditions. Second, the community members agree to evaluate all of their cultural traditions in terms of their positive and negative aspects. And third, the community is self-determined and willing to engage in deliberation.

But contrary to the third ideal condition of self-determination and the underlying ideal of ‘free, prior and informed consent’ (UN General Assembly 2007, 5), as formulated in the UN Declaration on the Rights of Indigenous Peoples, development projects are often implemented without Indigenous communities’ consent. Even a decade after the adoption of the UNDRIP by the General Assembly in 2007, the situation of Indigenous communities and peoples remains difficult. According to Sheryl Lightfoot, 10 out of 58 countries with significant Indigenous populations are non-compliant, meaning that their commitments to Indigenous rights and their effort to implement these rights are very low. Thirty countries are under-compliant,

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<sup>149</sup> I also concentrated on deliberation within Indigenous communities. Indigenous deliberation, however, can also go beyond the local level and occur at national or international levels. This applies in particular to Indigenous communities whose territory extends across more than one nation state. Examples are the Sámi parliaments in Norway, Sweden, and Finland and non-governmental organisations such as the Assembly of First Nations of Canada (Hébert 2018, 7; Kosko 2013, 296).

meaning that they have committed to much more than they have actually implemented or plan to implement (Lightfoot 2016, 137). An analysis of the Indigenous rights situation in the United States, Canada, New Zealand, and Australia shows that the respective governments only endorse and actively promote a selection of soft rights such as those relating to culture, language, religion, and education and reinterpret hard rights such as those concerning land and self-determination in a way that is compatible with their current legal and policy status so that they do not require further action (Lightfoot 2012, 119).

In the following sections, I will outline a simplified five-step procedure for the assessment of cultural traditions and the impact of development projects on them, which can be applied in non-ideal scenarios. These non-ideal scenarios will take into account external constraints that are imposed *on* communities and internal constraints and internal resources that can be found *within* communities (Valentini 2012).

External constraints can be imposed by development agencies or by local or national governments, which in some cases might be remnants of colonial oppression. Indigenous communities may, for example, lack the opportunity to give free, prior, and informed consent to development projects. Or they may not be allowed to implement communal self-determination to the extent they would wish to. Within the community, there can be both resources and constraints. An example of an internal resource would be a deliberative forum that is already established within the community. The availability of such an internal resource formed part of the ideal conditions that I assumed in chapter 10. But there are also examples of internal constraints such as pervasive power struggles, which inhibit deliberation, or a lack of willingness to comply with the discourse rules on the part of some community members.

In order to identify non-ideal scenarios, I distinguish between endogenous development and exogenous development on the one hand, and the presence or absence of deliberative institutions within the community on the other. Combined with the external and internal constraints and resources

## A FIVE-STEP PROCEDURE

introduced above, I will differentiate between four scenarios. Scenario one is a scenario in which a development project is imposed on a community. In scenario two, development is exogenous but the community members are asked to give their free, prior, and informed consent to the project. In scenario three, the community members are the initiators of the development project but only non-deliberative political fora exist within their community. In scenario four, the community initiates the development project and governs itself via deliberative fora. Consequently, scenario four meets the three ideal conditions that I outlined in chapter 10, although these ideal conditions will be complemented with a non-ideal concept of deliberation. Diagram 8 provides an overview of the four scenarios and the differences between them.

Diagram 8: Four scenarios of development

exogenous and imposed scenario 1	endogenous with non-deliberative fora scenario 3
exogenous, but request for consent scenario 2	endogenous with deliberative fora scenario 4

The six steps that I formulated at the end of section 10.6 are too fine-grained for the messy reality of development work and community life. Furthermore, they presuppose ideal conditions for rational deliberation, which cannot be assumed to be in place. In the following five-step procedure, I will therefore employ a non-ideal concept of deliberation. In non-ideal deliberation, some community members might obstruct the deliberative procedure or might challenge some of the discourse rules that I outlined in section 9.5. At some points in the following non-ideal five-step procedure, I will therefore suggest alternatives to open deliberation, such as anonymised voting or conflict resolution. I will also add a few methodological

recommendations that might help to implement the procedure in Indigenous communities.

## 11.2 Opting for evaluation

In scenario one, a development project is imposed on the community by external agents. In that case, there is a clear violation of the community's right to self-determination and of its right to free, prior, and informed consent. The external agents ignore the agency of the community members and simply pursue their own interests or justify their development project with an appeal to paternalistic reasons. Consequently, the external agents express no interest in the possibility of the community members evaluating the proposed development project on the background of their own cultural traditions.<sup>150</sup> In addition, the external agents might try to secure the community's consent by seeking confidential agreements with local authorities (Hébert 2018, 9). In this scenario, the decision to engage in community deliberation can emerge as an act of resistance against the imposition of a development project. The community members evaluate their own cultural traditions and the expected effects of the development project on these traditions in order to assemble reasons to reject the project or demand major revisions. In this way, they can reassert their right to free, prior and informed consent or their right to self-determination. Alternatively, the community deliberation could focus on the evaluation of the development project as such rather than on the evaluation of the community's traditions in order to gather further reasons for rejecting the project or demanding revisions (e.g., lack of sustainability or feasibility).

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<sup>150</sup> Most development organisations and governments do not deliberately ignore community participation. In her research on the World Bank's development activities, Alkire (2004, 207) observes that the World Bank has initiated many participatory development projects that promoted discussion and deliberation. However, the status of these participatory discussions often remained unclear, so they were not an effective check on the power that development institutions and their government partners had to enforce their own policies.

## A FIVE-STEP PROCEDURE

In scenario two, the development project is still proposed by external agents but these agents are interested in obtaining the free, prior, and informed consent of the community members. In that case, the evaluation of one's cultural traditions and the development proposal could be one way of exercising one's right to free, prior, and informed consent.<sup>151</sup> Crocker enumerates different modes of community participation, ranging from merely nominal participation to active bargaining and deliberative participation (Crocker 2008, 343). In section 9.2, I argued that an evaluation of one's cultural traditions is best accompanied by a deliberative procedure but that a deliberative procedure is not a necessary precondition for such an evaluation. Hence, the community members could either aim for deliberative participation or make use of political fora and decision-making procedures that already exist to exercise their right to free, prior, and informed consent in this scenario.

In scenario three, the development project is initiated by individual community members, by a minority or majority group within the community, or by its leaders. They may have experienced the failure of a certain tradition and be advocating developmental change as an improvement or just be proposing a development project without any reference to tradition. At this stage, it is not important that their initiative is clearly articulated. What is crucial is that it is supported by fellow community members so that the community members can collectively commit to the common goal of evaluation.

But what happens if individual community members insist on their economic freedom and their right to development (e.g., to purchase a snowmobile) and disagree with the idea that developmental change should be discussed at the community level? If there are only a few such individuals, they could be exempted from the community deliberation. But if there is a

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<sup>151</sup> An alternative way of exercising this right could be that the community members evaluate the development project itself.

significant number of them, it would be recommendable to make sure that their actions do not cause significant harm to other community members.<sup>152</sup>

If the members of a community collectively commit to evaluation, their commitment will probably be heterogeneous, with community members having different expectations about the development project, diverging ideas about evaluation, and varying understandings of their cultural tradition. Accordingly, there might be disagreement about which traditions are failing or what is recommended as development. But at this early stage, a consensus on the general need for development and the corresponding need to evaluate one's cultural traditions is sufficient. If there is no deliberative forum but individuals express their desire for change and development, it might be helpful to launch a trial balloon by announcing a community gathering. However, there might be external reasons why community members do not attend, such as high opportunity costs, a controversial meeting place, lack of confidence, or frustrating experiences with deliberation in the past (Cornwall 2008, 279–80). Such external reasons have to be monitored by those community members who have proposed the development project.

In scenario four, the community already makes use of an institution where open deliberation is practised. According to Martin Hébert, a wide variety of traditional deliberative forms exist among Indigenous communities that have one element that is central to most of them: they aim for a consensus (Hébert 2018, 2-6).<sup>153</sup> In these deliberative institutions, the tension between

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<sup>152</sup> The deliberative procedure that I develop in this thesis is a means to which community members *can* resort if individual actions might lead to major changes in the community's cultural traditions. However, I do not argue that they *must* do so in each and every case in which individual community members attempt to improve their economic position. A normative question that, unfortunately, I cannot address in this thesis is whether there is a threshold of harm that would justify subordinating the economic freedom of individuals who cause harm to others to the judgement at the community level.

<sup>153</sup> However, James S. Fishkin et al. (Fishkin, Luskin, and Jowell 2000, 661) rightly remark that deliberation procedures that aim for a final consensus can mask differences of opinion or be excessively influenced by opinion leaders. If there is a danger that divergent voices of community members are being ignored or that local

the conservation of cultural tradition and innovation is constantly being renegotiated. If the community is self-determined, such an institution would be the ideal forum for an evaluative procedure. An excellent example is the Māori tradition of *Hui*, in which there is a constant exchange between the ‘forward-focussed *potiki*’ and ‘the heritage-minded *rangatira*’ (Tapsell and Woods 2010, 545, italics in the original). *Rangatira* are community leaders who are acknowledged by the community for maintaining and protecting the community’s traditions (*tikanga*). *Potiki* are younger community members without such responsibilities who search for new opportunities beyond the community’s cultural traditions and often challenge the elder community members and the community leaders.

According to Māori philosophy, the balance between *potiki* and *rangatira* is essential for innovation and development, which builds upon existing traditions and modifies them if adaptation to new realities is required. Paul Tapsell and Christine Wood (2008, 200) present a case in which a group of young managers and descendants of the local tribe (*potiki*) cooperated with the local leaders (*rangatira*) to establish an innovative tourism project. In the course of the implementation of this project, the *Hui* was an important institution where Māori values could be discussed and applied to their business plan. By regularly reporting their activities to the community and the leaders, the managers succeeded in building a socially responsible, profitable company.

However, there is also the possibility that some community members actively try to undermine deliberation, because for one reason or another they are not interested in a decision at the community level. In particular, in communities in which some members are wealthier than others, wealthier members might prefer to pursue their private interests. An example of such a situation is the *Procede* programme, which was implemented by the Mexican

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authorities are dominating the discussion, a facilitator – preferably from another Indigenous community – should be invited to moderate the debate, as I argued in section 9.5.

government between 1993 and 2006. This national land certification programme gave Indigenous communities the opportunity to convert their communal property into private property. In the context of this programme, wealthier community members in some cases attempted to divide the community so that the community was unable to reject this programme and they could sell parts of their land (Kelly et al. 2010). If such strategic interventions lead to a stalemate, the community may first need to resolve internal conflicts and go through a process of arbitration and mediation before it can enter a process of deliberation (Drydyk 2007, 108).

