

TRANSFORMING UNJUST STRUCTURES
The Capability Approach

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TRANSFORMING UNJUST STRUCTURES

The Capability Approach

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INTRODUCTION

SÉVERINE DENEULIN, MATHIAS NEBEL AND NICHOLAS SAGOVSKY

TRANSFORMING UNJUST STRUCTURES

The Capability Approach

THE CAPABILITY APPROACH

Structural injustice has traditionally been the concern of two major academic disciplines: economics and philosophy. The dominant model of economics has long been that of neo-classical economics. For neo-classical economists, human well-being is to be assessed by the availability of disposable income or according to goods consumed; it is measured by the levels of utility achieved in the consumption of commodities. Social order is fashioned by the ways consumers maximise their well-being and enterprises maximise their profits.¹ A core assumption is that all commodities² are commensurable: they can all be measured according to a single numerical covering value, which is their price.³ Within this neo-classical paradigm, justice is achieved when the utility level of someone cannot be increased without another person seeing his or her utility level decrease.⁴

The dominant paradigm of neo-classical economics was strongly challenged when development and welfare economist Amartya Sen received the Nobel Prize for Economics in 1998. His work offered an alternative to the neo-classical evaluation of human well-being in the utility/commodity space. The underlining philosophical intuition behind Sen's work is that *the standard of living lies in the living and not in the consumption of commodities*. In searching for an alternative measure of human well-being, Sen devised his capability approach.

Sen's capability approach characterises human well-being in terms of what people are or do (for example, being healthy, reading or writing, taking part in the life of the community): he talks of "functionings." Furthermore, Sen considers freedom to be one of the most basic aspects of human life. Thus, well-being is to be assessed not so much by what people are or what people do, as by what they are *free* to be or do – what they are *able* to be or do (for example, being able to be healthy, being able to read and write, being able to participate in the life of the community). Sen calls such abilities "capabilities."⁵ A capability is "a person's ability to do

valuable acts or reach valuable states of being; [it] represents the alternative combinations of things a person is able to do or be.”⁶

The philosopher Martha Nussbaum has extended the capability approach by itemising a list of the capabilities that people have reason to choose and value. This list of what she calls “central human capabilities” (such as the capability of bodily health, the capability of affiliation, the capability of exercising practical reason)⁷ constitutes for her the normative goal that societies should pursue and defend in their political processes. Nussbaum’s central human capabilities form a more dynamic list than, say, the rights listed in the Universal Declaration of Human Rights, but, like human rights, they are patently justiceable. A just society for Nussbaum is a society that provides its citizens with the opportunities to exercise those central human functional capabilities they choose to develop.⁸

Sen’s work has brought back the field of economics to where it first belonged: within the scope of moral philosophy.⁹ In his concern for human flourishing, he stands in a tradition that can be traced back to Aristotle but his more immediate intellectual lineage is that of Kant and Mill. He stands within the liberal tradition which does not specify any particular good as being above others (especially not any putative “common good”), but in doing so makes freedom and pluralism central to its account of human flourishing. In its commitment to the freedom of each individual to choose – in an unconstrained manner – the goods which she values, this tradition is implacably opposed to all forms of utilitarianism, which characteristically argue that the individual is expendable in the service of the greater good. Though Sen does not put the case in these terms, he might well accept that utilitarianism is peculiarly dangerous, because this manner of arguing all too easily provides a cover for structural injustice: for example, conscripts who are said in wars “*pro patria mori*” – to die for the fatherland – have tended to be poor and socially disadvantaged.¹⁰

The freedoms that each individual enjoys are for Sen both the ends and means of development.¹¹ He affirms that such “concentration on freedom can provide a general framework for analysing individual advantage and deprivation in a contemporary society.”¹² Moreover, the presence of freedom is “constitutive of the goodness of the society which we have reasons to pursue.”¹³ What is important for justice to be achieved is not so much the quality of life that people are actually living, but the quality of life they have available to them within an available set of functionings. For Sen, a capability is, then, “a set of vectors of functionings, reflecting the person’s freedom to lead one type of life or another [...] to choose from possible livings.”¹⁴ Individual freedom and action thus occupy a central place in Sen’s capability approach.

The capability approach has in the last twenty years become a hugely influential theory for international social justice. For example, it now underpins the work of the United Nations Development Programme (UNDP). Since 1990, the UNDP has published annually a *Human Development Report* which documents the successes and failures of countries in promoting the capabilities that people have reason to choose and value. More than 120 national or regional human development reports have been produced by local development organisations. Hence the importance of

continuing to develop the capability approach, both at the theoretical and practical levels.

