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## **“Summary of article by David A. Crocker: Functioning and Capability: The Foundations of Sen’s and Nussbaum’s Development Ethic, Parts 1 and 2”**

This paper draws on the broad body of work produced by economist Amartya Sen and philosopher Martha Nussbaum to present and evaluate a new and important ethic for international development. Sen and Nussbaum argue that global poverty, deprivation and hunger represent not just scientific, technical or political failures, but conceptual and ethical ones as well. Their "capability ethic" is intended to provide a new normative perspective on the theory and practice of international development based in the Aristotelian and Marxist traditions and the associated concept of human flourishing. The review begins with an evaluation of the moral assumptions of a number of different development approaches, and situates Sen and Nussbaum’s ethic within this context, before turning to a more detailed development of the capabilities and functionings perspective.

### **PART I: ALTERNATIVE ETHICAL APPROACHES**

According to Sen and Nussbaum, development is an inherently value-laden concept because it provides criteria for defining good social change and for achieving a better life for people. It is therefore especially important to distinguish means, such as increasing per capita GNP, from ends, such as greater wellbeing or a higher quality of life, and ethics are essential to defining and giving meaning to these ends. Development is then best defined in terms of "functionings", and "capabilities" ("what humans can and should be and do"), and the goal of development policy is "the enhancement of certain human functionings and the expansion of human capabilities to so function." (586) Before developing this approach in more detail, we will first review the alternatives.

#### *Commodity Approaches*

To evaluate different ethical approaches to the concept of development it is necessary to begin with some fundamental questions about how humans should live their lives, what sorts of things are intrinsically rather than just instrumentally valuable, and what the ultimate goals of development should be. It is necessary to identify fundamental ethical categories -- e.g., meeting particular needs or respecting certain rights --that will serve as the basis for defining and evaluating other ethical concepts. Sen and Nussbaum argue that this fundamental category is “the ethical space of human functionings and capabilities.”(590)

The "crude" commodity approach defines fundamental ethical categories in terms of goods or commodities that are seen as intrinsically good or basic. This approach correctly recognizes that material prosperity is essential for development, but it gives too much attention to commodities, turning them from means into ends. Sen and Nussbaum argue that goods are of no value in and of themselves, but only in terms of what they can do for people or what people can do with them. In addition, consistency problems arise because of individual and cultural variability in the need for and utilization of goods -- different packages of goods may be able to promote the same human functionings for a given individual, while the same package will promote different capabilities for different individuals. Certain commodities may harm some and help others, and in many cases goods can be bad when we get too much of them.

John Rawls offers a more sophisticated model of the commodity perspective. He identifies "social primary goods" such as rights and liberties, income and wealth, and opportunities as the things that rational individuals want and need. He conceives of these goods not as ends, but as means that are essential for realizing each person's conception of the good life, whatever it happens to be. This can be referred to as a "thin theory of the good", in contrast to a "thick theory" which would define specific concepts of human excellence towards which individuals and government should aspire. Rawls thus does much to recognize the ethical importance of individual freedom. However, Sen points out that individuals vary not only with respect to the ends they choose, but also in how they convert goods into freedom to pursue these ends; we have "unequal powers to build freedom in our lives even when we have the same bundle of goods."<sup>1</sup> Rawls limits himself to a concern with negative freedom or absence from restraint by others, but positive freedoms, or freedom from constraints imposed by conditions such as poverty and ignorance, are also necessary if individuals are to have genuine options to choose different ways of life.

### *The Welfare (Utilitarian) Approach*

The commodities approaches overemphasize goods while neglecting people. The welfare approaches, including utilitarianism, recognize wellbeing and good development as features of individuals themselves, but they overemphasize individual utility -- a mere mental state of individuals -- while neglecting other aspects of human wellbeing. Sen identifies two major problems with welfarism's focus on levels of individual utility. First, welfarism deals only with wellbeing, ignoring human agency, but Sen believes that both are fundamental dimensions of being human. "Humans are not only experiencers or preference satisfiers; they are also judges, evaluators, and doers." (600) Secondly, utility, happiness or desire fulfillment are not, in any case, adequate measures of wellbeing; a person who has very little may still experience happiness, and vice-versa, but this is an incomplete basis for judging that individual's wellbeing or, more importantly, the state of social justice. Utility therefore "at best captures part of the good life but at worst justifies severe deprivation and inequality." (607)

### *The Basic Needs Approach*

The basic needs approach (BNA) does recognize the importance of the kind of lives that individuals are able to lead and the choices that are available to them. It argues that enhancing human wellbeing is a matter of meeting certain basic or human needs that promote a good life

for all and afford individuals the freedom to choose it. Sen is quite sympathetic with this approach, but argues that it lacks a solid foundation because it fails to specify the nature of needs or to justify treating them as a more fundamental ethical category than commodities, utility, rights, or human functionings. However, reinterpreting needs as capabilities, and reconstruing meeting needs as promoting the freedom to pursue valuable functionings, could overcome this weakness.