### **11.3 Inviting the persons who share a certain cultural tradition**

If the development project is being imposed on the community and there is a serious denial of individual and group rights, the whole community is affected. In scenario one, the community members could consequently engage in an evaluative exercise as a manifestation of their active resistance. In the three remaining scenarios, we can distinguish between two cases. Under ideal circumstances, the consensus of the community members regarding evaluating their cultural traditions and comparing them with the expected effects of a development project has been articulated within a deliberative institution that already exists. Under less ideal circumstances, there is an invitation phase at the beginning and the interest of community members in an evaluation of their traditions and the development project can only be derived during subsequent meetings by their actions and reactions and, in particular, by their attendance. This brings us to another question: who should be invited?

On the one hand, there is the well-established definition of stakeholders who have a vested interest in a problem '(1) by mainly affecting it; (2) by being mainly affected by it; (3) or by both affecting it and being affected by it' (Banville et al. 1998, 17). According to that definition, the invited group would consist of those who would affect or would be affected by the

developmental change that would be discussed. On the other hand, it could be argued that a discussion of cultural tradition should primarily involve those who share it. These two groups differ from each other: the group of stakeholders would also comprise development agencies, non-governmental organisations, commercial companies, neighbouring communities, and so on, whereas the group comprising those who share a tradition would probably be smaller but would not necessarily be restricted to a particular location or language.

If we presuppose a non-essentialist understanding of cultural continuity (as argued in section 4.9.2), the boundaries of a cultural tradition are soft, remain fluid, and can be contested. In order to determine who should be invited, it is important to distinguish between two different questions. On the one hand, there is the question of whether a community endorses a specific development project and the resulting modifications of its cultural traditions. On the other hand, there is the question of whether a development project should be financed, coordinated, and implemented. While the former concerns the community itself, the latter also involves external agents. But in the case of participatory development, the first question should be answered before the second is asked. Only if the first question has been answered can we speak of ‘free, prior and informed consent’ on the part of the Indigenous community, which article 10 of the UNDRIP prescribes (UN General Assembly 2007, 5). Hence, in order to obtain the community’s consent, it would be more helpful to invite those who share a certain cultural tradition rather than the complete group of stakeholders. Once the community has evaluated and endorsed a development project, a meeting of all stakeholders could follow. Such a meeting would be an important opportunity to listen to the voices of those stakeholders who are not community members but who might be negatively affected by the project.

In order to obtain a complete list of those who should be invited, it is useful to start from the institutions that are already established within a community, such as community assemblies, village councils, councils of

elders, and so on. By means of snowballing, further names could be collected, such as the names of family members who have left the local community and moved to the city in order to find work.<sup>154</sup> Participants in an institution that already exists could brainstorm and identify further community members who share their tradition. The resulting list could then be submitted to those who have been identified so that they can extend it by adding further names (Luyet et al. 2012, 214). An external facilitator could supervise this process of identifying persons who share a community's cultural tradition. Ideally this facilitator would be a member of a neighbouring Indigenous community who is unaffected by power struggles within this particular community, because such a facilitator could be a competent judge of Indigenous membership criteria.<sup>155</sup> He or she could make sure that no community members are forgotten or excluded.

#### **11.4 Collecting thick descriptions of the situation**

Once the names of the community members or those who share a certain cultural tradition have been gathered, there is the further question of which mode of participation is feasible and adequate for this group. In scenario four, where there are already deliberative institutions in the community, the deliberation could take place within these institutions and a facilitator would

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<sup>154</sup> There might be tension between the group of persons who are identified by the community as sharing their cultural tradition and the group of persons who self-identify as sharing that particular tradition. In section 9.2, I argued that a self-determined community should have the right to determine membership criteria as long as these criteria do not violate human rights. However, there might also be cases in which their interpretation of these membership criteria is contested and in which the community members would have to appeal to their right to determine how membership criteria are interpreted. As such an appeal would be circular, it would have to be supplemented by further arguments.

<sup>155</sup> In some cases, in which the membership criteria of Indigenous communities vary widely from one community to the other in a particular region, an alternative might be to ask an Indigenous or non-Indigenous expert on this specific community and its membership criteria to assist them as a facilitator.

only have to be invited if needed. This scenario would also not require the creation of lists, although lists could be helpful to guarantee full participation.

Coming back to the Māori tradition of *Hui*, the *rangatira* could continue to exercise his or her *marae* leadership and moderate the discussion among the community members. According to Tapsell and Wood, customary Māori leadership consists, among other things, in ‘protecting tribal estates and serving the kin group’ (Tapsell and Woods 2008, 197). Ideal leadership is therefore at the service of the community and consists in listening to the members of one’s community and deliberating with them.

If there are no deliberative institutions in the community, the facilitator would have to assume a crucial role in making sure that everybody who is invited is able to participate, in laying out the discourse rules, and in making sure that everybody gets the chance to speak and is respectfully listened to. In that case, the community deliberation could assume the following structure. In the first round, the community members could try to clarify how they understand a proposed development project or what they mean by their development initiative and attempt to articulate a common vision. If necessary, the facilitator could help them to frame the development project in capability language (i.e., as the freedom to be or to do certain things). The result could be one capability or a number of capabilities. In some cases, the community might also prefer to frame the development project in terms of functionings. In the second round, the community members could discuss the impact of this capability or functioning set on their cultural traditions. This could be done in the form of ‘conjectural storytelling’. Each of the community members could answer the question ‘What happens if we introduce x’ and share his or her conjectures with the community. During this narration, the facilitator and the other community members should abstain from any comment other than ‘non-verbal signals of attentive listening and explicit encouragement to continue the narration’ (Jovchelovitch and Bauer 2000, 63). Afterwards, questions can be asked – not to challenge the speaker but to clarify his or her perspective. On the basis of these narrations, the community

members could develop a thick description that involves both the behavioural and the meaning dimension of the affected cultural tradition (Poterotto 2006).

A more complex situation arises if there are power struggles within the community that interrupt the process of deliberation constantly or inhibit its implementation in the first place. Methods of conflict resolution might sometimes be the better choice in order to prepare the ground for deliberation. In other cases, deliberation could be replaced by anonymised methods in which community members still communicate their perspectives to the facilitator but would not have to engage with each other face to face.

### **11.5 Identifying wellbeing and domination *before* and *after* development**

Both in scenario four and in the other three scenarios in which there are no pre-existing deliberative institutions within the community, the deliberation would have to proceed to a third round. In this round, the community members would have to choose a wellbeing standard and commit to the value of non-domination as a normative framework for the evaluation of their cultural traditions. They could opt for a predefined wellbeing standard, enrich this standard by capability selection or create an alternative wellbeing standard based on their own values. If the community decides to enrich an existing standard or create a new Indigenous standard by capability selection, a preliminary list of capabilities could be presented, which would then need to be modified by the community members in an exercise of community deliberation (Alkire 2002, 43–44). In the case of a Māori community, for example, a good starting point would be Mason Durie's *Te Whare Tapa Whā* (1985; 2006) or an alternative framework for the evaluation of Māori health and Māori wellbeing. In order to be a cross-cultural criterion for the evaluation of cultural traditions, this preliminary list should be based on a minimal account of human nature and is best framed in terms of capabilities or functionings. By submitting the list to community deliberation, the list could then be adapted to the local context and legitimated by the community.

The result would be a wellbeing standard that is contextually sensitive, legitimated by the community, and normatively justified (Byskov 2018, 118–24).

The value of non-domination could then be discussed in combination with the value of self-determination.<sup>156</sup> To the extent that the community members can agree on self-determination as a valuable goal for their community as a whole, they might also be able to endorse non-domination and freedom from dominating cultural tradition as valuable goals for individual members and internal minorities. If they cannot endorse non-domination as a value and as a criterion for assessing their cultural traditions, their evaluation would remain limited, but it could still challenge the wellbeing-constraining effect of their cultural traditions or of the proposed development project.

In the fourth round, the community could use the thick descriptions of the second round to identify to what extent the introduction of a capability or functioning set would have an effect on their cultural traditions in terms of wellbeing or non-domination. During the second round, the community members answered the question ‘What happens if we introduce a certain set of capabilities or functionings?’ In the fourth round, they could identify whether their answers indicate a difference between their current traditions and their traditions after the hypothetical introduction of a development project. This difference could be a change in the extent to which their traditions enhance or constrain wellbeing. Or it could be a change in the extent to which they promote or prevent domination. If needed, the community

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<sup>156</sup> In section 11.4, I distinguished between scenario four, in which there is a practice of deliberation within the community, and scenarios one to three, in which there is no such practice and in which the community members could explicitly commit to deliberation and invite a facilitator who would introduce a number of rules for their community discourse. Such a commitment to deliberation and the discourse rules already implies a certain commitment to the value of non-domination, although it is restricted to the community discourse. Hence, the community members would have to extend their commitment to non-domination so that it also includes non-domination as a criterion for the evaluation of their cultural traditions.

members could commission a scientific expert to do research on the possible unintended consequences of developmental change. They could, for example, consult an expert on agriculture if they are deliberating about changes with regard to their sowing methods.

Once again, deliberation remains an ideal. If conflict emerges during the third and the fourth round, alternatives to open deliberation are often preferable. In round three, the open discussion that aims to lead to choosing a wellbeing standard and to committing to the value of non-domination could be replaced by anonymised voting. Although such a method would not allow for an exchange of arguments, anonymous votes could at least represent the views of community members. In round four, if it is necessary or advisable, the facilitator could decide to employ anonymised methods of communication.

## **11.6 Endorsing or rejecting the development project and other options**

Now that the community members have evaluated their cultural traditions *before* and *after* the hypothetical introduction of the capability or functioning set, they can proceed to the fifth and final round and choose a method that helps them to decide whether to endorse or reject this capability or functioning set. For this round, they have several options. They could rank the four wellbeing dimensions and the dimension of domination according to their importance for the community. Or they could weigh the different effects in these dimensions by assigning positive and negative numbers to them. Alternatively, they could proceed with an open deliberation about whether the introduction of the capability or functioning set is worth modifying their cultural traditions for.

In scenario four, it would be preferable to heed Mansuri's and Rao's advice and build upon the deliberative decision-making procedures that are already in place (Mansuri and Rao 2013). During a *Hui*, Māori try to come to a consensual agreement. If such a consensus is not possible, they may defer

to the leadership or to the elder members of their *hapū* or *iwi*. And if the dissent continues, community members may revise their positions or even withdraw from the deliberation (Nikora, Masters-Awatare, and Te Awekotuku 2012, 403). If deliberation occurs within the deliberative framework that is already in place, it will be easier for the community members to understand and accept its result. In addition, traditional leadership roles are respected and allow leaders to serve their community members and represent their interests in future negotiations with external agents.

