



# THE ROLE OF THE CAPABILITY APPROACH IN SOCIAL JUSTICE: A COMPARATIVE STUDY OF SEN AND NUSSBAUM

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## ABSTRACT

*This paper seeks to examine the capability approach in a philosophical way with particular regard to the claims and features that might justify it as an approach to social justice. It is concerned what individuals are able to do and be, or what may be more accurately referred to as their true freedom. It puts individual first. Human development has been pioneered by various persons at various eras and under various titles. Amartya Sen's capability approach, which he pioneered, has set a new standard for human development analysis. Although Sen pioneered the approach, Martha C. Nussbaum carried it to a higher level, making it applicable to a wider range of fields beyond welfare economics. This paper is entirely focused on Sen and Nussbaum's perspectives. Along with this, it aims for a comparative study of Sen and Nussbaum's perspectives on capability approach. In this paper, I shall represent how they defend the premise that social justice consists in establishing the best possible conditions for all people to realise their basic potential.*

**KEYWORDS:** *Capability, Functioning, Beings, Doings, Justice, Potentiality*

## INTRODUCTION

The concept of justice is essential and contentious in modern political theory, encompassing issues of fairness, moral rightness, and the appropriate ordering of social relations. Justice is an idea which is essentially challenged: there is no universally agreed definition of justice and therefore no consensus on the appropriate topic of the theories of justice. Theories of justice do not address the wide line of moral questions. Generally, in theories of social justice, justice is viewed as a feature of society, so evaluation is done in terms of how just or unjust a society or state of affairs is according to some greed-based criterion, rather than what an individual receives or does not receive. The very fundamental question arises: How do we evaluate the well-being and quality of life of an individual? In what sense should a person be evaluated in society as equal or unequal in the context of justice? The capability approach of Sen and Nussbaum addresses it very peculiar way.

### What is Capability Approach?

Before delving into the question, "Why is Capability Approach?" I should first address the question, "What is Capability Approach?". According to Sen, the capability approach is an academic field that emphasises the evaluation of a person's achievements and freedoms in terms of his or her true potential to do or be the various things that a person has reason to value (Sen, Amartya, 2009a). It is a comprehensive normative framework for evaluating and assessing human well-being and social arrangements, policy design, and societal reform initiatives. This approach is characterized by its emphasis on the moral significance of individuals' abilities to live the kinds of lives that they choose.

### Why Capability Approach?

The central claim of the capability approach is that, we ought to ask what individuals can achieve and what lives can they lead when we deal with normative problems. This assertion reflects wide-ranging opinions among people, scholars, and politicians about how politics may be developed, what social justice needs, or how social progress can be developed. The capability approach does not claim to be a theory that can describe inequality, deprivation, or well-being; rather, it put forwards concepts and a framework for thinking about and evaluating these issues. It does not purport to be a theory which can explain poverty, inequality, or welfare; it offers concepts and a framework for thinking about and analyzing these concerns. Over the last ten years, it has grown in favour in academia and policymaking

### Articulation of Some Key Characteristics of the Capability Approach

This normative framework is different from other established ethical theories. These special features make this framework more unique. This normative framework is distinct from other generally recognized ethical frameworks (like utilitarianism, resourceism, welfarism). Some unique aspects distinguish this framework. So let us put some light on these aspects.

### The Key Concepts: Functionings and Capabilities

Capability and functioning are two key concepts explored in Sen's capability approach. Functionings are states of *being* and *doing* that must be distinguished from the commodities that enable them. For instance, riding varies from having a bike. Here riding is considered as functioning while bike is the commodity. Robeyns, (2003) clarifies that the core element of ability is to concentrate on what individuals are effectively '*capable of*' and '*capable of being*'. The capability approach entails "concentration on freedoms to achieve in general and the



capabilities to function in particular” (Sen 1995). Functionings and capabilities are two of the most important components of the capability approach. The functions and capabilities of a person are intertwined but distinct.

