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HUMAN RIGHTS AND THE CAPABILITY APPROACH

Interpreting the capability approach: thin and thick views

The capability approach in the work of World Vision

Interpreting Indigenous Australians' right to health through 'capability rights'

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This edition of the Human Rights Defender looks at the relationship between human capabilities, development and human rights. The capability approach focuses on what human beings can actually do and want to be. It is centred on human well-being and the circumstances that people live in – rather than merely on what rights people should have. The capabilities approach emerged from work on extreme poverty alleviation and much of its original applicability was in international ‘development’ contexts. From the beginning, those advocating the usefulness of a capabilities approach have stressed the need to combine this approach with a focus on rights. Many of the articles in this edition were presented in earlier forms at a symposium titled, ‘Capabilities, freedoms and policy making in the Pacific region’, held at the University of New South Wales in November, 2009.

The capability approach is closely associated with its early pioneers, Amartya Sen and Martha Nussbaum, who have both written extensively and in divergent ways on the importance of capabilities in debates about human welfare, justice and the quality of life. Capabilities are closely aligned with human development, which privileges the well being of persons over the narrower economic focus of development that dominated both academic and policy debates since the 1960s. Since 1993 the Human Development Reports of the United Nations Development Programme (UNDP) have drawn on the concept of people’s capabilities in assessing the quality of life experience in the world’s nations. Sen was pivotal in urging the UNDP to adopt the conceptual framework of capabilities to better enable cross-country comparisons to assist in steering public policy. Ideally, employing a capabilities approach would allow human beings to cultivate themselves (their capabilities) in ways that they find meaningful and valuable.

In her article, Katharine Gelber elaborates on Nussbaum’s approach to capabilities, which at times controversially claims universal applicability in providing a ‘thick’ conception of what is needed for human functioning. Gelber employs the capabilities approach to assess the vitality of freedom of speech in Australia, drawing on the example of the APEC Economic Leaders meeting in Sydney, in September, 2007.

Mozaffar Qizilbash gives us an insight into the theoretical divergence among those utilizing the capabilities approach. We see that for Sen freedom is the central value that drives the approach, leading to both a formal – ‘technical’ – and informal set of tools through which to evaluate the quality of life and ultimately the happiness of people. As Qizilbash clarifies, the capability approach allows us to understand the detail of people’s lives, to be able to ascertain whether those lives are able to be lived decently – beyond bare survival.

International and local development agencies have increasingly applied capabilities principles in various humanitarian and development contexts. Tim Costello, the Chief Executive Officer of World Vision Australia, gives us an insight into the practical application of the capabilities approach. His article characterizes some of the

challenges faced by development organisations as they face the ‘principle-level’ dilemma of addressing the charity versus justice dichotomy in delivering programs and services and/or engaging in advocacy to tackle the root causes of poverty and disadvantage. The article goes on to give practical examples of the work of World Vision as an organisation that has integrated a capabilities and rights-based approach to human development.

Alpana Modi argues that the right to education ought to be accompanied by an evaluation of the quality of education offered which has to be attuned to the differences between children for just outcomes to ensue. She develops the example of primary and secondary education in Australia, evaluating the impact of the My School website. While the current Labor Government has signalled a strategic focus on education, Modi argues that the autonomy of individual schools is an important principle to uphold in ensuring that the right to education is not universalised rhetoric but rather is able to address the needs of individual students.

While the capabilities approach as the focus of this issue is both reviewed and applied by most authors in a positive light, Eva Cox offers a critique particularly of Sen’s use of capabilities from the view of the social. Cox views capabilities thinking as a well intentioned approach to extend justice, yet one with problematic foundations in that the individual is taken as the basic unit of needs fulfillment and functionalities, rather than the social group and the relationships all individuals are entwined in.

Panzeroni’s article applies capability rights to the case of Indigenous Australian’s right to use traditional medicine. Panzeroni indicates the primacy of the western medical paradigm which has the effect of excluding the possibility of traditional forms of medicine and healthcare to be on the table as one possible choice for indigenous health care.