If the community members choose the ranking method, they could start by ranking the four wellbeing dimensions and the dimension of domination according to their importance for the community. However, while such a method of lexical ranking is simple to implement, it has the disadvantage that it cannot take the different size of the effects into account. An alternative to lexical ranking is therefore a weighing method, in which the community members assign positive numbers to beneficial contributions and negative numbers to detrimental effects.<sup>157</sup> They could then calculate a first result for their existing cultural traditions and a second result for the modified cultural traditions after the hypothetical implementation of a capability or functioning set. A final decision could be based on a comparison of the first result with the second result. Yet both of these methods are only tools to aid and inform the deliberation of the community and should not replace it with a rigid formula. Hence, open deliberation can enter both methods at any stage. It might also turn out that there is considerable disagreement among the community members about how a certain dimension should be ranked or how a certain effect should be weighed. In cases of conflict, anonymised voting could be an alternative.

The fifth round can have at least four different results. First, the community members could agree to the proposed development project and the capability or functioning set it seeks to introduce and the corresponding

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<sup>157</sup> The difference between these two methods of ranking and weighing is further explained in section 10.7.

modifications of their cultural tradition. Second, the community members could oppose such developmental change and opt for a continuation of their cultural tradition as it is. Third, the community members could decide to take a look at the elements of their tradition (i.e., basic habits) that they might have to modify and decide to abandon a certain number of them while holding on to others. In the case of the introduction of snowmobiles, for example, the Sámi could have agreed to the introduction of snowmobiles for the supply of their summer camps, but could have continued to herd their reindeers without motorised vehicles. And fourth, the community members could decide to modify the capability or functioning they have been discussing and repeat the evaluation at a later date with a different option for development. For example, the Sámi could have modified the ‘capability to make use of snowmobiles in reindeer herding’ and added the condition that the snowmobiles have to be owned by the community.

## **11.7 Conclusion**

We have now come to the end of the discussion of the deliberative procedure that has been developed in the last three chapters. So before moving to the concluding chapter, in which we will revisit the overall project of this thesis, let us recap the previous chapters and their contribution to the argument of the thesis.

In chapter 9, I developed the outline of a deliberative procedure for communities that intend to evaluate their own cultural traditions. First, I analysed the possible effects of power inequalities and dominating structures on deliberation and then suggested a number of discourse rules that can help community members to prevent internal domination. I proposed three rules for the deliberation itself concerning participation and freedom of expression, and four further rules for a facilitator who can assist communities that struggle with internal division or deeply entrenched dominating norms.

Chapter 10 assumed ideal political conditions and focused on the normative justification of a deliberative procedure for the evaluation of

cultural traditions and the expected change in these traditions due to the implementation of development projects. I discussed two advantages of my normative framework and argued that communities that embrace self-determination have reason to opt for non-domination with regard to community members and internal minorities. I then developed a deliberative procedure based on the particular case of the introduction of snowmobiles into Sámi culture. Finally, I introduced a specific method for weighing the effects of developmental change.

Chapter 11 discussed the proposed deliberative procedure under non-ideal conditions such as the imposition of development projects by third parties or pervasive power struggles that obstruct the community deliberation. I distinguished between four different scenarios ranging from imposed development to communal self-determination and proposed five steps that the members of a community could take in order to deliberate about their cultural traditions and the effects of development projects on these traditions.

Although I have tried to take various normative and empirical considerations into account, this five-step procedure remains an outline and requires further specifications with regard to the political and sociocultural context of particular communities. First of all, the five-step procedure deals only with the community itself and with deliberation at the local level. It therefore neglects how deliberation at the national or the international level can influence local deliberation by challenging, for example, governmental policies or by promoting Indigenous rights. Second, the normative framework that underlies the procedure addresses distributive justice only to the extent that it protects community members from its dominating effects. In order to include questions about the distribution of certain resources among community members, the normative framework would have to be extended or modified. And third, a certain degree of self-determination was presupposed by my normative framework whereas the political reality of most Indigenous communities is still a far cry from this ideal. Hence, more research

## CHAPTER 11

would be needed with regard to deliberation in less ideal political settings where Indigenous communities struggle for liberation and recognition.

## Chapter 12 Conclusion

At the very beginning of this thesis, I formulated my research question as a set of three interrelated questions: How can Indigenous communities evaluate their cultural traditions in the context of development processes? When are such traditions worth preserving and when should they be modified or even abandoned? If the members of an Indigenous community deliberate about the implementation of a development project but still want to hold on to their cultural traditions, how can they balance these two normative commitments?

While searching for an answer to these three questions, I had two audiences in mind. Parts I to III deal with conceptual and normative questions and are directed at Indigenous and non-Indigenous scholars who work on cultural tradition, development, and development ethics. Part IV, and in particular chapter 11, are concerned with the implementation of the proposed normative framework and might not only be relevant to scholars in development studies and development ethics but also be of interest to Indigenous communities, Indigenous community leaders, and Indigenous and non-Indigenous development practitioners.

Yet the normative framework and the evaluative procedure that I develop in this thesis are not intended as a replacement for existing deliberative fora. Instead, Indigenous communities can employ them as a normative argument to defend their right to free, prior, and informed consent against governments or development agencies that attempt to implement development projects in their territories without their permission. These governments and development agencies should grant Indigenous communities the temporal and socio-political resources to assess their cultural traditions and the expected change in these traditions that may result from the implementation of development projects. When the development project is initiated by the community members themselves, the normative framework and the evaluative procedure can assist them in the assessment of their cultural

traditions or in reviewing deliberative procedures that already exist within their community.

In this final chapter of the thesis, I will provide a summary of the thesis's main argument, point out the thesis's contribution to the existing literature, and suggest directions for further research.

### **12.1 Summary of the thesis's main argument**

The general structure of this thesis revolves around my research question concerning the evaluation of tradition as both possible support and hindrance in development contexts and can be divided into four parts. In part I, I introduced my research question and related it to the literature on culture and tradition in development ethics and development economics. In part II, I developed an analytical grid of conceptions of tradition and proposed a value-neutral conception of tradition. In part III, I identified a set of normative criteria for the evaluation of cultural traditions in development contexts and illustrated it with the help of two case studies. In part IV, I developed a deliberative procedure for Indigenous communities, which I based on the value-neutral conception of tradition described in part II and the normative criteria described in part III. In the following paragraphs, I will trace the corresponding arguments in more detail and show how they are linked.

First, in chapter 1 of part I, I distinguished my research question from a traditionalist approach and from a holistic approach. Proponents of a traditionalist approach argue that traditions have stood the test of time and assign priority to conserving cultural traditions over modifying or replacing them. Advocates of a holistic approach, on the other hand, object even to minor modifications of cultural traditions, because they might lead to a loss of tradition or cultural identity. I rejected the conservative thesis that traditions are valuable simply because they have stood the test of time on the grounds that it leaves normativity under-determined. I also argued that a holistic conception of tradition is inadequate, because it presupposes a static relationship between the whole and its parts and consequently leads to a

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certain fatalism with regard to cultural change. My own research question is different from these two positions, because it does not aim at a general argument for conserving traditions or against changing them. Instead it requires a normative evaluation of traditions to be able to distinguish between their positive and negative aspects. Next, I justified my particular focus on Indigenous cultural traditions as a way to defend the Indigenous right to free, prior, and informed consent against the attempts of governments or development agencies to impose development projects on Indigenous communities. According to this defence, the right to free, prior, and informed consent of Indigenous communities should entail their right to evaluate their cultural traditions and compare them with the expected effects of proposed development projects on these traditions.

Subsequently, I explained my methodology that integrates a variety of philosophical methods such as (1) classification, (2) conceptual analysis, (3) philosophical and ethical analysis, (4) wide reflective equilibrium, and (5) non-ideal philosophy. In additional sections, I elaborated on further methodological commitments with regard to my engagement with Indigenous scholarship and Indigenous philosophies and identified the target audiences of the thesis. A brief overview of the structure of the thesis's overarching argument concluded the first chapter.

In chapter 2, I started with a brief outline of the history of development economics and the neglect and rediscovery of the concepts of culture and tradition within that history. While Walt Whitman Rostow argued that a specific type of cultural tradition has to be overcome to make economic development possible, subsequent scholars like Denis Goulet adopted a much more positive attitude towards the possible contribution of cultural traditions to development. I then presented six alternative approaches to the role of cultural tradition within development and reviewed the conceptions of culture or tradition that they put forward. While *ethnodevelopment* emphasises the instrumental value of cultural traditions for economic productivity, *Indigenous knowledge approaches* focus on their epistemic contributions.

The paradigm of *Buen Vivir* attempts to provide a unified vision of development based on the cultural traditions of various Andean Indigenous peoples. *Rights-based approaches to culture* defend the right to culture as worthy of protection. In a similar vein, UNESCO's concept of *intangible cultural heritage* aims at protecting certain cultural practices from extinction. Finally, scholars who discuss Indigenous cultural tradition within the *capability approach* recommend the capability approach as a suitable framework for addressing questions of culture and tradition. But they also recommend a number of modifications of the approach in order to account for communal values or the intrinsic value of nature.

On the basis of this overview, I delimited my own account of tradition from these six approaches. I argued that my research question requires a conception of tradition that is not intellectualistic and that does not generalise from a specific subset of traditions. In addition, this conception of tradition should allow for both positive and negative aspects, it should allow for instrumental and intrinsic contributions, and it should be able to encompass communal and intrinsic values. It therefore differs from the conceptions of tradition in the six approaches or extends them in certain aspects. I then identified the three elements that are needed to answer my research question: first, a value-neutral conception of cultural tradition; second, a set of normative criteria for the evaluation of cultural traditions; and third, a deliberative procedure that is based on these normative criteria.

The last section of chapter 2 introduced the notion of economic development and the notion of human development. The former is narrower than the latter and focuses on GNP per capita and economic efficiency, while the latter comprises further dimensions such as a broad understanding of wellbeing, participation, security, sustainability, and human rights. The argument of the thesis is based on the broader notion of human development.

Chapter 3 constitutes the beginning of part II of the thesis, which deals with the underlying conception of tradition. It provides an analysis of how tradition has been conceptualised by philosophical, anthropological,

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sociological, and economic scholars and how tradition could be conceptualised for other purposes. In this chapter, I argued against a unified conception of tradition as being unable to bridge the gap between behavioural conceptions and hermeneutical conceptions of tradition on the one hand, and between descriptive and prescriptive conceptions of tradition on the other. I evaluated three existing taxonomies of conceptions of tradition and developed an analytical grid of tradition as an alternative to these taxonomies. I based this analytical grid on 28 accounts of tradition and employed seven dimensions to distinguish between these accounts. These seven dimensions subsequently served as guidelines for constructing my own value-neutral conception of tradition.