An example is the greatest way to explain the distinction between functioning and capability. Consider the following variation on Sen’s classical illustration of two persons who both do not eat enough to enable the functioning of being well-nourished. The first person is a starvation victim, whereas the second has chosen to participate in a hunger strike. Despite the fact that both people lack the ability to be well-nourished, the flexibility they had to avoid going hungry was fundamentally different. To draw this distinction, we need to understand the concept of capability, which refers to the various functions that a person can perform. While both hungry persons lack the potential to be well-nourished and hunger-free, the protester has the capability to do so, and the empty stomach person does not. The distinction between commodities (i.e. goods and services) on one hand and functionings on the other is another significant divergence of the capability approach. Basically, three conversion aspects influence the relationship between the good and the functionings to achieve particular beings and doings. First of all, human features (e.g. metabolism, physical circumstances, reading ability, intellect) affect how the qualities of the commodities may be transformed into functionings. If you are disabled or have not learned how to ride or are in poor physical conditions, then the bi-cycle will be of little assistance to make mobility work. Second, social and environmental features (e.g., governmental policies, social norms, discriminatory practises, gender roles, societal hierarchies, power relations) have a role in the conversion from good to individual functionings. It becomes much more difficult if not impossible to utilise the product to ease the functioning if there are no pavement, or if a society imposes a social or legal convention that prohibits women from driving a car unless accompanied by a male family member. As a result, it is inadequate to know what products a person has or can utilise to identify the activities he can do; much more must be done about the person and the conditions she lives in. The capability approach does not take into account the functionings that a person has achieved as the ultimate normative standard. In principle, we are concerned with people’s real freedoms, that is, with their capability to function, and not with her achieved functionings levels. A person’s collection of stuff in life are his functions, but his ability is an alternate combination of functions she may attain and pick from one functional vector. Capability is thus linked to the concept of opportunity, although, as Sen cautions, this should not be interpreted in the narrow traditional sense, but rather as a positive concept of overall freedom.

### The Acknowledgement of Human Diversity

One of the advantages of the capability approach is that it can account for interpersonal variation in the conversion of commodity attributes to functionings. Interpersonal variation in conversion might be caused by personal or socio-environmental factors. The capability approach has two forms: stressing functions and capabilities as the area of evaluation and stressing the explicit role played in the conversion of goods into functions by individual and socio-environmental conversion

factors. Individuals may differ in their ability to convert commodity qualities into functionalities. Individual distinctions will exist, whereas structural differences in society, such as gender, class, ethnicity, caste, and so on, will exist. Let’s take the often-used example of Sen and Nussbaum, consider the issue of gender. Gender discrimination is one of the variables impacting conversion, not only in terms of money but also in terms of other commodities. Suppose a guy and woman have the same access and acquire the same bursary. Both eventually receive the same educational degree, and both want to use this degree to enable certain functionings (such as the functioning to lead an interesting life through one’s profession, the functioning to increase self-esteem, to secure financial autonomy, to be able to provide support for dependent others, to develop interesting social contacts, to live one’s professional ambitions, and so on). However, because women face discrimination in the labour market, it will be more difficult for a woman to use her degree to enable all of these functions when compared to a male with the same degree. More broadly, group-dependent limitations (e.g., prejudices, social conventions, habits, and traditions) might influence the conversion of commodity features into functionings. Thus, the capability approach recognises the normative significance of groups.

### Ends and Means: A Philosophical Analysis

The capability approach clearly recognises and depends on a key analysis in practical philosophy, particularly the means-ends distinction, as the concept of conversion factors demonstrates. This approach emphasises that while we assess something, we always must know if we value it as an end or a means for a valuable purpose. The individuals should have access to the necessary positive resources, and they should be able to make choices that matter to them. The key excitement about the capability approach is that it goes beyond the relentless criticism of resources or income to propose an alternative space in which to conceptualize justice. People’s capabilities are the ultimate endpoints of interpersonal comparisons, according to the capability approach. The main rationale for this capability approach is that people differ in their ability to convert means into meaningful possibilities is because they feel the focus is better not the means (capabilities) or outcomes (functionings). It evaluates if individuals have the potential to be healthy, as well as whether they have the means or resources to do so, for instances, proper sanitation, accessibility of physicians, protection from infection and basic health knowledge.