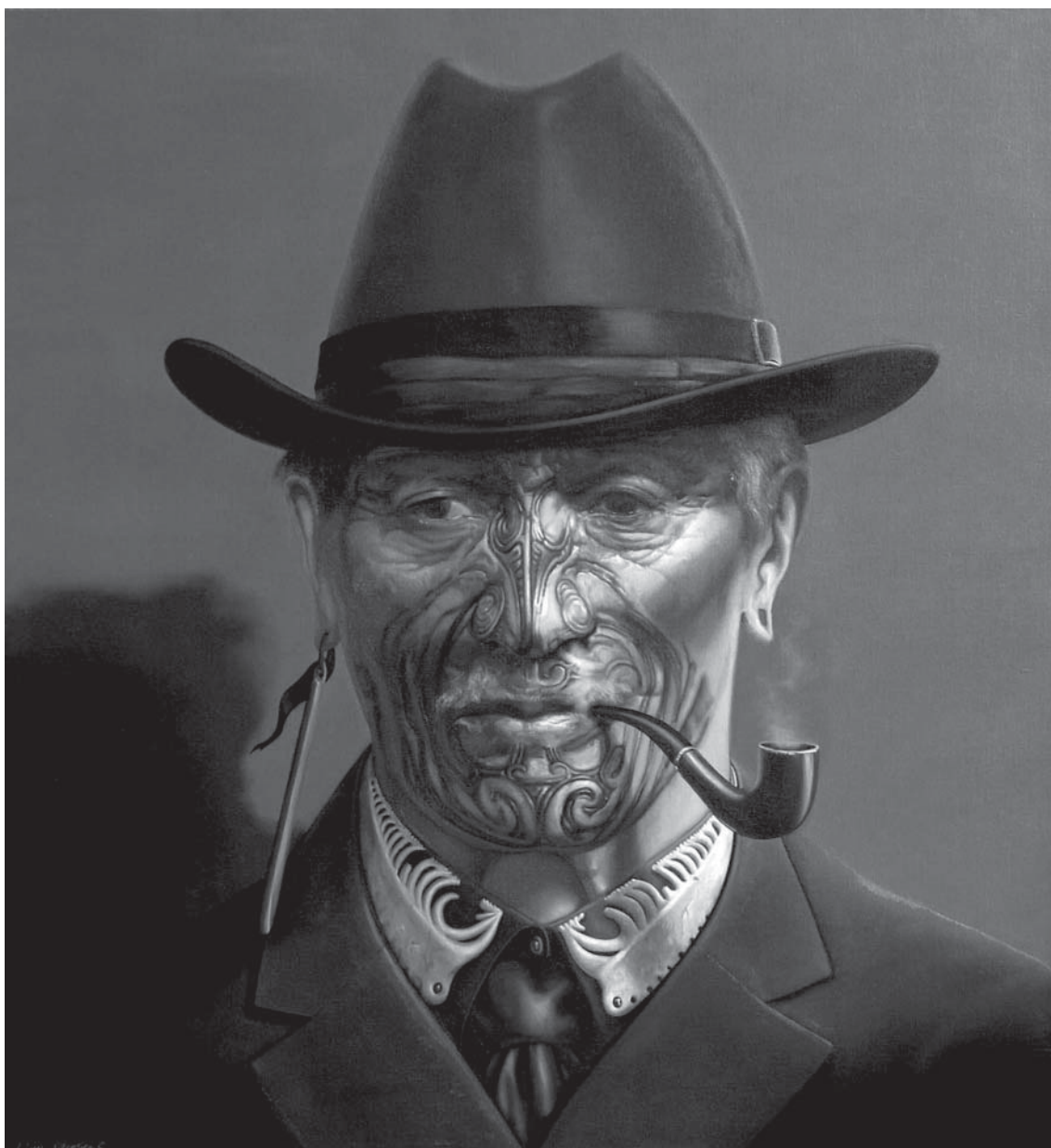
Crighon Nichols and his co-authors provide a brief overview of the important role of design and the application of appropriate technologies to enhance people’s lives and freedoms. The article summarises a roundtable discussion led by four researchers and teachers in the fields of architecture, design and planning. We see here examples such as the Design for Development (D4D) movement that puts the self-understanding of disadvantaged groups and communities at the centre of the design process.

We hope you enjoy reading this edition.

Claudia Tazreiter is senior lecturer in Sociology and Anthropology at UNSW. She specializes in the sociology of human rights, migration and human security.

Interpreting the Capability Approach: Thin and Thick Views

Mozaffar Qizillbash



Paul Jackson, *The Smoking Tohunga*, 2009. Oil on linen, 100 x 95 cm. Courtesy the artist and Boutwell Draper Gallery

Amartya Sen's capability approach has generated considerable debate, academic research and has influenced policy makers.¹ This approach can be understood in a number of ways. On one interpretation, it provides a critical perspective on other views which, in turn, leads to a positive case for including certain types of information in normative evaluation while making suggestive remarks on application. I refer to the capabilities approach in this form as constituting a 'thin view'. In this basic form the approach makes critical claims about problems in certain influential views such as John Rawls' theory of justice and economic approaches to the evaluation of progress and justice, which focus either on means, such as income and wealth or on people's 'utility' – whether this is understood as desire, satisfaction, or happiness. It asks us also to look at what these means do for people, the actual lives that they make possible or freedom to do and be various things.



