

MASTER THESIS

Titel der Master Thesis / Title of the Master's Thesis

"Questions of Power: Culture, Human Rights and Development"

verfasst von / submitted by
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angestrebter akademischer Grad / in partial fulfilment of the requirements for the degree of Master of Arts (MA)

Wien, 2020 / Vienna 2020

Studienkennzahl lt. Studienblatt /
Postgraduate programme code as it appears on
the student record sheet:

Universitätslehrgang lt. Studienblatt / Postgraduate programme as it appears on the student record sheet:

Betreut von / Supervisor:

UA 992 884

Master of Arts in Human Rights

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Abstract – German

Kultur sowie menschenrechtsbasierte Ansätze sind Themenfelder, die den Entwicklungsdiskurs und die entsprechende Praxis immer stärker prägen. Die vorliegende Arbeit beschäftigt sich mit der Frage, wie diese sich gegenseitig beeinflussen und bedingen. Der Frage danach, welchen Einfluss die Art und Weise, wie Kultur konzeptualisiert wird, auf die Theorie und Praxis der menschenrechtsbasierten Ansätze hat, wird anhand einer qualitativen Fallstudie am Beispiel der Schweizer Direktion für Entwicklung und Zusammenarbeit (DEZA) nachgegangen. Konkret wird die Thematik, wie Mitarbeiter*innen der DEZA Kultur konzeptualisieren und welche Konsequenzen für die menschenrechtsbasierten Ansätze daraus abgeleitet werden können, durch qualitative Interviews untersucht. Diese wiederum werden in einer qualitativen Inhaltsanalyse mit Ansätzen der DEZA zu Kultur, Entwicklung und Menschenrechten verglichen.

Als themenübergreifendes Element wird Macht identifiziert, die der Kultur inhärent ist, und zu deren Berücksichtigung sich menschenrechtsbasierte Ansätze in der Theorie verpflichten. Es stellte sich jedoch heraus, dass *Macht*, sowohl in den Interviews als auch in den analysierten Dokumenten, in der Konzeptualisierung von Kultur weitgehend ausgeblendet bleibt. Dieses Phänomen diskutiere ich kritisch: Ich argumentiere, dass eine Sensibilität für Machtbeziehungen und die kritische Reflexion der eigenen Machtposition fundamental sind für das effektive und integre Ausüben von menschenrechtsbasierten Ansätzen. Damit menschenrechtsbasierte Ansätze langfristig funktionieren und sich argumentativ gegen Kritik wehren können, müssen sie sich vermehrt auf die Menschen und Systeme selbst fokussieren, die diese propagieren und nach außen tragen. Um diese Prozesse zu stärken, so das Argument, sollte bei der Konzeptualisierung und der Selbstreflexion der (eigenen) Kultur das Augenmerk vermehrt auf den Dimensionen der Macht liegen. Menschenrechte, Kultur und Entwicklung sind ineinander verschachtelt, und eine holistische Betrachtung muss alle drei Themenfelder gemeinsam berücksichtigen. Die vorliegende Arbeitet will anhand eines Fallbeispiels zur praxisorientierten Weiterentwicklung von menschenrechtsbasierten Ansätzen beitragen.

Schlagwörter: Menschenrechte, Entwicklung, Kultur, Macht

Abstract – English

The fields of *culture* and *human rights-based approaches* are increasingly influencing

development discourse and practice. This paper deals with the question of how they

influence and determine each other by analysing the impact of conceptualizations of

culture on the theory and practice of human rights-based approaches. In a qualitative case

study, it examines the example of the Swiss Agency for Development and Cooperation

(SDC). Specifically, it focuses on how members of the SDC staff conceptualise culture

and what consequences this has for human rights-based approaches on the basis of

qualitative interviews. The interview results are then compared in a qualitative content

analysis with SDC policies on culture, development and human rights.

Power is identified as a cross-cutting element: *power* is inherent in culture and in theory,

human rights-based approaches commit to tackling power structures. It turns out,

however, that both in the interviews and in the analysed documents, power remains

largely absent in the inherent conceptualizations of culture. This phenomenon is critically

discussed: it is argued that sensitivity towards power relations and the critical reflexion

of one's own position of power are fundamental to the effective and serious exercise of

human rights-based approaches. In order for human rights-based approaches to work in

the long term, they must focus more on the people and systems who propagate them. In

order to strengthen these processes, it is argued that the conceptualization and self-

reflexion of (one's own) culture should concentrate more on the dimensions of power.

Human rights, culture and development are interrelated, and it is therefore considered

helpful to reflect on all three dimensions at the same time. This paper aims at contributing

to a practice-oriented further development of human rights-based approaches on the basis

of a case study.

Keywords: Human Rights, Development, Culture, Power

II

Preface

My motivation to write a master thesis in the realm of culture, human rights and development is rooted in my own interests, experiences and educational background. As a trained musician and an author, I have been working in the cultural sector for a long time, constantly reflecting on the social impact of culture. In the course of my master studies in human rights, I was confronted even more with the cultural context I was socialised in and its role in the world. Studying together with a very heterogenous group of fellow students from all over the world, I was constantly remembered of my privileged position as a white, heterosexual man born into the middleclass in Switzerland, moving in the sphere of arts and in class-elitist academia. More and more I was convinced that all of these privileges must be challenged. During extended stays in Brazil, I became aware of the relevance of culture in the field of human rights and started to write about resistance music in the favelas of Rio de Janeiro. All those experiences have a common denominator: I learnt that my chance to say something substantial about culture is highest when I deal with the cultural environment I grew up in, which I presume I understand, sometimes intuitively, sometimes rationally. The further I move away from it, the more presumptuous my assumptions become. Or, to put it in Walter Schicho's words:

The further we move away from our own location—this applies to time as well as to physical and social space—the less dense the data from which the description of a particular region or society is fed and the more the interpretation is guided by our own goals, ideologies and ideas. The myths and texts of justification constructed in this way establish domination and privileges. Their dissemination and acceptance generate our power over others.¹

¹ W. Schicho, 'Diskursanalyse', in P. Dannecker and B. Englert (eds.), *Qualitative Methoden in Der Entwicklungsforschung*, Wien, Mandelbaum, 2014, p. 128. *Author's translation*.

List of Acronyms and Abbreviations

(H)RBA	(Human) Rights-based approach
AKBP	Auswärtige Kultur- und Bildungspolitik [Foreign cultural and education
	policy]
CDIS	UNESCO Culture for Development Indicators
COOF	SDC Cooperation Office
FDFA	Federal Department of Foreign Affairs
GDP	Gross domestic product
SDC	Swiss Agency for Development and Cooperation
SDG	Sustainable Development Goal
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNICEF	United Nations International Children's Emergency Fund

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1. Introduction

1.1. Theoretical context

The development discourse has been paying more and more attention to culture in the recent decades. Culture is nowadays widely accepted to be a major driver for human rights.² Building on various United Nations (UN) Resolutions, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Population Fund (UNFPA) and the United Nations Development Programme (UNDP) published a joint study on the links between culture and development in 2015, focusing on culture and its effects on poverty reduction, education, gender equality, women's empowerment, sustainable cities and urbanisation, environment, climate change, inclusion and reconciliation.³ "Culture, in all its dimensions, is a fundamental component of sustainable development",⁴ states UNESCO. The UN Resolution A/RES/68/223 "emphasizes the important contribution of culture to the three dimensions⁵ of sustainable development".⁶ Furthermore, culture is to be considered an important pillar of every single sustainable development goal (SDG).⁷ Consequently, this appreciation of culture in the international development discourse contributed to it becoming an important part of strategy papers and concrete projects of the development industry.⁸ 9

² UNESCO, UNFPA and UNDP, *Post-2015 Dialogues On Culture And Development*, Paris, UNESCO, 2015, p. 8, available at https://unesdoc.unesco.org/ark:/48223/pf0000232266, (accessed 04 August 2020). ³ Ibid., p. 8.

⁴ UNESCO, *The Power of Culture For Development*, 2010, p. 2, available at https://unesdoc.unesco.org/ark:/48223/pf0000232266, (accessed 04 August 2020).

⁵ Economic, environmental and social dimension.

⁶ United Nations General Assembly Res 68 (223), 20 December 2013, available at https://undocs.org/A/RES/68/223, (accessed 12 February 2020).

⁷ UCLG, *Culture in the Sustainable Development Goals*, 2018, available at https://www.uclg.org/sites/default/files/culture_in_the_sdgs.pdf, (accessed 17 June 2020).

⁸ Direktion für Entwicklung und Zusammenarbeit DEZA, *Die Internationale Zusammenarbeit der Schweiz. Halbzeitbericht Zur Umsetzung Der Botschaft 2017 – 2020*, 2018, available at https://www.eda.admin.ch/dam/deza/de/documents/publikationen/rechenschaftsberichte/Halbzeitbericht-Umsetzung-Botschaft-2017-2020_de.pdf, (accessed 04 August 2020).

⁹ Ministry of Foreign Affairs of Denmark DANIDA, *The Right to Art and Culture. Strategic Framework for Culture and Development*, 2015, available at https://um.dk/en/~/media/UM/English-site/Documents/Danida/Goals/Strategy/Strategi_Kunstogkultur_UK_web.pdf, (accessed 04 August 2020).

Human rights-based approaches, hereafter called RBAs, have equally become very prominent in the development industry. Moving away from needs-driven approaches to a more strategic and systemic understanding of development policy, human rights are in the centre of this conceptualization. According to Uvin, the implementation of RBAs can take place in different forms: the strengthening of rights-holders in specific contexts of development interventions, the strengthening of the respective state (duty-bearer) thereto (those two areas are directed to external parties of a specific actor, which leads Uvin to call this dimension of RBAs the 'outward focus') as well as the application of the concept of human rights to one's own actions or the structure and practices of an organisation in the development industry (the 'inward focus').¹⁰

If these two trending notions, culture and RBA, are thought of in combination, the importance of cultural rights is becoming salient. Karima Bennoune, the Special Rapporteur in the field of cultural rights, outlines the legal framework of cultural rights as follows: cultural rights

are grounded in numerous international provisions, in particular article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights, which guarantee the right of everyone, without discrimination, to take part in cultural life, as well as artistic and scientific freedom. They are also found in articles 18, 19, 21 and 27 of the International Covenant on Civil and Political Rights, as well as in provisions protecting the rights of specific categories of persons, including women, children, persons with disabilities, persons belonging to minorities, indigenous peoples and migrants.¹¹

Given the widespread understanding that human rights are universal, inalienable, interdependent and interrelated, 12 the importance of cultural rights is apparent. However, the aforementioned importance of culture in the development discourse, the practice of

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¹⁰ P. Uvin, 'From the Right to Development to the Rights-Based Approach: How "Human Rights" Entered Development', *Development in Practice*, vol. 17, no. 4–5, 2007, p. 604.

¹¹ United Nations, Report of the Special Rapporteur in the field of cultural rights, A/74/255, 2019, para 20

¹² Office of the United Nations High Commissioner for Human Rights, 'What are Human Rights?', [website], https://www.ohchr.org/en/issues/pages/whatarehumanrights.aspx, (accessed 09 July 2020).

the RBAs and cultural rights as part of human rights share a common problem: culture remains a difficult concept to grasp. In fact, the current debate about the definition of culture often ends with the statement that "there can be no generally agreed definition of culture". Given the complexity and the fluidity of culture, it remains theoretically questionable in what way the concept can be legally ascertainable.

This theoretical problem contrasts with the growing demand for measurable impacts of culture, especially when public funds are involved. In fact, an "increasing pressure on government-related agencies to use statistical evaluative measures, or statistical 'indicators'" can be observed. The perceived urgency of a way out of this limbo leads authors like Mironenko and Sorokin to argue that, nevertheless, "seeking for the definition of culture is necessary in the context of contemporary development of social and humanitarian knowledge". Is it is in this context of a lack of a commonly agreed definition of culture that organisations such as the UNESCO move forward and put in place definitions from which concrete measures can be derived. Yet another topic interconnects the triangle of human rights (and RBA respectively), culture and development: *power* arguably plays a considerable role in every of these aspects. RBAs deal with power relations per se. Power relations are inherent to development. and the concept of culture itself. In fact, Robb even argues that "[a]id, by its very definition, is a manifestation of inequality". This seemingly basic statement has extensive

¹³ G. Jahoda, 'Critical Reflections on Some Recent Definitions of "Culture", *Culture and Psychology*, vol. 18, no. 3, 2012, p. 289.

¹⁴ C. Madden, 'Indicators for Arts and Cultural Policy: A Global Perspective', *Cultural Trends*, vol. 14, no. 3, 2005, p. 217.

¹⁵ I. Mironenko and P. Sorokin, 'Seeking for the Definition of "Culture": Current Concerns and Their Implications. A Comment on Gustav Jahoda's Article "Critical Reflections on Some Recent Definitions of "Culture", *Integrative Psychological and Behavioral Science*, vol. 52, no. 2, 2018, p. 331.

¹⁶ UNESCO, *UNESCO Culture For Development Indicators*, 2014, available at https://en.unesco.org/creativity/sites/creativity/files/cdis_methodology_manual_0_0.pdf, (accessed 04 August 2020).

¹⁷ See e.g. G. Crawford and B. Andreassen, 'Human Rights and Development: Putting Power and Politics at the Center', *Human Rights Quarterly*, vol. 37, no. 3, 2015, pp. 662–690.

¹⁸ See e.g. L. Groves and R. Hinton (eds.), *Inclusive Aid. Changing Power and Relationships in International Development*, London, Sterling, VA, Earthscan, 2004.

¹⁹ J. Hall and M. Neitz, *Culture. Sociological Perspectives*, New Jersey, Prentice-Hall, 1993, p. 162.

²⁰ C. Robb, 'Changing Power Relations in the History of Aid', in L. Groves and R. Hinton (eds.), *Inclusive Aid. Changing Power and Relationships in International Development*, London, Sterling, VA, Earthscan, 2004, p. 21.

consequences because the resulting question is: why, in the first place, is someone (or a group of people) in the position to help someone else?

1.2. Research context: Swiss Agency for Development and Cooperation

One thing is certain: culture is becoming increasingly important in the development industry. It finds its way into strategy papers and practices, shapes the understanding of legal obligations and, not to be underestimated, the reflexion of one's own culture influences one's behaviour in a global context. The conceptualization of culture that is lived in development cooperation organisations influences their respective practice and subsequently impacts the implementation of the RBA, in both its *inward* and *outward* focus.²¹

In order to understand the implications of specific conceptualizations of culture in an organisation in the development industry, I will scrutinise the concrete example of the Swiss Agency for Development and Cooperation (SDC). In addition to the claim of the SDC to advocate for cultural rights,²² the organisation is also legally bound to do so because of the ratified 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the statutory basis in the Federal Act on International Cooperation of 1976. Article 6.a of the latter convention, for example, suggests that one of its purposes is to "encourage people to develop their abilities and give them the possibility of actively participating in the economic, social and cultural development of the societies they belong to".²³ Also, the Swiss position on post-2015 sustainable development suggests that the "new transformative framework for sustainable development must include and make strong reference to human rights, including

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²¹ Uvin, 2007, p. 604.

²² Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, available at https://www.shareweb.ch/site/Culture-

Matters/Documents/Brosch%C3%BCre_Kulturpolitik_DEZA_A4_EN_160524_Web.pdf, (accessed 04 August 2020).

²³ Bundesgesetz über die internationale Entwicklungszusammenarbeit und humanitäre Hilfe, (adopted 19 March 1976, entered into force 1 July 1977), https://www.admin.ch/opc/de/classified-compilation/19760056/index.html, (accessed 12 February 2020). *Author's translation*.

economic, social and cultural rights as well as civil and political rights". ²⁴ It is noteworthy that the SDC Culture and Development Policy (2016) stresses the potential misuse of power within the debate about culture—however, the question whether this relates to the culture of the (international development) actor or 'local' culture remains unanswered:

(...) there is always a risk that culture will be exploited, particularly for political or ideological purposes, or that it can become a source of unfair discrimination. While these risks must be squarely faced, they do not in any way diminish the intrinsic value of culture nor the potential that it represents for human development.²⁵

In SDC's strategy papers, it is recognisable that culture holds an important position. More concretely, SDC claims that its staff members

- are capable of understanding the distinctive cultural features that characterize the societies in which the SDC is active. At the organizational level, it takes cultural differences into account in all of its analyses and operations.
- maintain with their partners a dialogue between equals, in which cultural differences are respected
- are committed to fostering respect for cultural rights.²⁶

According to SDC, staff members already have this experience in cultural interaction or they learn it in internal training sessions.²⁷ However, I would like to stress that culture, development and human rights are interwoven.²⁸ In order to draw a more holistic picture, it is necessary to understand them as a package. While reflecting on a certain aspect, the other aspects should not be neglected. Furthermore, the triangle of development, culture and human rights can only be understood in an interdisciplinary way.

https://www.eda.admin.ch/dam/agenda2030/en/documents/recent/Abstract position CH Post-

²⁴ Federal Department of Foreign Affairs FDFA, Summary: Swiss position on a framework for sustainable development post-2015, 2014, p.1, available at

²⁰¹⁵ EN.pdf, (accessed 17 June 2020).
²⁵ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016.

²⁶ Ibid., pp. 13-15.

²⁷ Ibid., p. 14.

²⁸ See e.g. J. Clammer, Culture, Development and Social Theory. Towards an Integrated Social Development, London, New York, Zed Books, 2012.

1.3. Research question

The conceptualization of culture that is lived in organisations in the development industry influences their respective practice and consequently impacts the implementation of the RBA in its *inward* focus, i.e. the structure and internal actions of an organisation in the development industry, as well as its *outward* focus, which is directed to rights-holders in specific contexts and the respective states. Following Nederveen Pieterse, culture is perceived differently according to the theoretical framework an organisation works in. For example, it makes a difference whether culture is regarded as an obstacle (such as in the modernization theory), as a political resource (e.g. in the dependency theory), as a resource in marketing and innovation (e.g. in *neoliberalism*), or whether local culture is seen primarily as a resource (e.g. in *post-development*), etc.²⁹ Also, the interpretation of RBAs and cultural rights is coloured by the specific understanding of culture within an organisation—e.g. whether culture is conceptualised rather in structural terms, as a function, as a process, as a product, as power, etc.³⁰ Therefore, in this thesis, I aim at exploratively answering the following question: in what way do SDC staff members interpret the term 'culture' and what consequences for the rights-based approach to development do their interpretations have?

²⁹ See table 5.1, J. Nederveen Pieterse, *Development Theory*, 2nd edition, Los Angeles, London, New Delhi, Singapore, Washington DC, SAGE, 2010, p. 76.

³⁰ See table 2.1, "Themes of definitions for culture", in: J. Baldwin, S. Faulkner, M. Hecht et al. (eds.), *Redefining Culture. Perspectives Across the Disciplines*, London, Lawrence Erlbaum Associates, 2005, p. 30

2. Literature review

Culture, human rights and development are nested within one another and only when considered together we can make sense out of them. I argue that in order to be able to be critically self-reflective, one needs to reflect on power relations, on one's own culture. I consider this aspired self-reflexion, a strong *inward focus*, to say it again in Uvin's words,³¹ as key both for human rights as well as development. In the following literature review, I will first elaborate on the RBA and its according rights-related framework with a special emphasis on cultural rights. In a second step, I will discuss different perspectives on and facets of culture. In doing so, special emphasis will be laid on dimensions of power within culture. Finally, the links between these elements are embedded in the development discourse. The allegorical tangle, formed by the three elements RBA-Culture-Development, moves on the playground of power.

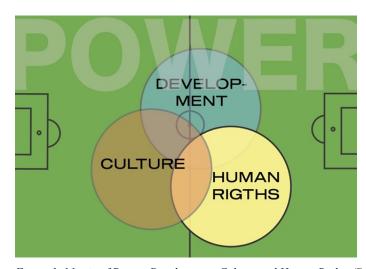


Figure 1: Matrix of Power, Development, Culture and Human Rights (Source: Own Illustration).

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³¹ Uvin, 2007, p. 604.

2.1 Human rights-based approach to development

2.1.1 Putting rights in the centre

Rights-based approaches are geared to integrating human rights in a development context. Broberg and Sano highlight different actors, stating that "the application of a human rights-based approach to development involves governments (government agencies), intergovernmental organisations and international as well as local non-governmental organisations (NGOs)."³² It is, however, important to stress that there are manifold interpretations of the approach with different characteristics and focal points in both practice and theory. The interpretations of the approach differ according to the "stakeholders" (rights-holders, duty-bearers as well as supporting actors, e.g. NGOs or donors), the "nature of political regimes" as well as "cultural and institutional factors".³³ According to Schicho, an additional distinction among different understandings of the RBA is necessary:

(...) those who take a 'more legalistic approach, using human rights as standards against which development interventions might be approached or assessed', and those who use it as 'a broad-based normative framework' leading to 'inclusive development'.³⁴

However, there are even different interpretations of the RBA within particular organisations—especially when the conceptualization of culture is taken into account, which colours the practice significantly. This can also be observed when analysing the respective rhetoric of development actors. According to Kindornay, Ron and Carpenter, NGOs adapt their rhetoric according to their global field of action. The broader the level of action/dialogue, the more universal the rhetoric becomes. The more local the scope,

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³² M. Broberg and H. Sano, 'Strengths and Weaknesses in a Human Rights-Based Approach to International Development – An Analysis of a Rights-Based Approach to Development Assistance Based on Practical Experiences', *International Journal of Human Rights*, vol. 22, no. 5, 2018, p. 665.

³³ Ibid.

³⁴ W. Schicho, 'Human Rights and Development: A Rights-Based Approach', in M. Nowak, K. Januszewski and T. Hofstätter (eds.), *All Human Rights for All - Vienna Manual on Human Rights*, Wien, Neuer Wissenschaftlicher Verlag, 2012, p. 561.

the more NGOs adjust their language to the local context in order to make themselves understood.³⁵

Particular conceptualizations of the RBA are always rooted in the values, the culture and the history of the actor that has the *power* to define its specifics—which allows the actor to claim that he or she has the normative competence to do so in the first place. It is therefore always important to ask: "why rights, why now? What historical roots, acknowledged or unacknowledged, do current articulations of the links between human rights and development have?" In this sense, the self-reflexion of organisations in the development industry, which necessarily should live up to the human rights principles they claim, plays a huge role. 37

I would like to draw the attention to the *United Nations Common Understanding* of the human rights—based approach to development cooperation,³⁸ as defined in 2003, which intends to clarify specific questions and strives for homogenisation and merging of different practices within the development industry. The *common understanding* is based on three pillars:

- 1. All programmes of development cooperation, policies and technical assistance should further the realisation of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments.
- 2. Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide

³⁵ S. Kindornay, J. Ron and C. Carpenter, 'Rights-Based Approaches to Development: Implications for NGOs', *Human Rights Quarterly*, vol. 34, no. 2, 2012, p. 501.

³⁶ A. Cornwall and C. Nyamu-Musembi, 'Putting the "Rights-Based Approach" to Development into Perspective', *Third World Quarterly*, vol. 25, no. 8, 2004, p. 1415.

³⁷ A. Cornwall and C. Nyamu-Musembi, *What Is the "Rights-Based Approach" All about? Perspectives from International Development Agencies*, IDS Working Paper 234, Brighton, 2004.

³⁸ United Nations, *The Human Rights–Based Approach to Development Cooperation. Towards a Common Understanding among UN Agencies*, 2003, available at https://unsdg.un.org/sites/default/files/6959-

The Human Rights Based Approach to Development Cooperation Towards a Common Understanding among UN.pdf, (accessed 04 August 2020).

- all development cooperation and programming in all sectors and in all phases of the programming process.³⁹
- 3. Development cooperation contributes to the development of the capacities of 'duty-bearers' to meet their obligations and/or of 'rights-holders' to claim their rights. 40

This common understanding sets the theoretical framework of the RBA. Its translation into local realities, however, turned out to be complicated. Since the common understanding left some questions unanswered, e.g. regarding its concrete implementation, in 2006, the UN High Commissioner on Human Rights published the Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation in order to clarify. In there, the RBA is defined in a more practice-oriented manner:

A human rights-based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress.⁴¹

It is striking that questions of power are explicitly mentioned in this quote. This is where we learn that context analysis, power and the inequalities it is intertwined with as well as concrete action against the latter are deeply rooted within the RBA. Cornwall and Nyamu-Musembi agree that the RBA focuses more on identifying root causes and distributing existing resources *more fairly*, instead of merely adding something from the *outside* when there is an acute lack, as is the case with preceding—and in some cases still ongoing—needs-based approaches to development. Hence, the RBA puts people at the centre and helps them to demand their rights. For this purpose, it strengthens the people affected but also the *systems of the rule of law* in which they live (e.g. national governments). It must

³⁹ Note: The human rights principles which are discussed here are the *universality* and *inalienability*, the *indivisibility*, the *inter-dependence* and *inter-relatedness*, *non-discrimination* and *equality*, *participation* and *inclusion* as well as the *accountability of law*.