UNJUST STRUCTURES

One of the questions that has been repeatedly put to the advocates of the capability approach has been that of structural injustice: does the capability approach address sufficiently the extent to which lack of human flourishing can be attributed to unjust social, political and economic structures and can it be deployed to bring about their transformation? This is the question discussed in this volume. In various ways, the contributors explore whether the way freedom and action have been understood in the capability approach overlooks two elements that are crucial to engagement with questions of structural injustice: human sociality and human fallibility. To speak about “unjust structures” is to see such structures, which are necessary expressions of human sociality, as marked by human finitude and fallibility. To take forward this discussion, the capability approach must be brought into dialogue with approaches that focus attention on social structures. In the essays that follow there is a particular engagement with the “hermeneutical tradition” represented by Paul Ricoeur, who was himself on this issue much indebted to the thought of Hannah Arendt, and also with the modern “social contract” tradition represented by John Rawls.

Paul Ricoeur’s ethics tells us that an unjust situation (one in which the capabilities that people have reason to choose and value, such as the capability of being fed, the capability of being healthy, of being educated, or of expressing oneself freely, have been denied) emerges from the fragility and fallibility of human institutions. In *One Self as Another*, he famously proposed his definition of the end of ethical intentionality as “the good life with and for others in just institutions.”¹⁵ For Ricoeur, justice is not so much a matter of promoting individual capabilities as a matter of promoting the institutions that will ensure the living together of a good life and will give some protection from human fallibility.

Following Hannah Arendt, Ricoeur understands human action as a mode of human sociality. We cannot act alone in isolation from others. Societies emerge from this power of cooperative action: “The polis, properly speaking, is not the city-state in its physical location; it is the organization of the people as it arises out of acting and speaking together, and its true space lies between people living together for this purpose, no matter where they happen to be.”¹⁶

Arendt suggests that that the ultimate meaning of personal action cannot be reduced to the intention of an individual agent. If the interior life of a person is expressed and revealed by an action, the field out of which that revelation takes place is the whole life of the *polis*. This embeddedness of actions in social networks makes their outcomes essentially unpredictable. No one can be fully in control of the actions that she attempts to undertake:

It is because of this already existing web of human relationships, with its innumerable, conflicting wills and intentions, that action almost never achieves its purpose; but it is also because of this medium, in which action alone is real, that it “produces” stories with or without intention as naturally as fabrication produces tangible things.¹⁷

For both Ricoeur and Arendt, human freedom is fallible: it “is open to the actual, disruptive conditions of existence.”¹⁸ This unpredictable and intrinsically social character of human action leads, for Arendt, to another essential characteristic of human action: remembrance.¹⁹ Actions can only be understood after having been carried out. Like Arendt, Ricoeur recognises and discusses the crucial importance of narratives in interpreting human actions. Narratives allow human actions truly to be apprehended; it is narratives which render human actions intelligible to others. Much of Ricoeur’s work has been concerned with the critique of narrative, a critical endeavour which has brought him to the necessary critique of social institutions.²⁰

According to Hannah Arendt, structures are the manifestation of the institutionalisation of human freedom. She defines freedom as the power of innovation, “Men are free – as distinguished from their possessing the gift for freedom – as long as they act, neither before nor after; for to be free and to act are the same.”²¹ This specific experience of the power of action, envisaged at the level of a community and not at an individual level, Arendt calls *power*. Power, says Arendt, “corresponds to the human aptitude to act and act in a concerted way. Power is never an individual property; it belongs to a group and continues to belong to it as long as it is not divided.”²² Power does not, then, belong to the category of domination or violence, power is the “will to act and to live together” in a historical community.²³

This power becomes materialised and expressed in social structures. We can distinguish three spheres of the institutionalisation of power in structures, or three structured fields of action which set spatio-temporal limitations to individual human action: the cultural, economic and political.

Social structures belonging to *the cultural sphere* are what we could call “essentials”, for they are necessary to the structuring of the person as person, actualising the social dimension of human being. These are the structures through which a child is instructed about the world which is his own, and which bring him to that age where he will be recognised as responsible for his actions by his community. These structures are fundamentally committed to the transmission of community, inasmuch as this community is structured, organised, the carrier of a common history and thus a memory. These structures are committed to transmit a *savoir-faire* about the world, linked to the practice of institutions that organise the life of the community. Therefore, they have, in the broad sense of the word, an “educative” function: they have to instruct the new generation so that this world becomes their world.²⁴ They ensure the historical continuity of a community.

The structures of *the economic sphere* cover the satisfaction of the needs of human beings – whether biological or to do with security, whether aesthetic or symbolic – all of those needs the satisfaction of which contributes to a person’s well-being and can be acquired by the means of exchange. It is in such a perspective that one can make sense of Arendt’s study of labour as the human activity which confronts natural necessity.²⁵ The activity humans share with all living creatures is that of survival: to survive within the natural cycle of generation and decay. This permanent activity of production and consumption is sealed by necessity which, to give it its true value – that of survival – is not an activity peculiar to humanity.²⁶ Structures of the economic sphere are thus all committed to survival, allowing one to

live. They give access to well-being, to what is useful and pleasant in the realm of that which money can buy. Among these structures, the market is the most important inasmuch as it presides – even if not exclusively – over the huge processes of production, distribution and consumption.