Another weakness of the BNA is the tendency to reduce it in practice to a commodities approach, with the same inherent problems. It also puts too much emphasis on bringing individuals up to a certain minimal level of needs satisfaction, while ignoring lack of opportunities for higher functioning and levels of inequality that are incompatible with human flourishing and self-respect. Sen also argues that the concept of needs is too passive in contrast with the active concept of capabilities. "[A] capability ethic enables us to say that good public action does not always dole things out to passive recipients but increases people's choices and enhances people's capabilities, including their capability of choice." (607)

## **PART II: THE CAPABILITY ETHIC: FOUNDATIONS**

Turning to the capabilities and functionings ethic, we find that Sen and Nussbaum offer slightly different interpretations of functionings. Sen includes both purposive human activity and a person's state of existence (or mental state); in the case of food, for example, he identifies functionings related to choosing to eat, eating itself, enjoyment of eating, digestion, and the subsequent activities made possible by the food. Nussbaum takes a narrower view, treating neither choosing nor the experience of pleasure as separate functionings, leading her to somewhat different conclusions about the nature of human wellbeing and the role of agency. Nevertheless, both would agree with Sen's claim that "the primary feature of a person's wellbeing is the functioning vector that he or she achieves."<sup>2</sup>

Capabilities are closely related but still distinct from functionings:

A person's combination of actual functionings, her "functioning vector", is the particular life she actually leads. . . . The person's "capability set" is the total set of functionings that are "feasible", that are within her reach, that the person could choose. (159)

Two people can thus possess the same capability set, but choose to realize different sets of functionings, or they may achieve the same sets of functionings with different capability sets. A classic example of this that highlights the importance of capabilities is the difference between starvation and fasting; for an individual with a limited capability set it may be the only choice, but for someone with an expansive capability set, fasting may be one choice among many options. Capabilities are also important because, consistent with an Aristotelian ethic, functionings are chosen from among options, not determined or enforced. Moreover, capabilities also have intrinsic value because they add positive freedom -- worthwhile options -- to life.

Capabilities can be defined in relation to general character traits and opportunities, and Sen and Nussbaum interpret this concept differently. Both agree, however, that choice is an essential component of capabilities. Sen restricts his notion of capabilities to the possibilities or

opportunities facing an agent. "Hence, for Sen, capabilities are not powers of the person that might or might not be realized in different situations. They are, rather, options . . . for actions." (163) Nussbaum, however, conceives of capabilities as a combination of the internal powers possessed by an individual, and the material and social conditions that make options possible, or external capabilities. The concept of external capabilities might have been better expressed as a requirement that functioning both realizes internal capabilities and requires external opportunities, the latter depending on access to resources, enabling rights, and absence of interference, but Nussbaum's approach--with its greater emphasis on valuable personal powers--is still the stronger of the two.

Several distinct types of functioning and capabilities have been identified by Sen and Nussbaum. Sen distinguishes between levels of opportunity that are more or less feasible, and between positive and negative functionings, and he also describes actual and possible functionings hierarchically, from the most inclusive level (being able to function well), to the more specific (e.g., being able to move about, or to ride a bicycle). Both Sen and Nussbaum stress the belief that various functionings and capabilities are incommensurable -- i.e., they cannot be measured and compared by some common, "deeper" measure such as utility -- and that each is distinct and important in its own right, so that the absence of one cannot be made up for by increasing the amount of another.

Sen also distinguishes between the wellbeing and agency functionings and capabilities of humans. Wellbeing freedoms and functionings concern an individual's choices driven by self-interest, while agency freedom and functionings may concern both an individual's own wellbeing, and also goals (e.g., the wellbeing of others) that may be at odds with self-interest. Sen's Kantian view thus breaks with those -- especially economists -- who conceive of humans as mere maximizers of self-interest narrowly defined, and instead makes room for altruism and sacrifice.

Sen and Nussbaum also rank capabilities and functionings from the important to the trivial, and argue that the aim of development is to expand and promote valuable capabilities and functionings, although in practice sometimes valuation proves difficult. Thus far, Sen has been reluctant to offer a definite list of valuable capabilities and functionings, since that decision is partly political and calls for a democratic procedure to deal with unobvious cases.<sup>3</sup> Nussbaum, on the other hand, lists ten valuable capabilities (see Nussbaum summary in Part VII), aiming to articulate "an Aristotelian view of 'good human functioning' that precedes and is the basis for considering the responsibilities and structures of a just political arrangement." (170)

For Nussbaum . . . the aim of government goes beyond fairly distributing Rawls's primary goods and Sen's positive freedoms, as important as both these tasks are. The more determinate and guiding aim of just legislators should be that of promoting "the capability to live a rich and fully human life".<sup>4</sup>

She seeks to build international consensus about a universal definition of good human functioning that is non-metaphysical and that can recognize and reconcile different religious and metaphysical traditions. Such a cross-cultural definition could provide "the basis for a global ethic and a fully international account of distributive justice."<sup>5</sup>