⁴⁰ United Nations, *The Human Rights–Based Approach to Development Cooperation. Towards a Common Understanding among UN Agencies*, 2003, p. 1.

⁴¹ Office of the United Nations High Commissioner for Human Rights, *Frequently Asked Questions On A Human Rights-Based Approach To Development Cooperation*, 2006, p. 15, available at https://www.ohchr.org/Documents/Publications/FAQen.pdf, (accessed 04 August 2020).

be possible to claim rights, and for this purpose, there is a need for systems based on the rule of law.⁴² To put it in Uvin's words, in sum, the paradigm shift within development manifests itself in the movement "from needs to rights, from charity to duty".⁴³ Destrooper argues that by putting human rights in the *normative centre*, the underlying goal of the RBA turns into *empowering* marginalized and disadvantaged people. Notably, the identification and tackling of the root causes of structural inequality inevitably raises questions of distribution (of goods, but also of *power*).⁴⁴ In this sense, ethical questions are constantly raised. That is what makes RBAs, when thought through radically, a very political issue. Uvin highlights that

(...) at the end of the day, although they seem to rest on a clear and fixed legal basis, the nature of the claims and the duties created by human-rights claims is a deeply political and constantly shifting matter; for what is socially and legally feasible today is never fixed, but a matter of political struggle.⁴⁵

This understanding of human rights as a *political struggle* is significant in this thesis. This political struggle is double-edged: in an *outward* focus it reaches from e.g. Kothari's statement that "the upholding of human rights presents a direct and powerful challenge to the global hegemonic forces" to the criticism that human rights themselves can be (ab)*used* in a hegemonial way. On the other side, talking about the inner life of human rights, at the heart of the political struggle is the sensitivity for the idea that human rights are made by humans and that they are, therefore, constantly lived and (re-)negotiated by humans in various positions of power. As will be discussed later on, human rights themselves can be understood as a cultural phenomenon.

⁴² Cornwall and Nyamu-Musembi, 2004, (b), pp. 2-3.

⁴³ Uvin, 2007, p. 602.

⁴⁴ T. Destrooper, 'Linking Discourse and Practice: The Human Rights-Based Approach to Development in the Village Assaini Program in the Kongo Central', *Human Rights Quarterly*, vol. 38, no. 3, 2016.

⁴³ Uvin, 2007, p. 603.

⁴⁶ M. Kothari, 'Human Rights', in A. Kothari, A. Salleh, A. Escobar et al. (eds.), *Pluriverse. A Post-Development Dictionary*, New Delhi, Tulika Books, 2019, p. 201.

⁴⁷ Uvin, 2007, pp. 600-601.

⁴⁸ see e.g. Waters, who considers human rights to be "socially constructed", an "institution that is specific to cultural and historical context just like any other": M. Waters, 'Human Rights and the Universalisation of Interests', *Sociology*, vol. 30, no. 3, 1996, p. 593.

⁴⁹ See e.g. R. Dudai, 'The Study of Human Rights Practice: State of the Art', *Journal of Human Rights Practice*, vol. 11, no. 2, 2019, pp. 274-275.

On the other end of the triangle human rights-development-culture, the overlaps between human rights and development are manifold, too. Oestreich, who conducted research regarding the RBA in India, underlines the increasingly powerful links between development and human rights in practice, respectively their cross-fertilization. He stresses that it is not only economic, social and cultural rights that are strengthened by the RBA but also civil and political rights.⁵⁰ From the development's point of view, promoting rights can also be seen as a *means to an end*, e.g. by assuming that rights-holders who are actively able to bail out their rights are more likely to generate economic value, for example. This is true for economic, social and cultural rights (e.g. the fulfilment of the right to food affects the health of a farmer, who is thus able to produce more) as well as civil and political rights: "people will be more economically productive if they are not discriminated against, if they feel secure in their person, are able to speak freely, have access to a fair legal system, and so forth."⁵¹

As mentioned already, donors increasingly strive for measuring the impact of development programmes and policies.⁵² Therefore, with the entry of the RBA in development, new strategies of measurement had to be developed.⁵³ One possible approach to the problem of measuring the impacts of the RBA in practice is suggested by Destrooper, who developed a catalogue of 12 dimensions of the RBA, which are used to research the implementation of the RBA in a specific context and are based on the *UN common understanding*⁵⁴ as well as on the strategy papers of different organisations in the development industry:

⁵⁰ J. Oestreich, 'The United Nations and the Rights-Based Approach to Development in India', *Global Governance*, vol. 20, no. 1, 2014, pp. 77–94.

⁵¹ Ibid., p. 79.

⁵² Madden, 2005, p. 217.

⁵³ While human rights violations are easier to identify when the state breaches its *responsibility to respect*, the fulfilment of the *responsibility to fulfil* is often more complicated (if not impossible) to pin down quantitatively. Hence, what we can analyse more properly is the *progress* of the fulfilment of a certain right, but not the *quantitative status* thereof.

⁵⁴ United Nations, The Human Rights–Based Approach to Development Cooperation. Towards a Common Understanding among UN Agencies, 2003.

- The program seeks to further human rights,
- the program uses human rights as a guiding principle in all interventions,
- the program capacitates the state to meet its obligations,
- the program capacitates rights-holders to claim their rights,
- the program repolicitizes development,
- the program sees participation both as a means and a goal,
- the program furthers accountability and the rule of law,
- the program promotes equality, nondiscrimination and inclusion,
- the program aims to facilitate ownership and locally owned processes,
- the program uses empowering strategies,
- the program seeks to develop and sustain strategic partnerships.⁵⁵

If the RBA was to be applied with an *inward* focus as well, as I argued above, then the catalogue developed by Destrooper should theoretically also be applicable to the self-reflexion and the anchorage of principles within development organisations. These considerations influenced the preparations of the semi-structured qualitative interviews which were the base for the interviews with the SDC (see chapter 4.2.). Without aiming to measure anything in a quantitative way, the interview was still influenced e.g. by questions regarding the SDC's internal promotion of equality, nondiscrimination and inclusion.

While the RBA found its way into a great number of organisations in the development industry, it has been continuously developed further, for example in relation to problems of practicability. Some debates in this regard place a stronger focus on taking into account the "social life of rights"⁵⁶, considering the social constructs underlying the conceptualizations and the application of human rights. One example of this discourse is the emerging concept of rights framed approaches.⁵⁷

⁵⁵ Destrooper, 2016, pp. 795–810.

⁵⁶ R. Wilson, 'Afterword to "Anthropology and Human Rights in a New Key": The Social Life of Human Rights.', *American Anthropologist*, vol. 108, no. 1, 2006.

⁵⁷ H. Miller, 'From "Rights-Based" to "Rights-Framed" Approaches: A Social Constructionist View of Human Rights Practice', *International Journal of Human Rights*, vol. 14, no. 6, 2010.

2.1.2 Contradictions and critiques

Even though RBAs are a trending topic in development, there are some aspects that tend to be neglected regularly when discussing (and applying) RBAs. I want to stress some critical points in regard to the RBA that seem noteworthy. Rising those questions, as will be discussed later on, is also fundamental for the continued existence of the RBA itself.

1) The question of the duty-bearer

Following McInerney-Lankford, the RBA puts human rights in the normative centre. Rights, in turn, are based on legal obligations. Human rights primarily comprise those rights and obligations that exist between states and their citizens. Hence, in the RBA to development, theoretically mainly the respective state is identified as a duty-bearer, whereas the global actors in the development industry are not. Even though a big part of the development industry is formally committed to human rights, it is difficult to hold the different actors accountable in case they do not live up to the human rights duties they proclaim.⁵⁸

In order to shed light on this problem, I want to make a digression into the field of business and human rights, since this allows us to understand the complicated legal nuances in which the development industry moves—a field that is in constant shift. In fact, the debate about the accountability of *transnational and other business enterprises* regarding human rights is very timely. In 2011, the United Nations' *Guiding Principles on Business and Human Rights* established soft law, upon which the current debate around a *legally binding Instrument on Business and Human Rights* is built. According to the Guiding Principle on Business and Human Rights, business enterprises, be they private or stateowned, are

⁵⁸ S. McInerney-Lankford, 'Human Rights and Development: A Comment on Challenges and Opportunities from a Legal Perspective', *Journal of Human Rights Practice*, vol. 1, no. 1, 2009, pp. 52-55.

⁵⁹ Office of the United Nations High Commissioner for Human Rights, *OEGWG Chairmanship Revised Draft Of the Legally Binding Instrument*, 2019, available at https://www.ohchr.org/Documents/HRBodies/HRCouncil/WGTransCorp/OEIGWG RevisedDraft LBI.p df, (accessed 04 August 2020).

(...) required to comply with all applicable laws and to respect human rights (...). These Guiding Principles apply to all States and to all business enterprises, both transnational and others, regardless of their size, sector, location, ownership and structure. 60

Following the state duty to protect, even if states are not directly responsible for human rights abuses by private actors, states

may breach their international human rights law obligations where such abuse can be attributed to them, or where they fail to take appropriate steps to prevent, investigate, punish and redress private actors' abuse.⁶¹

Further, the Guiding Principles of Business and Human Rights make clear that

[t]he responsibility to respect human rights is a global standard of expected conduct for all business enterprises wherever they operate. It exists independently of States' abilities and/or willingness to fulfil their own human rights obligations, and does not diminish those obligations.⁶²

Building on this broadened understanding of obligations, the legally binding *Instrument* on Business and Human Rights should entail clear obligations regarding states and business enterprises. However, commentators such as Letnar Černič address some critical points in the drafting process: Letnar Černič stresses that the treaty is still mainly aimed at states, while not referencing the rule of law enough—a critique that comes in conjunction with the general demand to define corporate human rights obligations—and the state obligation to implement them—more clearly. Furthermore, Letnar Černič underlines the importance of socio-economic rights, which, in his eyes, do not get enough attention.63

⁶² Ibid., p. 13.

https://www.cambridge.org/core/blog/2019/09/06/the-2019-draft-of-the-business-and-human-rightstreaty-nothing-left-to-improve/, (accessed 18 June 2020).

⁶⁰ Office of the United Nations High Commissioner for Human Rights, Guiding Principles on Business and Human Rights, 2011, p. 1, available at

https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf, (accessed 04 August 2020).

⁶¹ Ibid., p. 4.

⁶³ J. Letnar Černič, 'The 2019 Draft on the Business and Human Rights Treaty: Nothing left to improve?', Cambridge Core Blog, [web blog], 6 September 2019,

In current practice, it is still reasonably difficult for a 'victim' of human rights violations to hold the home state of an actor performing outside of its home country accountable for failing to protect against extraterritorial human rights violations of this company/business enterprise (which could, in our context, also be a development agency). Hopefully, the *legally binding Instrument on Business and Human Rights* will bring along clarified legal obligations also for the realm of development. However, the current reality on the ground seems to be miles away from these debates. In order to illustrate the conflict between international business enterprises and different states they are operating in, Schicho mentions an example from the agricultural sector, where the lack of a structural logic he criticises can be transferred to other areas as well:

Human rights (...) are meant to guide the formulation of policies which determine prices of staple food in 'developing countries'; but they are meant to be of no relevance when agricultural subsidies to cotton production in the US destroy the market for peasants in West Africa.⁶⁵

However, in the case of inter-state development aid, the legal situation is different, since both donor and recipient states have obligations under international human rights law. The obligations of one nation-state to another (e.g. under a treaty) and to its own citizens are considerably more established and precise than those of multilateral institutions or international NGOs.⁶⁶

A complicating factor in practice is that the effective claiming of international human rights against e.g. international enterprises depends not only on the legal obligations of those enterprises themselves but to a large extent on the states as well, which have to be able and willing to "ensure that the corresponding rights are enforceable against these private parties." A requirement that is not always given under the current circumstances.

⁶⁶ A. Cornwall and C. Nyamu-Musembi, 2004, (b), p. 5.

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⁶⁴ As defined in the Draft on the Legally Binding Instrument on Business and Human Rights, Article 1: Office of the United Nations High Commissioner for Human Rights, *OEGWG Chairmanship Revised Draft Of the Legally Binding Instrument*, 2019.

⁶⁵ Schicho, 2012, p. 561.

⁶⁷ Broberg and Sano, 2018, p. 668.

In that limbo, where the legal obligations of states to respect, fulfil and ensure rights contrast with the difficulty of legally demanding the same standards from international companies, human rights approaches in development can only work if those who propagate them apply the underlying principles also to themselves. Kindornay, Ron and Carpenter state that

calls for accountability by all development actors will become more frequent, prompting the establishment of new consultative mechanisms, fact finding missions, and evaluations aimed at holding recipient governments, donors, and NGOs to account. These efforts, however, will have more rhetorical than actual effects, as underlying power relations between NGOs remain unchanged. The rights-based approach will change the development sector's packaging and rhetoric, but it cannot, on its own, change the latter's fundamental structure.⁶⁸

The authors discuss two important facets: on the one hand, Kindornay, Ron and Carpenter—admittedly in a pessimistic manner—address *power relations*, which, they suggest, will remain untouched by the RBA. In the course of this thesis, I will build an argument against this assumption. From my perspective, the RBA, if thought through radically, requires an *inward* context analysis (including that of power dimensions) and could, therefore, potentially become an instrument to tackle unjust power relations systemically. This *inward* focus, on the other hand, leads us to Kindornay, Ron and Carpenter's point of a growing demand for accountability. Time will tell if the RBA applied within development organisations themselves will receive appropriate legal backup by the treaty on Business and Human Rights.

2) Inward accountability

Inward accountability of RBA is thus strongly related to questions of power. According to Cornwall and Nyamu-Musembi, a fundamental evaluation criterion of RBA is the following: whatever the practical implementation of the RBA concept, there must be a positive change within power structures, not only contextual, i.e. in the place where a

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⁶⁸ Kindornay, Ron and Carpenter, 2012, p. 501.

project is situated, but also in relation to power structures *within* the development actors that apply RBA, examining "the extent to which the agencies become critically self-aware and address inherent power inequalities in their interaction with those people [whose lives are affected by the work of the development agency]."⁶⁹ In fact, besides emphasizing many advantages of the RBA, Gready agrees that "the tendency of bilateral donors, many IGOs, and some NGOs to preach accountability to others while avoiding clear commitments themselves is a major, and increasingly untenable, area of hypocrisy within RBAs."⁷⁰ Having this in mind, the necessity of *inward* accountability of the RBA becomes even more apparent. Modh and Sathyanarayan argue that

[i]n order to adopt a complete HRBA, an institutional transformation is needed, unlike a mere integration of human rights where human rights offer valuable insights, but need not systematically be taken into account in all aspects of policy, programming, implementation, and monitoring of aid.⁷¹

We should, however, keep in mind that, in line with Uvin's words, the theoretical advancement in the development industry is all too often driven by people who do not necessarily have a personal pressure for change. Still, their rhetoric often questionably suggests that the 'advancements' they follow are based on the will and the expressed needs of a big part of the world's population. Uvin continues: if lot of measures come from a moral high ground, to a certain extent the status quo of the distribution of power might—deliberately?—be maintained instead of tackling unjust power structures. Self-criticism as required by the RBA would make it necessary to change such internal systemic mechanisms. However, the crux of the matter is: if RBAs want to be *credible*, it takes a lot of self-reflexion on the part of the organisations. They must themselves respect, fulfil and protect human rights, internally and externally, be as transparent and accountable as possible, live up to human rights standards with an *inward* and an *outward*

⁶⁹ Cornwall and Nyamu-Musembi, 2004, (b), iii.

⁷⁰ P. Gready, 'Rights-Based Approaches to Development: What is the Value-Added?', *Development in Practice*, Vol. 18, No. 6, 2008, pp. 741.

⁷¹ B. Modh and U. Sathyanarayan, 'Realising human rights obligations of the World Bank in India', in S. Juss (ed.), *Human Rights in India*, London, Routledge, 2019, p. 280.

⁷² Uvin, 2007, p. 603.

⁷³ Ibid., pp. 601-602.

focus. Uvin states that, "[i]n the absence of such moves, the human-rights focus is little more than a projection of power (...). In other words, the promotion of human rights begins with oneself."⁷⁴

3) Old wine in new bottles?

Doubts about the actual reformatory potential of the RBA are manifold. Is it an example of old concepts merely getting an ethical touch? Is the normative human rights framework just disguised as something innovative, while in practice, everything remains the same? Expressed even more provocatively: does development as a *form of imperialism*, as Tucker puts it⁷⁵, take ever more perfidious forms? Are human rights being misused to legitimise interventions and to impose cultural values over others? Schicho is vigilant: according to him, human rights potentially "(...) may be used to justify foreign interventions, which claim to be in the interest of vulnerable and endangered individuals (...), but primarily serve the interests of the intervening actor (...)."⁷⁶ Indeed, a similar effect is possible in the context of academic debates. If we take a closer look at the study conducted by Oestrich mentioned above,⁷⁷ this very contradiction can be observed: to a certain extent, the author claims that by acting in the realm of development, the in the history of human rights long-anchored conflict between international accountability and national sovereignty can be bypassed:

(...) using development aid to promote C&P [civil and political] rights helps UN agencies circumvent some of the restrictions imposed by national sovereignty and Article 2(7) of the UN Charter. States often resist outside efforts to promote C&P rights, since these efforts might constitute intrusion into their internal political affairs. Using development aid helps get around the problem of national sovereignty by enlisting governments in cooperative efforts aimed at the less controversial target of economic development, with C&P rights as an offshoot.⁷⁸

⁷⁴ Ibid., p. 604.

⁷⁵ V. Tucker, 'The Myth of Development: A Critique of Eurocentric Discourse', in R. Munck and D. O'Hearn (eds.), *Critical Development Theory*, London, Zed Books, 1999.

⁷⁶ Schicho, 2012, p. 561.

⁷⁷ Oestreich, 2014.

⁷⁸ Oestreich, 2014, pp. 77-78.

The question that strikes me here is: who is profiting from this approach to development really? Is it an actual addressee of a development project, or is it just the advancement of the human rights culture?⁷⁹ Contrasting this, Uvin warns that the human rights discourse itself is in danger of being 'colonized' in the context of the RBA and that respective measures too often remain rhetorical without the corresponding practical impact. But he also gives hope to the RBA: be it sincere or not, the dialogue is already changing the way people see the world.⁸⁰

4) In practice

Another relevant question is whether the RBA finds *effective implementation* in practice or not. In her case study about a United Nations International Children's Emergency Fund (UNICEF) project in the Assaini village in the Kongo, Destrooper concludes that "UNICEF has formally adopted the HRBA, (...) but this was never thoroughly operationalized, neither at the level of headquarters nor at the level of the country office." Focusing on the effects of carrying out the RBA implementation internally within an organisation (an effective *inward implementation*, so to say), Kindornay, Ron and Carpenter state that "if the rights-based paradigm is having real effects, its traces should be notable in the work and activities of development-related NGOs". See As argued, these effects should then consequently also be observable with an *inward* focus. In the analysis I will, inter alia, shed light on this question.

Zooming into the inner life of different organisations, Nelson and Dorsey scrutinise the extent to which the RBA has entered the practice of both development agencies and human rights actors. They conclude that the RBA brought about more effective change within human rights agencies than in development agencies. They also observe that RBAs are interpreted more openly and in a heterogenous manner throughout the development

⁷⁹ See chapter 2.1.1.

⁸⁰ Uvin, 2007, p. 599.

⁸¹ Destrooper, 2016, p. 812.

⁸² Kindornay, Ron and Carpenter, 2012, p. 474.

⁸³ See chapter 5.5.

sector, and, therefore, the concrete impact of RBAs remains questionable.⁸⁴ Interestingly, they also raise the important question whether "development organizations [are] constrained by the field's long record of repackaging and relabeling its work to conform to fashions or donor imperatives?"⁸⁵—an important question equally relevant in the context of this thesis, because this possible constraint might have an impact on the *inward* focus of the RBA.

Taking a step back, we see that RBAs, even though very prominent in the current development discourse, come with different critical features to be discussed. Questions arise about who can actually be held accountable for what and whether RBAs are also adopted internally—or mainly externally, and in some context just as a cover for other means. We see that states adopt an important position in those debates, and that the reality on the ground does often not meet the formal requirements of the theoretical RBA framework.

2.1.3. Arts and culture in human rights

In order to understand the role of culture in RBAs, we must take a look at culture itself from a human rights perspective. "Cultural rights comprise an aspect of human rights in that they are universal in character and guarantee all persons the right to access their culture", 86 states Barth. However, depending on the angle from which we choose to look at cultural human rights, different questions arise. To whom do these rights apply—to individuals, to groups? And: how does this affect the obligations of states towards them?

In a working paper published by the UNESCO in 1970, the meaning of the term "to take part in cultural life" (cf. Article 15 ICESCR) is explored. In this context, culture is further differentiated and discussed in terms of "mass culture", "high culture", "traditional

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⁸⁴ P. Nelson and E. Dorsey, 'Who Practices Rights-Based Development? A Progress Report on Work at the Nexus of Human Rights and Development', *World Development*, vol. 104, no. 6, 2018. ⁸⁵ Ibid., p. 103.

⁸⁶ W. Barth, 'Cultural Rights: A Necessary Corrective to the Nation State', in F. Francioni and M. Scheinin (eds.), *Cultural Human Rights*, Boston, Martinus Nijhoff Publishers, 2008, p. 79.

culture", "social structure of culture", "cultural rights and 'multi-ethnic' group relations", "democratization of culture" and the "social role of artists and writers"⁸⁷. This list illustrates how difficult it is to grasp the concept of culture within a legal framework. Meanwhile, cultural rights are rooted in different international human rights provisions.⁸⁸

The A/HRC/43/50, a 2020 report by the UN Special Rapporteur in the field of cultural rights, provides a more detailed insight into the scope of application of cultural rights. It states that cultural rights

protect in particular (a) human creativity in all its diversity and the conditions for it to be exercised, developed and made accessible; (b) the free choice, expression and development of identities, which include the right to choose not to be a part of particular collectives, and the right to exit a collective, and to take part on an equal basis in the process of defining it; (c) the rights of individuals and groups to participate, or not to participate, in the cultural life of their choice, and to conduct their own cultural practices; (d) the right to interact and exchange, regardless of group affiliation and of frontiers; (e) the rights to enjoy and have access to the arts, to knowledge, including scientific knowledge, and to an individual's own cultural heritage, and that of others; and (f) the rights to participate in the interpretation, elaboration and development of cultural heritage and in the reformulation of cultural identities.⁸⁹

In another report (A/73/227), the UN Special Rapporteur in the field of cultural rights stresses the importance of cultural rights within human rights:

Cultural rights are an expression of and a prerequisite for human dignity. They protect the rights of each person, individually and with others, as well as groups of people, to develop and express their humanity, their world view and the meanings they assign to human existence and development through, inter alia, values, beliefs, convictions, languages, knowledge and the arts, institutions and ways of life. They also protect access to cultural heritage and resources that allow such identification and development

⁸⁷ UNESCO, Cultural Rights as Human Rights, Paris, UNESCO, 1970, pp. 10-14.

⁸⁸ Among them are article 27 UDHR, article 15 ICESCR, article 18, 19, 21, 27 ICCPR as well as different specific treaties: always based on the human rights principles of universality and inalienability, indivisibility, inter-dependence and inter-relatedness, non-discrimination and equality, participation and inclusion, as well as accountability of law.