In chapter 4, I specified four criteria that a conception of tradition would have to meet in order to answer my research question: it should (1) be able to be normatively evaluated, it should be (2) sociologically and (3) anthropologically sound, and (4) it should be able to form part of an economic discourse. On the basis of these criteria, I opted for a conception of *cultural* tradition and a focus on behaviour. I then employed the seven dimensions of the analytical grid created in chapter 3 to develop a preliminary characterisation of my conception of tradition. In a further step, I argued in favour of a habit-based conception of tradition, because such a conception would be value-neutral and therefore suitable for an unbiased normative assessment. I made the additional argument that habits are superior to values and rules for conceptualising the unconscious part of tradition. Consequently, I combined Boas's definition of culture with a Deweyan–Meadean concept of habit and defined tradition as the basic habits within a culture. This behavioural dimension of tradition was then supplemented with a meaning dimension to distinguish between different cultural traditions and to explain the emotional attachment that is often felt by adherents of traditions.

A further distinction was drawn between the intension of a concept (i.e., its structure or fabric and the elements that form part of it) and the extension of a concept (i.e., the objects, ideas, or phenomena that it denotes). With

regard to the intension of cultural tradition, I described unconscious and conscious tradition as two possible states in which we can find tradition. I dedicated a further section to the use of conscious tradition as a means of resistance against colonial domination.

Regarding the extension of tradition, I specified three criteria that can delimit cultural traditions from other social and cultural phenomena: they are shared, they remain constant throughout change, and they have a meaning dimension. Yet there is often a difference between the extension of the habit-based conception of cultural tradition and the cultural tradition that a specific community regards as its own. A first reason for this might be that community members only identify a certain subset of their basic habits as tradition. A second reason might be that they identify their cultural tradition by distinguishing it from surrounding traditions. A third reason might be that the interpretation of some community members dominates the community. And a fourth and final reason might be that community members use their cultural tradition strategically in the context of identity politics.

In order to answer my research question regarding whether an evaluation of cultural traditions is possible and how it could proceed, I also discussed the subject (i.e., who is evaluating) and the object (i.e., who is being evaluated) of a potential evaluative procedure. I argued against an essentialist or an anti-essentialist understanding of cultures and then suggested a non-essentialist understanding of how cultural traditions are transmitted from one generation to the next. From this non-essentialist understanding of cultural continuity, I derived an equally non-essentialist understanding of community boundaries as being soft, fluid, and contested. In the final section of chapter 4, I focused on the particular case of Indigenous communities and Indigenous cultural traditions and suggested a historical criterion (i.e., the experience of colonial domination) and a cultural criterion (i.e., the sense of belonging to a particular territory) for identifying them.

In part III, I built on the value-neutral conception of cultural tradition I had described in part II and developed a normative framework for the

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evaluation of cultural traditions. In chapter 5, I discussed whether such an evaluation is possible; I identified normative criteria in chapter 6; and in chapter 7, I finally illustrated these criteria with the help of case studies. In chapter 8, I discussed the case of Indigenous communities that construct their own Indigenous wellbeing standard.

In chapter 5, I dealt with the challenge of cultural relativism and defended cross-cultural standards as the best basis for the normative evaluation of traditions within a culturally diverse world. Compared with standards that are internal to a culture or immanent to a social practice, cross-cultural standards enable the critic to address all the basic habits of a given tradition and avoid epistemic or metaphysical commitments that could lead to controversies between cultural communities. I also drew three lessons from the remaining options. First, cultural traditions can only be normatively assessed after they have become conscious. Second, cultural traditions should be evaluated by the cultural community itself and not by third parties in order to include both their behavioural and their meaning dimension. And third, cultural traditions can become problematic and, in this way, can guide the evaluative exercise.

In chapter 6, I specified three ethical presuppositions for my normative framework, which consisted in value pluralism, ethical individualism, and the capability approach. Accordingly, the normative framework is based on a plurality of values, counts each individual voice as equal, and conceptualises wellbeing in terms of capabilities or functionings. Subsequently, I introduced three key values: the value of wellbeing and the value of non-domination as normative criteria for the wellbeing-enhancing, the wellbeing-constraining, and the dominating aspects of cultural traditions; and the value of self-determination as a precondition for a community's ability to evaluate its traditions. The value of wellbeing was divided into four dimensions: economic wellbeing, broader material wellbeing, socio-political wellbeing, and meaningfulness-related wellbeing. Within the value of non-domination, I distinguished between dominating cultural traditions and invasive cultural traditions. Dominating cultural traditions are cases of domination *without*

explicit interference on the part of the dominating person or group. And invasive cultural traditions are cases of domination *with* explicit interference on the part of the dominating person or group. The value of self-determination was based on Young's conception of self-determination as non-domination and formed the basis for an argument in favour of granting Indigenous communities the status of self-determined units within larger federal states.

In chapter 7, I illustrated the normative framework of chapter 6 by applying it to two different case studies. I discussed the effects of the cultural tradition of unpaid communal work (*tequio*) and addressed the objection that hiring contract workers might be more time-efficient. Subsequently, I analysed the effects of cultural traditions in the context of Indigenous tourism projects. I could show that in both cases the normative framework of chapter 6 can capture the effects of cultural traditions on wellbeing and domination. However, one effect that the framework could not take into account was the distribution of benefits or burdens.

In chapter 8, I considered the option of self-determined Indigenous communities developing their own wellbeing standard. I analysed the case of Māori philosophy and argued that a Māori wellbeing standard would require some modifications of the liberal framework that often underlies the capability approach. The main differences between a liberal wellbeing standard and a Māori wellbeing standard lie in the latter's emphasis on genealogical relationships and the intrinsic value of nature: while a liberal framework focuses on the freedom of the individual, Māori philosophy focuses on relationships and the reciprocal obligations that they imply. In addition, Māori philosophy does not assign a value to nature as a resource for human wellbeing but values nature intrinsically as a partner within a relationship. I concluded that in order to develop a Māori wellbeing standard, the ethical individualism of the capability approach would have to be replaced by ethical personalism to also include nature as an intrinsically valuable living being.

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In part IV, I presupposed the value-neutral conception of tradition described in part II and the three key values described in part III (i.e., wellbeing, non-domination, and self-determination) and developed a deliberative procedure on the basis of these elements. In chapter 9, I proposed a set of rules for deliberation. In chapters 10 and 11, I provided the outline of a deliberative procedure, first under ideal conditions (chapter 10) and subsequently under non-ideal conditions (chapter 11). This deliberative procedure is meant to support Indigenous communities in identifying the positive and negative aspects of their cultural traditions in the context of development projects.

In chapter 9, I defended the thesis that deliberation is the best option to use to engage in the evaluation of tradition, because only deliberation can uncover unconscious domination within the community. I showed how deliberation can address power inequalities and dominating structures by challenging the power of internal elites or by giving a voice to those who are suffering. But deliberation can only take place if three conditions are met: it requires a certain self-understanding on the part of the community members, the will to engage in deliberation, and deliberative fora within the community. Everyone who self-identifies as sharing a specific tradition and is recognised by the community should be allowed to take part in the deliberation. I then proceeded to define a set of criteria that deliberative procedures should incorporate to be able to prevent internal domination. I discussed the involvement of an external facilitator and the tasks he or she would have to carry out. I then proposed a set of three rules for deliberation, expanding the space of deliberation beyond reasoned argument to also include rituals and narrative accounts.

In chapter 10, I provided a first outline of a deliberative procedure for the evaluation of cultural traditions and the possible impacts of development projects on these traditions. First, I discussed two advantages of my normative framework and argued that communities that embrace self-determination have good reasons to also opt for non-domination with regard to community

members and internal minorities. I then assumed ideal political conditions and delineated six steps that communities could take to evaluate their cultural traditions *before* and *after* the hypothetical implementation of a development project. These steps were illustrated with the help of a particular case study about the introduction of snowmobiles into Sámi culture. In the final section of the chapter, I discussed a method for weighing the effects of developmental change.

In chapter 11, I introduced non-ideal conditions such as colonial imposition and pervasive power struggles. I distinguished between four different scenarios: the imposition of a development project by an external agent; the request for free, prior, and informed consent by an external agent; communal self-determination combined with the existence of non-deliberative fora; and finally, communal self-determination combined with the existence of deliberative fora. Depending on the scenario, I then suggested five concrete steps for deliberating about one's cultural traditions and the effects of development projects on them. The resulting deliberative procedure was open-ended and could lead to an endorsement of the development project or of some of its elements, a rejection of the project, proposals for an alternative project, or a deferral or postponement of the community deliberation.

## **12.2 Contribution of the thesis to the existing literature**

The novel contributions of this thesis are both conceptual and normative. While part II mainly deals with concepts and conceptions, parts III and IV primarily address normative questions – and part IV focuses on questions of implementation.

In part II, I provide an analytical grid of tradition and distinguish between seven dimensions that can help to characterise conceptions of tradition in the areas of philosophy, sociology, anthropology, and economics. This analytical grid can be used for analysing existing conceptions of tradition, but it can also provide orientation in constructing novel conceptions of tradition to answer

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specific research questions. Instead of relying on a set of fixed categories, the proposed analytical grid provides a set of diverse attributes in order to characterise or construct different conceptions of tradition. Among the few attempts at systematising conceptions of tradition, this is the first attempt to develop an analytical grid based on 28 accounts of tradition that can be found in the scholarly literature. In the second half of part II, I make use of this analytical grid and develop on the basis of its seven dimensions a value-neutral, habit-based conception of tradition that can form part of an evaluative procedure and might therefore be of particular interest to political philosophers and ethicists.

In part III, I discuss a variety of criteria and values that can help when evaluating traditions. On the one hand, I discuss *pro tanto* reasons for valuing traditions regardless of their specific content that have been suggested in the literature. On the other hand, I distinguish between the wellbeing-enhancing and the wellbeing-constraining aspects of traditions and how traditions might increase or decrease domination. These criteria and values can help to determine the value of specific traditions or to develop normative frameworks for the evaluation of traditions. As I focus in particular on the values of wellbeing and non-domination, this discussion can provide a valuable contribution to debates in the areas of development ethics and development economics. The distinction between four different dimensions of wellbeing – economic wellbeing, broader material wellbeing, socio-political wellbeing, and meaningfulness-related wellbeing – and the distinction between invasive and dominating traditions can be adopted into normative frameworks for evaluative purposes in development contexts. Such a normative framework could, for example, be applied in empirical research on technology transfer within development projects.

A second contribution in part III is the discussion of Indigenous wellbeing standards in chapter 8. The particular case study of this chapter deals with a Māori standard of wellbeing and the question of whether it is compatible with the conceptual framework of the capability approach. In

contrast to the majority of liberal wellbeing standards, Māori emphasise the value of kin-based relationships and the intrinsic value of nature. I argue that the capability approach is able to include genealogical relationships but that the underlying ethical individualism would have to be modified to integrate intrinsically valuable non-human beings. This discussion contributes to the existing literature on Indigenous wellbeing and the capability approach and illustrates what alternatives to a liberal framework could look like.