Thirdly, the structures of *the political sphere* define the structured field of action in which humans are able to act and to act with political freedom. Indeed, life in community, seen as the will to live and to act together, is inspired by the hope of a good, which is the recognition of each and every one of its members in his or her freedom.²⁷ The hope which inspires such life is that of living-well, the content of which is justice. We have, here, a clear distinction: on the one hand we have *the political* and on the other *politics*. The ideal equality of everyone in their freedom and dignity will be rationally established within a State governed by Law, whose universality rests precisely in the fact that it applies to each and every one in that community, and constrains their activities for the sake of justice. It is the Law-governed State which effectively enables there to be politics. However, the conflict which bears upon the definition and the enactment of the good-life and of justice is recognised as a struggle in which power is at stake. The structures of the political sphere are thus committed by means of politics to establishing justice in the community.

For both Arendt and Ricoeur, the structures that emerge from, or within, the common life in a particular historical community are not necessarily oriented towards a “good” common life. Social structures, whether belonging to the cultural, economic or political sphere, are marked by the flawed humanity of those who constitute them; they are marked by human finitude and fallibility. Social structures can be *perverted*.

When for example structures of the cultural sphere are perverted, it is the very transmission of the life of the community which is compromised. The common world gets lost and a particular society disappears. With the perversion of structures in the economic sphere, it is the very possibility of survival which is endangered (through starvation, restricted access to the market, or restricted purchasing power). When the structures of the political sphere are perverted, the very conditions of the good-life – of living as a human being – disappear (as with apartheid, torture, or genocide). For example, under the apartheid regime in South Africa, black people were the victims of social policies and political decisions which set out to deny them opportunities to live a flourishing human life. Apartheid survived as long as it did because it expressed the moral framework embedded in many white people’s minds, a moral framework also embedded in the functioning of the institutions of society. At this level of shared assumptions, there was very little any individual could do to overcome apartheid.

It is accepted within this volume that structural injustice is a reality. Structural injustice has an identifiable existence of its own and imposes itself on us with a malign and pernicious rationality. To take a simple economic example: a company may be forced to move its activities from the UK to India to minimize labour costs and so maintain its competitive share of the market. If it does not follow competitors who have previously invested in low-wage countries, the company will be doomed

to bankruptcy. The laws of supply and demand impose their rationality on economic actors with a mathematical predictability that takes little note of the human lives of the individual human beings that are behind market transactions. To cite an even more tragic example of planned structural injustice, the Nazi regime pushed through the “Final Solution” to the “Jewish Question” with an astonishing bureaucratic efficiency. The operational rationality of the genocide conferred a spurious acceptability on an extermination programme that would have been impossible without countless personal acts of compliance.²⁸ In such cases, the commitment to act together is no longer oriented towards the good life in common: it goes against human flourishing. Structures have themselves become sinful; that is, they are perverted from their subsidiary function as structures which sustain the good life for all.

Under the influence of liberation theologians,²⁹ after the Second Vatican Council (1962-5) the Catholic Church introduced the language of “structural sin” into its mainstream social doctrine, but it drew the sting of the notion by prioritising the sin of individuals:

Structures of sin are rooted in personal sin, and thus always linked to the concrete acts of individuals who introduce these structures, consolidate them and make them difficult to remove. And thus they grow stronger, spread, and become the source of other sins, and so influence people’s behaviour.³⁰

Unjust structures, or structures of sin, were said to be rooted in personal wrongdoing: such acts of personal wrongdoing cumulatively build a structure which creates a “reality” in which it becomes difficult for human beings to amend or even see their personal wrongdoings. The structure comes to represent a reality which constrains individuals’ actions in ways over which they have no control, and often no insight.

Theologians have identified two main characteristics of these “sinful” or unjust structures, which inhibit human flourishing.³¹ First, unjust structures generate the experience of an impossible choice. The person is driven to undertake actions that he disapproves of, producing what can be called “alienation”. Within the perverted structure, the person is bound to play a social role which he disapproves of but cannot escape. There is a disjunction between what the person really is and the role he plays in the social structure. For example, a public servant in a country where corruption is rampant may not have been paid his wages for the last six months. His family is close to starvation. As an honest man, he does not want to emulate his colleagues and live by corrupt practices. He has been looking for another job in the private sector, but, given the severe economic crisis, he has been unable to find any. At the sight of his starving family, he finally decides to participate in the corrupt practices by which he is surrounded. Such a person is forced into wrongdoing he has not chosen and of which he disapproves – but that has been imposed on him by an unjust structure. He can neither change the situation himself nor escape it. In the short term at least, and as an individual, he has no option but to contribute to the corrupt system in order to survive. The personal and willing actions of other members of the society before him have created a reality which imposes