⁸⁹ United Nations, *Cultural Rights Defenders*. Report of the Special Rapporteur in the field of cultural rights, A/HRC/43/50, 2020, para. 33.

processes to take place. Thus, they are strong vectors for both universality and cultural diversity. 90

However, cultural rights are often primarily conceived as collective rights, as for example enshrined in article 27 ICCPR. While some authors use the terms "cultural rights" and "minority rights" interchangeably,91 since "the conceptualization and promotion of cultural rights has been inextricably [linked] to the fluctuating fortunes of minority protection in international law", 92 the specific conception of culture within this international law perspective remains open. Can legal practitioners do justice to a processfocused⁹³ understanding of culture at all? Is it possible to break down the flexibility of this concept into a rigid legal text? When Franconi expresses his thoughts on the rights of indigenous peoples, stating that these "rights are largely cultural, in so far as they tend to guarantee the survival of the language, religion, specific social structures and distinct way of life of groups or peoples"94, then we learn about the complex questions behind these rights. At the same time, any collective attribution of a culture must be treated with caution. In every defined group, there are subcultures and fine distinctions that do not apply to all group members. Makkonen adds that "(...) people are neither masters nor slaves of their cultures. Cultures are not giant cloning systems producing like-minded individuals, (...)."95 Moreover, cultural rights are parallelly discussed as individual rights, as enshrined for example in article 27 UDHR and Article 15 ICESCR and a comprehensive framework of soft law regarding culture by the UNESCO.

⁹⁰ United Nations, *Universality, Cultural Diversity and Cultural Rights. Report of the Special Rapporteur in the field of cultural rights*, A/73/227, 2018, para. 13.

⁹¹ Barth, 2008, p. 79.

⁹² A. Vrdoljak, 'Self-Determination and Human Rights', in F. Francioni and M. Scheinin (eds.), *Cultural Human Rights*, Boston, Martinus Nijhoff Publishers, 2008, p. 56.

⁹³ According to Baldwin, Faulkner, Hecht et al., in such process-focused definitions, culture "(...) embodies the processes by which a group constructs and passes on its reality, rather than the reality itself handed down to others." (Baldwin, Faulkner, Hecht et al., 2005, p. 40.)

⁹⁴ F. Francioni, 'Culture, Heritage and Human Rights', in F. Francioni and M. Scheinin (eds.), *Cultural Human Rights*, Boston, Martinus Nijhoff Publishers, 2008, p.5.

⁹⁵ T. Makkonen, 'Minorities' Right to Maintain and Develop Their Cultures: Legal Implications of Social Science Research', in F. Francioni and M. Scheinin (eds.), *Cultural Human Rights*, Boston, Martinus Nijhoff Publishers, 2008, p. 205.

Furthermore, I want to highlight a specific aspect of cultural rights: art. As an important carrier and multiplier of culture, art is a field relevant to and protected by human rights in various ways. It is in relation to art that it becomes obvious that cultural rights must also be understood on an individual level. Cultural expression is dependent on freedom of opinion, freedom of assembly, freedom of art, property rights and so on. In this regard, state obligations are very concrete:

Freedom of art prevents the State from interfering in artistic processes (production, distribution and consumption); it obligates the State to protect this against interference by a third party and; on a general level, it obligates the State to secure the availability of adequate material resources for the production, distribution and consumption of art.⁹⁶

As all human rights are interdependent, cultural rights such as the freedom of art are strongly interlinked with civil and political rights. "Too often, people refer to the freedoms of expression and assembly only in their civil and political dimensions, forgetting their equally important cultural dimension"⁹⁷, Karima Bennoune states in this regard. In the RBA, all these facets of cultural rights have to be taken into account. Regardless of the definition of culture: the requirements of its flourishment might be understood more easily than the concept itself.

Meanwhile, art is increasingly being included and valued as an instrument in human rights practice. For example, within contemporary art, strands like *social practice* are scrutinised. Tello argues that projects like the *Institute for Human Activities*⁹⁸, initiated by the artist Renzo Martens, or the *Silent University*⁹⁹, initiated by the artist Ahmet Ögüt, can be seen as "art as NGO" and can "provide alternatives to normative development practice via art". ¹⁰⁰ Summing up, we see that cultural rights are an important pillar of

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⁹⁶ UNESCO, *Culture & Working Conditions For Artists*, 2019, p. 14, available at https://www.unesco.at/fileadmin/Redaktion/Kultur/Vielfalt/Dokumente-sonstige/Culture Working Conditions_eng.pdf, (accessed 04 August 2020).

⁹⁷ United Nations, *Report of the Special Rapporteur in the field of cultural rights*, A/74/255, para. 22. ⁹⁸ Read on here: Institute for Human Activities, http://www.humanactivities.org/en/, [website], (accessed 02 July 2020).

⁹⁹ Read on here: Silent University, https://thesilentuniversity.org/, [website], (accessed 02 July 2020).

¹⁰⁰ V. Tello, 'Is Contemporary Art Postdevelopmental?', in E. Klein and C. Morreo (eds.), *Postdevelopment in Practice*, London and New York, Routledge, 2019, p. 307.

RBA. On the other side, more narrowly, *arts and culture*, the manifestation of culture in certain products, etc., can be considered tools for human rights, and consequentially also for development.

2.2. Definitions of culture

In order to clarify and embed the term and concept of *culture* in the context of development and human rights, I will shed light on the manifold academic perspectives, interpretations and understandings that surround it. I will put a special focus on those conceptualizations that consider power dimensions of culture.

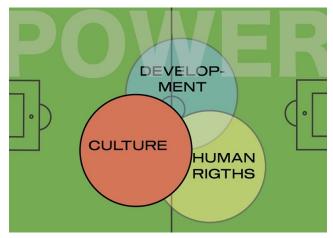


Figure 2: Matrix of Power, Development, Culture and Human Rights (Source: Own Illustration).

2.2.1. The human rights culture

In order to demonstrate the immanent field of tension within the realm of culture and human rights, I would like to start with a provocative philosophical human rights perspective: Richard Rorty suggests that human rights can be understood as a *culture itself* (while rejecting other justifications for human rights). While Rorty neglects normative explanations, he focuses at the same time on "making our own culture – the human rights culture – more self-conscious and more powerful, rather than (...)

demonstrating its superiority to other cultures by an appeal to something transcultural".¹⁰¹ Following this logic, he introduces the praxis of *sentimental education* (an manner of approaching others that doesn't believe in the superiority of a rational argument, but rather relies on convincing others on an emotional basis). He is convinced of the moral superiority of this human rights culture, but believes that he can't rationally convince others to join it. Therefore, he relies on *sentimental manipulation* (e.g. trying to convince someone to stop eating meat by showing pictures from a slaughterhouse).¹⁰²

By re-framing human rights as a culture rather than a 'superior' normative concept, Rorty creates potential for action. As argued by Clammer, "[r]ights are in fact not simply abstract legal categories, but are equally complex cultural constellations." If Rorty's cultural perspective is understood as a practical approach, this enables different discourses that go far beyond the mere demand for e.g. cultural rights. It allows for new common ground also with some actors in the development industry who perceive human rights as "not genuinely 'universal' but Western concepts". In this way, power-relations and the self-conceptualization of the one wielding power come to the fore. This chapter aims to shed some light on power-structures inherent in cultural questions.

2.2.2. The UNESCO definition

In the preamble of the 2001 UNESCO Universal Declaration on Cultural Diversity, culture is defined as

the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs.¹⁰⁵

This definition appears to be broad—however, it still neglects many possible facets of culture. Since legal constructs rely on precise definitions and scopes of application, the

¹⁰¹ R. Rorty, 'Human Rights, Rationality, and Sentimentality', in R. Rorty (ed.), *Truth and Progress*, Cambridge, Cambridge University Press, 1998, p. 171.

¹⁰² Ibid., pp. 170-177.

¹⁰³ Clammer, 2012, p. 21.

¹⁰⁴ L. Piron, 'Rights-Based Approaches and Bilateral Aid Agencies: More Than a Metaphor?', *IDS Bulletin*, vol. 36, no. 1, 2005, p. 25.

¹⁰⁵ UNESCO, UNESCO Universal Declaration on Cultural Diversity, adopted 2 November 2001.

necessity of a definition is evident. Moreover, the important question is: can such a definition like the one provided by the UNESCO even do justice to the complexity of culture in theory and practice?

"The pressures for evaluating, and, in particular, measuring the work of NGOs have increased during the recent decades." 106, state Holma and Kontinen. This phenomenon can be translated into the measurability of culture as well (for example, the UNESCO developed specific *Culture for Development indicators* 107). However, at this point we have to ask again how far it is possible and realistic to break down a multi-layered and fluid concept like culture into measurable units. Can one really measure culture—and whose culture would or should be measured? The tensions inherent in these questions are numerous. Yet we can notice a tendency to rush forward towards methods of measuring. 108

Huntington makes the point that objective criteria for describing or analysing culture are needed in order to make *use* of culture. He claims that "if culture is about everything, it explains nothing".¹⁰⁹ Following the urge to generate *measurable impacts* for the legitimation for the investment of public money, many actors strive to come up with a feasible definition and corresponding criteria. In the following, I will deal with some of the inherent contradictions between attempts to nail down the concept and the impossibility thereof.

2.2.3. Attempts to categorise culture

As the ongoing debates about culture mirror, there are manifold definitions of culture. In an early attempt to gather and structure these definitions, Kroeber and Kluckhohn published the classic book *Culture: A Critical Review of Concepts and Definitions* in

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¹⁰⁶ K. Holma and T. Kontinen, 'Democratic Knowledge Production as a Contribution to Objectivity in the Evaluation of Development NGOs', *Forum for Development Studies*, vol. 39, no. 1, 2012, p. 84.

¹⁰⁷ UNESCO, *UNESCO Culture For Development Indicators*, 2014. See chapter 2.4.3. for more detailed description.

¹⁰⁸ Madden, 2005, p. 217.

¹⁰⁹ S. Huntington, 'Vorwort', in S. Huntington and L. Harrison (eds.), *Streit um Werte*, München, Wilhelm Goldman Verlag, 2004, p. 12. *Author's translation*.

1952, on which many scholars have built their theories up until today. In that work, the authors developed a frame to structure different definitions of culture consisting of six categories of definitions:¹¹⁰

- Enumerative descriptive definitions, a category which comprises definitions of culture as a "comprehensive totality" and the "enumeration of aspects of culture content".¹¹¹
- *Historical definitions*, which "select one feature of culture, social heritage or social tradition, rather than trying to define culture substantively". 112
- Normative definitions, dealing e.g. with "ideals and values". 113
- Psychological definitions, focusing on "learning", "habit", "adjustment", "problem-solving device". 114
- Structural definitions, which emphasise the "pattering or organization of culture"¹¹⁵, and in which "[c]ulture becomes a conceptual model that must be based on and interpret behaviour but which is not behaviour itself". ¹¹⁶
- Genetic definitions, depicting culture in symbols, ideas and artifacts. 117

Building on this approach, Baldwin, Faulkner and Hecht developed even more nuanced categories in 2005, taking into account historical and contemporary definitions of culture. The definitions are sorted in categories, each category contains an expression of a specific understanding of culture. The following list is directly adopted from Baldwin, Faulkner and Hecht 119:

¹¹² Ibid., p. 92.

¹¹⁰ A. Kroeber and C. Kluckhohn, *Culture: A Critical Review of Concepts and Definition.*, New York, Vintage Books, 1963, p. 76.

¹¹¹ Ibid., p. 85.

¹¹³ Ibid., p. 102.

¹¹⁴ Ibid., pp. 105-117.

¹¹⁵ Ibid., p. 118.

¹¹⁶ Ibid., p. 120.

¹¹⁷ Ibid. pp. 125-140.

¹¹⁸ Baldwin, Faulkner, Hecht et al., 2005.

¹¹⁹ Ibid., p. 30.

"A. STRUCTURE/PATTERNS

- Whole way of life: Total accumulation of [element list] lifestyle; "more than the sum of the traits" Note: This category also applies if the notion of "culture" is simply in terms of general "differences" between groups.
- Cognitive structure: Thoughts, beliefs, assumptions, meanings, attitudes, preferences, values, standards;
 expression of unconscious processes, interpretations.
- Structure of behavior: Behavior, "normative glue," patterns of rules, techniques, dispositions, customs, set of skills, patterns of behavior, habits, actions, concrete practices, ceremonies, rituals.
- Structures of signification: Symbol systems, language, discourse and communication processes, system of transferring of thoughts, feelings, behaviors.
- Relational structure: Relationships to others, orientational system.
- Social organization: Organizational forms, political institutions, legal institutions (e.g., laws, crime and punishment), religion as institution.
- A "structure" or "abstraction" made by researchers to describe groups of people.

B. FUNCTIONS

- Provides guide to and process of learning, adaptation to the world, survival.
- Provides people with a shared sense of identity/belonging, or of difference from other groups.
- Value expression (expressive purpose).
- Stereotyping function (evaluative purpose).
- Provides means of control over other individuals and groups.

C. PROCESS: Practice, etc., a "verb" as well as a noun

- Of differentiating one group from another.
- Of sense making, producing group-based meaning, of giving life meaning and form.
- Of handling "raw materials of life," of dealing with social world.
- Of relating to others.
- Of dominating, structuring power.
- Of transmitting of a way of life.

D. PRODUCT

- Product of meaningful activity [more broad than representation]: art, architecture.
- Product of representation/signification: artifacts, cultural "texts", mediated and otherwise, etc.

E. REFINEMENT/ "cultivation"

- Moral progress: Stage of development that divides civilized from savage; study of perfection, civilization.
- Instruction: Care given to development of the mind; refinement (e.g., of a person).
- Uniquely human efforts from any of the aforementioned categories that distinguish humans from other species.

F. GROUP MEMBERSHIP

- Country.
- Social variations among components of contemporary pluralistic society; identity.

G. POWER/IDEOLOGY

- Political and ideological dominance: Dominant or hegemonic culture [critical definitions].
- Fragmentation of elements [postmodern definitions]."120

This very detailed differentiation of cultural definitions and conceptualizations helps to get to grips with the manifold possibilities of approaching culture. Since I aim to shed light on how SDC staff conceptualise culture, this useful grid by Baldwin, Faulkner, Hecht et al. will be used in order to categorise different statements by SDC staff members and documents from the SDC.¹²¹ With such a detailed categorisation of definitions of culture in mind, any attempt to find an all-encompassing definition of culture seems far from realistic. Baldwin, Faulkner and Hecht et al. even suggest that the strive for such an all-encompassing approach might lead to a dead end and instead suggest:

Perhaps we should avoid such a totalizing effort to provide a single definition of culture. Maybe, in the end, we should lead the reader simply to be aware of the contradictory definitions, each built within its own discourse. (...) Rather, [culture] is an empty sign that everyday actors—and social scientists—fill with meaning. Culture, as a signifier, can be understood only in the context of its use. 122

As we learn here, the context is of significant importance for the respective conceptualization of culture. We will get back to that later, since questions regarding context are even more prevalent in the field of development. Indeed, Baldwin, Faulkner, Hecht et al. stress that focusing on a single definition can only be one-dimensional, which leads to problems on different levels. Ultimately, the question is what purpose such a definition serves in a particular context—and for whom. However, I want to stress again that in order to make culture feasible in a legal context, a definition is inevitable—which leads to an inherent conflict. Any definition portends other underlying intentions, which lurk in the background, since "such definitions may in fact be hegemonic means for (un)intentionally supporting either individual research agendas or group-held sets of

121 See chapter 5.1.

¹²⁰ Ibid., p. 30.

¹²² Baldwin, Faulkner, Hecht et al., 2005, p. 72.

underlying assumptions about research and reality (...)". 123 The 'un' that Baldwin, Faulkner, Hecht et al. put in brackets in this statement suggests an important perspective: having the power to define culture is a mighty tool, which can be actively or passively (mis)used.

In current debates, the ensuing pluralism of different conceptions of culture in order to build a truly holistic perspective seems almost as being worshipped. If one assumes that there should not be only one definition of culture, a possible approach might be to include as many perspectives as possible. For example, Sheweder is making creative use of the situation: he claims that "the discernible world is incomplete from a single point of view, incoherent from all points of view at the same time and empty 'from nowhere special'". 124 This statement underlines the logic of interdisciplinary approaches. Adopting points of view from different disciplines, allows us e.g. to get a more nuanced and diverse picture. It might not ultimately enable the grasp of culture as a concept, but by taking into consideration manifold perspectives, we might get a more differentiated view.

2.2.4. Making use culture

Some academics dismiss such considerations as hesitation, fear and even incompetence. In 1985, Lawrence Harrison published a book with the provocative title *Underdevelopment is a state of mind*.¹²⁵ In this work, he describes different Latin American case studies, making the point that each of the respective 'cultures' constitutes a significant inhibiting factor for development. In their co-edited book *Culture Matters*, Harrison and Huntington gather voices that suggest that 'culture' is an important pillar of *progress*, which means for example that certain cultures are more promising for economic

¹²³ Ibid., p. 24.

¹²⁴ R. Sheweder, 'Moralische Landkarten, 'Erste Welt'-Überheblichkeit und die Neuen Evangelisten', in S. Huntington and L. Harrison (eds.), *Streit um Werte*, München, Wilhelm Goldman Verlag, 2004, p. 245. *Author's translation*.

¹²⁵ L. Harrison, *Underdevelopment Is a State of Mind - The Latin American Case*, Lanham, MD, Center for International Affairs, Harvard University, 1985.

development than others.¹²⁶ Harrison and Huntington claim that one of the biggest problems so far has been *cultural relativism*, having dominated the field of anthropology in the 20th century, and emphasise that cultural relativism "refuses to evaluate the values and practices of another society".¹²⁷ They argue that we should analyse and make use of culture as a driver of progress. According to Harrison, one obstructive factor is

that the preoccupation with culture is uncanny to most economists, especially since it raises definitional problems, is difficult to quantify and is in a highly complex interaction with psychological, institutional, political, geographical and other factors.¹²⁸

I would like to stress that ethical problems pop up instantly when a certain culture is assumed to be the precondition of sustainable (economical) development. When cultures are weighted against each other and related to each other in a hierarchical fashion, which is not uncommon in the history of the development industry, it presupposes that someone has to claim the authority of interpretation and the power of definition. Klein and Morreo argue from a post-development perspective that in development, expertise and technocracy from the Western culture have not only always been given more weight by powerful actors, but that their global scope has been interpreted as a success and is thus used as an argument for further spreading Western culture, "systematically obscuring or masking coloniality, patriarchy and other relations of power". ¹²⁹ In order to illustrate this point, I would like to quote a Japanese example:

When 'culture' is used to explain Japan, statements such as 'we do this because it is our culture' (i.e. 'we do this because we do this') are not perceived as tautology but are believed to give a valid reason for accepting all manner of practices whose political nature has been lost sight of. Culture thus becomes an excuse for systematic exploitation, for legal abuses, for racketeering and for other forms of uncontrolled exercise of power. In

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¹²⁶ Note, however, that e.g. from a post-development perspective, the idea of *progress* itself is considered a problematic concept in development. See e.g. T. Shanin, 'The idea of progress', in M. Rahnema and V. Bawtree, *The Post-Development Reader*, London, New Jersey, Zed Books, 1997, pp. 65-71.

¹²⁷ L. Harrison, 'Einführung', in S. Huntington and L. Harrison (eds.), *Streit um Werte*, München, Wilhelm Goldman Verlag, 2004, p. 27. *Author's translation*.

¹²⁸ Ibid., p. 26.

¹²⁹ Klein, E. and C. Morreo, 'Introduction', in E. Klein and C. Morreo (eds.), *Postdevelopment in Practice*, London and New York, Routledge, 2019, p. 4.

the international realm, culture is made an excuse for not living up to agreements and responsibilities, and for not taking action in the face of pressure from trading partners.¹³⁰

In summary, we see that power relations in the context of culture can be obscured in various ways. This can occur for example, if, as in the example by van Wolferen, a reductive concept of culture is used, or if the respective concept of culture is not made explicit.

An attempt to oppose the exercise of such power is the concept of *undeveloping the North*, which "sees relations of power in global capitalism and its drive for accumulation as the cause of poverty in the South and ecological degradation worldwide." Post-development approaches challenge such power structures, seeing e.g. in development itself "a manipulation in which Western ideas are elevated to the norm and its addressees are thus reduced to mere carriers of needs and victims". Post-development approaches, however, do not remain uncriticised themselves. They are, for example, faced with accusations of romanticising *local culture* (or *tradition*, which, as scholars such as Ranger and Sheweder argue, can itself be understood as the result of processes of *invention* 133 134). They might fall into the trap of cultural protectionism, "(...) by focusing so heavily on 'the local', the see [*sic*] manifestations tend to underplay both local inequalities and power relations as well as national and transnational economic and political forces" which is contradictory to the intentions of post-development, which fundamentally

¹³⁰ K. van Wolferen, *The Enigma of Japanese Power*, 2nd edition, London, Macmillan, 1990, p. 332, cited in Nederveen Pieterse, 2010, p. 67.

¹³¹ A. Ziai, 'Undeveloping the North', in A. Kothari, A. Salleh, A. Escobar et al. (eds.), *Pluriverse. A Post-Development Dictionary*, New Delhi, Tulika Books, 2019, p. 326.

¹³² D. Neubert, 'Entwicklungspolitik: Programme, Institutionen Und Instrumente', in K. Fischer, G. Hauck and M. Boatcă (eds.), *Handbuch Entwicklungsforschung*, Wiesbaden, Springer, 2016, p. 372. *Author's translation*.

For further reading: A. Escobar, *Encountering development: The making and unmaking of the Third World*, Princeton, Princeton University Press, 1995.

¹³³ T. Ranger, 'The Invention of Tradition in Colonial Africa', in E. Hobsbawm and T. Ranger (eds.), *The Invention of Tradition*, New York, Cambridge University Press, 2014.

¹³⁴ R. Sheweder, "Why Do Men Barbeque?" And Other Postmodern Ironies of Growing up in the Decade of Ethnicity', *Daeadlus*, vol. 122, no. 1, 1993.

¹³⁵ G. Mohan and K. Stokke, 'Participatory Development and Empowerment: The Dangers of Localism', *Third World Quarterly*, vol. 21, no. 2, 2000, p. 247.

criticise the continued relations of power in development (e.g. former *colonial masters* who still exercise power *through* development aid). 136

2.2.5. Power dimensions of culture

Along these lines, I want to focus on the entanglement of culture and power. "Claims to truth and falsity are themselves kinds of power. (...) Similarly, power works by producing systems of inclusion and exclusion in cultural representations of 'Us' and 'Them'", 137 state Johnson, Chambers, Raghuram et al. This phenomenon of *othering* is a common feature of certain conceptualizations of culture. Building on thoughts about *ruling ideas* by Marx and Engels 138, Johnson, Chambers, Raghuram et al. state that

dominant ideas (...) are those possessed and produced by the ruling class (and its agents). (...) Here, dominance has to do with relationships: relationships between ideas and everyday living, relationships between rulers and ruled. Ideas do not 'express' a single ruling group's way of living, but do express their relationships with other groups. ¹³⁹

The one who has the power to determine what culture entails in a national context, for example, is in a position of dominance. In this context, Gramsci developed a specific concept of *cultural hegemony*, which connects power structures, culture, he or she who claims (and is *able* to claim) authority to interpret culture, dominance and claims to truth and falsity. The argument of hegemony in Gramsci's sense can be understood as follows: "dominant groups maintain their position by winning over the hearts and minds of those who are exploited by the existing system." As a Marxist, Gramsci reflected on why and how knowledge and ideology can be framed by the ruling class as

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¹³⁶ M. Rahnema, 'Towards Post-Development: Searching for Signposts, a New Language and New Paradigms', in M. Rahnema and V. Bawtree, *The Post-Development Reader*, London, New Jersey, Zed Books, 1997, p. 385.

¹³⁷ R. Johnson, D. Chambers, P. Raghuram et al., *The Practice of Cultural Studies*, London, Thousand Oaks, New Delhi, SAGE, 2004, p. 142.

¹³⁸ See e.g. K. Marx, C. Arthur and F. Engels, *The German Ideology*, ElecBook, London, 2001, p. 92 ff. ¹³⁹ Johnson, Chambers, Raghuram et al., 2004, p. 144.

¹⁴⁰ See e.g. B. Opratko, *Hegemonie. Politische Theorie Nach Antonio Gramsci*, Münster, Verlag Westfälisches Dampfboot, 2012.