### What are ‘Capabilities,’ ‘Basic Capabilities’ and ‘Fundamental Capabilities’?

The dichotomy between capabilities and basic capabilities is fundamental, but it also contributes to conceptual ambiguity and inconsistent readings of Sen’s work. Basic capabilities are a subtype of all capabilities; they pertain to the ability to perform some basic actions that are required for survival and avoiding or escaping poverty. Though the significance of basic capabilities does not play a large part in rating living standards, when we consider it for the purpose of assessing poverty and deprivation, it serves as a crucial key in determining a cut-off point, while the notion of capabilities encompasses a wide range of abilities, fundamental capabilities refer to the flexibility to accomplish certain things that are required to keep



one out of poverty. To quote Sen: “the term ‘basic capability,’ used in Sen (1980), was intended to separate out the ability to satisfy certain crucially important functionings up to certain minimally adequate levels”.<sup>1</sup> So, the capability approach is best regarded as a framework of thought, the significance of either basic or all capabilities is dependent on the challenge at hand. Despite the apparent conceptual distinction between capabilities and fundamental capabilities, this terminology has caused considerable confusion. Here are probable explanations for this ambiguity, in my opinion. Sen (1980) refers to basic capabilities in “Equality of What?” his very first article on the capability approach, while his discussion appeared to be about capabilities in general.

Another source of ambiguity is Sen’s repeated use of the term “fundamental capabilities” in his works on development. On other hand, Martha Nussbaum also uses the word “basic capabilities,” although “basic” in Nussbaum’s case is not the same as “basic” in Sen’s case, nor are their approaches to the concept of capabilities the same. For example, Nussbaum defines basic capabilities as follows:

“First, there are basic capabilities: the innate equipment of individuals that is the necessary basis for developing the more advanced capabilities and a ground of moral concern. These capabilities are sometimes more or less ready to function: the capability for seeing and hearing is usually like this. More often, however, they are very rudimentary, and cannot be directly converted into functioning. A new born child has, in this sense, the capability for speech and language, a capability for love and gratitude, the capability for practical reason, the capacity for work.”<sup>2</sup>

In brief, for Nussbaum, basic capabilities are better defined as inherent and innate capabilities, or skills, and have little to do with the poverty or deprivation cut off point.

### Sen Versus Nussbaum’s Capability Approaches: some Key Differences and Similarities

Sen and Nussbaum’s work on the capability approach have become influential in normative economics, social ethics, and political philosophy. Many academics have praised it. Amartya Sen laid the foundation for the capability approach largely in the 1980s and 1990s. However, in recent years, other scholars have done the majority of new work on the capabilities approach. There are numerous scholars in several domains working on the capability approach these days, but the philosopher Martha Nussbaum is without a doubt the most well-known and productive one. Sen and Nussbaum’s perspectives are quite similar when it comes to the vast variety of normative social frameworks, and are allies in their opposition to and critique of theories such as utilitarianism. It is important to remember that both theorists have offered distinct interpretations of the capability approach within the range of possible theories, and hence share certain core viewpoints and concepts. Both thinkers agreed that the capability approach is a practical framework for studying human life from a new standpoint. However, Nussbaum and Sen disagree on a number of points, therefore some of the

criticisms that can be levelled at Sen cannot be levelled at Nussbaum, and vice versa. In this section, I want to outline some of the distinctions between Sen’s and Nussbaum’s capability approach. Both agreed that the capability approach is a practical framework for studying human life from a new standpoint. Despite their agreement on the core components of the capability approach, they differ in how they articulate it. In the first place, Nussbaum and Sen’s capability work has distinct objectives and diversified personal intellectual backgrounds, which must underpin their work. Nussbaum aspires, through advancing the political ideas that should underpin the Constitution, to establish a partial theory of justice. Thus, Nussbaum takes a good lawful political viewpoint to capabilities, with the express level headed, that an administration should ensure every one of its kin through its Constitution, to advocate political beliefs. Nussbaum accomplishes this goal by proposing and arguing for a specific but broad list of “central human capabilities” that should be included in all constitutions. Therefore, her work on the capability approach is universalistic in nature, as she believes that all governments should support these capabilities. Sen, on the other hand, did not start working on the capabilities approach with such a clear goal in mind. On the one hand, he was intrigued by the liberal-egalitarian literature’s “Equality of what?” argument, and argued that there are compelling reasons to place a premium on capabilities over resources or utility (Sen 1980). As a result of these contrasting “histories,” Sen’s work on the capabilities approach is closer to economic reasoning than Nussbaum’s, and more sensitive to quantitative empirical applications and measurement. Nussbaum’s work, on the other hand, is considerably more in line with humanities traditions like narrative techniques. Her work emphasises the importance of tales and poetry texts in better understanding people’s goals, wants, motives, and decisions. What impact do these distinctions have on Nussbaum and Sen’s capability-based approach? To begin with, whereas in Sen’s work, capabilities are largely defined as a real or effective opportunity, Nussbaum’s definition of capability places a greater emphasis on people’s abilities and personality traits as characteristics of capabilities. Thus, some scholars prefer Nussbaum’s approach to Sen’s since it emphasises thoughts and emotions, as well as meaning and action. Second, with her focus on the design of a just constitution, Nussbaum proposes a list of ten central human capabilities. Nussbaum has specified this list in more detail in several of her recent publications (Nussbaum 2000; 2002a; 2002b; 2003a). Since the list is subject to constant change the most recent version of its list should be referenced. Additionally, Nussbaum believes that if Sen’s capabilities approach is to have any influence on justice, he must support such a list as well. Sen, on the other hand, has never endorsed a single, well-defined set of capabilities. Thirdly, Nussbaum sees her work on capability as a provision to people for basic constitutional standards that individuals might demand from their government with explanations and arguments. Sen’s capability approach, on the other hand, does not need to be as focused on claims on the government because of its broader scope. Indeed, one might debate inequities in capabilities