In part IV, I suggest a deliberative procedure that can support Indigenous communities in evaluating their cultural traditions and comparing them with the expected effects of proposed development projects on these traditions. The main contribution of part IV is not the specific procedure that I develop, however, but its normative justification. By referring to the normative argument of the corresponding chapters, Indigenous communities can defend their right to free, prior, and informed consent and their right to deliberation against governments or development agencies that attempt to impose development projects on them.

In cases in which a development project is the initiative of community members, the deliberative procedure can help them to come to a decision about whether or not to implement the project. However, there are also communities that already engage in deliberation about their cultural traditions and development proposals. These communities might find criteria within the deliberative procedure that can help them to review their ongoing practices of deliberation. These criteria include a set of rules to prevent internal domination and a set of methods to support decision-making procedures with regard to the acceptance or rejection of development projects.

### **12.3 Directions for further research**

In this thesis, I deal with the concept of tradition, the evaluation of tradition, and deliberation about tradition. Because many Indigenous communities around the world are still fighting for their right to self-determination or for their right to free and informed consent prior to the implementation of

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development projects, I decided to focus on the context of Indigenous communities that are faced with questions of development. The argument in this thesis can support their struggle, because it provides reasons to assign the evaluation of cultural traditions and development projects to Indigenous communities themselves. Although my focus on development ethics and Indigenous communities means that the research of this thesis remains restricted in several ways, there are various possibilities for extending it to other areas and academic disciplines.

The analytical grid of tradition that I develop in chapter 3 is limited to accounts of tradition in philosophy, sociology, anthropology, and economics. A more comprehensive analytical grid could also take into account conceptions of tradition that have been developed by scholars of folklore studies, history, literary science, theology, religious studies, and other academic disciplines. By considering other disciplines, further dimensions and criteria could be added, which would result in a more refined analytical grid.

The discussion of evaluative criteria in part III focuses on the values of wellbeing and non-domination and addresses questions of distributive justice only briefly in connection with self-determination. I adopt Young's conception of self-determination as non-domination and distinguish between two different levels: the level of the individual community and a federal level at which several communities are represented by a decision-making body. I also argue that questions of distributive justice can only be addressed on the level of the federal unit. Hence, I specify on which level questions of distributive justice should be addressed, but I do not provide further criteria regarding how to assess them. An extended evaluative framework for the evaluation of traditions could also integrate principles of justice. For example, traditions could be evaluated according to the extent to which they meet certain standards of equality or sufficiency.

The deliberative procedure that I outline in part IV is applicable in the context of Indigenous communities in which the community members

identify with one specific cultural tradition, but not to small-scale communities that are characterised by a plurality of culturally distinct subgroups. In order to develop a deliberative procedure for culturally diverse small-scale communities, principles of intercultural communication and intercultural deliberation would have to be added. How should communities deal with internal cultural minorities? And how should cultural subgroups communicate with one another? What possibilities are there when there is disagreement and which deliberative principles should apply in such cases? These and further questions would have to be addressed by a deliberative procedure for small-scale communities under conditions of cultural pluralism.

The final area for further research concerns the non-ideal context of the five-step procedure that I developed in chapter 11. I specified four scenarios ranging from imposed development to communal self-determination and showed how the five steps differ in each scenario. The scenarios could be specified further by tailoring them to the political and sociocultural context of specific communities. While I presuppose a certain degree of self-determination for the evaluation of cultural tradition, most Indigenous communities are still struggling with discrimination and marginalisation. Hence, adding more scenarios in which self-determination is not yet implemented would help to draw further connections to the reality that a lot of Indigenous communities are facing in our current world. Another option would be to include the different ways in which deliberation at the local level can be connected to deliberation at the national and international level. While I have focused on the struggle for Indigenous rights and Indigenous self-determination at the local level, great achievements in promoting and implementing Indigenous rights have been made by national movements (e.g., Sámi parliaments) and international associations (e.g., COICA). Including these national and international opportunities for Indigenous collaboration into the five-step procedure could help to specify policy proposals relating to the defence of Indigenous rights and Indigenous self-determination.

## **Appendix 1: Definitions and accounts of tradition from the literature**

In chapter 3, I developed an analytical grid for the concept of tradition, which is based on 28 noteworthy accounts of tradition that can be found in the scholarly literature. I collected these 28 definitions and accounts of tradition from fifteen philosophers, four sociologists, seven anthropologists, and four economists. In the following sections, I provide short descriptions of each of these accounts. As an overview of these accounts would have unnecessarily prolonged chapter 3, I have decided to move the material into an appendix. The seven dimensions that I specify in the analytical grid are based on this material and the reader can thus examine to what extent the grid can capture the differences and similarities between the underlying conceptions of tradition. The appendix begins with a section on philosophical conceptions of tradition, which is followed by sections on sociological, anthropological, and economic conceptions.

### **A1.1 Philosophical conceptions of tradition**

Philosophers have concerned themselves with the topic of tradition in a variety of contexts such as political philosophy, critical theory, and hermeneutics. Their conception of tradition has often been influenced by a particular context and the questions that emerge from it. In some cases, their conception had to answer questions on different levels. Philosophers such as Karl Popper and James Alexander therefore employ a conception of tradition with two or, respectively, three different meanings and suggest a multilayered approach to tradition.

One context in which the question of tradition has been asked is the context of truth. In his monograph *Tradition: Concept and Claim*, Josef Pieper focuses on ‘the tradition of *truth*, where the *traditum* (or *tradendum*) is a teaching, a statement about reality, an interpretation of reality, a proverb’ (Pieper 2010 [1970], 9). By distinguishing between content that has to be

preserved and the act of tradition in which this content has to be rephrased in different ways according to time and place, he intends to answer the question of how truth can be transmitted in a world of change. Although Pieper asked this question in the middle of the 20th century – his monography was published in 1970 – a similar question had already been asked by the counterrevolutionary philosopher Louis de Bonald in 1802 to defend a conservative outlook. According to Bonald, truth is ‘collectively transmitted through families’ (Reedy 1983, 580), and while its form might change, its content does not. Both philosophers, Bonald and Pieper, understood themselves as contributing to a Catholic theory of sacred tradition.

The second context in which the question of tradition has emerged is the context of philosophical enquiry, argument, or discourse. Alasdair MacIntyre defines a living tradition as ‘an historically extended, socially embodied argument, and an argument precisely in part about the goods which constitute that tradition’ (MacIntyre 2007 [1981], 222). It is therefore not merely truth that is transmitted by a living tradition, although a tradition might involve truth claims. Rather, MacIntyre’s conception of tradition designates the continuity of moral enquiry within a community. The question he tries to answer by means of this conception is an epistemological one: how can we recognise and attain the moral good in a world that has disintegrated into a plurality of mutually incommensurable points of view? His answer consists in advocating a return to communal tradition and in an argument that rationality is ‘largely tradition-constituted’ (Lutz 2004, 3).

MacIntyre’s philosophical work has been the starting point for a sophisticated discussion about the concept of tradition. At the same time, it is based on an idiosyncratic interpretation of the history of philosophy and has led him to defend a Thomistic way of making use of tradition’s resources to further moral enquiry. Yet this defence implies a highly normative notion of tradition, which amounts to more than just an expansion of his definition in his book *After Virtue*. Thus, MacIntyre is working with two different

conceptions of tradition.<sup>158</sup> In criticising MacIntyre's pessimism about liberal society, Jeffrey Stout has proposed a definition of tradition very similar to MacIntyre's early account. He speaks about it as 'a discursive practice considered in the dimension of history' (Stout 2005, 135). Stout has also argued against MacIntyre's predilection for Thomism and in favour of a broader conceptualisation of the democratic tradition.

Hannah Arendt does not provide a clear definition of tradition, yet her use of the concept refers mainly to traditions of thought and forms part of her reflection on the history of moral and political enquiry. It is therefore related to the context of MacIntyre's and Stout's arguments. Her verdict on tradition is mainly negative, though. According to Arendt, modern philosophers are still in the grip of traditions of thought and are holding on to well-worn notions and categories that become 'more tyrannical as the tradition loses its living force' (Arendt 2006 [1961], 26). In order to be free philosophers and human beings, we therefore have to liberate ourselves from tradition.

The third context of the question of tradition has been the tacit dimension of political action. In his book *Reflections on the Revolution in France*, Edmund Burke writes about tradition as 'a partnership [...] between those who are living, those who are dead, and those who are to be born' (Burke 2001 [1790], 261).<sup>159</sup> In opposition to the idea of revolutionaries who seek to design a perfect society from scratch, he recommends honouring the opinions and rules that have been handed down and only correcting and modifying them where absolutely necessary. He thereby tries to answer the question about when and how a society should be reformed. Although Michael Oakeshott distances himself from Burke's pervasive conservatism in his article 'On being conservative' (Oakeshott 1991a [1962], 195) and limits his conservatism to government, there are parallels in their views on political

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<sup>158</sup> According to Susan Okin and Jeffrey Stout, MacIntyre unintentionally moves between two senses of tradition (Okin 1989, 61; Stout 2005, 135).

<sup>159</sup> Prickett rightly notes that Burke avoids using the word 'tradition', because it would not have fitted the rhetoric of his period (Prickett 2009, 55).

change. While Burke finds fault with the revolutionaries' attitude of prioritising reason over tradition, Oakeshott criticises the 'conversion of habits of behavior [...] into comparatively rigid systems of abstract ideas' (Oakeshott 1991b, 26). He does not give a definition of tradition, but rather a description:

'[T]hough a tradition of behaviour is flimsy and elusive, it is not without identity, and what makes it a possible object of knowledge is the fact that all its parts do not change at the same time and that the changes it undergoes are potential within it. Its principle is a principle of *continuity*: authority is diffused between past, present, and future; between the old, the new, and what is to come. It is steady, because, though it moves, it is never wholly in motion; and though it is tranquil, it is never wholly at rest.'

(Oakeshott 1991b [1962], 128)

According to Oakeshott, the art of politics requires practical rather than technical knowledge, which can only be the result of 'the unselfconscious following of a tradition of moral behavior' (Oakeshott 1991b [1962], 40). However, from *On Human Conduct* (1975) onwards, Oakeshott drops the term 'tradition' because it seems inadequate for what he wants to express and introduces instead the more generic term 'practice'.<sup>160</sup>

A philosopher who understands himself as continuing this line of thought and in particular Burke's defence of grown social orders is Roger Scruton. However, his conception of tradition differs in various respects from Burke's and Oakeshott's. For Scruton, tradition includes 'all manner of custom, ceremony, and participation in institutional life, where what is done is done, not mechanically, but for a reason, and where the reason lies, not in what will be, but in what *has been*' (Scruton 1984, 40, italics in the original). His

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<sup>160</sup> Unfortunately, in 'On Misunderstanding Human Conduct' (1976), Oakeshott does not give reasons for this change of terminology. James Alexander speculates that he wants to avoid being misunderstood as a Burkean conservative who defends a particular *ancien régime* or any ancient regime in general (Alexander 2012, 33).

conception of tradition is rather intellectualistic and neglects the tacit dimension of knowledge, which has been pointed out by Oakeshott. In addition, he extends the application of his conception beyond the political domain to also include moral questions.