wrongdoing³² on all its current members, a reality from which in the short term there is no escape. Second, when alienation is prolonged and when the perversion of structures in all spheres is such, people may become “enslaved”. The person can no longer see his own alienation. He has been blinded as much to his complicity in the unjust structure as to the contradiction between what he says and what he does. Worse still, this inability to see is intensified, so it seems, by an inability, even if he wanted – but he does not – to break free from this dynamic of unjust interaction. That was, for example, precisely the situation of the South Africans of European origin who, under the apartheid regime, seemed incapable of recognising the scandalous nature of their practical racism and energetically rejected any change in the apartheid system.

When injustice is institutionalised, the danger is that the individuals who maintain these unjust structures will become blinded to the wrongdoing of their own actions. The sense of powerlessness (one could even speak of the sense of fatalism) with regard to what one can do individually to change such an unjust structure soon becomes indifference. Why care about the Rwandan genocide? What could I have done to stop it? Why care about the street child in Colombia? My having less food on my plate in the UK (or not throwing away what I have left!) will not make one child less hungry. Beyond indifference lies acquiescence: what can one do to promote human development but work with the all-powerful structures of global capitalism?³³

The tragedy of structural injustice is that these structures are not amenable to correction by the exercise of one individual’s will – neither is the individual free to dissociate himself from these structures. The action of a single individual can, in the short term, do very little to change the situation. Human beings are born into unjust structures in which they seem to have no other option but furthering the injustice. For individuals who suffer from structural injustice, there is no escape; there are no good solutions. No unfettered possibility or course of action seems to be open to them. Here we must face the question as to what an individual can do, all alone, when faced by an unjust structure. Certainly, not what he can achieve with others in opposition to a malign institution. For if individual action is in effect doomed to failure, concerted, coordinated action by a group can often achieve success. One can only, in fact, resist an institutionalised interaction by opposing it with another interaction, that is to say by situating oneself at the same level of power.

None of the authors in this volume adopt a position of social determinism. Underlying their critique of the capability approach is the conviction that unjust structures can be transformed if people join their efforts together. While, in the short run, there may seem to be no other possibility than for the perpetrators to maintain unjust structures and the victims to suffer from them, in the long run, individual victims have the power to unite and overcome structural injustice. Victims can join with others in the society who are in solidarity with them, and raise an outcry against the situation. Those within the “unjust structures” may become responsive (whether in response to the outcry or because of their own moral markers) and organise transformation from within the “unjust structure”. It is, for example, because of the

joint efforts of numerous individual victims of apartheid in South Africa (together with external pressures from bodies such as those that applied sanctions and internal pressures from white South Africans and others who resisted the system) that apartheid was eventually overcome; or, to take another example, it is because of the joint efforts of numerous individual women (and some men) that women have won the right to vote. The extent to which individuals can confront and even overcome unjust structures, and the way in which effective strategies for the transformation of unjust structures and the realisation of human capabilities can be developed, are two of the central issues discussed in this book.

TRANSFORMING UNJUST STRUCTURES: THE CAPABILITY APPROACH

The essays in this book were delivered at a conference sponsored by the Von Hügel Institute in Cambridge, UK, on 26-27 June 2003, on “Transforming Unjust Structures.” This was the third in a series of conferences sponsored by the Institute, all of which have engaged with the capability approach of Amartya Sen. The first, “Justice and Poverty: Examining Sen’s Capability Approach”, which took place in June 2001, focused on the capability approach directly; the second “Promoting Women’s Capabilities: Examining Nussbaum’s Capability Approach” brought the capability approach of Sen into dialogue with that of Martha Nussbaum. The Human Development and Capability Association was then founded in September 2004 to promote high quality research in the interconnected areas of human development and capability, including *inter alia* the quality of life, poverty, justice, gender, development and the environment.³⁴

This volume opens with a keynote address by Paul Ricoeur on “Capabilities and Rights.” Ricoeur brings together the concepts of capability and rights under the encompassing notion of *recognition*, by which he means the identification of any item as being itself and not anything else. He attributes the notion of capabilities to the domain of the recognition of persons, and within that domain to self-recognition, whilst he attributes the concept of rights to mutual recognition. Like Sen, Ricoeur understands capabilities to belong to the lexicon of human action. He identifies the ability to speak, to act and to tell (and so to have “narrative identity”). He goes further by claiming that such action pertains to the assertion of selfhood at the reflexive level, that is, to a recognition of responsibility. Because I know myself to be able to act in this way, I am responsible for my actions. Agents are, however, not only accountable to themselves for their own actions, they are also mutually accountable. The recognition of such mutual accountability bridges the gap between the anthropological language of capability and the juridical language of rights. For Ricoeur, rights are instruments which ensure the mutual accountability of people’s actions. Through the ascription of rights, the capabilities of people are mutually recognised. The struggle for such recognition takes place in different “spheres” – for example, the social, the political and the cultural. Where such recognition can be achieved, it brings the benefit of increased self-esteem tightly linked to increased social esteem.