<sup>1</sup> (1993) *Capability and Well-being*. In *The Quality of Life*, edited by M. Nussbaum and A. Sen. Oxford: Clarendon Press, p.41

<sup>2</sup> Nussbaum, Martha (2000) *Women and Human Development: The Capabilities Approach*. Cambridge: Cambridge University Press, p. 84



without necessarily knowing how to solve them, or believing that the government is responsible for all redistribution and rectification. Nussbaum has been chastised by authors dedicated to post-structuralism, post-colonialism, post-modernism, and critical theory for her belief in benevolent government. While there is limited concentration, liberal British policy theory often addresses the government's duty for social and distributive justice or possibly even belief, such on government acts in other paradigms. Fourthly, another significant distinction between Sen and Nussbaum's approach is cultural relativism. In essence, the word states the need for the cultural environment to comprehend people's values, beliefs, and practises, and to be closely linked to general tolerance and respect for diversity. The notion of cultural relativism basically demands people to interpret the characteristics of their lives according to their own cultures. Meanwhile, Donnelly (1984) states that, cultural relativism is a theory that (at least once) does not allow individual parts of a life to be criticised by outside persons and strongly endorsed by ideals of community liberty and decision.<sup>3</sup> However, Nussbaum makes the courageous decision to disregard the idea in order to ensure that each human being is regarded as a human despite all the variations in their lives. According to Nussbaum (2000), most feminists opt to ignore cultural relativism since it provides a weapon for attacking logic and rejecting objectivity. Objectivity, according to Nussbaum, is founded on the idea that a subject and an object can be differentiated from one another, where a subject refers to a male observer and an object refers to nature. She continues by claiming that objectivity is troublesome for women because it overlooks women's subjective and emotional experiences and leads to male domination. As a result, Nussbaum (2000) criticizes Sen for not straightforwardly rejecting cultural relativism for the purpose of gender equality. Fifthly, Nussbaum does not support the agency's differentiation. To my knowledge the literature has not discussed much whether or not this distinction is essential, but some criticisms have been made of Nussbaum's approach to the lack of emphasis given to the agency in its work. Nussbaum has maintained, however, that practical reason plays an architectural role and practical reason serves a purpose that goes well beyond its direct contribution to welfare. The practise of practical reason is therefore likely a key site of agency in Nussbaum's approach but the difference in ideas of agency in Sen's and Nussbaum's work has to be further investigated.

### Sen and Nussbaum: Justice through capabilities

Sen and Nussbaum established central intuitions for a capability approach with various emphases and in somewhat divergent directions, based on their different cultural, intellectual, and academic background. Sen and Nussbaum have played an important part in normative economics, social ethics, and political philosophy in recent year in working together on the capability approach. While Sen defines the relevant concepts and suggests the possibility of an alternative paradigm of justice based on a broad consequentialist ethics, Nussbaum strengthens the theoretical edifice of the capability approach by demonstrating its connection to Aristotle's ethics and political philosophy, as well as by developing a hybrid theory of

