2016

A Policy-Oriented Approach to Development

W. Michael Reisman

Yale Law School

Follow this and additional works at: https://digitalcommons.law.yale.edu/fss_papers

Part of the Law Commons

Recommended Citation
https://digitalcommons.law.yale.edu/fss_papers/5308

This Article is brought to you for free and open access by the Yale Law School Faculty Scholarship at Yale Law School Legal Scholarship Repository. It has been accepted for inclusion in Faculty Scholarship Series by an authorized administrator of Yale Law School Legal Scholarship Repository. For more information, please contact julian.aiken@yale.edu.
A POLICY-ORIENTED APPROACH TO DEVELOPMENT

W Michael Reisman*

Abstract: This article examines the assumptions and values behind traditional notions of development. It argues that the optimal status of any community is not the achievement of a specific level of development, but rather the maintenance of an ongoing development process. A community must respond creatively and innovatively to technological, environmental and political changes. A public order of human dignity is thus ultimately achieved through increasing the aggregate participation in the shaping and sharing of all values on a global level across political boundaries and between communities of varying levels of development.

Keywords: development; values; public order; human dignity; world community; creativity, innovation

I. Introduction

“Development” refers to decision processes which have been designed to induce the shaping and sharing of all values in ways and with consequences approximating a public order of human dignity. The component of intentional movement towards those goal values distinguishes development from social change more generally. Change is, of course, an ineluctable feature of social process, as all actors are constantly seeking, by means of persuasion — or coercion — to change or resist the changing of arrangements and the values they produce and distribute, with the aim of inducing them to henceforth discriminate — or continue to discriminate — in their own favour.

This so-called “value-free” inquiry about social change is not the interest of a policy-oriented approach to development. Development is unapologetically outcome-biased. Harold Lasswell minced no words when he said that models of development “should be explicitly preferential”.1 Development posits specific scope values with respect to which strategies for securing — and maintaining — selective changes are invented and implemented. Those same goal values also serve as criteria against which change flows in decision structures and in the production


and distribution of values can be constantly appraised, providing intelligence for strategic adjustments to improve future goal attainment. The point is that not all changes are considered to be development. Changes incompatible with the postulated goal values of human dignity or retrogressions from them are what might be called “disdevelopments”; institutional practices which do not contribute to the achievement of development goals are dysdevelopmental.

The scholarly literature which Harold Lasswell reviewed in his seminal “The Policy Science of Development” looked largely to “the institutional details of tribal societies, of reviving ancient civilizations or of non-industrialized nations”. But every civilization — pre-industrial, industrial, post-industrial and science and technology-based — is inescapably involved in the process of development. Not unlike Thomas Schelling’s disturbing example of the reluctant participant in a game of “chicken”, an actor saying his or her community will not play a role in development, has not merely opted out: it has lost.

Once upon a time, it was politically correct international parlance, to speak of “developed”, “developing” and “lesser developed” or “underdeveloped” states, awarding a few states the title “developed”. But the optimal status of any community is not the achievement of a specific level of “development”, in the sense of some static infrastructure and accumulation or capitalisation and allocation of values meeting the demands of certain members or even of all strata of a community at a particular moment. The optimal status is, rather, the establishment and maintenance of a viable and ongoing development process which is capable, through time, of identifying and responding creatively to technological, environmental and political changes capable, where necessary, of reformulating goals and adjusting strategies to exploit and not merely to meet changes and capable of performing the decision functions indispensable to the maintenance of satisfactory community order while contributing to the attainment of maximum goals. In all of this, creativity is critical: Chen and Lasswell said, “[a]n essential trait of development is innovativeness”.