The approaches of Sen and Ricoeur are further compared and complemented in Séverine Deneulin's essay. She discusses Sen's capability approach to development as a freedom-centred view of development which is built upon three foundational elements: the aim of development as the expansion of the capabilities or freedoms that people have reason to choose and value; individual agency as the means through which these freedoms are to be expanded; and participatory or democratic decision-making as a privileged way through which that individual agency will be expressed. Deneulin argues that, as it stands, the capability approach is too "thin" to offer guidelines for actions which could transform the unjust structures that impede many people from exercising the capabilities they have reason to choose and value. Ricoeur's ethic of justice is put forward as a way of complementing and "thickening" the capability approach in its task of removing unfreedoms. First, Sen's reluctance to specify the valuable capabilities that are the ends of policies needs to be thickened by a vision of the good life, beyond human freedom. The consequentialist evaluation of actions needs to be complemented by a teleological approach that directs actions towards specific ends of human flourishing. Second, Sen's emphasis on individuals as subjects of development needs to be thickened by the acknowledgment of the existence of collective subjects, or of what Ricoeur has called "structures of living together." This implies the use of socio-historical narratives for understanding development policies and outcomes, for human action is never a-historical and detached from a community. And third, because of the fragility and fallibility of the exercise of human freedom, policy decisions which are purely based on the exercise of freedom in the political community need to be thickened by procedures of decision-making which make less fragile the processes by which the conditions for a good human life are secured.

Sabine Alkire argues that the writings of Amartya Sen themselves contain the necessary elements to transform unjust structures. In addition to his writings on welfare economics and social choice theory, Sen has written extensively on public action and democratic practice. Democratic practice, complementing Sen's understanding of well-being as the fulfilment of basic capabilities, is the key element for confronting structural injustice. Alkire begins with Sen's well-known studies of the role of public outcry in effecting positive change in famine-prone situations. She then traces Sen's use of related concepts such as public action and participation, and the role he envisages for them in addressing injustices such as chronic hunger and educational deprivation. She also analyses the role of democratic practice in value formation and change. Sen's work comments on democratic practice and related actions as instruments by which to confront injustice – but how is such democratically-based action to come about? One mechanism is the self-interest of decision-makers: politicians facing re-election must respond to popular demands. However, many of those who operate unjust institutions are not democratically accountable: bonds of solidarity and imperfect obligation must be cultivated to confront them. To overcome the "embedded collective action problem," committed activists within institutions seen to be unjust need to organize and work together for constructive change. They need to recruit "committed powerbrokers" as agents of change.

Nicholas Sagovsky widens the debate on the capability approach and structural injustice by introducing the thought of the most influential political philosopher of the twentieth century: John Rawls. First, he asks to what extent Sen pays attention to the social. He argues that for Sen, social factors are always seen to be subsidiary to the fulfilment of individual well-being. By contrast, though Rawls is similarly concerned with individual well-being, his primary focus remains on the social. *A Theory of Justice* (1971) begins with the lapidary statement, “Justice is the first virtue of social institutions, as truth is of systems of thought.” Sagovsky sets out to bring Rawls into dialogue with Sen, asking what contribution Rawls has to make, both to the debate about human capabilities and to that about structural injustice. He interprets Rawls’ concern with justice as a concern for a polity that will enable individuals to flourish in a way similar to that outlined by Sen. However, although Rawls offers a programme for the conforming of social institutions to the regulative norm of a just “basic structure” in society, he fails to confront the issue as to whether certain social institutions are intrinsically unjust. Sagovsky suggests that by Rawlsian criteria some social institutions may be seen as impervious to transformation for the better; also, that there is an urgent need to recover the sense, alongside Rawls’ “primary goods,” of “common goods.” To this end, Sagovsky suggests a third principle of justice to add to Rawls’ other two: that the basic structure of society must not work to the disadvantage of future generations. He also suggests, as a complement to Sen’s capability approach, the notion of “social capability”, which echoes the language of Sen but fits more comfortably with the thought of Rawls.