The question of tradition can also be posed in the context of rationality. Karl Popper was the first to search for a rational theory of tradition, which can also account for those traditions that originate in scientific reason. Popper distinguishes between first-order and second-order traditions. While first-order traditions can be described as the ‘uniformity of people’s attitudes, or ways of behaviour, or aims or values, or tastes’, second-order traditions reflect on first-order-traditions by ‘critically discussing’ them (Popper 1989 [1948], 133 and 127). By using these definitions, he can show that rationality develops traditions as well.

In their paper on ‘Internal Criticism and Indian Rationalist Traditions’, Martha Nussbaum and Amartya Sen determine the relationship between rationality and tradition in a different manner. Their conception of tradition is heavily based on the values a community adheres to. They therefore assign the task of evaluation to the community itself, whereas Popper remains silent on this point. But this evaluation still presupposes that the community members commit to evaluative ‘standards of consistency and clarity’ (Nussbaum and Sen 1987, 29). Given this commitment, the community members can then strive for coherence in their traditional value system and deliberate which basic values they want to hold on to in situations of change and development. Although Nussbaum and Sen’s primary question is not about rationality but about non-paternalistic development policies, they respond to it by appealing to the rational potential that they believe to be inherent in each communal tradition.

The fifth context of the question of tradition has been critical theory. According to Theodor W. Adorno, tradition is not so much a concept but a ‘category’, which he characterises as feudal and opposed to rationality (Adorno 1992, 75). He further specifies the ‘pregiven, unreflected and

binding existence of social forms' as the medium of tradition (Adorno 1992, 75). The research question Adorno has in mind concerns our way of dealing with tradition in modernity. Although we can no longer naïvely adhere to it, it would likewise be wrong to proclaim its absolute absence. Thus, Adorno recommends a critical approach to tradition that consists in confronting it with 'the most advanced stage of consciousness' (Adorno 1992, 78–79). Although this critical method may at first glance resemble Popper's second-order traditions, there are considerable differences between the way Adorno and Popper understand the notion of criticism. While Adorno criticises tradition from the first-person perspective (i.e., from within tradition), Popper understands criticism as a scientific method of testing and falsifying first-order traditions (i.e., from outside tradition). David Gross, who follows Adorno in exploring the critical potential within tradition and of tradition, conceptualises tradition as 'a set of practices, a constellation of beliefs, or a mode of thinking' and as prescriptive and authoritative (Gross 1992, 8). He sees in the recuperation of tradition and the encounter with its otherness an opportunity to criticise 'modernity from outside modernity' (Gross 1992, 87).

Another context of the treatment of tradition I would like to mention is the context of cultural transmission. In his book *Tradition und Verfahren*, Karsten Dittmann proposes a communicative conception of tradition that is embedded within a theory of culture. The resulting communicative theory of tradition 'explains the connection between transmitting and receiving' (Dittmann 2004, 372, translated) and shows how traditions can provide valuable contributions within processual accounts of moral justification, such as Habermas's discourse ethics or the 'Beratungsethik' developed by Wilhelm Kamlah, Paul Lorenzen, and Oswald Schwemmer. By delineating a critical theory of tradition, Dittmann intends to bridge the gap between tradition and culture on the one hand and ethics on the other.

The seventh context is hermeneutics, in which Hans-Georg Gadamer has been able to rehabilitate the conception of tradition. According to Gadamer, tradition 'has a justification that lies beyond rational grounding and in large

measure determines our institutions and attitudes’ (Gadamer 1999 [1960], 281). In understanding ourselves, each other, or a text before us, ‘we are always situated within traditions’ (Gadamer 1999 [1960], 282). Yet there is still room for freedom and choice, because tradition ‘needs to be affirmed, embraced, cultivated’ (Gadamer 1999 [1960], 281). Gadamer’s conception of tradition forms part of his philosophical inquiry into the nature of human understanding and its presuppositions.

Thomas Arne Winter provides a ‘groundwork of a general theory of tradition’ (Winter 2017, 16, translated) that is based on a close reading of Heidegger’s and Gadamer’s writings on the topic of tradition. He develops the concept of ‘hermeneutic patterns’, which are transmitted and repeated and can be understood because they are embedded within a ‘horizon of meaning’ comprising both the content and the bearers of a tradition (Winter 2017, 286, translated). In this way, Winter can construct a theory of ‘Tradition als Sinngabe’ (Winter 2017, 265) in which not only a traditional pattern is being passed on but also a certain meaning. Furthermore, Winter ascribes to tradition the anthropological function of helping human beings to cope with their own finiteness.

There have also been attempts to systematise the conceptual work on tradition (within and beyond the domain of philosophy) in the context of a general theory of tradition. James Alexander introduces a three-layered account of tradition and distinguishes between traditions ‘with only continuity, those with also a canon in addition to continuity, and those with also a core in addition to canon and continuity’ (Alexander 2016, 24). Alexander’s concept of a canon is inspired by the work of the anthropologist Jack Goody, while his concept of a core can be traced back to the philosophical work of Josef Pieper.

Another interdisciplinary attempt to work towards a ‘complex theory of tradition’ (Wiedenhofer 2006, 381) has been made by the theologian Siegfried Wiedenhofer. Wiedenhofer wants to establish the notion of tradition as the ‘overarching concept for cultural theory’ (Wiedenhofer 2006, 376). The

aim of his research project is a ‘comprehensive theory which allows to bring the different disciplines, approaches and results into a fruitful interdisciplinary relationship with each other’ (Wiedenhofer 2005, 257, translated). Although his attempt has remained mainly programmatic and has focused on cultural and religious traditions, it has sparked a rich conversation on the topic and the publication of various volumes of the book series *Studies in Tradition Theory*.

### **A1.2 Sociological conceptions of tradition**

Sociological conceptions of tradition, in addition to such conceptions in philosophy, vary according to the context and the questions that the sociologist is concerned with in a research project. The notion of tradition is frequently embedded within a conceptual framework, forming connections with some concepts and standing in contrast to others. Compared with philosophical conceptions, which in general contain a normative component, sociological conceptions of tradition are usually descriptive. They do not form part of a moral or political justification but are employed because of their explanatory value for social behaviour and social phenomena.

In Max Weber’s classic book *Economy and Society*, a conception of tradition appears for the first time in his account of the different types of social action: his ideal type of traditional action is characterised by ‘ingrained habituation’ (Weber 1978 [1922], 25). This ideal type is contrasted with the ideal types of instrumentally rational and value-rational action, but also with the ideal type of affectual action, and ‘lies very close to the borderline of what can justifiably be called meaningfully oriented action’ (Weber 1978 [1922], 25). The conception resurfaces in Weber’s discussion of different types of authority. According to Weber, the ideal type of traditional authority is legitimated ‘by virtue of the sanctity of age-old rules and powers’ (Weber 1978 [1922], 226). The alternative ideal types are legal–rational authority and charismatic authority. As Weber’s notion has been very influential in the subsequent debate, it is important to keep in mind that he employed it as an

ideal type. For Weber, an ideal type is a heuristic device that helps to determine the extent to which actual action or authority falls under or respectively deviates from it. Thus, his conceptualisation of tradition should not be misinterpreted as an empirical assertion.<sup>161</sup> The context in which it is introduced is Weber's thesis that modern societies developed through a process of rationalisation, moving away from traditional action and authority towards rational action and rational justifications of domination. It therefore provides an answer to the sociological question about the provenance of modernity.

While Shmuel N. Eisenstadt's book *Tradition, Change, and Modernity* contributes to the same research project that Weber had been working on, he rejects the classic paradigm of modernization as a "unilinear" demographic, social, economic, or political process [...] whose basic contours will be everywhere the same' (Eisenstadt 1973, 101). Challenging the tradition–modernity dichotomy, he points to various historical counter-examples to a simplified modernisation theory: that disruption of tradition can also lead to chaos, that modernisation can also take place with the support of traditional symbols and elites, and that in some cases, after a phase of modernisation a revival of tradition was initiated in order to provide stability (Eisenstadt 1973, 262). Eisenstadt also enumerates a list of variables, which are 'the extent of solidarity of a social group or system, the extent of autonomy of different institutional and symbolic systems, and the weakness or strength of different centers' (Eisenstadt 1973, 341), that influence how traditional societies respond to change: they might passively undergo it, organise active resistance against it, adapt to it, or transform themselves in response to it (Eisenstadt 1973, 329). In his book, he employs a sophisticated conception of tradition as

'routinized symbolization of the models of social order and of the constellation of the codes, the guidelines, which delineate the limits

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<sup>161</sup> For this reason, I am hesitant to agree with Mark Salber Phillips's criticism of Weber for the vagueness and generality of his notion and for using tradition as a residual category (Phillips 2004, 17–18).

of the binding cultural order, of membership in it, and of its boundaries, which prescribe the “proper” choices of goals and patterns of behavior; it can also be seen as the modes of evaluation as well as of the sanctioning and legitimation of the “totality” of the cultural and social order, or of any of its parts.’ (Eisenstadt 1973, 139)

Eisenstadt’s conception appeals to routine, as Weber did, but it also implies the significance of symbols, codes, and guidelines. In addition, tradition marks the boundaries of a cultural community and determines to some extent its normative orientation and world view. This highly differentiated notion of tradition allows Eisenstadt to distinguish between a variety of ways in which modernisation may emerge and develop.

In Anthony Giddens’s essay ‘Living in a Post-Traditional Society’, he deals with the same question as Weber and Eisenstadt did: the transition from tradition to modernity. Weber’s paradigm was one of rationalisation, but Giddens prefers to talk about the ‘[d]isembedding mechanisms’ that mark this transition (Giddens 1997, 85). While in traditional societies there was identity, trust, and authority, which provided a stabilising framework for their members, this framework is dissolving in the post-traditional society. But this dissolution only gained momentum with the advent of globalisation. According to Giddens, for ‘most of its history, modernity has rebuilt tradition as it has dissolved it’ (Giddens 1997, 56). Giddens’s notion of tradition is more empirically oriented than Weber’s but less sophisticated than Eisenstadt’s and is based heavily on Maurice Halbwachs’s term of collective memory: tradition is consequently ‘bound up with memory’, ‘involves ritual’, ‘is connected with [...] a formulaic notion of truth’, ‘has “guardians”’, and ‘has binding force which has a combined moral and emotional content’ (Giddens 1997, 63). In the context of Giddens’s research question, tradition is the ‘*organizing medium of collective memory*’ (Giddens 1997, 64, italics in the original) and explains the social cohesion of so-called traditional societies.