No less essential is effectiveness in decision-making; development at any level requires a constitutive process in which the decision functions of efficient intelligence gathering relevant to development; efficient promotion of policy

---

3 Ibid., p.286.
alternatives; efficient and timely prescription of policies that contribute to
development; efficient invocation of deviations from those prescriptions;
effective and timely application of those prescriptions coupled with demands for
an application; timely amendment and termination of prescriptions which have
become obsolete and no longer contribute optimally to development and ongoing
appraisal of the overall performance of the decision functions. All these functions
must operate satisfactorily so as to produce and distribute values in public and civic
orders trending towards — and not away from — goals.

Thus, every community, from the most exclusive to the most inclusive, is
involved in processes of internal and external development, however, well or ill it
performs them; environmental changes, in the inclusive sense in which Lasswell
and McDougal use the term to capture the full range of conditioning factors, and
new political demands constantly require authoritative decision-makers in the
relevant community to confirm or adjust goals, identify the new conditions which
will affect their attainment (including the resistance of those opposing change) and
to devise new strategies for goal attainment.\(^6\)

The values that must be diverted from development to address the \textit{competitions}
between developing communities are not negligible. For example, in the absence
of an inclusive global security system, such as an effective United Nations, states
are constrained to divert resources, which would otherwise be available for internal
development, to the maintenance of their own security. This becomes a dynamic
which feeds and exacerbates individual and collective anxiety and perpetuates a
war system. In this respect, a necessary dimension of a comprehensive development
strategy must include arrangements \textit{between} states, not only for the obviously useful
transfer of capital and technology for production, the protection of the environment
etc, but also for security and the management of the expectation of violence.

Developmental capacities vary from community to community. The most
minimal form of developmental capacity obtains when a territorial or non-territorial
community lacks institutional or functional means for locating itself, with some
degree of realism, in its environing flow of events; identifying the goals implicit
in inherited arrangements and being able to appraise them as against others and
clarifying and projecting goals and strategies for securing an approximation of its
goals. The resulting non-development, haphazard development or disdevelopment
does not derive exclusively from the lack of minimal institutional arrangements for
making development decisions; they may be a consequence of perspectives shared
by key segments of the population which work to paralyse the expectation of the
possibility of human agency and purposive change. Derivations from a divinity may
be a source of goals but perspectives that assume divine predetermination and the
futility of human agency preclude development decisions. Such perspectives may

\(^6\) See, for instance, Myres S McDougal and Harold D Lasswell, "The Identification and Appraisal of
be inherent in the culture but they may also be sustained by elites whose dominant position in many value categories would be undermined by development changes.

A more advanced, if no less problematic, form of developmental capacity is found in the community whose decision-making can clarify relevant value goals but is incapable of implementing them because of the absence of the necessary conceptual or material resources or skills.

At the far end of the spectrum, one encounters a condition of what one might term “hyperdevelopment”: a community, which numbers among its participants those capable of clarifying and implementing common goals, but whose potential inventiveness for dealing with new circumstances is strangled by sclerotic institutional patterns of practice or paralysed by conflicting political forces, some of which are wedded to past goals and practices. A well documented historical example may be found in the inability of the extraordinarily sophisticated bureaucracy of the late Ching dynasty to adjust to new internal and external challenges; contemporary examples may, alas, be found closer to home.

With apologies to a group which hardly needs this, a few words about values; for development planning and appraisal purposes, it is convenient to inventory changes in social process in terms of the familiar eight values: power, wealth, enlightenment, skill, well-being, affection, respect and rectitude. Many of these categories have their own specialised skill groups, often jealous of their “turf”. To the man with a hammer, as the familiar adage puts it, every problem is a nail. Many students of development tend to select and focus predominantly on “their” value as the ostensible key variable accounting for and hence to be manipulated to secure development. Lasswell and McDoDougal’s systematic contextual and multi-method focus emphasises the myriad interrelationships between value production and distribution in all value categories. What can be achieved with respect to any one value is linked, in terms of development goals, to what can be achieved with respect to other values. Positive developments in one value category, which entail retrogressions or disdevelopments in others, may be celebrated by the indulged beneficiaries, but, from a comprehensive development perspective, they cannot be counted, in themselves, as successes.