Discussing the potential of Martha Nussbaum’s capability approach and her work in feminist ethics for transforming the structural injustices that oppress women worldwide, Lisa Sowle Cahill argues that if the capability approach is to achieve its potential for improving the situation of women worldwide, it can profitably be brought into dialogue with insights from Catholic social teaching. Both take a universalist standpoint on values, and both take embodiment as the basis for defining human values and obligations, but Catholic social teaching has a lot to contribute regarding the intrinsic sociality of the person, and has a more positive attitude towards the role of religion as an empowering factor. The Catholic tradition has insisted that women’s sexual embodiment is intrinsically social (although it links sexuality with reproduction for women, but not for men), in contrast to Martha Nussbaum who analyses sexual embodiment in the mode of individual choice. Moreover, while Nussbaum sees compassion as a basic social virtue to promote justice, she ignores the power of religion in nurturing that virtue. Finally, the Catholic tradition, with its emphasis on the common good, solidarity, subsidiarity and the dignity of work, has a potentially significant transformative impact on people’s lives, albeit treating women differently from men. This contrasts with Nussbaum’s commitment to gender equality and (in the Kantian sense) emphasis on each person as an end in herself or himself. Each could thus learn from the other in order to be a liberating force in the lives of oppressed women.

The second part of the volume deals with more concrete examples of structural injustice and ways in which the capability approach can throw light on these. Teresa

Godwin Phelps examines the role of the Truth and Reconciliation Commission in South Africa in restoring justice. She particularly highlights the importance of the capability to narrate (a capability which Sen's capability approach has tended to overlook but which Ricoeur has highlighted) in order to transform an unjust oppressive state into a just democratic one. Remembrance and the capability to tell stories can be a powerful instrument for restoring structures which have been perverted by inhuman actions. Godwin Phelps argues that truth reports, by narrating the stories of the victims, can work as a compensatory mechanism for the victims, as a satisfying response from the state to recognise its past abuses and inhuman acts and to open a more human and just future. She especially inquires into what stories can do and how they operate in people's lives, and puts forward seven ways in which the activities of truth commissions may provide justice to victims. First, storytelling is an essential human activity through which humans assert their humanity; narrating gives humans an identity as persons inserted in a certain community and history. Second, stories can balance acts of violence by giving the opportunity to victims to recover a sense about themselves and to tell the truth. Third, stories are ways of discovering the truth. As perpetrators and victims will often not be able to give their testimonies in a court, truth reports can be a way of delivering the truth that would otherwise be unknown. Fourth, stories can translate and communicate among diverse people. In contexts of great social, ethnic and cultural diversity, stories help to communicate between people with a universal language. Fifth, storytelling is carnival, that is, a space in which people are temporarily freed from the existing social structures, an alternative social space that allows the participation of all. Sixth, storytelling is also a sacramental act, a way of making visible what is invisible, of putting back together what was once dismantled and fragmented. And, finally, the collection of stories into truth reports issues in documents that contribute to the creation of a renewed country with more just foundations.

Jean-Michel Bonvin and Nicolas Farvaque examine the particular injustices engendered by contemporary social policies aimed at tackling exclusion from the labour market in Europe. They analyse the relevance of the capability approach as an alternative framework for assessing the structures to which social integration policies give rise, and for proposing actions that would make these structures more just. They note that, when assessed according to the framework of the capability approach, unemployment has many faces beyond the loss of income. When employment policies focus on the loss of income as an instrument of social integration while ignoring the institutional framework that disallows people from exercising the capabilities they have reason to choose and value, they fail to meet their aim of reinserting the unemployed into the labour market. The choice of an adequate informational basis for judging states of affairs has thus far-reaching policy consequences. Employment policies ought fully to take into account the consequences of unemployment upon people's wide range of capabilities, among which Bonvin and Farvaque single out the capability for work (the capability to choose the kind of work one has reason to choose and value) and the capability "for voice." When assessed against the criterion of the promotion of these capabilities, some current employment policies in Europe generate patently unjust structures.

Bonvin and Farvaque focus on three types of employment policies: those which provide people outside the labour markets with cash benefits (decommodification policies), those which attempt to make job-seekers more employable via training mechanisms (human capital approaches to social integration policies) and those which constrain the unemployed back into work (workfare policies). They argue that an effective way of expanding people's capabilities is to make employment policies incorporate the capability for voice of the unemployed and other local actors, that is, the capability of people to make their own concerns heard and to take part in the decisions that affect their lives. In conclusion, some instances of the incorporation of this capability for voice in employment policies and in the work of local employment agencies are described.

Michael Watts and David Bridges address the structural injustices through which young people from families with no tradition of higher education and from lower socio-economic groups are underrepresented in the student body. They focus on the UK Government White Paper *The Future of Higher Education* which calls attention to the injustices embedded in current access to higher education. In calling for greater equality of access, the White Paper makes the assumption that higher education is desirable – at least for 50 per cent of the country's young people. This reflects policies which, out of a concern for social inclusion and economic development, seek to extend access to higher education. Watts and Bridges draw upon their recent study of the aspirations and achievements of young people who have chosen not to enter higher education to address the relationship between “capability” and higher education. They contest the widespread view that low aspirations and low achievements prevent young people from entering higher education. They discuss why some young people choose to exercise their capability *not* to enter higher education. Past injustices and the deficiencies of present policy are examined and illustrated through one of the life histories generated by the research. In order to consider the freedoms young people have to achieve the different lifestyles they aspire to (the real opportunities they have regarding educational participation) the authors posit three “typologies”: those who are initiated into, aspire to, or are outside higher education. Each of these is analysed in terms of capabilities. Although the drive for wider access to higher education is to be applauded, they conclude, the failure to address the real opportunities people have to enjoy the educational lives they want to lead (including the opportunities to quit education free from the accusation of having low aspirations and achievements) suggests that this may be an enterprise that is doomed simply to establish other educational injustices.