¹⁴¹ B. Pease, *Undoing Privilege. Unearned advantage in a divided world*, London, New York, Zed Books, 2010, p. 5.

being universal—a task, according to Gramsci, normally executed by intellectuals. Gramsci also emphasises that everyone "is an intellectual in the sense of being a maker of ideas, but not everyone has the social *role* of an intellectual."¹⁴² We are constantly operating under an omnipresent tension of different powers: e.g. in relation to other individuals, to social groups, to media, etc. From the point of view of theories of hegemony, culture is described as "a space within which struggles between social forces are conducted"¹⁴³, as an "arena of struggle and contradiction", in which "dominant and subordinate cultures (...) express different interests and operate from different and unequal terrains of power". ¹⁴⁴ Radically thought through, this means that "any time and any place you find ordering, by our account, you have found culture." ¹⁴⁵ In the context of this thesis, this notion of 'ordering' will be taken up again when investigating e.g. 'hierarchy' *per se* as a cultural concept. ¹⁴⁶

This also means that if we understand culture in terms of cultural *products*¹⁴⁷, for example, we still have to keep in mind that "art, music, literature, and history are the result of both economic and political forces, including class processes and the ordering of social behavior."¹⁴⁸ Scholte, speaking from a neo-Marxist perspective, also notes that "[c]ultures are (...) not just simply about giving meaning, but also projects of domination; knowledge is not only used to communicate, but to control."¹⁴⁹ In that sense, Halualani makes the argument that in every context, it is inevitable that the "dominant group (...) with a particular ideology or system of beliefs and thoughts holds the power to determine

¹⁴² K. Saltman, *The Politics of Education. A Critical Introduction*, New York, Routledge, 2nd edition, 2018, p. 36.

M. Smith, Culture: Reinventing the Social Sciences, Buckingham, Open University Press, 2000, p.81.
 H. Giroux, Teachers as Intellectuals. Towards a Critical Pedagogy of Learning, Branby, MA, Bergin & Garvey Press, 1988, p. 117.

¹⁴⁵ G. Kendall and G. Wickham, *Understanding Culture: Cultural Studies, Order, Ordering*, London, SAGE, 2001, p. 24.

¹⁴⁶ See chapter 6.3.

¹⁴⁷ See chapter 2.3.3.

¹⁴⁸ J. Amariglio, S. Resnick and R. Wolff, 'Class, Power and Culture', in C. Nelson and L. Grossberg (eds.), *Marxism and the Interpretation of Culture*, Urbana and Chicago, University Of Illinois Press, p. 487

¹⁴⁹ B. Scholte, 'The Charmed Circle of Geertz's Hermeneutics: A Neo-Marxist Critique.', *Critique of Anthropology*, vol. 6, no. 1, 1986, p. 10.

what 'culture' is for society and what ends this 'culture' will serve." Hence, as we see, that when aiming to define culture, we cannot avoid questions of power. 151

Interestingly, when reading through the etymology of the term *culture*, as it is for example laid out by the *Paulo Freire Zentrum*, one common denominator is striking: over time, culture has been largely defined *against* something else, trying to distinguish itself, be it along the lines of dichotomies such as nature/human, animal/human, civilised/savage, the linkage of culture to a certain terrain, popular culture/high culture, etc.¹⁵² These differentiations are always tied to positions of power. Therefore, different authors understand culture as a "political struggle"¹⁵³ or as a "contested zone".¹⁵⁴ Halualani astutely remarks that

(...) culture is deeply situated within a specific social context with an intact set of histories and power relations. Thus, culture is inexorably tied to the surrounding social, political, and economic structures. Culture, then, does not just immediately surface; certain individuals, groups, and corporations work hard to designate what 'culture' is to be and how that 'culture' is to be used. Herein lies the struggle: Who ultimately has the power/privilege/right to define and reproduce 'culture'? Who benefits from the creation of 'culture'?¹⁵⁵

In the field of human rights, development and culture, these considerations are important. If development cooperation is seen as an "intercultural transaction"¹⁵⁶, or, as the SDC states, as "itself intrinsically a process of intercultural exchange and dialogue"¹⁵⁷, we cannot neglect the power structures it is embedded in. The question that dominates the

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¹⁵⁰ R. Halualani, 'Seeing through the Screen: A Struggle of "Culture", in J. Martin, T. Nakayama and L. Flores (eds.), *Readings in Cultural Contexts*, Mountain View, CA, Mayfield, 1998, p. 264-265.

¹⁵¹ See e.g. Hall and Neitz, 1993, pp. 163-190.

¹⁵² A. Novy, L. Lengauer, A. Kaissl et al., *Dialog Oder Konflikt Der Kulturen?*, Wien, Paulo Freire Zentrum, 2008, p. 5ff.

¹⁵³ Halualani, 1998, pp. 264-265.

¹⁵⁴ D. Moon, 'Thinking about 'culture' in intercultural communication', in J. Martin, T. Nakayama and L. Flores (eds.), *Readings in intercultural communication: Experiences and Contexts*, 2nd Edition, Boston, McGraw Hill, 2002, p. 15.

¹⁵⁵ Halualani, 1998, pp. 266-267.

¹⁵⁶ Nederveen Pieterse, 2010, p. 188.

Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016,p. 7.

respective cultural discourse plays a significant role. On the one hand, "those who seek emancipation need to know what is holding the dominant way of living in place." On the other hand, the recognition that the 'dominant culture' is always *produced* by someone again creates options for action. The unravelling of power structures unleashes potential:

Once we realize that 'the popular' is not a single category and has no necessary aesthetic value or liberatory tendency, we can develop a sensitivity for those forms of the popular that are important as resources for the future or a differently organized social order.¹⁵⁹

2.2.6. Culture in the RBA

The previously discussed different perspectives on cultural rights¹⁶⁰ do not make the concrete *implementation* of the RBA any easier. Furthermore, different conceptualizations of culture exist and stand in possible contrast to each other, which thus affects the implementation of RBAs in practice.¹⁶¹ Following Nederveen Pieterse, in development, priorities in the realm of culture are given to economic discussions rather than to political and social aspects. However, such a prioritization, one could argue, is not in line with human rights principles.¹⁶² The Vienna Declaration and Programme of Action, adopted in 1993, makes clear that

[a]ll human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis.¹⁶³

Furthermore, if human rights seem to be appropriated by the development industry, the question emerges in what way culture and cultural rights are conceptualised by the development industry. Nederveen Pieterse sees a danger in culture being misused as "local Vaseline", without actually involving any rethinking of development itself.¹⁶⁴

¹⁵⁸ Johnson, Chambers, Raghuram et al., p. 145.

¹⁵⁹ Ibid.

¹⁶⁰ See chapter 2.1.3.

¹⁶¹ See chapter 2.2.3.

¹⁶² Nederveen Pieterse, 2010, p. 73.

¹⁶³ United Nations General Assembly, Vienna Declaration and Programme of Action, 12 July 1993, A/CONF.157/23, section I, para 5, available at https://www.refworld.org/docid/3ae6b39ec.html, (accessed 4 August 2020).

¹⁶⁴ Nederveen Pieterse, 2010, p. 73.

The author also suggests that culture—be it local, national, international—is often conceptualised along territorial features. However, such an understanding is questionable, since cultures have always influenced each other translocally. By defining culture territorially, we quickly lose argumentative basis. "If culture is territorialized, as in national culture or local culture, the boundaries are, ultimately, political frontiers that require political analysis." This, in turn, is a dilemma that also arises in the realm of human rights: since citizens claim human rights from a territorially limited state, a territorial justification for cultural rights is immanent.

2.2.7. The role of the state

Furthermore, the fact that there is always a state involved in the construct of human rights makes the issue even more complex. Horváth states that

(...) no state is culture-neutral; nor does it wish to be, given that some shared collective identity is believed to be necessary for the creation and maintenance of the state-focused community, as circumscribed by national citizenship.¹⁶⁶

How much cultural diversity does a state allow then? The point at which states perceive cultural diversity as threatening depends on the respective context and the concrete manifestation of a specific culture, which is regarded as potentially subversive. In any case, the free development of cultures is a difficult endeavour if it gets in the way of evoking a national culture. "The nation state ideology is axiomatically antithetical to recognition of internal ethnocultural diversity", ¹⁶⁷ states Makkonen. Notions of culture are thus closely linked to power relations. ¹⁶⁸ I consider it useful to consult Hill Collins' words about the intertwinement of power and state to hand. She states that:

A *nation* consists of a collection of people who have come to believe that they have been shaped by a common past and are destined to share a common future. This belief is usually

¹⁶⁵ Ibid., p. 74.

¹⁶⁶ E. Horváth, 'Cultural Identity and Legal Status: Or, the Return of the Right to Have (Particular) Rights', in F. Francioni and M. Scheinin (eds.), *Cultural Human Rights*, Boston, Martinus Nijhoff Publishers, 2008, p. 170.

¹⁶⁷ Makkonen, 2008, p. 192.

¹⁶⁸ See e.g. Opratko, 2012.

nurtured by allegedly common cultural characteristics, such as language and customs; a well-defined geographic territory; the belief in a common history or origin; the belief that closer ties exist among members of the nation than with outsiders; a sense of difference from groups around them; and a shared hostility toward outsider groups. *Nationalism* is a political ideology that is expressed by any group that self-defines as a distinctive people or nation. *Nationalist ideologies* strive to foster beliefs and practices which permit a people or nation to control its own destiny. When any one group acquires sufficient state power that allows it to realize its goals, it controls a *nation-state*. ¹⁶⁹

Nation-states are an important component in the construct of human rights. As we see, conceptualizations of nations, states, etc., are all also rooted in culture, which itself is an area of power.¹⁷⁰ Thus, Hill Collins' elaborations make clear that the mere fact of human rights being intertwined with nation-states so closely makes questions of power unavoidable. However, Sachs relativizes the importance of nation-states and their according culture in the realm of development, by arguing that after the Cold War,

the nation-state became porous; the economy as well as culture was increasingly determined by global forces. Development, erstwhile a task of the state, was now deterritorialized. Transnational corporations spread out and on every continent lifestyles aligned with one another: SUVs replaced rickshaws; cell phones superseded community gatherings; air-conditioning supplanted siestas.¹⁷¹

This new perception of horizons of thought beyond nation-states—which, one might argue, have already experienced a backlash, and cultures constructed as 'foreign' have not lost their perceived threat to nation-states from my point of view—caused new problems, the diffuse concept of culture being in the middle of them once again. The description by Sachs suggests that some kind of global cultural approximation took place. This thought evidently creates a lot of problems, which cannot be extensively discussed in this thesis. However, if Sachs was right, this shift might help to overcome the

¹⁶⁹ P. Hill Collins, *Black Feminist Thought*, 2nd edition, London and New York, Routledge, 2000, p. 229. ¹⁷⁰ See chapter 2.5.5.

¹⁷¹ W. Sachs, 'Foreword', in A. Kothari, A. Salleh, A. Escobar et al. (eds.), *Pluriverse. A Post-Development Dictionary*, New Delhi, Tulika Books, 2019, p. xii.

¹⁷² See e.g. N. Andrews and S. Bawa, 'A Post-development Hoax? (Re)-examining the Past, Present and Future of Development Studies', *Third World Quarterly*, vol. 35, no. 6, 2014, pp. 930-931.

mentioned inherent tense relationship between state and culture. "If agency is prioritized over structure (such as the state, the national economy), the cultural worlds and maps of meaning of actors become vital variables", ¹⁷³ Nederveen Pieterse adds that this is in itself a very difficult endeavour due to the vagueness inherent in the concept of culture.

2.3. Power

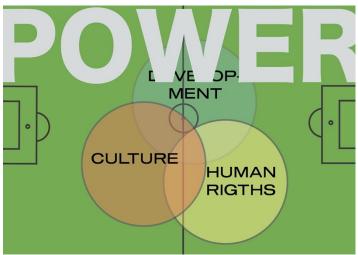


Figure 3: Matrix of Power, Development, Culture and Human Rights (Source: Own Illustration).

In this chapter, the focus is on the 'playground' of culture, human rights and development: on *power*. The term *power* is widely used in everyday language. As a concept, power is just as inherent to the development theory as it is to the RBA. In theory, however, the concept is primarily a controversial field.¹⁷⁴ In his book *Was ist Macht? [What is Power?]*, ¹⁷⁵ Byung-Chul Han aims to consolidate various debates and positions on the topic of power into a common core. Those debates and position comprise e.g. Arendt¹⁷⁶,

¹⁷³ Nederveen Pieterse, 2010, p. 64.

¹⁷⁴ A. Antner, *Theorien der Macht zur Einführung*, Hamburg, Junius, 4th edition, 2018, p. 11.

¹⁷⁵ B. Han, Was Ist Macht?, Ditzingen, Reclam, 2005.

¹⁷⁶ See e.g. H. Arendt, *Macht und Gewalt*, München, Piper, 1970.

Luhmann¹⁷⁷, Foucault¹⁷⁸, Bourdieu¹⁷⁹, Habermas¹⁸⁰, Popitz¹⁸¹, Nietzsche¹⁸² and others. It would go beyond the scope of this thesis to deal with these individual theories in depth. The focus will, therefore, be on Han's own theoretical approach because it is very useful for understanding the intertwinement of culture, development, human rights and power.

According to Han, power manifests itself between the poles of violence and freedom. At one end, the exercise of power ends with brute force. At the other end, power always needs freedom, and absolute power is built on absolute freedom. The level of power is high when "those subjugated to power follow or even anticipate the will of the ruler as if it were their own will". 183 Here, the degree of mediation [Vermittlung] is decisive: the ruler influences the ruled in such a way that the other has the feeling that he or she acts out of his or her own free will, whereby he or she actually follows the intention of the ruler. "More mediation (...) contains such power that acts not against the other's plan of action, but out of it. A higher power is one which forms the future of the other, not one that blocks it." ¹⁸⁴ Following this logic, someone who exercises absolute power makes use "(...) not of force, but of the freedom of the other (...)". 185 At the moment when oppression and freedom become one, power is absolute. It must be noted that the ruler also at least needs to feel that he or she is free and act accordingly—otherwise "not he, but, if at all, the compelling factual situation would have power". ¹⁸⁶ Han identifies certain elements that are inherent in every perspective on power. He considers: power always implies a continuity (e.g. of the self in others) [Kontinuum des Selbst], and presupposes subjectivity ('a self that wants itself') [Struktur des Selbst, das sich will] and space [Ort]. 187

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¹⁷⁷ See e.g. N. Luhmann, *Macht*, Stuttgart, Enke, 1975.

¹⁷⁸ See e.g. M. Foucault, *Der Wille zum Wissen*, Frankfurt a. M., Suhrkamp, 20th edition, 2014.

¹⁷⁹ See e.g. P. Bourdieu, *Sozialer Sinn. Kritik der theoretischen Vernunft*, Frankfurt a. M., Suhrkamp, 1993.

¹⁸⁰ See e.g. J. Habermas, *Legitimationsprobleme im Spätkapitalismus*, Frankfurt a. M., Suhrkamp, 1973.

¹⁸¹ See e.g. H. Popitz, *Phänomene der Macht*, Tübingen, Mohr, 1986.

¹⁸² See e.g. F. Nietzsche, *Sämtliche Werke: Kritische Studienausgabe in 15 Bänden*, published by G. Colli and M. Montinari, München, Berlin, New York, de Gruyter, 2005.

¹⁸³ Han, 2005, p. 10. Author's translation.

¹⁸⁴ Ibid., p. 11. Author's translation.

¹⁸⁵ Ibid., p. 14. Author's translation.

¹⁸⁶ Ibid., p. 19. Author's translation.

¹⁸⁷ Ibid., p. 29. Author's translation.

What Han calls the 'semantics of power' is particularly relevant to the present thesis. As described above, different cultural concepts serve to shape ideas, behaviour and symbols, to give meaning and order to everyday life. Just like culture, power is a "phenomenon of relationship and relating". 188 Power "gains stability only when it appears in the light of meaning or meaningfulness". 189 In this way, cultural meaning and power are connected. If we internalise and accept power and culture as habitus—as invisible and embodied habits, following Bourdieu¹⁹⁰—power can unfold to the maximum. Following Bourdieu¹⁹¹, Han elaborates on habitus:

Habitus refers to the totality of dispositions or habits of a social group. It arises from an internalization of the values or forms of perception that are designed for a certain order of rule. It enables a pre-reflexive, also somatically effective adaptation to the existing order of rule, generates an automatic of habit, in which the socially disadvantaged, for example, act according to patterns of behaviour that stabilise the very order of rule that led to their disadvantage. 192

This last point is fundamental when discussing power in development, since the development industry, seen from a power perspective, dedicates itself to 'disadvantaged' people. However, two concepts that have arisen in the context of black feminism in the United States¹⁹³ are highlighted in the following, which are specifically helpful: the concept of intersectionality (reaching back to Crenshaw¹⁹⁴) and the concept of the matrix of domination by Hill Collins. In Hill Collins' words:

Intersectionality refers to particular forms of intersecting oppressions, for example, intersections of race and gender, or of sexuality and nation. Intersectional paradigms remind us that oppression cannot be reduced to one fundamental type, and that oppressions work together in producing injustice. In contrast, the matrix of domination

¹⁸⁸ Ibid., p. 37. *Author's translation*.

¹⁸⁹ Ibid., p. 38. Author's translation.

¹⁹⁰ See e.g. P. Bourdieu, Satz und Gegensatz. Über die Verantwortung des Intellektuellen, Berlin, Wagenbach, 1989, p. 43.

¹⁹¹ See e.g. P. Bourdieu, *Die feinen Unterschiede. Kritik der Gesellschaftlichen Urteilskraft*, Frankfurt a. M., Suhrkamp, 1982.

¹⁹² Han, 2005, pp. 55-56. *Author's translation*.

¹⁹³ A. Gouws, 'Feminist Intersectionality and the Matrix of Domination in South Africa', *Agenda*, vol. 31, no. 1, 2017, p. 20.

¹⁹⁴ See e.g. K. Crenshaw, 'Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color', Stanford Law Review, vol. 43, no. 6, 1991, pp. 1241-1299.

refers to how these intersecting oppressions are actually organized. Regardless of the particular intersections involved, structural, disciplinary, hegemonic, and interpersonal domains of power reappear across quite different forms of oppression. ¹⁹⁵

Hill Collins stresses that every matrix of domination is specific to a certain time and place, and that different matrices coexist. 196 However, "regardless of how any given matrix is actually organized either across time or from society to society, the concept of a matrix of domination encapsulates the universality of intersecting oppressions as organized through diverse local realities." Those two concepts, intersectionality and the matrix of domination, help to have a more differentiated view on power relations in the development sector, or rather will be useful for the analysis of the data in this thesis. A differentiated view on multi-layered co-existing power positions and structures is important not only for the analysis, but also for my personal self-reflexion as a researcher. Importantly, in this thesis, I aim to shed light on privileges (people consciously or unconsciously having and wielding power) in order to better understand and to localise power dynamics. "If we focus only on discrimination and oppression, we reinforce the privilege", 198 states Pease. Also in this regard, the concept of invisibility intersectionality turns out to be useful, since it allows to "explore each particular form of privilege from an intersectional perspective that recognises the heterogeneity and multiple identities within each dominant group."199

2.4. Culture in development

Finally, I aim to embed the three previously discussed areas of culture, human rights and power in the context of development. In doing so, the question quickly arises: in *what* development do I embed the previous theory? Development is a *Lernaean Hydra*, that is difficult to grasp. Is development an "action", a "goal of action", an "immanent process"

¹⁹⁵ Hill Collins, 2000, p. 18.

¹⁹⁶ Ibid., p. 228.

¹⁹⁷ Ibid.

¹⁹⁸ Pease, 2010, p. 6.

¹⁹⁹ Ibid., p. xiii.

or an "intentional practice"?²⁰⁰ Its meaning depends on who uses it when and where. Some may use the term *development* "to convey the idea that tomorrow things will be better, or that more is necessarily better"²⁰¹, while others, like Gilbert Rist, take an opposing position by claiming that

the essence of 'development' is the general transformation and destruction of the natural environment and of social relations in order to increase the production of commodities (goods and services) geared, by means of market exchange, to effective demand.²⁰²

These statements are worlds apart. In the following chapter, I will try to differentiate between them, while paying specific attention to culture in development.

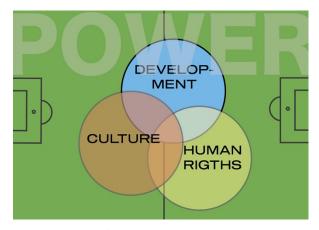


Figure 4: Matrix of Power, Development, Culture and Human Rights (Source: Own Illustration).

2.4.1. Short history of development

The history of development has been widely discussed and analysed in academia. It is common to divide the history of development into six "development decades' from around 1948 (...), to the 2008 'global financial crisis' that marked the beginnings of a new post-neoliberal – and possibly post-development – era."²⁰³ Each decade or

²⁰⁰ M. Cowen and R. Shenton, 'The Invention of Development', in J. Crush (ed.), *Power of Development*, London, New York, Routledge, 1995, p. 26.

²⁰¹ G. Rist, 'Development as a Buzzword', in A. Cornwall and D. Eade, *Deconstructing Development Discourse. Buzzwords and Fuzzwords*, Bourton on Dunsmore, Rugby, Warwickshire, Practical Action Publishing, 2010, p. 19.

²⁰² Ibid., p. 23.

²⁰³ H. Veltmeyer and P. Bowles, 'Critical Development Studies. An Introduction', in H. Veltmeyer and P. Bowles (eds.), *The Essential Guide to Critical Development Studies*, New York, Routledge, 2018, p.1.

paradigmatic period includes a significant paradigm shift. The history of development, however, goes back further. For example, the rise of development can already be observed in colonial policies of the late 19th century—and, thus, development entails a colonial nature, which might be obscured when the starting point of the idea of development is set in the 1950s.²⁰⁴

In the mid-twentieth century, the perspectives of development were quite different from today. In the 1950s and 1960s, development thinking and practice were strongly characterised by economic terms (e.g. progress in per capita incomes, industrialization and modernisation). As Veltmeyer and Bowles argue, those terms included the "modernization of the production apparatus, the state and social institutions, reorienting them towards values and norms that are functional for economic growth", which makes clear that *culture* was already in the mix as a concept very early on—even if it was not necessarily always explicitly mentioned.

In the 1960s instilling 'achievement orientation' was a strategy geared to building entrepreneurial spirit, deriving from the American culture of entrepreneurialism and the idea that attitudes matter. Economic growth strategies have been based on the culture of economism.²⁰⁷

The main aim at the time was to bring economic growth through modernisation, but also through the dissemination of a specific *culture*, which was seen through the lenses of the times and should strengthen economic growth. The logic can be broken down to a simple concept: development meant replicating "Western culture' by making use of the 'western experience'".²⁰⁸ However, this stance was increasingly criticised by academics, among

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²⁰⁴ J. Hodge and G. Hödl, 'Introduction', in J. Hodge, G. Hödl and M. Kopf (eds.), *Developing Africa, Concepts and Practices in Twentieth-Century Colonialism*, Manchester and New York, Manchester University Press, 2014, p. 2.

²⁰⁵ See e.g. S. Radcliffe, *Culture and Development in a Globalizing World*, New York, Routlege, 2006, p 2-3.

²⁰⁶ Veltmeyer and Bowles, 2018, p. 3.

²⁰⁷ Nederveen Pieterse, 2010, pp. 71-72.

²⁰⁸ Radcliffe, 2006, p. 3.

them Marxists²⁰⁹, feminists²¹⁰ and post-colonial writers and activists²¹¹. They contributed to the discussion with substantial questions, shedding light on the overarching structural context in which development was meant to take place. They put a finger on the fact that all development interventions are basically rooted in "Western capitalist political economies and the cultural histories of European colonialism".²¹² This obviously raises a lot of questions regarding power relations, including which development is meant for whom, especially in the realm of human rights: where are the rights of humans in development?

In subsequent decades, schools of thought and practice like *economic modernisation*, *social reformism*, *social liberalism*, *dependency theory*, *neoliberalism*, *global free trade*, etc., widened and transformed the development discourse. Fundamentally questioning development in general, "exponents of the *post-development approach* asked for an 'alternative to development' instead of an 'alternative development'. However, "[b]oth the mainstream stream of development thought and these critical counterpoints need to be contextualized in terms of changing conditions in the real world. In the course of time, different terms were conjured up and invented in order to make the discourse tangible and/or adapt it in response to critique. (Un)developed, process/output; society; empowerment; globalisation; human, sustainable, and inclusive development; social capital; basic human needs approaches; measurability—these, to give some examples, are words on everyone's lips. The point here is: all of those schools of thought, concepts, terms, etc., have arisen in specific *times and contexts*, coloured by the very

²⁰⁹ See e.g. J. Petras and H. Veltmeyer, 'Imperialism, Capitalism and Development', in H. Veltmeyer and P. Bowles (eds.), *The Essential Guide to Critical Development Studies*, New York, Routledge, 2018, pp. 128-137.

²¹⁰ See e.g. F. Wanderley, 'Development in question: the feminist perspective', in H. Veltmeyer and P. Bowles (eds.), *The Essential Guide to Critical Development Studies*, New York, Routledge, 2018, pp. 94-106.