While many can agree on this general formulation, procedures and sequences for its attainment generate disagreement among decision specialists, especially lawyers, political scientists and economists. Those who approach development from the legal and political perspective have tended to magnify the importance of the authoritative power component in achieving the preferred order while economists insist on the pre-eminence of the wealth component and so forth. One should not minimise the instrumental importance of either, but achieving an order

---

of human dignity involves increasing the aggregate participation in the shaping and sharing of all values. Hence a distinctive feature of appropriate goal clarification here is attention to the interlocking policies which, in ensemble, will facilitate the production and sharing of values and achieve a greater approximation of public and civic order arrangements to the goals of human dignity.

As the measurement of development trends within each value category presupposes operative goals on the basis of which positive or negative changes can be assessed, preferred changes will simply be postulated. The most fundamental goal towards which the production and distribution of all values should contribute is a public order of human dignity. The following indices are submitted as specialised to the appraisal of development outcomes. Consequently, they are not comprehensive public order goals. Achievements in these value categories are available both for consumption and, critically, as base values for further development.

A. Power developments

Purposive changes in complex groupings of human beings cannot take place without some ongoing institutional procedures for clarifying community goals, examining contexts, designing development strategies, assembling resources for implementation, appraising results and so on. Hence, we may speak of power developments when there are net increases in support for and the effectiveness of authoritative processes (of varying degrees of institutionalisation) specialised to making decisions, whether about the constitutive process or the community's production and allocation of other values.

B. Wealth developments

The wealth of a community is conventionally measured in terms of the volume of its products (in all value categories), the levels of income of all members of that community and the increase or decrease of the aggregate resource base. But from the perspective of the student of development, wealth development is measured in the increased capacity of a community to produce wealth. The feature of interdependence means that a wealth development in any one community may have involved wealth development or disdevelopments in others.

C. Enlightenment developments

Development in enlightenment occurs within a community when the level of general knowledge retrievable at feasible cost and applicable to procedures for designing and implementing purposive change increases.

D. Well-being developments

Well-being development occurs when processes specialised to enhancing well-being are created or reinforced. Well-being developments are registered when
more people are enabled to have an increased life expectancy, a robust capacity for
action, and a decreased expectation of the incidence of crippling disease, including
anxiety.

E.  Skill developments

Skill development occurs when there is an increase in learned and transmitted
sequences of behaviour aimed at purposive manipulation and change of the
environment and/or the self and when the community’s capacity to forge and
disseminate new development-relevant skills increases.

F.  Affection developments

The affection value may be said to develop within a community when the
opportunities for acquiring and expressing positive sentiments towards others,
including loyalty to groups increase and when loyalties towards the more inclusive
groups increase or are reinforced. A negative affection development occurs when
there are contractions in more exclusive identifications and attitudes towards others
become less amiable or even hostile.

G.  Respect developments

Respect development occurs when, thanks to decision processes, group members
perceive themselves increasingly as full participants, able to make claims in their
own names as well as to be subjected to claims by others in their own names; when
status is increasingly based on merit, that is, status within a community is correlated
to the contribution which the status holder makes to the community and not vice
versa, and when patterns of individual and group discrimination are reduced.
Respect emoluments also function as base values insofar as the expectation of their
reward incentivises investment in the production of other values.

H.  Rectitude developments

Rectitude development occurs when decision processes are able to facilitate
increased opportunities for the individual’s cultivation of rectitude and the
internalised codes of individuals are universalisable; they are not only compatible
with human dignity but are also tolerant of the codes of others.