Another concrete case of structural injustice is analysed by Vincent Rougeau, who examines the particular injustices that poor, mainly black, people are suffering in the United States and the extent to which current American welfare policies are contributing to maintaining, if not deepening, these injustices. American welfare policies, and indeed American culture, are characterised by an entrenched commitment to individual freedom and autonomy. Within the American conservative mind-set, poverty is seen as a failure of personal virtue, as a state deserved by those who lack sufficient will and ambition to work, gain an income, and climb the social ladder. The author shows that where personal autonomy is

valued more than community integration, American law and public policies are poorly equipped to tackle poverty. Current American welfare policies of assistance to the poor (such as the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 which gave rise to the “welfare-for-work” policies) are based upon these liberal values of personal autonomy and deserved poverty, making a meaningful struggle against poverty even more difficult. Rougeau argues that a way for policies in the United States to be more conducive to poverty reduction is to re-discover a notion of the common good. Drawing especially from Ricoeur’s ethics, with its understanding of solidarity (self-esteem and solicitude) and of institutions necessary for good-living-together, from Sen and Nussbaum’s capability approach, and from David Hollenbach’s recent work on the common good (i.e., the good of being a community), Rougeau reassesses American welfare reforms. He particularly examines ways in which reforms could better integrate the poor into American society, ways in which they could enkindle a sense of communal responsibility in American culture as an alternative to the value of personal autonomy, and ways in which they could build the structural foundations for adequate incomes and social support for the American poor.

Julie Clague applies Sen’s capability approach to the world of commercial investment in biotechnology, supplementing it with the language of the common good which is fundamental to Catholic social teaching. She first shows the enormous importance of biotechnology for the future health (and so the future capabilities) of people throughout the world and the concentration of dedicated biotechnology firms in America, Europe and Japan. Clague then discusses the processes of patenting which protect the returns upon the huge capital investment required for research and development in this field. This protection of intellectual property operates massively to the disadvantage of poorer nations and may also hinder future research. New trade agreements in the 1990s, especially the Trade-related Aspects of Intellectual Property Rights (TRIPs) Agreement signed in 1994 tightened international intellectual property rules, raising further concerns about the disadvantaging of poorer nations in access to the benefits of biotechnology. These questions have become yet more acute with the spread of the HIV/AIDS pandemic amongst poorer countries and the need for cheap anti-retroviral drugs. The World Bank, the World Health Organisation, the United Nations Development Programme and the European Commission have all expressed concern about the long-term effect of TRIPs on the availability of health care in the less developed countries. In the last part of her essay, Clague focuses on the justice issues raised by biotech patenting, arguing the need for structures, institutions and political systems which have a concern for justice and the common good at their heart. She develops the idea of “benefit-sharing,” showing why the benefits of genetic research should be seen as a common good and shared accordingly.

CONCLUSION: A WAY FORWARD?

The origins of this volume lie in a close and appreciative study of the capability approach of Amartya Sen, which has been found fruitful not only for development

economists, but for social and political critics of developed societies. The work of the Von Hügel Institute is to look for ways of transforming poverty and injustice, whether in the developed or in the developing world. Its foundation is Roman Catholic – hence a concern in its work for the engagement of Catholic social teaching with contemporary political and social critique. The work of Amartya Sen, which espouses no explicit religious or metaphysical basis, has nevertheless proved particularly congenial in this regard because of its open concern with human flourishing (human capability), and its thoroughgoing commitment to human freedom.

Nevertheless, the work of Sen needs careful probing. He writes much more about freedom and freedoms than about justice: within the Christian tradition freedom and justice must be held in close relation to one another, for both find their metaphysical foundation in the being and activity of God. Sen offers us a peculiarly rich construal of freedom, because of his commitment to the freedom of the individual to identify and pursue the goals that he or she chooses and values. Nussbaum, who has also developed her own version of the capability approach, is no less committed to freedom as intrinsic to her anthropology, but is prepared to be much more prescriptive about the kinds of goals that human beings will choose and value, and should be enabled to pursue. In being more prescriptive (in identifying and listing “central human capabilities”) she opens the way to the social affirmation and the social prescription of such goals – she reconnects the capability approach with the subsidiary function of social institutions such as those of health, education, the media and the law.