²¹¹ See e.g. E. Gudynas, 'Post-development and other critiques of the roots of development', in H. Veltmeyer and P. Bowles (eds.), *The Essential Guide to Critical Development Studies*, New York, Routledge, 2018, pp. 84-93; Escobar, 1995; G. Rist, *The History of Development: From Western Origins to Global Faith*, London, Zed Books, 1997; G. Esteva, 'Development', in W. Sachs (ed.), *The Development Dictionary*, London, Zed Books, 1992, pp. 6–25.

²¹² Radcliffe, 2006, p. 3.

²¹³ Veltmeyer and Bowles, 2018, pp. 1-7.

²¹⁴ Schicho, 2012, p. 559.

²¹⁵ Veltmeyer and Bowles, 2018, p.7.

specific yet simultaneously fluid cultures of the people creating them.²¹⁶ After their invention, those *buzzwords* developed their own life, while, like a chameleon, constantly shifting their meaning.²¹⁷ Such *buzzwords* are then actually "essentially contested concepts': terms that combine general agreement on the abstract notion that they represent with endless disagreement about what they might mean in practice."²¹⁸ Similarly, development practitioners have their own understanding of the cultural context of the place where a specific development project (defined as to "bring about a desired set of improvements in the lives and social condition of a defined or targeted population"²¹⁹) is supposed to be implemented, which potentially clashes with manifold local cultures. Neubert adds in this regard:

Concrete development goals and -paths do not result from theories, studies or philosophical derivations: They are the result of societal negotiation processes. Development policy is therefore above all political action that attempts to influence these socio-political processes. As long as this takes place in cooperation and debate between donors and recipients, as in development cooperation, the dilemma between the support of self-determined processes and the implementation of the donors' own normative objectives (e.g. liberal capitalist economy, guarantee of human rights) is unavoidable.²²⁰

Following this logic, the important question is not about the models, theories or ideologies themselves, but why they prevail at a given time. Why specific notions and definitions of culture are seen to be *valid* and others are considered *unusable* is always to be answered systemically, taking into consideration their corresponding context. Focusing on more current discourse, Radcliffe highlights that "(...) development includes the reworkings of relations of production and reproduction, and of sociocultural meanings, resulting from planned interventions and from uneven political economies."²²¹ The difficulties of reworking the widely ramified development theory and practice and the corresponding

²¹⁶ A. Cornwall, 'Introductory overview – buzzwords and fuzzwords: deconstructing development discourse', in A. Cornwall and D. Eade, *Deconstructing Development Discourse*. *Buzzwords and Fuzzwords*, Bourton on Dunsmore, Rugby, Warwickshire, Practical Action Publishing, 2010, p. 16.

²¹⁷ Rist, 2010, p. 20.

²¹⁸ Ibid., p. 2.

²¹⁹ Veltmeyer and Bowles, 2018, p. 2.

²²⁰ Neubert, 2016, p. 372. Author's translation.

²²¹ Radcliffe, 2006, p. 3.

power relations are, however, manifold: how can the development discourse come to terms with its own history? How flexible are the minds and actions of the people who work in and reflect on the development sector? To what extent is self-reflexion possible at all from within the system?

Through the lenses of post-development, it is necessary to analyse the role of the global North. In the spirit of what Uvin called the *inward focus of RBAs* (i.e. the expectation of organisations to live up to the human rights framework they proclaim, taking human rights principles like transparency, accountability, non-discrimination, etc., serious within the organisation), ²²² Klein and Morreo argue that also the theories and concepts within organisations of the global North need to be "conscious of the intricacies of hegemony in its own perspectives (such as the series of cultural and epistemic hierarchies within institutions of 'global' knowledge production)". ²²³ The cultural background of every actor in the development industry, even if not made explicit, is a fundamental part of every development strategy. Or, to put it in Nederveen Pieterse's words: "Obviously *any* development strategy is 'based on culture', if only because it is not possible to operate outside culture (...)." ²²⁴ Let us, as an example, have a look at the recent reflexion paper *Towards a sustainable Europe by 2030* published by the European Commission in 2019. The Commission positions itself as a global pioneer of sustainable development and assumes the power to interpret concepts such as sustainability, when it states:

Ultimately, to be most successful in the green and inclusive economic transition, we have to get our global partners on board too and make the case that a global sustainable development model based on our core values and principles is the best way to achieve shared prosperity and a sustainable world. (...) Being the first mover in the green and inclusive economic transition, combined with a strong push for international rules, will allow us to set the standards for the world and give us a strong competitive advantage in the global marketplace. ²²⁵

²²² Uvin, 2007, p. 604.

²²³ Klein and Morreo, 2019, p. 4.

²²⁴ Nederveen Pieterse, 2010, p. 72.

²²⁵ European Commission, *Towards a sustainable Europe by 2030*, 2019, pp. 31-32, available at https://ec.europa.eu/commission/sites/beta-political/files/rp_sustainable_europe_30-01_en_web.pdf, (accessed 04 August 2020).

This suggests that the European Commission ranks its (cultural) values higher than others, wanting to see the former spread 'globally'. For the 'benefit of others', but also for their self-interests. This chapter aims to sensitise to the fact that development is an ambiguous concept, and that questions regarding the context of development practice are of fundamental importance. As the example of the European Commission shows: power relations are inherent in buzzwords such as *sustainable development*. "Everything said is said by someone. Because every reflexion generates a world and as such is human action of an individual at a particular place." This observation by Maturana and Varela underlines the need to always look at the context in which e.g. specific buzzwords are used in. Who says what, where and why? In order to better understand the context that my research is situated in, in the next section, I will look into the role of culture in the history of development thinking and practice.

2.4.2. Culture in development

C&D [Culture & Development] is not simply a matter of including culture but also of interrogating culture as a terrain of power, culture as ideology.²²⁷

The question of culture in development creates manifold problems. If development itself is seen as "an intercultural transaction" I argue, this suggests a distinctness of certain cultures (of e.g. social groups, nations, etc.). And indeed, "[o]ur everyday understanding of culture is shaped by the idea of uniformity. (...) [we] presume that cultures are essentially coherent", 229 states Rathje. This uniformity of culture was, however, deconstructed by various authors. In chapter 2.2.5., I also argued that such unambiguousness of culture does not exist. By just defining a certain culture, we already

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²²⁶ H. Maturana and F. Varela, *Der Baum der Erkenntnis*, Fischer, Frankfurt am Main, 2009, p. 32. *Author's translation*.

²²⁷ Nederveen Pieterse, 2010, p. 77.

²²⁸ Ibid., p. 188.

²²⁹ S. Rathje, 'Der Kulturbegriff – ein anwendungsorientierter Vorschlag zur Generalüberholung', in A. Moosmüller (ed.), 'Konzepte kultureller Differenz' – Münchner Beiträge zur interkulturellen Kommunikation, Waxmann, München, 2009, p. 83. Author's Translation.

²³⁰ See e.g. H. Bhabha, *Nation and Narration*, London, Routledge, 1990.

reproduce power relations, because we construct something that in itself does not unambiguously exist. People are affected by various cultures, creating individual mixes: our individual culture is coloured by variable combinations of "local societies, nationstates, international consumer and religious cultures"²³¹, to name a few. Rathje suggest to see culture also as a phenomenon of affiliation to multiple collectives: if "individuals are simultaneously part of numerous collectives that produce internally and externally divergent cultural habits, (...) then these cultural opportunities are radically processed individually."232 She suggests to "emanate from differences within cultural habits and multicollectivity of individuals". 233 Thus, in a way people have multiple cultures through multiple social identities, which means that they are multicultural per se. These different parts of our individual culture are in constant motion and friction with each other—in terms of content, its manifestation of the latter in different social groups, but also hierarchically.²³⁴ This appreciation of *change*, *fluidity* and *space* might be more fruitful than nailing down what a certain culture is (as a state). 235 That is, by the way, when physics enter this thought. From a physical perspective, it makes no sense to describe the state of a certain object, but how it changes. "Thinking of the world as a collection of events, of processes, is the way that allows us to better grasp, comprehend and describe it. (...) The world is not a collection of things, it is a collection of events", 236 states the physicist Carlo Rovelli. Turning back to the history of culture in development, we see that the conceptualizations of culture in development have been very different over the years. It has been seen as an "obstacle", as a "political resource", as an "economic resource", etc.²³⁷, adapting to the predominant development paradigms of the respective time. According to Radcliffe, in one way or another culture has always been part of development thinking, but "how it is conceptualized and when and where put in to

²³¹ Radcliffe, 2006, p. 5.

²³² Rathje, 2009, p. 97. Author's Translation.

²³³ Ibid., p. 96.

²³⁴ J. Weeks, 'The Value of Difference', in J. Rutherford (ed.), *Identity. Community, Culture, Difference*, London, Lawrence and Wishart, 1990, p. 88.

²³⁵ For further reading, see F. Jullien, Es Gibt Keine Kulturelle Identität, Berlin, Suhrkamp, 2017.

²³⁶ C. Rovelli, *The Order of Time*, London, Allen Lane, 2018, p. 87.

²³⁷ Nederveen Pieterse, 2010, p. 76.

operation reflect complex historical and geographical patterns of institutional, social, and political action."²³⁸

2.4.3. Development and power

Just as culture has been an intrinsic part of development all along, so has power. In an article of the book *Inclusive Aid*. *Changing Power and Relationships in International Development*, Robb takes a look at the history of development through the power perspective.²³⁹ I refrain from presenting her analysis of specific timeframes, but aim to depict the important bigger picture from her detailed analysis. Robb argues that power-relations have shifted significantly within the aid system over the time, but, importantly, always existed and never lost their asymmetrical character, the global North being the dominating end. She argues that "[a]lthough some have called recent changes radical, power still lies in the North".²⁴⁰ Thereby, Robb continues, matters of aid and development are closely intertwined with e.g. political and economic interests.²⁴¹

While the US, the European Union (EU) and Japan, for example, give out aid with one hand, with the condition of open markets, they effectively take away with another by imposing trade barriers on developing countries' exports.²⁴²

This aiming to 'aid' and the often blurred barriers to the self-interests of e.g. states as development actors in the global North are rooted in a fundamental conflict: if someone is in the position to offer aid to someone else, then the question arises why this person is in the position to be able to help the other in the first place. "Aid, by its very definition, is a manifestation of inequality" states Robb, and continues that "[b]eing poor usually means being powerless; but the aid system is dominated by the interests of the powerful, as opposed to the powerless". 244

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²³⁸ Ibid.

²³⁹ Robb, 2004.

²⁴⁰ Ibid., p. 36.

²⁴¹ This double-edged relationship has already been dealt with in chapter 2.1.2., this time with a focus on the RBA.

²⁴² Robb, 2004, p. 36.

²⁴³ Ibid, p. 21.

²⁴⁴ Ibid.

Nayler brings up another interesting point. Not only do these asymmetrical relations between "those who suffer from those who do not"²⁴⁵ exist, but they are also used in order to uphold the legitimation of development actors. Tayler states that

current international development discourse operates through relations of power according to a Politics of Pity, which necessarily (re)constitutes subjects in an unequal hierarchical relation to one another, it is unable to fully address the underlying structural inequalities that are at the root of poverty.²⁴⁶

The notion of *Politics of Pity* goes back to Hannah Arendt.²⁴⁷ Tyler argues along the lines of Arendt, that pity "has a vested interest in the existence of those who suffer, as the spectacle of their suffering is necessary for pity to be evoked as a means to justify action."²⁴⁸ Viewing Robb's observation that aid per se also implies inequality and power-relations, combined with Nayler's argument that these power-relations are reproduced more often than not in the current international development discourse, brings unequal power-structures as a condition to development to the fore.

In order to get a more differentiated picture, I will discuss literature by Nederveen Pieterse, who also deals with power relations within the development and culture debate throughout the history of development. To give an example: he claims that during the prevalence of the modernisation theory in development, the main focus was on *national culture*, whereby culture was in a way seen as a "device in nation building".²⁴⁹ This came along with strands of 'cultural protectionism'.²⁵⁰ He then goes on to shed light on the problematic dimensions of this approach, notably bringing questions of power into play again:

Endorsing the myth of national culture and cultural unity, it [subsuming cultural identity under national identity] glosses over the dark side of nationalism. The politics of nation

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²⁴⁵ T. Naylor, 'Deconstructing Development: The Use of Power and Pity in the International Development Discourse', *International Studies Quarterly*, vol. 55, no. 1, 2011, p. 184.

²⁴⁶ Ibid., p. 193.

²⁴⁷ See H. Arendt, *On Revolution*, New York, Viking Press, 1965.

²⁴⁸ Ibid., p. 184.

²⁴⁹ Nederveen Pieterse, 2010, p. 65.

²⁵⁰ Ibid.

building involves the marginalization of aliens, the suppression of minorities and of indigenous peoples – a process captured under the heading of internal colonialism.²⁵¹

Turning to local culture, Nederveen Pieterse points out the danger of romanticising local culture, which is itself a likewise elusive concept and influenced by various supraregional factors:

Like national culture, local culture is a terrain of power with its own patterns of stratification, an uneven distribution of cultural knowledge and boundaries separating insiders and outsiders - hierarchical or exclusionary politics in fine print. The dark side of local culture is local ethnocentrism or, in other words, ethnic fundamentalism.²⁵²

The point to take away here is: Nederveen Pieterse elaborates on different perceptions of culture at different times and places of development. In each of these perceptions, whichever way we look at it, questions of power always remain salient. Notably, the debate about who is oppressing whom, who invades where and why, seems to always be present. In this context, the following question seems important to me: to what extent is culture always an invention? And: who benefits from it? Finally, development is arguably always a cultural construction and therefore can never be power-neutral.

2.4.4. The increasing demand for measurability and cultural indicators

According to Madden, "[a]round the world, demands for greater accountability for public monies have intensified, placing increasing pressure on government-related agencies to use statistical evaluative measures, or statistical 'indicators'."²⁵³ Given the difficulty of defining culture and the different concepts of development where the term is used in relation to what was discussed above, there is an evident challenge to objectively measure such a thing as culture. This, however, contrasts with the apparent need for measurable indicators. However, the strive for measurable indicators is very present, demanded for example where public money is involved and concrete results are tried to be made

²⁵¹ Nederveen Pieterse, 2010, p. 67.

²⁵² Ibid., p. 69.

²⁵³ Madden, 2005, p. 217.

traceable.²⁵⁴ UNESCO, for example, developed Culture for Development Indicators (CDIS). In order to come up with indicators, definitions of culture and development had first to be agreed upon. UNESCO divides its definition of culture into two parts, a functional and an anthropological notion of culture:

First, in its functional sense, meaning an organized sector of activity dealing with the diverse manifestations – past or present – of human intellectual and artistic creativity and comprising individuals, organizations and institutions responsible for their transmission renewal. The arts and cultural expressions, together with these individuals and institutions constitute what is commonly regarded as the 'cultural sector', a demarcated policy domain, concerned mainly with heritage and creativity.

(...) [S]econd, in its anthropological sense, referring to the people's way of life – the different values, norms, knowledge, skills, individual and collective beliefs – that guide individual and collective action.²⁵⁵

Development is defined as "(...) the process of enlarging people's choices [that] enhances the effective freedom of the people involved to pursue whatever they have reason to value". ²⁵⁶ I would like to contrast this definition of development with one given by Nederveen Pieterse in order to once again stress the huge contrast within the debate:

Development thinking if considered carefully is a series of improvisations and borrowings, zigzagging over time, a hybrid project intellectually and politically, and not nearly the consistent edifice that both its adherents and opponents tend to consider it. The transformations denoted as 'development' change along with the tides and currents of conventional wisdom.²⁵⁷

However, UNESCO carried on undeterred and built, on the basis of the given definitions, the *CDIS matrix*. 22 quantitative and qualitative indicators grouped under the 7 dimensions *economy*, *education*, *governance*, *social*, *gender*, *communication* and *heritage* are presented.²⁵⁸ "Culture as cultural difference is now treated explicitly as a

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²⁵⁴ Ibid.

²⁵⁵ UNESCO, UNESCO Culture For Development Indicators, 2014, p. 10.

²⁵⁶ Ibid.

²⁵⁷ Nederveen Pieterse, 2010, p. 77.

²⁵⁸ UNESCO, UNESCO Culture For Development Indicators, 2014, pp. 12-13.

significant variable in the success of development interventions",²⁵⁹ as Radcliffe summarises this positivist approach.

It is noteworthy that from the direction of post-development, sharp-tongued criticism is fired at the concept of measurability itself. According to Sachs, development has been ruled by the 'dictatorship of quantitative comparison' all along. ²⁶⁰ In development's early days, economic indicators such as the gross domestic product (GDP) dominated the discourse, whereas over time and in response to the critique of economic reductionism, social indicators like the Human Development Index or the above mentioned CDIS Matrix were developed. Even if these measurements are based on different theories and histories, they share a common denominator: they generate data, which is used to compare and to locate deficits that are supposed to be tackled. What grows from this is the presentation of a hierarchical ranking of different spaces in relation to development, which suggests that there is something like a right, fruitful evolution, which we might call improvement. ²⁶¹ However, even the use of the latter term has problematic implications:

Understanding development as improvement almost inevitably invites a one-dimensional perspective, privileging one or other dimension, and a managerial approach, whereas what actually constitutes improvement never is and never can really be settled.²⁶²

Translated to the field of culture, this means that there is a permanent threat of certain cultures being overruled and others prioritised, all based on the assumptions we draw out of alleged *quantitative knowledge*. Just to show again how broad the field of every single one of these terms is, I want to bring another understanding of progress into the debate, which Nederveen Pieterse drew from an article by Ashis Nandy²⁶³: according to him, progress can be understood as the "growing awareness of oppression".²⁶⁴ This approach will be taken up in the discussions of the analysis.

²⁵⁹ Radcliffe, 2006, p. 2.

²⁶⁰ Sachs, 2019, p. xiv.

²⁶¹ Ibid.

²⁶² Nederveen Pieterse, 2010, p. 191.

²⁶³ A. Nandy, 'Shamans, Savages and the Wilderness: On the Audibility of Dissent and the Future of Civilizations', *Alternatives: Global, Local, Political*, vol. 14, no.3, 1989, pp. 263–77.

²⁶⁴ Nederveen Pieterse, 2010, p. 194.

3. The Swiss Agency for Development Cooperation (SDC)

In order to clarify the context in which the data is collected, I will provide some background information on the Swiss Agency for Development and Cooperation (SDC). Dating back to 1944, the current SDC went through a lot of reforms, renamings and realignments.²⁶⁵ Currently, the SDC is headed by Patricia Danzi.²⁶⁶ Before her, the SDC has been led by different directors general—with different backgrounds and respective world views. However, one thing has not changed for a long time: all the former directors general have been elderly white men.²⁶⁷ The SDC "implements the Federal Council's foreign policy on humanitarian aid, development cooperation and cooperation with Eastern Europe"²⁶⁸ and "(...) supports countries in their efforts to overcome poverty and development related problems". 269 The SDC works in the field of

- humanitarian aid, in the cooperation with Easter Europe (mainly contributing to building "democracy and social market economies"),
- in the cooperation with the South (in different themes in 21 countries in Africa, the Middle East, Asia, Latin America and the Caribbean),
- and on a level of *global cooperation*, whereby the aim of SDC is to contribute to resolve development issues together with e.g. the UN, the World Bank, and regional development banks.²⁷⁰

The SDC actively promotes human rights in its policies and programmes and aims to empower rights-holders and strengthen duty-bearers.²⁷¹ For example, the 'SDC's Human

²⁶⁵ Federal Department of Foreign Affairs FDFA, 'History of Development', [website], https://www.eda.admin.ch/deza/en/home/sdc/portrait/history.html, (accessed 20 June 2020).

²⁶⁶ Federal Department of Foreign Affairs FDFA, 'Federal Council appoints Patricia Danzi as new SDC director general', [website],

https://www.eda.admin.ch/deza/en/home/news/news.html/content/eda/en/meta/news/2019/12/13/77510, (accessed 06 August 2020).

²⁶⁷ Federal Department of Foreign Affairs FDFA, 'Former Directors-General', [website], https://www.eda.admin.ch/deza/en/home/sdc/portrait/history/former-directors.html, (accessed 20 June 2020).

²⁶⁸ Federal Department of Foreign Affairs FDFA, 'SDC in brief', [website], https://www.eda.admin.ch/deza/en/home/sdc/portrait/text-portrait.html, (accessed 13 July 2020). ²⁶⁹ Ibid.

²⁷⁰ Ibid.

²⁷¹ McInerney-Lankford, 2009, pp. 64-65.

Rights Policy: Towards a Life in Dignity'²⁷² (which will be discussed in depth below) established an important basis for the concrete adoption of the RBA within the SDC. Since then, experiences with the RBA have been analysed and workshops conducted internally and externally. However, as stated in a policy brief in 2014,²⁷³ the effectiveness, awareness and understanding of human rights and the RBA still require improvement by SDC staff in concrete practice, while "little of significance has been done at the institutional level related to HRBA reflection and guidance"²⁷⁴. Human rights formally play an important role in the SDC's policies and programmes. At the same time, culture is formally given great value in the SDC's work.²⁷⁵ The human rights duties of the SDC are relatively clear. For example, in its *Code of Conduct for Contractual Partners of the FDFA*²⁷⁶ (Federal Department of Foreign Affairs), human rights and gender equality are defined as *core values*. In its reference to this document, the *UN Guiding Principles on Business and Human Rights. Swiss National Action Plan 2020-23* is very specific:

All individuals, companies or other entities that work with the FDFA are required to contribute to the promotion of these values and to act in accordance with them (...) The Code of Conduct outlines the attitude and behaviour that the FDFA expects from its contractual partners (...) in Switzerland as well as abroad. The Code of Conduct is binding (...).²⁷⁷

²⁷² Swiss Agency for Development and Cooperation SDC, SDC's Human Righs Policy: Towards a Life in Dignity. Realising Rights for Poor People, 2006.

²⁷³ B. Meyer-Bisch and N. Antille, 'Human Rights-Based Approach (HRBA): Policy Brief', Swiss Agency for Development and Cooperation SDC, 2014, available at available at https://www.shareweb.ch/site/Conflict-and-Human-Rights/Documents/Policy%20Brief%20-%20CAPEX%20HRBA%20and%20Results%20Measurement.pdf, (accessed 04 August 2020)... ²⁷⁴ Ibid.. p. 1.

 ²⁷⁵ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016.
 ²⁷⁶ Federal Department of Foreign Affairs FDFA, Code of Conduct for Contractual Partners of the FDFA, 2018, available at https://www.dfae.admin.ch/dam/eda/en/documents/dienstleistungen-publikationen/code-conduct-partners EN.pdf, (accessed 18 June 2020).

²⁷⁷ Schweizerische Eidgenossenschaft, *UN Guiding Principles on Business and Human Rights. Swiss National Action Plan 2020-23*, 2020, p. 14.

Also, the Swiss position on post-2015 sustainable development states that the

(...) new transformative framework for sustainable development needs to include and make strong reference to human rights, including economic, social, and cultural rights as well as civil and political rights.²⁷⁸

However, some research has already been conducted regarding the experiences with the RBA in different SDC Cooperation Offices (COOFs). It turns out that in different SDC offices in Afghanistan, Bolivia, Burundi, Mongolia and occupied Palestinian territory, "only one out of the five participating COOFs explicitly applies a comprehensive HRBA, on paper and in practice."²⁷⁹ These results relativize the SDC's otherwise big rhetoric about the RBA to a certain extent. For the following analysis, it is primarily important to bear in mind that human rights are a significant pillar of the SDC, that the SDC actively engages with culture and that the SDC is legally bound to a fairly high degree in terms of its human rights commitment (which is not the case, for example, for many NGOs in the development sector). Furthermore, what should be taken into account when reading the analysis and the discussion is that the SDC has been active in the development industry for a long time.²⁸⁰

²⁷⁸ Federal Department of Foreign Affairs FDFA, Summary: Swiss position on a framework for sustainable development post-2015, 2014, p.1, available at

https://www.eda.admin.ch/dam/agenda2030/en/documents/recent/Abstract position CH Post-2015 EN.pdf, (accessed 12 February 2020). ²⁷⁹ Meyer-Bisch and Antille, 2014, p. 2.

²⁸⁰ See chapter 2.1.1.