capabilities that combines Aristotelian philosophy with certain philosophies from other traditions. Amartya Sen differs from traditional Western conceptions of justice, which are primarily concerned with defining ideally just institutions and are of little utility in directing comparison judgments in the real, imperfect world. Sen, in his writings *The concept of Justice* (2009) and *Inequality Re-examined* (1992), wonders about the validity of the idea of justice, which is universal and inevitably applies everywhere and at all times. He opens a new path towards alternative notions of justice outside the Western context. According to Sen, justice is not a matter of merely following certain rules or norms and offering the outcome decorated on a platter to the sufferer. It is difficult to define a just society as there may be no agreement on the shape of perfect justice. In probing the idea of justice, Sen says, 'it is important to distinguish between an arrangement-focused view of justice, on the one hand, and a realization-focused understanding of justice, on the other. Amartya Sen and Martha Nussbaum have made significant contributions to the philosophy of social justice and gender justice by claiming that capability is an essential place of comparison when examining issues of justice. Amartya Sen has been concerned with social justice issues. Inequalities between men and women have been particularly significant in his thought, and achieving gender justice in society has been one of the theoretical enterprise's most essential aims. Sen has insisted on the importance of capabilities, what people are actually able to do and to be. When we question what individuals are truly capable of doing and becoming, we get a lot closer to understanding the hurdles that societies have constructed to complete justice for women. Sen criticizes approaches that measure well-being in terms of utility by pointing to the reality that women often have preferences adjusting to their second-class status, that is "*adaptive preferences*." Thus, the utilitarian paradigm, which asks individuals what they want and how pleased they are, is insufficient to address the most serious concerns of gender inequality. The capability approach is a helpful method to address the topic of fundamental entitlements, especially when it comes to concerns of sex equality. Feminists have repeatedly criticised the human rights approach for being male-centered and for failing to include as fundamental entitlements those abilities and opportunities important to women in their battle for sex equality. Sen criticizes Rawls on the fact that for him, thinking about ways to achieve justice which is the equivalent of the primary social goods without thinking about the use that individuals can make of it misses some by the target of what should be a minimum equalization of resources allowing individuals to function fairly in a liberal society. It is for this reason that for him, what is necessary to equalize are not goods as such, even if he does not dispute the usefulness of these goods in order to be able to think about justice, but rather the capabilities which are the basic capabilities which enable individuals to function in a certain way in the democratic space and thus to give an effective content to their freedom. Sen's idea is somewhere to say that if we start from the idea that individuals must be free, it is necessary to think about the conditions that allow them to do so and one way of thinking about these conditions is to look at whether the capabilities, in

<sup>3</sup> Donnelly, J. (1984). *Cultural Relativism and Universal Human Rights*. *Human Rights Quarterly*, 400, 419.

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other words the capacities to transform their resources into free and real actions exist or not. Martha Nussbaum has created the most comprehensive, thorough, and influential capability theory of justice to date. Nussbaum's goal is to establish a partial philosophy of justice. What is crucial, according to Nussbaum, is that problems of capacities reason with questions of equal respect and, obviously, dignity. To recapitulate, Nussbaum begins with the idea that the purpose of a theory of justice or a theory of the free functioning of individuals is not simply to live or survive, but that it is also necessary to live in a truly humane manner, that is, in a manner consistent with a number of basic ethical principles. Nussbaum's view is inspired by a definition of human dignity, which she ties to flourishing, in the Aristotelian sense (contrary to Sen's focus on freedom). The Aristotelian impact stems from Aristotle's fairly perfectionist vision of human existence, which leads Aristotle to feel that being a type of lazy person who is not engaged in the public thing, which is fully anomic, is a life, but it is not a human life. For Aristotle, a genuinely human life would need, for example, developing a feeling of virtues, integrating via education, and developing inclinations to the virtues that would enable humans to grasp a sense of righteousness, but also a sense of goodness.

## CONCLUSION

Sen's version of the capability approach clarifies that person well-being is dependent on their capabilities and functionings, and it argues vehemently that a scarcity of resources is not the only source of injustice. In his interpretation of the capability approach, he said that every person must be free to live a life that is worthwhile. The capability approach of Nussbaum, however, shows a systematic study of human capabilities and how they may be brought to common people. Nussbaum has built a clear imprint of human development by establishing a specific list of capacities, together with statements to constitutionalise governance, based primarily on Aristotelian and Marxian notions of human prosperity and dignity. The capability approach of Nussbaum thus appears to be more appropriate to the evaluation of human capability than Sen's position, which looks to be a basis for understanding human freedom. Finally, Nussbaum's capabilities approach, when compared to Sen's, resembles a more effective and holistic strategy that may be used in human development research. Nussbaum's capability framework, in contrast to Sen's, provides a comprehensive list of human talents that are supposed to be fulfilled by every human being in the world.

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