Edward Shils manages to avoid a conceptual opposition between tradition and modernity by introducing his thesis of traditionality, which

involves the idea that ‘all accomplished patterns of the human mind, all patterns of belief or modes of thinking, all achieved patterns of social relationships, all technical practices, and all physical artifacts or natural objects are susceptible to becoming objects in a process of transmission’ (Shils 1981, 16). According to Shils, the decisive criterion of tradition is that ‘having been created through human actions, through thought and imagination, it is handed down from one generation to the next’ (Shils 1981, 12). In the case of practices and institutions, however, what is transmitted is not a particular concrete action but ‘patterns or images of action’ (Shils 1981, 12). He also adds the requirement that ‘two transmissions over three generations’ (Shils 1981, 15) have to occur before a pattern of belief or action can be considered a tradition. Thus, it has to be received and passed on by at least two different persons, communities, or generations.<sup>162</sup> Shils enlists a number of endogenous and exogenous factors concerning why traditions can and do change and also employs an evolutionary paradigm. He defines traditions ‘by their adherence as well as their substantive content’ (Shils 1981, 258) and connects them in this way to collectivities on the one hand and symbolic constructions on the other. The context of Shils’s monograph is a systematic one: he intends to clarify the notion of traditionality and analyse its ‘temporal dimension’ (Shils 1981, 8), which is lacking in Weber’s account. But he also addresses the Weberian thesis that modern society is moving towards a state of traditionlessness. In doing so, he somehow reproduces the Weberian ideal types by distinguishing between ‘substantive tradition’ and traditions of emancipation or rationalisation (Shils 1981, 309). Nevertheless, he manages to widen the context and establish tradition as a sociological research topic in its own right.

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<sup>162</sup> I interpret Shils as regarding one transmission (e.g., giving a gift to someone) as necessary but not sufficient for a tradition. In order for there to be a tradition, the pattern of belief or action that is being passed on must have been received beforehand. Shils does not justify his temporal condition of three generations and concedes that the boundaries of generations often remain vague. His temporal condition is therefore merely a pragmatic ‘minimum’ condition (Shils 1981, 15).

This systematic interest in the role of tradition as a social phenomenon has opened up a debate, which has become increasingly interdisciplinary. Hizky Shoham, for example, criticises an anti-modern understanding of tradition as well as an understanding that identifies tradition with society. Instead, he proposes a de-ontologised account of tradition as a ‘socio-cultural practice that assigns temporal meaning’ (Shoham 2011, 315). A more comprehensive notion of tradition as ‘the infrastructure that both enables our self-understanding and sets its limits’ has been suggested by Yaacov Yadgar (2013, 456). By bringing together three different analogies of tradition as language, tradition as narrative, and tradition as horizon, Yadgar emphasises tradition’s highly dynamic nature.

### **A1.3 Anthropological conceptions of tradition**

While philosophers have often been focusing on what Robert Redfield calls the ‘great tradition’ (i.e., traditions formed by an educated elite), anthropologists have often related elements of this ‘great tradition’ to the ‘life of the ordinary people, in the context of daily life’ (Redfield 1955, 17-18). Great traditions exhibit universalising tendencies, whereas little traditions remain restricted to small-scale communities. Anthropologists prefer to understand tradition as a cultural phenomenon that forms part of the self-understanding and identity of a particular community. They intend to abstain from any value judgements in their research and try to avoid the imposition of ethnocentric methods or concepts in their descriptions of communities and their traditions.

Although Eric Hobsbawm and Terence Ranger are both historians, their book *The Invention of Tradition* has had a deep influence in the area of anthropology. Hobsbawm distinguishes between ‘genuine traditions’ that have a certain age and ‘invented traditions’, which include those ‘actually invented, constructed and formally instituted and those emerging in a less easily traceable manner within a brief and dateable period’ (Hobsbawm 1984, 1). Furthermore, he provides a definition of invented tradition as ‘a set of

practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with the past' (Hobsbawm 1984, 1). According to Hobsbawm and Ranger, the secular decline of ancient traditions and the rise of the nation state has created a new need for invented traditions to establish social cohesion and membership, legitimise institutions and authority, and spread certain beliefs and values. Their thesis responds to the shortcomings of a unilinear modernisation theory and points to the re-emerging demand for tradition. The study of invented traditions has occupied many anthropologists since the publication of their volume.<sup>163</sup>

Talal Asad provides a definition of tradition as 'discourses that seek to instruct practitioners regarding the correct form and purpose of a given practice that, precisely because it is established, has a history' (Asad 2009, 20). His definition is a contribution to the anthropology of religion and, in particular, the anthropology of Islam. He borrows this conception from Alasdair MacIntyre's conceptualisation of tradition in *After Virtue* (Asad 2009, 28, Footnote 27). Asad also refers implicitly to Hobsbawm's conception of invented tradition, but does not regard it as helpful for answering his research question. Instead, it is sufficient for a tradition 'that all instituted practices are oriented to a conception of the past' (Asad 2009, 21). Asad criticises likewise the opposition between tradition and reason that he attributes to Edmund Burke and Max Weber. According to Asad, 'reason and argument are necessarily involved in traditional practice' (Asad 2009, 22). Although there are diverse traditional Muslim practices, they 'aspire to coherence, in the way that all discursive traditions do' (Asad 2009, 23).

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<sup>163</sup> However, the simple opposition between genuine and invented traditions has been criticised as 'unworkable' on historical grounds by Mark Salber Phillips. According to Phillips, this opposition 'corresponds to nothing we know about the transmission of culture' (Phillips 2004, 6).

A whole monograph by the cognitive anthropologist Pascal Boyer has been dedicated to the subject of tradition. His research question differs from Hobsbawm's, and also Asad's, in that he wants to explain the 'repetition or reiteration of tradition' and the cognitive processes this involves (Boyer 1990, vii). To enable traditional cultural phenomena to be repeated, they have to be memorised. And in order to be memorised, they have to be 'psychologically salient' (Boyer 1990, 1). Boyer accounts for this salience by enriching his formal notion of tradition as 'interaction which results in the repetition of certain communicative events' with the concept of truth (Boyer 1990, 23). Communicative events that are memorised and become part of tradition are characterised by the acquisition of certain concepts, a truth that is being handed down, and certain social positions that are taken as a criterion for truth.

In his work on the comparative anthropology of literacy, the anthropologist Jack Goody employs a conception of tradition as 'a "handing over" in the sense of intergenerational communication, if only over a single generation' (Goody 2000, 13).<sup>164</sup> This rather formal and structural understanding of tradition becomes the starting point for his analysis of the differences and commonalities between oral and literate cultures. He rejects the dichotomies between the traditional and the modern as 'unacceptable' (Goody 2000, 22) and adds that oral communication 'continues to play a fundamental role after the advent of writing' (Goody 2000, 110). Yet written communication can 'make the implicit explicit' and create continuing traditions, which may often amount to ideologies but can also transmit critical ideas (Goody 2000, 164).

The British anthropologist Mary Douglas criticises the use of the term 'traditional culture' to indicate cultural inertia, irrationality, and 'economic backwardness' (Douglas 2004, 87). Although she does not propose a positive definition or conceptualisation of the concept of tradition, her contribution is

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<sup>164</sup> In his temporal characterisation of tradition, Goody therefore appears to disagree with Shils's 'minimum' condition of two transmissions over three generations.

very valuable as she addresses some of the most common underlying assumptions shared by conceptions of tradition. While her discussion focuses on economic thinkers, it also has relevance for the opposition between tradition and modernity in other areas of research. We can distinguish in Douglas's cultural theory four distinctive cultural tendencies: individualism, hierarchy, egalitarianism, and fatalism (Verweij 2004, 110). A sudden, unexpected loss of autonomy or of local influence may lead to the prevalence of fatalism and a culture of apathy. This culture of apathy can then become a real hindrance for economic development, because it weakens the bonds between people and facilitates the emergence of interpersonal differences. But it would be wrong to identify apathy with tradition. Douglas denies the dichotomy between an entrepreneurial culture and a traditional one. On the one hand, she regards it as 'patronizing to impute an unthinking reverence for tradition' (Douglas 2004, 101) to peoples of less developed countries; on the other hand, she argues that cultural inertia may also be 'a rational move to avoid unprofitable effort' (Douglas 2004, 98).

#### **A1.4 Economic conceptions of tradition**

Economists rarely employ a conception of tradition, although some economists have been interested in the economic behaviour of so-called traditional communities. If economists write about tradition, they often conclude their account with a normative judgement: a minority regards traditions as important, but the majority conceive of it as 'a form of irrationality' and 'a preference for living in the past' (Douglas 2004, 87). The economic discourse has often been influenced by the sociological discussion of the concepts of tradition and modernity, opposing in a similar way the concept of tradition to the concept of development.

Douglass North does not provide an account of tradition but a sophisticated argument about how structures have changed in the course of economic history. His account may be said to represent the majority position in economics when it comes to describing the characteristics of traditional

communities. For North, economic history is basically the history of overcoming economic situations that are less efficient and where there are no or only a few institutional structures in place (e.g., property rights or rules of exchange) and moving towards economic situations that are more efficient and where the network of institutional structures is expanded. According to North, the first economic revolution took place when hunting and gathering units became sedentary. In the beginning, hunting and gathering communities held their natural resources as common property, which led to 'its inefficient utilization' (North 1981, 80). But persistent population pressure eventually led them to exclude outsiders from their property, which in turn prompted them to 'increase the productivity of the resource base' (North 1981, 88). In this way, the introduction of exclusive property rights created 'an incentive to improve efficiency and productivity' (North 1981, 89). North explains this revolution partly by appealing to natural selection: those groups that changed their understanding of property increased their chances of survival. The transition from personalised exchange to impersonal markets that followed meant abandoning the simple rule of reciprocity and introducing more 'formal rules' and 'compliance procedures' (North 1981, 204). The second economic revolution was rendered possible by a growth in the stock of knowledge. North distinguishes between three revolutionary steps, the 'development of scientific disciplines', 'the intellectual exchange between scientists and inventors', and the 'evolution of property rights' (North 1981, 172–73). Underlying this second revolution is a notion of the human being as a rational agent striving for knowledge.

In summary, North's economic history sketches the development from a traditional community with common property, personalised exchange, and without scientific differentiation towards our modern society with its complex network of institutions and its system of rights, especially rights to property and contract. Although he does not write explicitly on the topic of tradition, his vision of economic change implies the need to overcome certain obstacles. Examples that illustrate this are impersonal markets in which the traditional

morality of reciprocity has to be given up in order to establish a more efficient way of allocating resources. According to North, defending tradition means opposing economic development.