4. Methodology

4.1. Field of research and sampling strategy

In order to answer the research question 'in what way do SDC staff members interpret the term 'culture' and what consequences for the rights-based approach to development do their interpretations have', a qualitative case study that involves semi-structured interviews with three research participants was conducted. The researched group consisted of the staff members of the SDC. In order to achieve a broader view of the organisation and the application of the concept of culture in different areas within the SDC, three staff members from the different following areas were interviewed: a) a human rights expert; b) a culture expert; c) a staff member from a field office. In the context of this purposive sampling, three interviewees (hereinafter referred to as *the interviewees*) were suggested by the SDC. In addition, three documents (hereinafter referred to as *the documents*) were brought in for analysis and related to the interviews: a) the SDC's 2006 Human Rights Policy²⁸¹ b) The SDC Culture and Development Policy from 2016²⁸² and c) the SDC Guidance on Human Rights in Development from the year 2019.²⁸³

4.2. The interview

The question of this thesis is well suited to be researched qualitatively. Semi-structured qualitative interviews are suitable for exploring structures of meaning such as the conceptualization of culture in development cooperation. The aim of this approach is not to find *the truth*, but rather to explore subjective worlds of experience: "When people understand the world and give it a meaning, they do so in the context of the world in which they live. Researchers want to understand this understanding".²⁸⁴ Helfferich states that in qualitative interviews, "it cannot be a matter of objectivity, but of an appropriate

²⁸¹ Swiss Agency for Development and Cooperation SDC, SDC's Human Righs Policy: Towards a Life in Dignity. Realising Rights for Poor People, 2006.

²⁸² Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016.

²⁸³ Swiss Agency for Development and Cooperation SDC, SDC Guidance on Human Rights in Development and Cooperation, 2019.

²⁸⁴ C. Helfferich, *Die Qualität Qualitiver Daten. Manual Für Die Durchführung Qualitativer Interviews*, Wiesbaden, VS Verlag für Sozialwissenschaften, 2009, p. 23. *Author's translation*.

handling of subjectivity".²⁸⁵ Among other things, the interviews served to compare the statements given in the interviews with the policies of the SDC. In order to develop the interview, the research question was dealt with in greater depth. Two conspicuous features came to the fore: I was particularly interested in the self-reflexion of cultural issues as well as the RBA. Furthermore, on the basis of the established literature review, the three areas, *culture*, *development* and *human rights*, share the common topic of power structures, which became another focus for the interviews. However, following the *principle of openness*²⁸⁶[Prinzip der Offenheit],

compared to structured interviews, semi-structured interviews can make better use of the knowledge-producing potentials of dialogues by allowing much more leeway for following up on whatever angles are deemed important by the interviewee; as well, the interviewer has a greater chance of becoming visible as a knowledge-producing participant in the process itself, rather than hiding behind a gridlocked interview guide.²⁸⁷

Since *power relations* are arguably the common ground of *culture, development* and *human rights* and demand self-reflexion, the assumption was reasonable that in order to come to grips with the limbo of culture-development-human rights it is necessary to ask for different perspectives, to scrutinise the interviewees' positions in different contexts, always mirroring their outward perspective with self-reflexive questions. On this basis, an interview guideline was developed following Helfferich.²⁸⁸ The interview guideline was divided into four parts:

- 1) subjective cultural perceptions of the interviewees,
- 2) culture in the respective practice of the SDC (outward),
- 3) culture within the SDC (inward) and
- 4) HRBA (inward and outward), with a specific focus on cultural rights.

²⁸⁵ Ibid., p. 155. Author's translation.

²⁸⁶ Ibid., p. 114. Author's translation.

²⁸⁷ S. Brinkmann, 'Unstructured and Semi-Structured Interviewing', in P. Leavy (ed.), *The Oxford Handbook of Qualitative Research*, New York, Oxford University Press, 2014, p. 286.
²⁸⁸ Helfferich, 2009, p. 178ff.

Due to the COVID-19 situation in spring 2020, the only way to conduct the interviews was via skype/zoom. The interviews were transcribed and anonymised. One interview participant wanted to edit the transcript after the interview. Subsequently, I only used the edited and approved version of the transcript for analysis. Finally, I analysed the data by means of a qualitative content analysis.

4.3. Interview: challenges and limitations

Regarding reliability and validity, qualitative interviews have a special role. According to Helfferich, "the data in qualitative interviews (...) is always context-dependent and the versions are never identical when an interview is repeated." Therefore, neither external nor internal reliability can be guaranteed. However, *internal validity*, defined by Bryman as "a correspondence between researchers' observations and the theoretical ideas they develop", is given through the systematic approach of developing the interview guide on the basis of the established theory and the comprehensible and justified conclusions in the data evaluation. *External validity* can, however, not be claimed. On the one hand, the sample is too small to get a holistic perspective of the current SDC staff (which is also in constant shift) and qualitative case studies are only of limited suitability for generalisation. It has to be mentioned that the COVID-19 situation complicated the process of finding suitable interview partners significantly, which also contributes to the fact that only three interviews were conducted.

On the other hand, in qualitative research, the researcher is always part of the social context the research is located in.

Understanding happens from the basis of one's own system of relevance—even if in the research process this starting point is always expanded anew in a circular manner through new understanding, there is always the implicit expectation that the narrator confirms what is already known or the theoretical previous knowledge.²⁹²

²⁸⁹ Ibid., pp. 154-155.

²⁹⁰ A. Bryman, *Social Research Methods*, 5th edition, Oxford, Oxford University Press, 2016, p. 383.

²⁹¹ Ibid., p. 384.

²⁹² Helfferich, 2009, p. 58. Author's translation.

That is also my own conviction and has been present throughout the process of writing this thesis. Even though I evidently can't fully escape from the dilemma of always speaking and reflecting from my specific situation (and thereby (re)creating power structures), the mere consciousness about this very dilemma helped me to pause and challenge my own thought and the position I'm speaking from at various points. Following post-positivist reasoning, in the field of culture and power, the role of the researcher deserves special attention. Cultural sensitivity towards the researcher's own cultural baggage is required. In this regard, Morin and Paquin state that

the researcher is steeped in a culture and, consequently, is unable to analyze the subject of the study with detachment. All discourses, including scientific discourse, are culturally charged, and therefore reproduce power relations.²⁹³

In that sense, by dealing intensively with theories of culture and power, I constantly reflected my own culture and position. This does not mean that I'm not biased anymore, but that my awareness of my own background's impact on my thesis has grown, and dealing with critical literature about research helped me in this process.

In the context of the present thesis, I neither claim to nor aim to be completely objective. On the contrary: to a certain degree, I take a critical approach to qualitative research, as described in the *Oxford Handbook of Qualitative Research*:²⁹⁴

(...) [R]esearchers who embrace critical qualitative approaches must develop comfort with the notion that they are conducting research with a purpose; that is, researchers grapple with and comprehend that critical research demands that they engage with the idea that they conduct research into research inequalities in order to undo these inequalities. ²⁹⁵

I am aware of questions of power structures to a certain degree, and I have the ambition to make those power structures more fair and equal through my research. I am convinced that this belief in being able to change power structures is inherent to the discipline of

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²⁹³ J. Paquin and J. Morin, *Foreign Policy Analysis*, Cham, Palgrave Macmillan, 2018, p. 256. ²⁹⁴ K. Bhavnani, P. Chua, and D. Collins, 'Critical Approaches to Qualitative Research', in P. Leavy

⁽ed.), *The Oxford Handbook of Qualitative Research*, New York, Oxford University Press, 2014, p. 172. ²⁹⁵ Ibid.

human rights. This consequently affects my position in research. In this regard, it is also key that I reflect my own specific power position and the probability of my own potential blindness to certain topics or aspects.

The most straightforward notion of 'critical' in this context is that it refers to (at the least) or insists (at its strongest) that research—and all ways by which knowledge is created—is firmly grounded within an understanding of social structures (social inequalities), power relationships (power inequalities), and the agency of human beings (an engagement with the fact that human beings actively think about their worlds).²⁹⁶

Even though I can't ignore my inner urge to tackle power relations, I can make it transparent. Following the *principle of confirmability*, "while recognizing that complete objectivity is impossible, the researcher can be shown to have acted in good faith."²⁹⁷

With regard to the interview frame, various limitations have to be taken into account. The fact that the interviews had to be conducted online led to several technical problems: at some points, the connection was lost, and one interview finally was conducted without video. This hampered the possibility to build up a basis of trust and openness between interviewer and interviewees. Furthermore, it has to be considered that some of the questions were criticising and in potential conflict with the official functions of the interviewees (which might have influenced their responses to a significant degree). Also, due to limited resources, the interviews could not take longer than one hour, since during the COVID-19 situation, the SDC staff was very busy and could not devote additional time to the interviews. To examine the topics in depth, more time for discussion would certainly have been helpful. Furthermore, not all interviews were conducted in the native language of the interviewee and/or the interviewer. The potential difficulties of expressing oneself precisely in a foreign language must be taken into account in the analysis. In the course of the anonymisation of the interviews, I noted that certain parts of the data (mainly concerning the positions the interviewees held—obviously an important contextual information) could not be included in the analysis because it might

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²⁹⁶ Ibid., p. 166.

²⁹⁷ Bryman, 2016, p. 386.

have led to the identification of interviewees. Lastly, I was not very experienced in conducting interviews, which lead to a lot of personal learnings, but might have weakened the data.

4.4. Analysis procedure

A qualitative content analysis is used to analyse the gathered data. The aim is to condense the information collected, search for structures of meaning and evaluate them with regard to the research question. The first step was to reflect on the relationship between the researcher, the interviewee and the data—this is what Kuckartz calls "considering the conditions of emergence"²⁹⁸. Working in hermeneutic circles, in a following step, the data was scrutinised in an initial text work,²⁹⁹ which included the highlighting of important text passages and the writing of first memos. In this hermeneutic logic, which includes some kind of awareness and the use of prior knowledge and at the same time retains the openness and awareness of potential ignorance of the researcher, main thematic categories were developed.

Centring the research question, 'in what way do SDC staff members interpret the term 'culture' and what consequences for the rights-based approach to development do their interpretations have', in a deductive logic, the main categories 'conceptualization of culture' (including all facets of definitions of culture as defined by Baldwin et al.), 'culture in development' (e.g. the role of culture in development, and the importance/stance thereof) and 'human rights' (e.g. the inward and outward focus of the RBA and its importance in development) were established. In addition, since I've started to think about power dimensions of culture more profoundly, my curiosity has been drawn to how questions of power are addressed (respectively not addressed) in the data. In consequence, the main category 'cultural sensitivity/power relations' was established inductively.³⁰⁰

²⁹⁸ U. Kuckartz, *Qualitative Inhaltsanalyse. Methoden, Praxis, Computerunterstützung*, Weinheim und Basel, Beltz Juventa, 2012, p. 31. *Author's translation*.

²⁹⁹ Ibid., p. 52 ff.

³⁰⁰ Ibid., p. 59 ff.

In a further step, the material was coded³⁰¹ with the established categories,³⁰² keeping in mind that

on a methodological level, it may be difficult to establish whether an actor has genuinely internalized a norm or merely complies to protect their reputation. An analysis of practices and discourses can confirm that a norm exists. However, it is more difficult to determine whether a norm has been internalized in a belief system.³⁰³

Continuing the hermeneutic circle, my attention was drawn to the potentially more frequent mentioning of outward³⁰⁴ rather than of inward perceptions of culture and power structures within the data. This *inward/outward* distinction is inspired by the "*inward focus*" of human rights³⁰⁵ as formulated by Uvin and further based on the thought that the cultural boundary of 'self' is defined in relation to how the 'other' is represented. The other does not share the characteristics that the 'self' attributes to itself. (...) If identity is always relational, then otherness can very well be an imaginary community.³⁰⁶

Subsequently, the conceptualization of culture, cultural sensitivity, the reflexivity of power positions, etc., always affects the individual or a social group (*inward*), or in the case of the SDC, a development actor. It is noteworthy that this distinction also helps to come to grips with the intertwinement of culture and power. According to Han, "[i]n contrast to bare violence, power can merge with meaning. (...) [M]eaning is (...) a phenomenon of relationship and relating."³⁰⁷ This is where culture comes into play. This is exactly what *structural/pattern conceptualizations* do: they endow concepts with a cognitive structure such as *meaning*. Furthermore, self-reflexion is key when dealing with power related conceptualizations of culture. The history of a certain context and different actors in this context are arguably of fundamental importance when trying to understand the currently prevailing matrix of domination of this context. As Arendt puts it:

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³⁰¹ In order to guarantee inter-coder-reliability, it is necessary that several persons code the same data, using the established coding system. For resource reasons, this was not possible in the present thesis.

³⁰² Kuckartz, 2012, p. 88 ff.

³⁰³ Paquin and Morin, 2018, p. 258.

³⁰⁴ *outward* refers to the reflexion about /action in the outside world and *inward* to the self-reflexion/action of the individual person or the SDC as an institution.

³⁰⁵ Uvin, 2007, p. 604.

³⁰⁶ Paquin and Morin, 2018, p. 262.

³⁰⁷ Han, 2005, p. 37. Author's translation.

Power arises whenever people come together and act together. The legitimacy of a group is not based on goals and purposes that a group sets for itself. It comes from the origin of power that coincides with the founding of the group. ³⁰⁸

This shifts the focus to the fundamental importance of historic awareness on the part of development actors: I assumed that development actors can only understand their position of power if they understand the history of development. Hence, when working out the subcodes, I paid increased attention to how and to what extent self-reflexivity—of individuals as well as institutionally—can be identified from the data. This included, among others, the inductive derivation of the sub-codes 'context power sensitivity: outward'/'context power sensitivity: inward' as well as 'RBA inward focus'/'RBA outward focus', also tackling institutional culture, which is considered to be

an integrated system of social constructs, including causal beliefs, normative principles, rituals and discourses, which are specific to an organization (...). Members of an organization share a specific approach when it comes to interpreting their environment and understanding their role.³⁰⁹

The complete codebook, including all code descriptions and one anchor example for each code, can be found in appendix G. Hence, in a second coding process, the complete unit of analysis was coded with the differentiated (sub-)categories.³¹⁰

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³⁰⁸ Arendt, 1970, p. 53. Author's translation.

³⁰⁹ Paquin and Morin, 2018, p. 281.

³¹⁰ U. Kuckartz, *Qualitative Inhaltsanalyse. Methoden, Praxis, Computerunterstützung*, 4th edition, Weinheim und Basel, Beltz Juventa, 2018, p. 110.

5. Analysis

To start the structured content analysis, I wrote case-specific thematic summaries. In the following, the main categories including their correspondent subcategories will be presented. I will comment on the interview data and the text documents separately in each case. This approach creates transparency, is systematic and not episodic. Furthermore, since the whole analysing process was executed by using the MAXQDA-software, this allows the reader to gain insight into the different analysing steps at any time.³¹¹

5.1. Conceptualizations of culture

Building on the theory of Baldwin, Faulkner, Hecht et al.,³¹² I applied the grid for the classification of culture definitions to the data.³¹³ Along these lines, the following subcategories were established:

- 'Structure/Pattern': Definitions that look at culture in terms of a system or framework of elements (e.g., ideas, behavior, symbols, or any combination of these or other elements),
- 'Function': Definitions that see culture as a tool for achieving some end,
- 'Process': Definitions that focus on the ongoing social construction of culture,
- 'Product': Definitions of culture in terms of artifacts (with or without deliberate symbolic intent).
- 'Refinement': Definitions that frame culture as a sense of individual or group cultivation to higher intellect or morality,
- 'Power/Ideology': Definitions that focus on group-based power (including postmodern and postcolonial definitions),
- *'Group Membership'*: Definitions that speak of culture in terms of a place or group of people, or that focus on belonging to such a place or group.³¹⁴

³¹² See chapter 2.2.3.

³¹¹ See appendix I.

³¹³ See chapter 4.1.

³¹⁴ Baldwin, Faulkner and Hecht et al., 2005, pp. 29-31.

In the data, functional conceptualizations were most frequently represented both in the policies and the interviews. The documents repeatedly describe culture as a resource, as a "lever of fundamental importance for sustainable development and the fight against multi-dimensional poverty"³¹⁵. The interviewees stress the ability of culture to enhance the working climate by keeping minds open,³¹⁶ to strengthen the potential of culture to draw attention to important topics³¹⁷ and to convey 'strong messages'.³¹⁸ It is noteworthy that the potential of culture to be misused is mentioned, too.³¹⁹ Discrepancies arise in relation to whether the "objectives of the programme have priority over development of the culture sector"³²⁰ or the culture sector should be strengthened without influencing its output, e.g. by fostering "an independent, diverse and inclusive culture sector" in a specific country.³²² I argue that even though in the latter example, culture is arguably rather dealt with as a product, the strategic use of those products still bears a functional character.

Secondly, for the interviewees, *structural/pattern conceptualizations* are frequent. In this regard, the documents contain broad definitions, covering culture as the whole way of life, cognitive structure and structure of behaviour.³²³ Interviewees add, among other things, structural conceptualizations of organisational culture, 324 the structural understanding of politics and the rule of law as culture and culture as politics³²⁵ and language as structural signification.³²⁶

³¹⁵ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016,

³¹⁶ e.g. Interview 2, Pos 58.

³¹⁷ Ibid.

³¹⁸ e.g. Interview 1, Pos. 36.

³¹⁹ e.g. Interview 3, Pos. 16.

³²⁰ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 19. ³²¹ Ibid., p. 16.

³²² A concrete example of this conflict would e.g. be: should a specific development that deals with women's rights and domestic violence use the local theatre scene to promote awareness about domestic violence by thematising it in a concrete play, or is the actual goal rather to promote the independent cultural sector, hence not influencing the output.

³²³ E.g. Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 6.

³²⁴ e.g. Interview 1, Pos. 46.

³²⁵ Interview 3, Pos. 12.

³²⁶ e.g. Interview 2, Pos. 9.

In the documents, culture is also conceptualised as an ongoing process³²⁷, which is mirrored by the majority of interviewees.³²⁸ Furthermore, in the documents as well as all of the interviews, culture is also conceptualised as a product, mainly in the realm of culture and arts.³²⁹ Only one refinement categorization—the manifestation of culture as the development of the mind—came up in one interview.³³⁰ However, such definitions were not identified in the documents. With regard to group membership conceptualizations, the documents remain more open and define culture as "(...) features that characterise a society or social group"331, while in the interviews, group membership was brought up in country-specific, national contexts.³³²

Lastly, power/ideology conceptualizations are divided into two aspects in this analysis, distinguishing inward (directed to one's own role) and outward understandings (directed to culture as something external without any reflexion of one's own position). Outwardly, interviewees consider culture as a potential source of political and ideological dominance, reflecting on the content of history books, on who is able to shape a narrative and how societies function in general.333 Furthermore, culture is described as being built on values.³³⁴ These critical reflexions are, however, not applied inwardly to the same extent by the interviewees: for example, when talking about the power enshrined in history books, it is not elaborated on what the consequences for the interviewee's own culture and position could be. The documents make clear that there is a certain awareness of the power dimensions of culture, but that the value of culture for development outweighs the risk of the abuse of culture:

(...) there is always a risk that culture will be exploited, particularly for political or ideological purposes, or that it can become a source of unfair discrimination. While these risks must be

³²⁷ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016,

p. 6. 328 e.g. Interview 3, Pos. 6.

³²⁹ e.g. Interview 2, Pos. 11.

³³⁰ Interview 1, Pos. 38.

³³¹ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 6.
³³² e.g. Interview 3, Pos. 10.
²⁰⁰ Pos. 25.

³³³ e.g. Interview 2, Pos. 25.

³³⁴ Interview 3, Pos. 16.

squarely faced, they do not in any way diminish the intrinsic value of culture nor the potential that it represents for human development.³³⁵

In general, power/ideology conceptualizations of culture are way less present—if at all existing—than for example functional or structural/pattern conceptualizations. In brief, I observe that the conceptualizations of culture in the data are mainly functional and structural in their nature. Questions of power do arise, but when they do, it is with a strong tendency to understand those as external from one's own position.

5.2. The subtlety of power

The category 'cultural sensitivity/power sensitivity' is influenced by a distinction made in one interview between art and culture (where the SDC implements specific projects, e.g. supporting artists and the cultural sectors) and cultural sensitivity (which is described as an "attitude and a principle in all development operations" 336). Given the discussed difficulty to grasp culture itself,³³⁷ the consequent problem of grasping cultural sensitivity is salient. I therefore understand cultural sensitivity in a broad sense, meaning the sensitivity to notice cultural dimensions in different relationships and acts (in a nonexhaustive manner). However, this distinction was not made in all the interviews. This lead to the complication that the multiple meanings of the term *culture* used by certain interviewees could not always be distinguished, e.g. arts and culture or culture in a broader sense. In the established category 'cultural sensitivity/power sensitivity', it was striking that the two subcategories 'context power sensitivity: inward' and 'context power sensitivity: outward' were covered incongruently in the documents as well as the interviews, creating a field of tension. On the one hand, *outwardly*, reflexion about power structures can be found in the data and sensitivity to power tensions in the field of culture exists. For example, vulnerable groups are identified (in which vulnerability is described

³³⁵ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 6.
336 Interview 3, Pos. 34. Author's translation.

³³⁷ See chapter 2.2.

as the "exclusion from power and commonly poverty" 338). Sensitivity towards other cultural contexts and cultural identities is shown. The documents also show sensitivity to economical imbalance and its impact on culture. The SDC argues that "the economically wealthiest societies have an advantage when it comes to the propagation of their cultures". 339 They acknowledge asymmetrical donor-recipient relationships 340 as well as the power imbalance between duty-bearers and rights-holders. However, all those cases leave the respective self-reflexion relatively vague and do not concretely address the own entanglement in these power relations.

For example, the SDC suggests that "[t]ackling discrimination, exclusion and power abuse will become an objective of all development processes". 341 In another passage, the SDC states that the RBA

seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress. (...) [A] human rights based approach seeks to address poverty, not as a question of fate, but as an issue of power and justice".342

As I argue, power is discussed both in SDC's development vocabulary and the human rights vocabulary. In my understanding, however, both statements are directed to the addressees of specific projects and their context, rather than the role of the SDC itself in it. Furthermore, the SDC's Guidance on Human Rights in Development makes clear that (...) for our interventions to be sustainable and not undermined by future violent conflict, it is important that we as development actors understand how the past impacts societies

of the countries we work in.³⁴³

³³⁸ Swiss Agency for Development and Cooperation SDC, SDC Guidance on Human Rights in Development and Cooperation, 2019, p. 7.

³³⁹ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 6.
340 Ibid., p. 13

³⁴¹ Swiss Agency for Development and Cooperation SDC, SDC's Human Righs Policy: Towards a Life in Dignity. Realising Rights for Poor People, 2006, p. 14.

³⁴² Swiss Agency for Development and Cooperation SDC, SDC Guidance on Human Rights in Development and Cooperation, 2019, p. 5.

³⁴³ Ibid., p. 7.

Interestingly, in all three mentioned examples of dealing with power *outwardly*, it remains unclear whether (or in what way) the SDC includes its own role critically in the context analysis (*inward*): in what way are development actors part of a historic structure of a country? Is there a reflexion on the power abuses committed by the development actor? Is the development actor's role taken into account sufficiently when talking about inequalities? As argued, this potential lack of critical self-assessment might have profound consequences: without an adequate *inward* focus, the RBA cannot fulfil its aims and promises,³⁴⁴ and the SDC's understanding of development as an *intercultural exchange* could all too quickly be in danger of turning into a sheer reproduction of existing power structures.³⁴⁵

Additionally, the interviewees showed sensitivity to power dynamics in their definition of development goals and evaluation processes, manifested, for example, when asking who is an adequate expert for what: "Who decides whether this is an interesting cultural project or not. Is it just the Swiss, or is it also people from the respective country?", ³⁴⁶ one interviewee asked. Furthermore, political aspects of culture and hegemonic culture are slightly dealt with, however, without making any reference to the interviewees' own power positions.³⁴⁷

On the other hand, the 'context power sensitivity: inward' is less pronounced. Notably though, the scrutinised data reveals starting points regarding inward reflexion. The SDC notes that "[i]t is important to be aware of the fact that as a development actor we are part of the context, and that all our programming choices have consequences". As I argue, the SDC thereby shows sensibility to the fact that its own role has to be considered when analysing any given context. I argue, however, that the consequences of this statement remain vague: it remains unclear in what way the SDC critically engages with its own role. For example, the extent to which the SDC takes its own role and history into account

³⁴⁴ See chapter 2.1.2.

³⁴⁵ See chapter 2.2.5.

³⁴⁶ e.g. Interview 3, Pos. 34.

³⁴⁷ Ibid., Pos. 64.