I return to the interdependence of the components of development. Although
development is conventionally framed and measured in terms of selective value
production and allocation within a particular territorial community, — that was
the assumption in the books reviewed by Lasswell in “The Policy Sciences of
Development” — political boundaries may often be a comparatively marginal and

9  See works referred to note 1.
even an obstructive event in planning and implementing many of the activities of development. Before his collaboration with Lasswell, McDougal and Rotival demonstrated that, for planning purposes, the proper focus on a river valley in Connecticut was not any of the existing political units but an integrated, comprehensive one, covering the entire valley and including them all. The point is that the focus of development processes should be tested by functional rather than conventional political boundaries. Although it is sometimes convenient to distinguish international, regional, national and local levels as provisional foci for particular development goals, what can be achieved in any one community is a function, in varying degree, of all the greater or lesser communities of which it is a part or which compose it. It is the interchange of values relevant to the process and the institutional decision patterns necessary to deal with them rather than often anachronistic political boundaries which should demark the boundaries for the planning, implementing and appraisal of any development process.

In a world of intensely interdependent component communities, which interstimulate pervasively and interlock at many points and levels, an indispensable perspective, both for the student of development and the agent of development, is, thus, a comprehensive and global one. The invention of development strategies may often have to involve programmes integrating skills, resources and legal arrangements of many different communities at many different levels.

The point bears emphasis. One can, to be sure, conceive of development in terms of smaller communities, indeed of even micro-social developments in which the establishment and operation of decision-making arrangements indispensable to development appear to be extremely limited in geographical or social scope. The division of functions within a nuclear affection unit in the civic order, a family, for example, may seem to involve only allocations of extremely mundane and geographically close-range activities in order to establish a micro-development process: sharing power in decision-making cooperation in the rearing of children, capital accumulation to secure a dwelling, fulfilment of the other value needs of the family members and so on. But the focus on the efficacy of this apparently discrete micro-development process cannot overlook the fact that its viability, as a unit, will depend — often in great measure — on the effectiveness of a larger development process, which creates and sustains a market in which gainful employment sufficient to support the family is available and in which critical services are produced and accessible; which has produced and maintained human beings with sufficient well-being and sufficient enlightenment and skill to work and maintains an environment which is sustaining and not poisoning; which has acculturated them to a capacity for developing reciprocally amiable perspectives, giving and receiving affection; which gives them sufficient self-respect so that they can relate positively to other family members; which provides security and so on.

In sum, development within the nuclear family depends upon supporting struts of a national political and economic system, much as the national system will depend upon a regional and global system with which its macro-political and macro-economic activities are interdependent. Participants involved in these processes may perceive boundaries as insulating them from other processes while observers will be struck by the illusory or, at least, porous character of such boundaries.

Although specific ameliorative strategies may sometimes require different administrative delimitations for their concrete application, the most basic development challenges are oblivious to political boundaries. Consider the pressing problem of environmental maintenance and improvement. A single municipality or nation-state may legislate for the minimisation of global warming in its immediate area but the problem is aggregative and hence meaningful prophylaxis and amelioration will require many, and for certain problems, all governments to participate in planning and execution. Other problems may require transnational collaboration on a regional basis, the scope of such cooperation delimited by factors such as the geographical unity of an ecological system or the habitat of a fish species. In the production of wealth, the apparent geographical confines of a problem will have to be pierced by the development need for external values, such as foreign capital, foreign proprietary technology and foreign “know-how”.

A global focus also underlines the fact that development is premised on the minimum order of the world community, for the most critical political problems, like environmental decay, are also global in scope; purported solutions which are less than global are less than complete. The correlations of demands and resources will ultimately involve each community of the world, no matter what its current level or self-definition of development may be.

Unless one is willing to perpetuate the imbalance in accessibility to the material amenities of life which distinguishes the lives of the highest social strata in North America, Western Europe and Japan from life elsewhere on the globe, the process of development will require changes in conceptions of development in every whine. The alternative is a global order of “zero-sum” and “winner take all”, an order sustained by violence in which only some live lives of dignity while the lives of others are nasty, brutish and short. One of the urgent challenges of development theory and praxis is to avert such a dystopic future and to contribute to the achievement of a world public order of human dignity.