While Friedrich A. Hayek's understanding of economic history exhibits a lot of parallels to that of Douglass North's, he employs a generalised, evolutionist conception of tradition and comes, consequently, to a very different conclusion regarding its value. According to Hayek, the evolution of our current economic system has been the result of groups of individuals 'breaking some traditional rules and practicing new forms of conduct' (Hayek 1978, 161). Yet such transgressions have never been a conscious decision. Groups adopted such practices for 'unknown and perhaps purely accidental reasons' (Hayek 1978, 155), but in the process of evolution they gained a differential advantage and therefore these practices continued. Hayek describes the course of economic history as a continuous relaxation of prohibitions which resulted in the 'evolution of individual freedom' (Hayek 1978, 161). Furthermore, a system of rules gradually developed which would protect this freedom. Hayek often uses the concepts of culture and tradition interchangeably and defines culture as 'a tradition of learnt rules of conduct which have never been "invented" and whose functions the acting individuals usually do not understand' (Hayek 1978, 155). By describing the human mind as being embedded within 'a traditional impersonal structure of learnt rules' (Hayek 1978, 157), Hayek points to the tacit dimension of tradition. But his defence of specific institutional structures rather than of the corresponding underlying practices has attracted the criticism of Oakeshott, who says that he turns the resistance to rationalism 'into a self-conscious ideology' (Oakeshott 1991b [1962], 26). Hayek uses his evolutionist notion of culture and tradition to argue in favour of the protection of freedom and against any governmental intervention that could jeopardise it. Thus, for Hayek, defending tradition is tantamount to protecting the achievements of economic history.

Stephen A. Marglin argues in favour of tradition as well, but his reasons are entirely different from Hayek's. Marglin rejects the elevation of choice and freedom 'to the status of a universal *summum bonum*' (Marglin 1990, 10, italics in the original). Instead, he advocates traditions because traditional communities contribute to cultural diversity, which 'may be the key to the survival of the human species' (Marglin 1990, 16-17). Like Hayek, Marglin does not draw a clear distinction between his conception of culture and his conception of tradition. Cultural tradition comprises 'a set of rules, largely tacit and unconscious', 'the values that underlie those rules', and 'systems of knowledge' (Marglin 1990, 24). He consequently puts forward a dynamic and holistic interpretation of tradition. In contrast to North and Hayek, whose accounts contain a notion of economic progress, Marglin denies such progress in economic history. His research question differs from Hayek's in that he compares a plurality of so-called traditional communities with each other, whereas Hayek writes about tradition in general.

In his paper 'Tradition and Economic Growth', Bernd F. Hoselitz provides a balanced evaluation of the role of tradition in economic development. Criticising Max Weber's conceptualisation of tradition, Hoselitz suggests elaborating 'positive variants of traditional action' (Hoselitz 1961, 87). Basing this elaboration on the criteria of self-consciousness, formalistic sophistication, and normative weight, he distinguishes between 'traditionally transmitted' habits, usages, norms, and ideologies (Hoselitz 1961, 87). According to Hoselitz, habitual behaviour can be supportive of economic development because it creates a disposition towards certain forms of action. Thus, patterns of production can be successfully changed by adapting work routines to the daily routines of workers. Usages are dealt with in the context of so-called national traditions. Hoselitz gives the example of Japan's industrialisation, where the persistent operation of traditional usages had a positive effect on development. But the most important elements of tradition are traditionally transmitted norms, because they can perform a stabilising function in situations of constant and

rapid change. In contrast, traditionalism as an ideology is evaluated negatively by Hoselitz, because, he believes, it tends to bend the energy of a society to the past. Stability and a feeling of security are functions of tradition that may contribute to a process of economic development. Hoselitz's paper considers many questions that are similar to those I have tried to address in this thesis. The evaluation he provides is subtle, sophisticated, and balanced. At the same time, his conception of tradition remains largely sociological (integrating the views of Max Weber, William G. Sumner, Talcott Parsons, and Edward Shils) and his argument relies heavily on economic examples.



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## Samenvatting

Sommige auteurs zeggen dat economische ontwikkeling voorrang heeft op culturele tradities, anderen dat lokale tradities moeten worden beschermd tegen westerse ideeën van vooruitgang. Om een middenweg te vinden tussen deze standpunten, stel ik in dit proefschrift de vraag: Hoe kunnen inheemse gemeenschappen hun culturele tradities en de effecten die een ontwikkelingsproject zou kunnen hebben op deze tradities evalueren? Mijn onderzoeksvraag kan op de volgende manier worden geïllustreerd: Als er een inheemse gemeenschap is waarvan de leden instemmen met een ontwikkelingsproject (bijvoorbeeld de aanleg van een waterirrigatiesysteem), maar tegelijkertijd willen vasthouden aan de culturele tradities die ze van hun voorouders hebben geërfd, hoe kunnen ze dan een evenwicht vinden tussen deze twee normatieve overtuigingen? Hoe verhouden deze twee overtuigingen zich tot elkaar? En zijn er compromissen mogelijk?

Om mijn onderzoeksvraag te beantwoorden, ga ik in drie stappen te werk. Eerst ontwikkel ik een conceptie van culturele traditie (deel II). Vervolgens bepaal ik wat de relevante normatieve criteria zijn voor de evaluatie van culturele tradities (deel III). Op basis van deze normatieve criteria ontwikkel ik ten slotte een deliberatieve procedure voor inheemse contexten (deel IV).

In deel I ga ik in op het begrip traditie. Ik bekritiseer een populaire misvatting over traditie die traditie associeert met conservatisme en ik neem stelling tegen de verdediging van culturele tradities door een aantal auteurs die neigen om traditie in holistische termen te bekijken. Vervolgens rechtvaardig ik mijn bijzondere aandacht voor inheemse volkeren en hun culturele tradities. De volgende paragrafen bevatten methodologische overwegingen en een overzicht van hoe ik mijn centrale stelling zal verdedigen. Ik sluit deel I af met een overzicht van de bestaande verhandelingen over culturele tradities in de ontwikkelingseconomie en de ontwikkelingsethiek om te laten zien hoe mijn benadering van culturele tradities hiervan verschilt.

## SAMENVATTING

In deel II vergelijk ik verschillende manieren waarop het begrip traditie is geconceptualiseerd in de filosofie, sociologie, antropologie en economie. Door onderscheid te maken tussen beschrijvende en normatieve begrippen enerzijds, en gedragsgerichte en taalgerichte begrippen anderzijds, voorzie ik in een analytisch raster dat kan helpen om verschillende conceptualisaties van traditie van elkaar te onderscheiden. Dit analytische raster is gebaseerd op 28 wetenschappelijke verhandelingen over traditie en biedt zeven dimensies om deze conceptualisaties te onderscheiden.

Met behulp van dit analytische raster ontwikkel ik vervolgens een waarde-neutraal begrip van culturele traditie gebaseerd op een pragmatisch concept van gewoonte, en stel ik een definitie van traditie voor als "basisgewoonten binnen een cultuur". Binnen deze definitie maak ik onderscheid tussen een gedragsdimensie en een betekenisdimensie. Deze definitie van culturele traditie wordt aangevuld met een niet-essentialistisch begrip van culturele continuïteit als derde alternatief tussen essentialisme en anti-essentialisme. Aan het einde van deel II geef ik een reeks criteria voor het identificeren van inheemse gemeenschappen en inheemse culturele tradities.

In deel III bespreek ik de vraag of de normatieve evaluatie van culturele traditie mogelijk is en stel ik een normatief kader voor deze evaluatietaak voor. Ik beargumenteer dat interculturele waarden het beste type criteria vormen voor de evaluatie van culturele tradities in een cultureel diverse wereld. Vervolgens introduceer ik een normatief kader dat gebaseerd is op de waarden van welzijn, non-dominatie en zelfbeschikking. De waarde van welzijn is onderverdeeld in vier verdere dimensies: economisch welzijn (bijv. voedsel of inkomen), ruimer materieel welzijn (bijv. gezondheid), sociaal-politiek welzijn (bijv. onderwijs) en betekenisvol welzijn (bijv. harmonie met de natuurlijke wereld). Dit kader wordt getest aan de hand van twee casestudies. De eerste casestudy onderzoekt de effecten van een specifieke culturele traditie van onbetaald gemeenschapswerk - de zogenaamde *tequio*-

traditie uit Oaxaca in het zuidoosten van Mexico. De tweede casestudy gaat over de effecten van culturele tradities binnen inheemse toerisme projecten.

In deel IV ontwikkel ik een deliberatieve procedure die inheemse gemeenschappen kan ondersteunen bij het evalueren van hun culturele tradities en bij het vergelijken van deze tradities met de effecten van een voorgesteld ontwikkelingsproject. Ik bespreek een aantal regels voor deliberatie en vergelijk een liberale en een inheemse welzijnsstandaard met elkaar. De inheemse welzijnsstandaard is gebaseerd op de Māori-filosofie en is in staat om genealogische relaties en de intrinsieke waarde van de natuur te integreren. Tot slot geef ik een schets van een deliberatieve procedure voor de evaluatie van culturele tradities in ontwikkelingscontexten onder ideale en niet-ideale omstandigheden en stel ik een vereenvoudigde procedure van vijf stappen voor die kan worden aangepast aan inheemse contexten.

Mijn proefschrift draagt op drie manieren bij aan de academische discussie: Ten eerste door een analyse te geven van het begrip culturele traditie binnen de politieke filosofie. Het biedt een analytisch raster van traditie dat zeven dimensies onderscheidt om begrippen van het idee van traditie op het gebied van filosofie, sociologie, antropologie en economie te karakteriseren. Ten tweede door het ontwikkelen van een normatief kader voor de evaluatie van culturele tradities op basis van de waarden van welzijn, non-dominatie en zelfbeschikking. Een dergelijk normatief kader zou bijvoorbeeld kunnen worden toegepast bij empirisch onderzoek naar technologieoverdracht binnen ontwikkelingsprojecten. En ten derde, door inheemse gemeenschappen te voorzien van conceptuele middelen die hen in staat stellen hun culturele tradities in ontwikkelingscontexten te evalueren. Door een beroep te doen op deze conceptuele middelen kunnen inheemse gemeenschappen hun recht op vrije, voorafgaande en geïnformeerde toestemming en hun recht op deliberatie doen gelden tegen overheden of ontwikkelingsorganisaties die proberen ontwikkelingsprojecten aan hen op te leggen.



## **Curriculum Vitae**

Matthias Kramm was born on May 23rd, 1983 in Bergisch Gladbach, Germany. From 2005 to 2009 he studied philosophy at Munich School of Philosophy (2005, summa cum laude). Afterwards he worked for two years as a teacher and fundraiser in Oaxaca, Mexico. Subsequently, he acquired a Bachelor's degree in theology at Heythrop College, University of London (2014, first class). From 2014 to 2016 he worked as a university chaplain in Göttingen. Matthias wrote his PhD thesis at the Ethics Institute of Utrecht University from 2016 to 2020. His thesis was supervised by Prof. Dr. Ingrid Robeyns, Dr. Dorothea Gädeke, and Dr. Krushil Watene. During his PhD project, Matthias spent a semester at Massey University in New Zealand in order to study Māori philosophy. He works currently as a postdoctoral researcher at Wageningen University.



# Quaestiones Infinitae

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