³⁴⁸ Swiss Agency for Development and Cooperation SDC, SDC Guidance on Human Rights in Development and Cooperation, 2019, p. 6.

in specific context analysis remains unclear, since not much information on the content of these reflexions is offered.³⁴⁹

As stated in the SDC Culture and Development Policy from 2016, its staff members are formally expected to "understand distinctive cultural features" and to have "intercultural skills"³⁵⁰, which presupposes *inward* and *outward* cultural sensitivity. However, *inward* cultural sensitivity is hardly addressed or specified in the documents. Even though intercultural skills are attributed to all staff members in the SDC Culture and Development Policy, the interviewees show quite some variation in their understandings: the interviewees responses vary strongly in that regard, from being very sensitive to inward power structures, to being sensitive to one's own role in specific contexts (e.g. perceiving oneself as a guest in project contexts³⁵¹), to the absence of reflexion of one's own culture and the associated self-positioning.³⁵² One interviewee considered questions regarding inward perspectives of the RBA and inward power dynamics as not fit for the defined frame of the interview.³⁵³

Furthermore, the subcategory "culture sensitivity as resource" contains notions such as cultural sensitivity as a means itself³⁵⁴; diversity as general enrichment; and the special multilingual environment in Switzerland in which it is possible to learn cultural sensitivity in diversified, multilingual and multicultural teams within the SDC. 355 Finally, the interviewees only mentioned the subcategory "conflict cultural sensitivity/reaching goals", highlighting possible tensions between the necessity of reaching certain goals/targets and their incompatibility with cultural sensitivity.³⁵⁶ This tension doesn't appear in the documents. Adding to the complexity of this debate, one interviewee

³⁴⁹ For elaborations on the importance of the historical context, see chapter 2.4.3. and 4.4.

³⁵⁰ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 15.

351 Interview 3, Pos. 46.

³⁵² Interview 2, Pos. 9.

³⁵³ Ibid., Pos. 75.

³⁵⁴ It is noteworthy that in this case, the conflict between the use of culture as a tool and the indeterminate support of culture arises again. See also chapter 2.2.4.

³⁵⁵ Interview 3, Pos. 76.

³⁵⁶ e.g. Ibid., Pos. 24.

mentioned that certain goals can only be reached by showing a lot of cultural sensitivity.³⁵⁷

In essence, I encountered sensitivity to power structures and cultural dimensions of development to an arguably high degree, both in the documents and the interviews (although in the latter, the degree of sensitivity varied a lot). Notably, the pattern already identified in chapter 5.1. continues: while sensitivity to power structures and cultural dimensions of development are clearly recognisable in the data *outwardly*, they are way less present (and in some cases absent) *inwardly*.

5.3. The action potential of culture

Different notions of dealing with culture are captured within the main category 'dealing with culture/power relations', with a focus on concrete action. This includes the distinction between how culture is dealt with within the organisation (inward) and how culture is dealt with taking an outward focus. In this category, it was striking that significantly more outward notions compared to inward notions could be identified—the inward dimension is hardly addressed in the documents. Furthermore, zoomed into the subcategory "dealing with culture: inward", interviewees stated that culture is also inwardly used as a resource, namely that internal debates are held about "how can we [the SDC] also use it [culture] as a transformative force to achieve our goals on different levels". Those mentioned goals were however not specified. Furthermore, there are internal aspirations to an increased framing of cultural sensitivity as a good practice. The interviewees also suggest that there are various ways of looking at culture within the SDC. One interviewee did not want to answer questions about internal cultural differences. One interviewee saw the possibility of being hampered by one's own

357 Interview 3, Pos. 34.

³⁵⁸ Interview 2, Pos. 35. Author's translation.

³⁵⁹ Interview 3, Pos. 36.

³⁶⁰ Interview 2, Pos. 37.

³⁶¹ Ibid., Pos. 60.

culture, e.g. when not understanding what others are saying due to one's own cultural background.³⁶²

Regarding the second subcategory, "dealing with culture: outward", the documents state that efforts are taken, for example, to fund the cultural sector, to foster diversity, to "build on cultural resources". The interviewees highlight the use of culture in order to non-violently resolve conflicts, to bring people together. They enter in dialogue with local artists, use cultural knowledge in thematic approaches, strengthen cultural voices that are at risk of not being heard, aim to further free expression and democratic participation through arts and culture and so on. Furthermore, in the interviews, it is stressed that flexibility to react to/with culture is important. It is stated that culture is also used to convey messages and to empower and teach people heard. With no obvious self-reflexion about the inherent power question contained in this statement. On the other hand, the problem of legitimising one's own action through culture is stressed, mentioning the concrete example of 'radicalization'.

5.4. The importance of culture

The category 'culture in development/SDC' was established to reach a better understanding of the stance/weight/importance of culture in development within the SDC. In order to classify the preceding categories systemically³⁶⁸, it is helpful to understand from which *area* in the SDC the interviewees come from, who is defining culture from *where*.³⁶⁹ Also, this category aims to shed light on whether all the elaborations about culture in chapter 5.1.-5.3. are considered important by the interviewees and within the

³⁶² Interview 3, Pos. 20.

³⁶³ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016,

p. 5. 364 Interview 3, Pos. 40.

³⁶⁵ Interview 1, Pos. 38.

³⁶⁶ See chapter 2.2.5.

³⁶⁷ Interview 3, Pos. 20.

³⁶⁸ See chapter 5.1.

³⁶⁹ It would, for example, be plausible if a staff member didn't reflect on culture if he or she thought that culture was *not important* for development, or because a staff member worked in a specific are of the SDC, where he or she thought that culture was not especially important for that *realm*.

documents, or not. The category 'culture in development/SDC' captures perceptions regarding the role of culture in development within the documents and among the interviewees. It was striking that the documents and the interviews deviated from each other in this realm.

Regarding the subcategory 'importance/stance of Culture/SDC', the documents analysed give great weight to culture in development, for example, when highlighting the role of culture as "crucial in negotiating development processes" (as a catalyst, but also as a possible barrier to change), or seeing mutual understanding, tolerance and intercultural exchange as the groundwork of development cooperation.³⁷¹ At this point, it is important to remember the distinction between cultural sensitivity and arts and culture—the latter being practiced art, whereas cultural sensitivity is the sensitivity for culture in a broad sense.³⁷² The documents talk more about *cultural sensitivity*, whereas the interviewees statements are situated largely in the realm of arts and culture. The interviewees stated that culture deserves more space, ³⁷³ that in some cases/by some SDC staff members, the link between culture and poverty-reduction is not made³⁷⁴ and that culture has a difficult stance compared to other sectors within the SDC.³⁷⁵ One interviewee stated that culture was "not such a priority" ³⁷⁶ within the SDC.

The raising demand for measurability and cultural indicators was discussed in chapter 2.4.4. Building on those elaborations, I depicted that culture and cultural indicators might gain increased relevance in the SDC. In order to differentiate this theory, the subcategory 'evaluation processes/Culture' was established, focusing on the measurability and quantification, encompassing culture and/or the RBA as an argumentative reinforcement. In this regard, the documents reveal the ambition to apply a RBA to all levels of

³⁷⁰ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 13. ³⁷¹ Ibid., p. 7.

³⁷² See chapter 5.2.

³⁷³ Interview 2, Pos. 27.

³⁷⁴ Whereas this link is clearly established in the documents.

³⁷⁵ Interview 2, Pos. 71.

³⁷⁶ Interview 1, Pos. 8.

monitoring and evaluation (which also includes cultural rights),³⁷⁷ highlighting that the SDC "to a certain extent, take[s] cultural aspects into account in the planning, monitoring, and evaluation of strategies and projects". 378 However, from a practical perspective, the interviewees speak more of a general ambition to use the HRBA for evaluation and monitoring,³⁷⁹ highlighting that quantification is an inherent problem of human rights, especially with regards to culture.³⁸⁰ On the other hand, the 'need' of cultural indicators for reasons of measurability (which is argued to be a precondition in the process of finding donors) is highlighted in one interview.³⁸¹ Additionally, questions regarding the *authority* of experts in evaluation processes are brought up. The question who judges and defines what is prevalent, for example in the field of art with regards to who decides which art project is important and which is not.³⁸²

Lastly, the 'economic framing of culture' was scrutinised. This subcategory captured those dimensions in which culture was framed economically. Economic side-effects or even purposes of culture were largely framed positively (e.g. by highlighting the "creative economy" and "cultural tourism" as a "pillar of economy" 383). However, the understanding that artistic expression "cannot be measured in economic terms alone" 384 was brought up, too. One interviewee described a strong economical framing of cultural practice committed by a lot of organisations and donors, which think that it is only worth to invest in culture if its profitable.³⁸⁵

In a nutshell, the documents give great importance to culture in development, both in concrete programmes and as part of evaluation processes. This is contrasted by some interviewees who relativize the importance of cultural considerations. However, this can't

³⁷⁷ Swiss Agency for Development and Cooperation SDC, SDC's Human Righs Policy: Towards a Life in Dignity. Realising Rights for Poor People, 2006, p. 14.

³⁷⁸ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 15. 379 Interview 2, Pos. 39.

³⁸⁰ Ibid., Pos. 43.

³⁸¹ Interview 1, Pos. 22.

³⁸² Interview 3, Pos. 38.

³⁸³ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016,

¹₃₈₄ Ibid., p. 9.

³⁸⁵ Interview 1, Pos. 22.

be considered representative for the whole organisation. But it might give an impression on the kind of soil in which the discussions of chapter 5.1.-5.3. grow.

5.5. Human rights—for whom?

The main category 'human rights' aimed to also approach the RBA through the inwardoutward differentiation, in which a strong emphasis on the outward dimension³⁸⁶ was noted. In the subcategory 'RBA inward focus', the analysed documents offered hardly any references. The interviewees state that SDC staff members are informed about their rights and know how to claim them,³⁸⁷ while at the same time, the SDC is furthering the rights of its staff.³⁸⁸ However, one interviewee didn't want to answer questions regarding the inward focus of RBA, because he or she considered them to be out of the agreed scope of the interview.³⁸⁹ In contrast, the 'RBA outward focus' was discussed in detail. According to the analysed documents, human rights are integrated in the "multidimensional conception of poverty elimination" ³⁹⁰, in the design, implementation and monitoring of development policies and so on.³⁹¹ The interviewees stress the important role of culture in different areas of human rights, while conceiving the SDC as a duty-bearer itself.³⁹² They stress the transformative character of RBAs, making the point that the RBA might also be useful to get a clearer picture/definition of culture.³⁹³ Concretely, they mention the strengthening of artists by supporting their work and their mobility.³⁹⁴ It is noteworthy that the importance of not influencing the output of artistic work is also mentioned, because otherwise the strengthened right to freedom of expression might be jeopardised again.³⁹⁵ The RBA is considered to be very prominent

³⁸⁶ E.g. applying the RBA in a certain project, not focusing on the SDC itself.

³⁸⁷ It remained unclear whether this is true only for the Swiss staff or also local staff.

³⁸⁸ E.g. Interview 3, Pos. 62.

³⁸⁹ Interview 2, Pos. 75.

³⁹⁰ Swiss Agency for Development and Cooperation SDC, SDC's Human Rights Policy: Towards a Life in Dignity. Realising Rights for Poor People, 2006, p. 11.

³⁹¹ See Swiss Agency for Development and Cooperation SDC, SDC Guidance on Human Rights in Development and Cooperation, 2019, p. 6ff.

³⁹² Interview 2, Pos. 37.

³⁹³ Ibid., Pos. 93.

³⁹⁴ Interview 3, Pos. 56.

³⁹⁵ Ibid., Pos. 58.

in policies and the justification of projects and less so in the daily vocabulary of projects.³⁹⁶ Finally, some thematic projects ascribe great value to cultural considerations.³⁹⁷ Lastly, regarding the '*importance/stance of cultural rights*',³⁹⁸ the documents emphasise that cultural rights are always treated equally to other categories such as political rights (indivisibility, interdependence of rights), while one of the interviewees suggested that cultural rights sometimes come off a "little too short".³⁹⁹

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³⁹⁶ Interview 3, Pos. 96.

³⁹⁷ Ibid.

³⁹⁸ In line with the question about the importance of culture in SDC in chapter 5.4., this category asks for the importance given to cultural rights compared to other rights in the SDC.

³⁹⁹ Interview 3, Pos. 94. Author's translation.

6. Discussion of specific fields of tension

In the following, specific themes and fields of conflict are discussed, which are considered to be important to answer the research question 'In what way do SDC staff members interpret the term *culture* and what consequences for the rights-based approach to development do their interpretations have'. As to be seen in chapter 5, a pattern emerged: tendentially, the data didn't reveal *inward* perspectives about culture and power to the same extent as outward dimensions were discussed. This showed to be true also for the RBA. I therefore opt to focus further on the relations between the self (or the organisation) and power. I consider it important to dig deeper into this phenomenon, also envisaging what has *not* been said in the data. In the following, I will focus on power aspects of culture, and the *inward* focus of RBA. I refrain from visualisations of the research results, as they might suggest causalities that do not necessarily exist. Neither a quantitative evaluation, e.g. of the frequency with which certain codes occur, is regarded as conducive.

6.1. Underrepresentation of power in conceptualizations of culture

Implicitness, oblivion and the scale of power correlate positively. One can almost say: Where nobody talks about power, it is unquestionably there, in its unquestionability both secure and great. Where power is becoming an issue, its disintegration begins. 400

According to Han, "absolute power would be one that never appears, that never points to itself, that rather completely merges with the self-evident. Power shines through absence." Following this assumption, the alleged absence of power rather indicates a high degree of *mediation [Vermittlung]* of power. Thus, the mere fact that power is not explicitly mentioned in conceptualizations and definitions does not necessarily indicate

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⁴⁰⁰ U. Beck, *Macht Und Gegenmacht Im Globalen Zeitalter*. *Neue Weltpolitische Ökonomie*, Frankfurt am Main, Suhrkamp, 2002, p. 105. *Author's translation*.

⁴⁰¹ Han, 2005, p. 64. Author's translation.

⁴⁰² See chapter 2.3.

its actual absence. Implicit power hides, for example, in structural conceptualizations of *culture*—in the meanings, values or habits they convey and presuppose.

The SDC defines culture as follows in its Culture and Development Policy of 2016:

(...) culture is understood in the broad sense as 'the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only the arts and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs.' [cited from the Mexico City Declaration on Cultural Policies, 1982] As such, it represents a set of resources – inherited, but also renewable - unique to each individual, group, or society. Culture expresses the meaning that people attach to their own existence and development. As a source of identity and dignity, a generator of social capital, culture fosters self-confidence in individuals, and cohesiveness and resilience in groups. It serves as a springboard, enabling people to re-invent themselves. Cultural rights – including the right of access to, and of participation in, the cultural life of one's own choice – are fundamental human rights and are indispensable to human dignity and the freedom to develop one's own personality. In a word, culture is a lever of fundamental importance for sustainable development and the fight against multi-dimensional poverty. 403

This definition features different conceptualizations: 'structure/Pattern', 'function', 'process', 'product', 'group membership'. 404 Absent from the definition is, however, the category 'refinement', which conceptualizes culture as a 'moral progress', 'culture as instruction', etc. Equally, there is no reference made to definitions of culture as 'power/Ideology'—which is remarkable, since the SDC states elsewhere that in the context of development and the RBA, "in-depth context, problem and power relations analysis remains the starting point of any action". 405 In the Culture and Development Policy the above definition of culture is followed by the statement:

Because it [culture] possesses these features, there is always a risk that culture will be exploited, particularly for political or ideological purposes, or that it can become a source

⁴⁰³ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016,

⁴⁰⁴ See appendix G.

⁴⁰⁵ Meyer-Bisch and Antille, 2014, p. 5.

of unfair discrimination. While these risks must be squarely faced, they do not in any way diminish the intrinsic value of culture nor the potential that it represents for human development.406

It is noteworthy that this statement suggests the possibility of abuse of culture by powerholders. It does, however, leave open what it exactly entails and does *not* conceptualise power as inherent in culture.

Meanwhile, in two of three interviews, the main focus was rather on the conceptualization of culture as a *product*. The question of *power/ideology* dimensions of culture, however, should be raised here, too: all the analysed data shows approaches to the conceptualization of culture as power/ideology, but in a vague way and without stating what concrete consequences such conceptualizations possibly imply for the SDC and its staff. In the interviews, these conceptualizations of power were only mentioned after concrete follow-up questions by the interviewer. When asked what culture meant to the interviewees, none of them brought up issues related to power by themselves. Regardless, by raising issues such as the sovereignty of a narrative; 407 the fact that in cultural politics, certain contents are more likely to 'get funded'; 408 or the fact that politics, culture and the rule of law are based on certain values, 409 the interviewees indicate a certain awareness of power dimensions of culture. However, they mostly did not link power questions to their own culture and action.

⁴⁰⁶ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 6. 407 Interview 2, Pos. 25.

⁴⁰⁸ Interview 1, Pos. 34.

⁴⁰⁹ Interview 3, Pos. 16.

6.2. Lacking inward focus of the RBA

In order to shed light on the understanding of the RBA—even if the SDC acknowledges that, within the organisation, there might be many different approaches⁴¹⁰—it is useful to have a more in-depth look at the SDC's Human Rights Policy from 2006. The document includes a reference to the 'UN Common Understanding on a Human Rights Based Approach'⁴¹¹. Some of the respective goals of the SDC are:

- Further human dignity of poor and marginalised groups.
- Integrate human rights in its multidimensional conception of poverty elimination.
- Promote empowerment of the powerless and their active participation in the development process.
- Strengthen accountability and capacity of state actors at all levels.
- Use binding human rights treaties and mechanisms voluntarily agreed upon by most donor and partner countries as a legitimate common basis for action-oriented partnership and political dialogue at the bilateral and multilateral level.⁴¹²

Furthermore, it is stated that

(...) to live up to this commitment, SDC will adopt a human rights-based approach, which means starting from the standards set out in the human rights framework, integrating human rights principles in its policies and programmes, and empowering rights-holders and strengthening duty-bearers.⁴¹³

It is noteworthy that, in the same breath, the document suggests that "the abstract definition of human rights leaves considerable space for interpretation and implementation with due regard to the particular cultural context." According to the policy paper, RBAs are to be adopted equally at a normative, analytical and an operational level. And in order to implement all of this, instruments and tools are to be developed, the communication strategy reworked, and so forth. In a policy brief in 2014, the priority

⁴¹⁰ Meyer-Bisch and Antille, 2014, p. 1.

⁴¹¹ United Nations, *The Human Rights Based Approach to Development Cooperation. Towards a Common Understanding among UN Agencies*, 2003.

⁴¹² Swiss Agency for Development and Cooperation SDC, SDC's Human Rights Policy: Towards a Life in Dignity. Realising Rights for Poor People, 2006, p. 11.

⁴¹³ Ibid., p. 12.

⁴¹⁴ Ibid.

to measure results regarding RBAs is stressed. It is suggested to "use already existing useful indicators", "build partners' ownership and HRBA capacities by developing with them 'localised' indicators based on international norms", while the "participation of duty bearers and right holders in the design of the monitoring and evaluation system from the outset is itself a good HRBA process". In the same policy brief, it is underlined that "HRBA is twofold: it is a general state of mind and a methodology to consider, understand, formulate and measure development realities as HR changes to achieve" and "challenging relationships of power might be necessary to support an HR change". Furthermore, "[i]n-depth context, problem and power relations analysis remains the starting point of any action". Thus, power questions are prevalent in the RBA. In addition, if the RBA is a *general state of mind* to be applied in all actions, dealing with questions of power *inwardly* (personally and institutionally) seems to be a logical consequence, a requirement of the RBA.

Bearing the preceding literature review in mind, these documents raise different questions: first, the RBA contains an element of inward accountability and suggests that the promotion of human rights and their principles begins with oneself. However, formally, the goals defined by the SDC in the human rights policy are mainly, if not exclusively, aimed at external rights-holders and duty-bearers (states)—with a clear *outward* focus—and do neither mention the rights-holders within the organisation, nor reflect on the role of the SDC as a duty-bearer itself. Secondly, while documents highlight the importance of tackling power relations (which, to be stressed again, is fundamental in the RBA), both the *internal* power relations and the *external* power relations of the SDC itself seem to be overseen in the documents. For example: what does the term 'promote empowerment of the *powerless*' imply about SDC's self-reflexion regarding its own position of power?⁴¹⁹

⁴¹⁵ Meyer-Bisch and Antille, 2014, p. 6.

⁴¹⁶ Ibid., p. 3.

⁴¹⁷ Ibid., p. 5.

⁴¹⁸ See chapter 2.1.2.

⁴¹⁹ The notion of the *powerless* suggests that the SDC in this case is the *powerful*—which could be the starting point for a self-reflexion about one's own position (e.g. 'what are the systemic reasons why one person is powerless and the other powerful?'). A discussion that was, however, not held.

Thirdly, even though emphasis is laid on measurability, and various methods of measuring are presented, the question what actually is measured and whether measurement is a feasible way forward at all remains open.

There is a lot of juxtaposing RBAs in an *outward* sense in the interviews. This entails the framing of Switzerland as a duty-bearer. Furthermore, it is also mentioned that human rights can contribute to making culture more tangible, framing it as a *right* and not as "nice to have". On the other side, the answers with respect to the *inward* aspects of the RBA were much less detailed. Deviating from the logic of the RBA, one interviewee considered the questions about how human rights are directed to SDC staff—and questions regarding power structures in this context—to go beyond the agreed content of the interview, which leads to the possible interpretation that for this interviewee, the *inward* focus is either a contested field or not considered central to the concept of the RBA. The other interviewees mentioned that the SDC strives to respect, fulfil and protect human rights internally, while one interviewee stated that not all staff members are given the same status. Furthermore, the interviewees bring up neither reflexions about possible critical standpoints on the RBA itself nor about power dimensions of the RBA. However, this issue might also have not been explicitly focused on enough by the interviewer.

At this point, I would like to draw the attention to a study that, interestingly, starts from a very different angle compared to my thesis but comes to similar results. Andreassen and Crawford research interrelations between power relations, structural inequalities and human rights in development. In their analysis, they discuss the scope and strategies of NGOs using the RBA to tackle questions of power locally and nationally. They link their data to the grid of the three dimensions of power, 'visible-hidden-invisible', established by Lukes, 424 to assess the actions accordingly. Notably, *visible power* refers to blatant power of person A over B, whereas *hidden power* is understood to be power in less

⁴²⁰ Interview 2, Pos. 95.

⁴²¹ Ibid., Pos. 93.

⁴²² Ibid., Pos. 74-81.

⁴²³ Interview 1, Pos. 50.

⁴²⁴ S. Lukes, *Power: A Radical View*, 2nd edition, Basingstoke, Palgrave Macmillan, 2005.

evident forms (e.g. who is able to control the agenda of a debate).⁴²⁵ For this thesis, the dimension of *invisible power* is especially interesting, since it is this sphere where *culture* is mostly situated.⁴²⁶ "Invisible power is (...) even harder to perceive, address, and contest. It manifests itself in attitudes, life views, and behavioral norms that are commonly embedded in societal traditions and customs."⁴²⁷ Andreassen and Crawford conclude that tackling dominant power structures is key for human rights realisation in the development context. They suggest four strategies that could increase the effectiveness of the RBA:

- a) "self-reflexivity"
- b) "to translate that reflexivity and political analysis into strategic actions"
- c) "to build up countervailing power" and
- d) "the importance of putting power and politics back at the center of analysis" 428

This highlights once again that questions of power are fundamental to the RBA; in its *outward* sense, by actively tackling prevailing power structures, but also *inwardly*, by self-reflecting one's own position of power. In a nutshell: in this chapter, I argue for identifying a lack of inward accountability and self-reflexivity regarding the RBA and power dimensions of culture within the SDC. Comparing these findings with Andreassen and Crawford's research findings that self-reflexivity is key for the RBA, makes clear that by practicing more self-reflexion, the SDC and its staff could strengthen the RBA.

⁴²⁵ Ibid., p. 111.

⁴²⁶ Crawford and Andreassen, 2015, p. 667.

⁴²⁷ Ibid., p. 672.

⁴²⁸ Ibid., pp. 686 – 689.

6.3. Various features of cultural sensitivity and their ties to power

The difficulty to grasp the concept of culture discussed in chapter 2.2.3. is mirrored in the data. In the analysed documents as well as in some interviews, *culture and arts* were distinguished from *cultural sensitivity*. ⁴²⁹ I'd like to highlight that from my point of view, even when *arts and culture* is divided from cultural sensitivity, the underlying fundament of power structure is shared by both conceptions. ⁴³⁰ One of the interviewees suggested that cultural sensitivity should, in theory, be "lived in every project" of the SDC. At the same time, culture was conceptualised primarily as a *product* (e.g. as in *arts and culture*) in two of three interviews, which hampered the discussion about *cultural sensitivity*.