The resulting "thick vague conception" of the human being developed by Nussbaum is presented at two levels. The first deals with the "shape of the human form of life" or the "constitutive circumstances of the human being" (171), and includes factors such as recognition of and aversion to mortality, basic bodily needs, affiliations with others, and the capacities to experience pleasure, pain, and humor, and to reason and play. The second level identifies "basic human functional capabilities" (174), or in other words, the particular "virtues" associated with the constitutive elements of the first level (Sen frequently mentions many of the items on this list). Nussbaum is concerned with identifying two distinct thresholds, a lower one below which a being is so impoverished in (potential) capacities as to not be human at all, and a second, somewhat higher level, beneath which a life may be judged human, but not good. It is this second threshold that is of particular interest when making public policy, for the task of good government is to ensure that everyone (who is able) can live, if they choose, above the second threshold.

One potential challenge to Sen's and Nussbaum's pluralistic and diverse vision of wellbeing is the "conflict of principles" problem, which arises if two or more valuable capabilities cannot be simultaneously chosen as actual functionings. Sen argues, however, that it is possible, based on an appeal to shared values, to formulate at least partial orderings of valuable functionings, moreover,

Sen . . . makes the point that it is better to be "vaguely right" than "precisely wrong". It is better to be correct in identifying the diversity of good functionings and be beset with the problem of ordering them than in using one homogenous quality like utility that, at best, does justice to only one intrinsic good and, at worst, is wildly inaccurate with respect to human well-being and other goods. (178)

Nussbaum adds that it is often possible to change the social order and eliminate or at least alter some of these "tragic choices". She also notes, however, that some value conflicts may be irresolvable, reflecting our individuality and our human limitations.

## **IMPLICATIONS FOR NEEDS, FREEDOM, RIGHTS AND JUSTICE**

Sen hopes to use the capabilities ethic to provide a sounder foundation for the basic needs approach, but Nussbaum argues that needs themselves do still have a role in contributing to human wellbeing. First, she argues that "humans need to develop their nascent valuable capacities into mature ones." (181) Underdeveloped capabilities represent "needs for functioning" because "actual capabilities are more valuable than merely latent ones." (181) Needs are also essential because they reflect human limitations, and without them there is no basis by which to measure human achievement.

Sen places a high value on freedoms, especially positive freedom, which is closely linked to his notion of capabilities. He argues that negative freedom -- freedom from external interference -- is not enough if a person still does not have valuable options (positive freedoms). In fact, "some policies of non-interference actually extinguish human freedom to choose what is valuable." Sen also distinguishes between wellbeing freedom -- "the real opportunity to choose and achieve

well-being" (184) -- and agency freedom, or the opportunity to choose against one's own wellbeing. These freedoms have both intrinsic value as ends in themselves, and instrumental value as they contribute to achieving other goals. A good society should provide the conditions for both types of freedom and ensure the development of the human ability to have and make choices.

There are different conceptions of how the notion of rights fits together with that of capabilities and functionings. Nussbaum takes a purely instrumental view, arguing that rights are only justified when they promote valuable functionings and capabilities. Others, especially rights-based (deontological) theorists such as Nozick, give primacy to rights while arguing that they are neither means nor ends, but constraints on both of these. Sen, however, conceives of rights -- like freedoms -- as both means and ends, and defines a basic or capability right as the right to minimum levels of basic capabilities or freedoms. He then constructs a consequentialist "goal rights system" in which fulfillment of rights is one goal and criterion for evaluation of states of affairs or government actions.

Sen and Nussbaum are beginning to develop theories of distributive justice consonant with the capability ethic. Sen argues that individual claims must be evaluated not in terms of utility, social primary goods or negative rights, but in terms of the freedom to choose among different options or ways of living. Justice is thus concerned with the distribution of freedoms and functionings and with equality of basic capabilities. Governments should therefore protect the claims of all citizens to basic levels of freedom and wellbeing, and promote their ability to rise above Nussbaum's second threshold, rather than protecting the rights of a few to advance to higher levels while the rest are left behind. There is, however, still a need for further elaboration of these theories, especially with regard to issues of international distributive justice. The pluralistic capability ethic that Sen and Nussbaum are forging offers new and important challenges to practitioners and ethicists of international development.

## Notes

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1. Amartya Sen, "Justice: Means Versus Freedoms, Philosophy and Public Affairs(1990, 19, 111-121, p. 121).
2. Amartya Sen, "Well-being, Agency and Freedom: The Dewey Lectures 1984," Journal of Philosophy (1985, 82, 169-221, p. 198).
3. Martha Nussbaum, "Aristotelian Social Democracy," in R.B. Douglass, G.R. Mara, and H.S. Richardson, eds., Liberalism and the Good (New York and London: Routledge, 1990), p. 217.
4. Martha Nussbaum, "Human Functionings and Social Justice: In Defense of Aristotelian Essentialism," Political Theory (forthcoming).
5. Martha Nussbaum, "Nature, Function, and Capability: Aristotle on Political Distribution," *Oxford Studies in Ancient Philosophy* (1988, suppl. vol., 145-184).