Nussbaum, by being more prescriptive in her anthropology than Sen, may be said to suggest a more clearly defined subsidiary social agenda, and in this to draw closer to Catholic social teaching. Nevertheless, the flourishing of the individual, the fullest possible realisation of the capabilities that the individual chooses to develop, remains for her the social goal that can best be espoused by a plural society with a liberal agenda for justice. There are, however, complementary questions to be explored which are raised by those for whom the social agenda is more clearly defined. For them, human action is embedded within the life of a particular society as it persists through time. It is supported and developed by the society’s history, its narratives, its traditions and rituals (an area where Catholic social teaching has in its critique a great deal to offer). Human action is sustained by the deployment of power in its favour, whether illegitimately, as in totalitarian regimes, or legitimately in what Rawls calls “deliberative democracies.” In the study of this power, particularly as it is deployed institutionally and in the service of justice (or otherwise), thinkers like Ricoeur, Arendt and Rawls have a great deal to offer – and are partners in dialogue with the capability approach.

It is the conviction of the editors that the capability approach, particularly as developed by Sen, is robust enough to sustain still further searching enquiry. It is also the conviction of the editors that within this volume there lie important pointers to ways in which Sen’s approach needs to be complemented if it is to be still more effectively deployed in the service of human flourishing. The debate is far from concluded.

NOTES

- ¹ That social order emerges from utility and profit maximisation has been mathematically “proved” by Arrow-Debreu’s general equilibrium theorem in 1958.
- ² The critique of commodification – of air, or water, or land, or labour – is an important factor at this point, for that which can be commodified can be traded within the unjust systems of international exchange. Environmentalists such as George Monbiot (cf. Monbiot, 2003) make this point very strongly.
- ³ Nussbaum, 1997; Sen, 1987.
- ⁴ Hence, the famous Pareto optimality criteria which have long served as normative guidelines for welfare economics.
- ⁵ See for example Sen, 1992, 1993, 1999.
- ⁶ Sen, 1993: 30.
- ⁷ Nussbaum, 2000: 76-80.
- ⁸ Nussbaum, 1990.
- ⁹ Adam Smith, often considered to be the first economist, held the Chair of Moral Philosophy at the University of Glasgow, see Sen, 1987.
- ¹⁰ Cf. Wilfrid Owen’s poem “*Dulce et decorum est*” (“It is good and honourable”), which concludes by speaking of “The old Lie: *Dulce et decorum est Pro patria mori*”. See E. Blunden, ed. *The Poems of Wilfred Owen*. London: Chatto and Windus, 1931, 66.
- ¹¹ Sen, 1999: chapter 2.
- ¹² Sen, 2002: 83.
- ¹³ Sen, 1992: 151.
- ¹⁴ *Ibid.*: 40. Italics are ours.
- ¹⁵ Ricoeur, 1992: 172.
- ¹⁶ Arendt, 1958: 198.
- ¹⁷ *Ibid.*: 184.
- ¹⁸ Ricoeur, 1966: xxix.
- ¹⁹ For a summary of Arendt’s thought, see for example Passerin d’Entrèves, 1994.
- ²⁰ Ricoeur, 2000, 2004.
- ²¹ Arendt, 1961: 153.
- ²² Arendt, 1973: 113.
- ²³ Power usually does not achieve “something,” but rather creates a peculiar configuration of community life. Institutions work out a *social situation* by organising and imposing a pattern of behaviour in order to achieve a common goal. Ricoeur, 1990: 230.
- ²⁴ Arendt, 1961: 173-196.
- ²⁵ Arendt, 1958: 79-135.
- ²⁶ *Ibid.*
- ²⁷ Arendt, 1961: 153-154, 162-165.
- ²⁸ McFadyen, 2000: 80-104.
- ²⁹ Gustavo Gutierrez notes that from the beginning liberation theologians distinguished between (1) political and social liberation, which “points to the immediate causes of poverty and injustice, especially with regard to socio-economic structures,” (2) human liberation, meaning that, “although aware that changing social structures is important” we need to go deeper, and (3) liberation from selfishness and sin. It was because the liberation theologians focused on the problem of *poverty* that they were confronted with the endemic injustice of social structures which impoverished – structures from which the poor needed to find the strength to liberate themselves, as no one else was going to do it for them. See Gutierrez, 1999: 26.
- ³⁰ *Sollicitudo Rei Socialis*, 1987, § 36.2. Italics are ours.
- ³¹ Nebel, 2002.
- ³² One has to note that in Catholic social teaching, the wrongdoing (corruption) is objectively wrong, but the intention of the person doing the wrong (feeding his family) is not wrong.
- ³³ For popular critique, see Stiglitz, 2004; Monbiot, 2003.
- ³⁴ See <http://www.hd-ca.org>.