The 2016 policy paper states that

[t]he SDC is conscious of the values and reference systems that underlie its strategies. It makes certain that the members of its staff are capable of understanding the distinctive cultural features that characterise the societies in which the SDC is active. At the organisational level, it takes cultural differences into account in all of its analyses and operations. 432

This statement, however, contrasts strongly with certain statements in the interviews. For example, in one case, the interviewees answered the question about their own culture with "[m]y own culture? No one has ever asked me that before." Also, one interviewee refused to answer questions about internal cultural differences, which gives rise to the assumption that this topic might be controversial (or not reflected about). In contrast, another interviewee explicitly highlighted the special situation of Switzerland, with SDC staff speaking different languages and having different cultural backgrounds, as a chance to practice the handling of cultural differences. In one interview, power was closely linked to decision-making capabilities and it was also mentioned that the prevalent

⁴²⁹ See chapter 5.2.

⁴³⁰ See chapter 2.4.3.

⁴³¹ Interview 3, Pos. 24. Author's translation.

⁴³² Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 14.

⁴³³ Interview 2, Pos. 9. Author's translation.

⁴³⁴ Interview 3, Pos. 78.

hierarchical system (which can also be considered as a cultural phenomenon⁴³⁵) consequently creates unequal power positions.⁴³⁶

The conflict between *reaching goals* and the formal necessity to act *culturally sensitive* raises further questions. Who decides what progress or development are supposed to mean, and hence, who defines development goals—and on which basis? Acknowledging that "any development strategy is 'based on culture'"⁴³⁷, I conclude that the basis on which development goals are defined is rooted in the respective culture of the one who has the power of definition—centring, for example, the belief in economic growth. Hence, weighing development goals higher than being culturally sensitive⁴³⁸ actually means weighting one's own 'culture' higher than the others'.

In the context of power, the hierarchical structure of the SDC was mentioned in the interviews. Height approaches to *ordering* social relationships are themselves cultural phenomena, we have to understand hierarchical organisation structures as a cultural phenomenon—expecting, for example, local staff to fit in one's hierarchical structure then becomes an act of cultural domination.

When framing *arts and culture* economically, one should keep in mind that economic criteria themselves are cultural. Since culture is conceptualised as mainly *functional* in the data, the use of art and culture to foster creative economy or cultural tourism, including a utilitarian notion of culture in thematic programmes, does not come as a surprise. However, this again entails questions of power. Looking through the lenses of power, following Han, the unconditional dissemination and implementation of economic

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⁴³⁵ See chapter 2.2.5.

⁴³⁶ Interview 3, Pos. 64.

⁴³⁷ Nederveen Pieterse, 2010, p. 72.

⁴³⁸ See chapter 5.2.

⁴³⁹ Interview 3, Pos. 64.

⁴⁴⁰ Kendall and Wickham, 2001, p. 24.

⁴⁴¹ For elaborations on the 'culture of economism' see chapter 2.4.1.

⁴⁴² See chapter 5.1.

thinking and behaviour—including the framing of economic growth as an indispensable development goal—can be read as the 'continuity of the self', which is inherent to every form of power. 443 For example, we recognise our own economic ideals in others, and, in doing so, we continue our own ideas through the other.

The same applies to the monitoring and evaluation of projects. Who decides who is a suitable expert? Who has defined which criteria are to be used for evaluation? Reflecting on one's own position of power is key. Relevant in this context is also: how self-critical can an evaluation get without threatening the whole project or even the development industry? One interviewee offers an interesting perspective and suggests framing one's own role in a specific project as being 'a guest', who only contributes to things if he/she is asked to by the according population. 444 I argue that if this argument is adapted to the field of evaluation/monitoring, the affected population should be the one defining the evaluation criteria, and the monitoring should be executed by people who are able to spot cultural finesses, speak the local language, etc., and who monitor according to the goals defined by the affected population.⁴⁴⁵

If development cooperation is seen as an 'intercultural transaction' or, as the SDC states, as "itself intrinsically a process of intercultural exchange and dialogue", this goes hand in hand with power dimensions.⁴⁴⁸ In the analysed documents, culture is given an important position, while the interviews equally suggest that culture should get more space. However, both lack sensitivity regarding the understanding that the whole development industry itself can be considered a cultural endeavour.

⁴⁴³ Han, 2005, p. 29. See also chapter 2.3.

⁴⁴⁴ Interview 3, Pos. 46.

⁴⁴⁵ For further reading about participation and development, see e.g. G. Craig and M. Mayo (eds.), Community Empowerment. A reader in Participation and Development, London, New Jersey, Zed Books,

⁴⁴⁶ Nederveen Pieterse, 2010, p. 188.

⁴⁴⁷ Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016, p. 7. 448 See chapter 2.4.2.

The sector of *arts and culture* is an interesting example in the discussion of power in development. In the following, I will take a closer look at how the SDC pursues a strategy of supporting projects without interfering with the respective artistic contents. I argue that, even in this approach, the reproduction of power structures is not completely successfully avoided. On one hand, the SDC

sees development of an independent, diverse and inclusive culture sector in partner countries as an end in itself. It also recognises that the culture sector can be a source of valuable partners for achieving certain of the specific objectives of SDC programmes in its priority areas.⁴⁴⁹

I understand from that statement that the SDC addresses the difficulty of power dimensions in the production of cultural products, 450 and aims to hand over the sovereignty of production to the local population. However, by taking a closer look, especially in conjunction with the second phrase, I argue to find an unintended consequence of this theoretical approach. The refrainment of the SDC from influencing artistic content is linked to the conviction that in this way, their interests can be, indeed, better pursued. A strong independent culture sector is acknowledged to be an important factor to achieve the SDC's development goals. In this sense, the attempt to diminish the dominance over the cultural sector in a way turns into the opposite. By not influencing the cultural content and at the same time expecting that this conferred freedom of arts will lead to the strengthening of the SDC's goals, power relations are rather shifted than made more equal. The pretext of allowing the *other* to develop freely ultimately serves the self. 451 About the use of arts and culture in development, we find another position: in some cases, "(...) artistic expression is seen, above all, as a means to an end, and the objectives of the programme have priority over development of the culture sector."452 In these cases, power is exercised more explicitly. The other is used to reach a goal. Remarkably, this use of power is at least blatant and easier to be thematised and tackled—

Swiss Agency for Development and Cooperation SDC, SDC Culture and Development Policy, 2016,p. 16.

⁴⁵⁰ See chapter 2.2.5.

⁴⁵¹ See chapter 2.3.

⁴⁵² Swiss Agency for Development and Cooperation SDC, *SDC Culture and Development Policy*, 2016, p. 19.

"indeed, power is at its most effective when least observable", 453 states Lukes. One might call my argument theoretical hair-splitting, since there are no obvious ways out of this logical problem in practice. I, however, argue that this example is useful to uncover parts of the complex power structure the development industry is working in. When such structures come to the fore, this alone can potentially impact the practice and the self-reflexion of staff in the development industry.

Furthermore, interestingly, the degree of sensitivity regarding one's own role in a power system varied among the interviewees. Interviewees notice when power is exercised *on* them,⁴⁵⁴ but do not notice when they impose their power *on others*⁴⁵⁵.⁴⁵⁶ Does the sensitivity for one's self-localisation differ when one is part of an *oppressed* social group rather than if one is part of the *oppressing* social group?⁴⁵⁷ In order to get a clearer picture regarding this phenomenon, I'd like to introduce some theory on the concept of positionality⁴⁵⁸ as well as privilege. Pease states that "diverse forms of oppression all involve comparable dynamics of domination and subordination".⁴⁵⁹ Individuals, thus, have individual features that might be perceived differently in different contexts or might be a trigger for discrimination in one context and a feature of a position of power in another. Pease continues by saying that

[w]hat an intersectional analysis makes clear is that almost everyone at some point in their life experiences both privilege and oppression. (...) We have to move beyond these static categories to realise that many people who are oppressed also have access to some forms of privilege. Some people may struggle against their oppression, but, at the same time, maintain their access to various dimensions of privilege. ⁴⁶⁰

⁴⁵³ Lukes, 2005, p. 1.

⁴⁵⁴ e.g. Interview 1, Pos. 50.

⁴⁵⁵ e.g. Ibid., Pos. 62.

⁴⁵⁶ The author is aware that this observation can't by any means be generalised, however, it is an interesting point to be stressed.

⁴⁵⁷ It is noteworthy that, following Han's power theory, the fact that power makes itself felt is a sign of its weakness. If the power was stronger, i.e. more strongly *mediated*, the oppressed would notice it less.

weakness. If the power was stronger, i.e. more strongly *mediated*, the oppressed would notice it less.

458 A concept that reaches back to e.g. Alcoff, who introduced the term *positionality* to describe the concept of woman as "a relational term identifiable only within a (constantly moving) context". (L.

Alcoff, 'Cultural Feminism versus Post-Structuralism: The Identity Crisis in Feminist Theory', Signs, vol.

^{13,} no. 3, 1988, p. 434.)

⁴⁵⁹ Pease, 2010, p. 18.

⁴⁶⁰ Pease, 2010, p. 21.

In that sense, no one is solely privileged or subordinated. The mixture of domination and discrimination is, as positionality suggests, always dependent on a particular context. Interestingly, Walton, Moore and Jones build up their elaborations around the equation that 'positionality plus privilege equals power'. In this context, the mentioned interviewees mirror the dimensions of power, positionality and privilege in their statements: while the interviewee realises that she might be treated in a discriminatory way in a certain context, she doesn't realise when she herself discriminates in other contexts, where she is in a more powerful position. Individual power is relative to the respective context, and might therefore shift constantly. Furthermore, the reflexions of one's own position is key, because it "allows for people to recognize, account for, and hold as true conflicting, contradictory aspects of their own identity, as well as that of others." The literature on reflexivity is, however, not confined to individuals, but comprises also the need for reflexivity in social groups like for example international organisations, the state of the state of the respective context.

Even though the analysis of power structures is fundamental to *cultural sensitivity* and the RBA, the data shows that one's own position is usually not taken into consideration when analysing a context. This self-localisation in the context is, however, important from the power perspective. The oppressor at least needs to have the feeling of acting in his/her own will, because otherwise, "not he, but, if at all, the *compelling factual situation* would have power". The hidden reason for someone (e.g. a development actor) to (mis)use his or her power position might not be rooted in a specific *master plan*, but in a seemingly (cultural) *compelling factual situation*. As an example of such a *compelling factual situation*, Tatum describes some findings from her classes on the psychology of

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⁴⁶¹ R. Walton, K. Moore, and N. Jones, *Technical Communication After the Social Justice Turn*, New York and Oxon, Routlege, 2019, p. 64.

⁴⁶² e.g. Interview 1, Pos. 62.

⁴⁶³ Ibid., p. 66.

⁴⁶⁴ J. Amoureux and B. Steele (eds.), *Reflexivity and International Relations. Positionality, Critique and Practice*, New York and Oxon, Routlege, 2016.

⁴⁶⁵ See e.g. B. Ackerly and J. True, 'Reflexivity in Practice: Power and Ethics in Feminist Research on International Relations', *International Studies Review*, vol. 10, no. 4, 2008, pp. 693–707; C. Lynch, 'Reflexivity in Research on Civil Society: Constructivist Perspectives', *International Studies Review*, vol. 10, no. 4, pp. 708-721.

⁴⁶⁶ Han, 2005, p. 19. Author's translation.

discrimination. She describes that often in her classrooms that present a predominantly white setting,

[r]ace is considered a taboo topic for discussion, (...) [that] [m]any students, regardless of racial-group membership, have been socialized to think of the United States as a just society (...) [and that] [m]any students, particularly White students, initially deny any personal prejudice, recognizing the impact of racism on other people's lives, but failing to acknowledge its impact on their own.⁴⁶⁷

This perfectly mirrors the words of Pease, who states that "those in dominant groups are more likely than those in subordinate groups to argue that existing inequalities are legitimate or natural". 468 While the students in that sense don't see the urge to challenge their own position, power is ever more stronger, and tackling their privileges is difficult. Similarly, Pease states that "[n]ot being aware of privilege is an important aspect of privilege". 469 Questioning these *compelling factual situations* is, however, key—assuming that a development actor doesn't *actively* want to be an oppressor. Only when power is made visible it can be tackled.

⁴⁶⁷ B. Tatum, 'Talking about race, learning about racism: The application of racial identity development theory in the classroom.', *Harvard Educational Review*, vol. 62, no. 1, p. 5.

⁴⁶⁸ Pease, 2010, p. 27.

⁴⁶⁹ Ibid., p. 9.

7. Conclusion

The way we think about our own culture, and culture in general, affects how we perceive ourselves and impacts our actions. In order to exploratively answer the question 'in what way do SDC staff members interpret the term *culture* and what consequences for the rights-based approach to development do their interpretations have?', qualitative interviews were conducted with SDC staff members and SDC policy documents were analysed. In the process of this work, questions of power became ever more salient. Dimensions of power are important in all discussed areas of culture, development and human rights. In the analysis, the striking points were that culture is conceptualised mainly as functional and structural in the data. Dimensions of power were arguably underrepresented.⁴⁷⁰ Sensitivity for culture and power is prevalent in the data outwardly, however, I consider the inward reflexivity about one's own position of power as missing.⁴⁷¹ These phenomena were mirrored in the area of the RBA: while the reflexions in the data on the RBA contained also an awareness of structures of power, those considerations were missing in the context of the inward accountability and self-reflexion of the RBA.⁴⁷²

Three specific fields of tension have turned out to be especially striking: the underrepresentation of power in conceptualizations of power,⁴⁷³ the lacking inward focus of the RBA,⁴⁷⁴ and some consequential areas of tension like questions regarding the qualifications of experts in evaluation processes, the difficulty of shifting power structures regarding the promotion of *arts and culture*, and omnipresent invisible power—problems arguably arising from the difficulties of self-reflexivity regarding power structures and the according positionality.⁴⁷⁵ By aiming to tackle inequal power relations, RBAs deal with power *qua definition*. In the course of the data analysis,

⁴⁷⁰ See chapter 5.1.

⁴⁷¹ See chapter 5.2.

⁴⁷² See chapter 5.5.

⁴⁷³ See chapter 6.1.

⁴⁷⁴ See chapter 6.2.

⁴⁷⁵ See chapter 6.3.

however, a tendency came to the fore: the inward focus of the RBA receives little attention.⁴⁷⁶

Additionally, in the documents as well as in the interviews, critical questions about one's own power position were often missing. From the Foucauldian point of view, as suggested by Ahonen et al., this inconsistency manifests how context—defined by Ahonen et al. as "a malleable entity (re)produced in taken-for-granted practices and discourses, ways of organizing social reality, that are subject to change over time"⁴⁷⁷ and power are intertwined. Every context analysis is built on a certain knowledge, which, in turn, was produced by and within a historic structure. Questioning our role in the context is therefore essential if we do not want to reproduce the old structures that cause inequality in specific contexts in the first place. "(...) [P]ower is context and context is power – but in particular ways and with specific, identifiable effects that need to be analysed in their singularity."478 However, I argue that, tendentially, neither in the data nor in the interviews, one's own role was considered in a respective *matrix of domination*. Also, the critical reflexion on the history of development concerning this matter was not addressed. The RBA directed towards the SDC and its staff (inward) itself is hardly discussed. In conclusion, we see that the inward focus of the RBA needs to be further developed, self-reflexion is the key word. Indeed, Uvin confirms that "ensuring that their [international aid actors'] internal personnel management and decision-making procedures are non-discriminatory, non-exclusionary, transparent, and accountable, for example, especially for field offices, may well be a minor revolution."⁴⁷⁹

The RBA theoretically acknowledges this inward dimension—but the necessity to consider it goes way further. The strength of approaches like the RBA depends on their *integrity*, i.e. how they are lived inwardly by the people who propagate them. At this point, I would like to make a reference to a study about the past and the future of foreign

⁴⁷⁶ Even though context analysis is considered to be at the core of projects, the interviewees only punctually considered their own role in the respective context. I argue that such considerations should also be part of a context analysis in development. See chapter 2.4.3.

⁴⁷⁷ P. Ahonen, J. Tienari, S. Meriläinen et al., 'Hidden Contexts and Invisible Power Relations: A Foucauldian Reading of Diversity Research', *Human Relations*, vol. 67, no. 3, 2014, p. 265. ⁴⁷⁸ Ibid., p. 269.

⁴⁷⁹ Uvin, 2007, p. 604.

cultural politics by Sigrid Weigel for the *Auswärtige Kultur- und Bildungspolitik* [Foreign cultural and education policy] (AKBP). In this work, she upholds the AKBP's⁴⁸⁰ own *interest of credibility*⁴⁸¹, which requires development actors to consider their own history, and the history of the context they are acting from. Weigel states that

[d]evelopment cooperation literally means not only working together on the development of the emerging economies, but also working together to achieve regulatory goals both *at home* and in the partner countries. 482

Talking about the German context, she continues:

What Germany needs is a comprehensive programme of social integration for the divided society *at home* as a prerequisite for the acceptance, credibility and coherence of a successful and forward-looking foreign cultural policy.⁴⁸³

I argue that this is also true for the RBA: credibility is key and can only be gained when actors applying an RBA do so also with an *inward* focus, reflecting on their own role and the underlying power relations. However, the lacking inwards focus of the RBA might be explained to a certain extent by the second identified field of tension: the underrepresentation of power in the conceptualization of culture. In the area of *culture*, the absence in the data of questions of power was conspicuous, while in the discussed literature, they are very present. However, what is more, what we *do not* talk and think about affects our actions.

This thesis started off by highlighting that culture is a trending and ever more prevalent topic in the development industry. It was further elaborated that culture remains a difficult concept to grasp. In conclusion, a fundamental dimension of culture, which is power/ideology, seems to be systematically neglected in conceptualizations of culture. The rationale I want to put forth is: if development actors would more often perform

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⁴⁸⁰ Auswärtige Kultur- und Bildungspolitik

⁴⁸¹ Which is true for almost every human rights actor and actors in foreign policy. By not living up to human rights standards, the EU, for example loses argumentative ground when demanding respect for human rights in other countries.

 ⁴⁸² S. Weigel, *Transnationale Auswärtige Kulturpolitik - Jenseits Der Nationalkultur*, ifa (Institut für Auslandsbeziehungen e.V.), Stuttgart, 2019, p. 10. *Author's translation*.
 ⁴⁸³ Weigel, 2019, p. 13.

critical self-reflexion on power relations within the field of culture, they would also necessarily link this perspective with RBAs. Culture is becoming more and more important and, at the same time, the inward dimensions of culture do not seem to be considered enough. Hence, the need for self-reflexion is high. Weigel adds:

The current shift in the axes of power in the process of globalisation requires Europe to renegotiate its role. This can only be successful if, as a self-reflective actor, it deals with its past impositions on other regions.⁴⁸⁴

A condition for unfolding the potential of the RBA is to strengthen its *inward dimension*. This, in turn, requires some kind of engagement with *power*. And, as laid out in this thesis, power in its strongest forms—whether we call it *well mediated*⁴⁸⁵ or *invisible*⁴⁸⁶, etc.—is strongly intertwined with culture. To complete this circle: if power dimensions are not actively discussed in notions of culture, then the basis to do so in other areas is impeded. However, tackling those *well mediated* power relations more in-depth could lead to taking new framings of progress more seriously, for example through an understanding of progress as the "growing awareness of oppression".⁴⁸⁷ In chapter 2.4.4., I have pointed out the contradictions of the demand for measurability, suggesting that this is a difficult—if not misleading—endeavour. Connected to measurability, the described conflict of e.g. not having time to act culturally sensitive because one has to reach a predefined goal leads to the thought: rather than cutting back on cultural sensitivity, questioning the goals themselves should be the order.

The third specific field of tension related to the intertwinement of culture, development practice and power, maps out specific cases where proclaimed cultural sensitivity did not meet the theoretical requirement to make power relations visible. Thematic fields where power relations went unnoticed but yet considered important by the author were discussed: for example, the questions how the funding of the culture and art sector is

⁴⁸⁴ Weigel, 2019, p. 52. Author's translation.

⁴⁸⁵ Han, 2005. See chapter 2.3.

⁴⁸⁶ Lukes, 2005. See chapter 6.2.

⁴⁸⁷ Nederveen Pieterse, 2010, p. 194.

executed, who is to considered to be an expert (e.g. for evaluation and monitoring) and who is not or regarding organisational structures and hierarchies.

Just like Andreassen and Crawford in their research on interrelations between power relations, structural inequalities and human rights in development, ⁴⁸⁸ I also come to the conclusion that self-reflexivity is crucial in the context of this study. But what concrete strategies do NGOs have to tackle unequal power relations? Adapted to the realm of culture, this is a question of fundamental importance in order to make sense of the results of this master thesis. During this work, I asked myself repeatedly how to process these considerations constructively. Han gives helpful input in that regard:

One practices justice by keeping one's conviction, one's opinion about the other in abeyance, by hearing, by listening, by abstaining from one's judgment, i.e. from oneself. The ego always appears too soon—to the detriment of the other. This singular abstinence cannot proceed from power as such. Hesitation is not inherent in power. Power as such never refuses to judge or think about the other. Rather, it consists of judgements and convictions.⁴⁸⁹

Human rights and development can be seen as a cultural phenomenon. The urge of "[r]ecognizing development practices as culturally biased and specific introduces cultural reflexivity, which of course forms part of a broader tide of awareness of cultural difference", 490 as Pieterse points out. The question of culture implies a context, and context cries out for power to be acknowledged. The people working in the field of human rights, development and culture seem to have a lot of catching up to do in their self-observation. In the context studied, positioning and understanding the self within a matrix of dominance is largely absent. But how does one achieve such self-reflexion, especially since this process could possibly harm one's own position of power? One thing is certain, however: the absence of power reflexion hinders the intention of human rights to treat all people equally and to fight systemic injustice. We must work on ourselves. This begins,

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⁴⁸⁸ See chapter 6.2.

⁴⁸⁹ Han, 2005, p. 136. Author's translation.

⁴⁹⁰ Nederveen Pieterse, 2010, p. 72.

for example, with the reflexion of power in our everyday language. The way we communicate, for example, as a development actor such as the SDC in Switzerland, influences the way we see ourselves and how we work in other places in the world. Nandy's appeal should be taken to heart:

(...) [O]penness to voices, familiar or strange, may well have to be the first criterion of the shared self which transcends nation-states, communities, perhaps even cultures themselves. A direct, sharp awareness of man-made suffering, a genuine empirical feel for it, may be the second.⁴⁹¹

I would like to conclude this work with words of Nietzsche, which I encountered in the book 'Was ist Macht'⁴⁹² by Han, and which have accompanied me ever since. To me, they seem to be helpful in the context of culture, human rights and development. These words remind me of the difficulty to localise and challenge my own privileges, and the dilemma I face when I aim to tackle power structures from the extremely save and unconstrained position I am talking from.

You would like to give, give away your superabundance,
But you yourself are the superfluous one!
Be clever, you rich one!
First give away yourself, oh Zarathustra!⁴⁹³

⁴⁹¹ Nandy, 1989, p. 272.

⁴⁹² Han, 2005.

⁴⁹³ F. Nietzsche, Dionysos-Dithyramben, KSA 6, p. 409, cited in Han, 2005, p. 143. *Author's translation*.

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9. Appendices

All appendices can be found on the attached memory stick.

Appendix A: Interview 1, 23 April 2020, Skype, SDC staff member, anonymized, coded.

Appendix B: Interview 2, 27 April 2020, ZOOM, SDC staff member, anonymized, coded.

Appendix C: Interview 3, 05 May 2020, ZOOM, SDC staff member, anonymized, coded.

Appendix D: Swiss Agency for Development and Cooperation SDC, *SDC Culture and Development Policy*, Policy Paper, 2016, coded.

Appendix E: Swiss Agency for Development and Cooperation SDC, *SDC Guidance on Human Rights in Development and Cooperation*, 2019, coded.

Appendix F: Swiss Agency for Development and Cooperation SDC, SDC's Human Righs Policy: Towards a Life in Dignity. Realising Rights for Poor People, 2006, coded.

Appendix G: Codebook.

Appendix H: Summary Grid.

Appendix I: Complete MAXQDA file.