Andrew Nicholls, *Merman* 2009. Archival ink pen on paper, 174 x 84 cm. Courtesy the artist and Boutwell Draper Gallery

This freedom is what Sen usually refers to as 'capability' and the various 'beings' and 'doings' people can achieve are known as 'functionings'. However, it is also clear that in this literature two different uses of the term 'capability' have emerged and that these two senses can come apart. On one interpretation 'capability' refers to combinations of functionings – where these combinations constitute lives – from which

a person can choose one combination.² Here the notion of capability is most naturally understood as an *opportunity* concept. On another more natural interpretation, capability refers to an ability or *power* to do or be something. Sen's 'technical' sense of 'capability' is the first of these interpretations: the freedom to achieve combinations of functionings. When Sen uses the term capability in the second sense (i.e. to refer to some specific ability or *power*) he is using it in a more informal way. Recognizing this looseness in his use of the term 'capability', Sen writes that 'the capability approach is ultimately concerned with the ability to achieve combinations of valued functionings and 'yet it is often convenient to talk about *individual capabilities* - where 'individual capabilities' are seen in terms of 'the ability to achieve the corresponding individual functioning'.³

As a thin view, the capability approach shifts our perspective – it asks us to look at information on capability and functioning alongside, or instead of, either the means to achieve these, or on 'utility', particularly when a focus on means or 'utility' alone can be deceptive. Focusing on each can be misleading but for distinct reasons. Firstly, people convert means into valued ends at different rates, where these rates reflect a variety of 'conversion factors'. Secondly, a focus on 'utility' can be problematic because, Sen argues, various deprived underdogs – like the oppressed housewife, the hardened unemployed or the overworked 'coolie' – might learn to find happiness in small mercies, or may satisfy their desires by cutting them down to realistic proportions. If they do so that does not mean that they are doing especially well – that their lives are decent or good or that they have many opportunities to live good lives. Evaluating their quality of life or justice in terms of desire, satisfaction, or happiness can for this reason be misleading.⁴ In these examples, the disadvantage of the relevant underdogs would arguably be better captured if one started from a capability perspective.

These arguments, which are central to what I am calling the 'thin' view are, in Sen's earlier works on capability, supplemented by some comments on the use of various techniques for evaluation when there are several functionings which may be valuable and people may differ in the functionings they actually value, or the weights they give to these in some specific evaluative exercise. If people all agree on a set of functionings – even if they differ on the weights given to these – there can nonetheless be agreement on a range of judgements – one option will typically 'dominate' or be judged to be better than another if it has more of all relevant functionings. And there may be a range of functionings which are fairly uncontroversial – such as being minimally adequately nourished or avoiding starvation – in an exercise such as poverty evaluation. One may sometimes be able to go quite far, Sen thinks, with such a minimal list on which there may be considerable agreement. Even if there is disagreement on weights, the possibility of agreed judgements is not necessarily out of reach even in the absence of dominance: if there is a *range* of weights on which people can agree, then even if they disagree on the precise weights to give to specific functionings – they may agree on some judgements. They may, for example, all give a very high weight to literacy or avoiding starvation even if they do not give precisely the same weight to each – and that may be all that is needed to agree on some policy to promote primary education or to address malnutrition or on some measure of poverty.

In his later writings, notably in *Development as Freedom* and *The Idea of Justice*, Sen has responded to various worries about the fact that the capability approach is apparently incomplete – and that he does not endorse any specific context-free list of functionings (or capabilities) – and does not generate a complete ranking of social states, in terms, for example, of how just these are.⁵ Importantly, he has argued for the importance of social choice and democracy in evaluations which might be acceptable across society or even across nations (according to the context).⁶ This dimension of his work can be seen as a further development or articulation of the capability approach, which makes it more than merely an alternative perspective. I have termed this more extended development of the approach Sen's 'thick view', since it goes beyond the limited suggestions about valuation in his earlier work. It is important to note that in these writings Sen still leaves

...the oppressed housewife, the hardened unemployed or the overworked 'coolie' – might learn to find happiness in small mercies, or may satisfy their desires by cutting them down to realistic proportions. If they do so that does not mean that they are doing especially well – that their lives are decent or good or that they have many opportunities to live good lives.

the approach incomplete. He does not, for example, suggest any formula for interpersonal comparisons of advantage or indeed for the selection of weights, such as the weight to be given to the least well off group in society, or to different functionings, in the evaluation of justice. Rather, he leaves these matters to public reasoning. Similarly, in his later writings, an account of which freedoms – including certain basic capabilities – ought and ought not to be protected as universal human rights depends on whether the claim to universality survives public scrutiny and reasoning across national boundaries.⁷ Nonetheless, that argument takes his approach well beyond its earlier incarnations and indeed raises further questions, such as: what form of public reasoning does Sen have in mind? Might such reasoning itself not be 'corrupted' by imbalances of power in society making it problematic when focusing on justice (including gender justice), development and rights? While Sen has elaborated his views on public reason,⁸ I cannot discuss them further here. The key point is that when people refer to the capability approach as including these further views they have in mind Sen's thick view. And some of those who agree with Sen on the importance of foundational concepts such as capability and functioning, as well as on problems relating to resource or 'utility' based evaluations, disagree with Sen on these evaluative issues. Martha Nussbaum, for example, uses both foundational concepts and also exploits the relevant critical claims about alternative positions in developing her version of the capability approach while taking a very different view to Sen's about the importance of articulating a list of functionings.⁹

What I have termed the 'thin view' is, I suggest, the core motivational base of the capability approach. Once one begins to go further by 'thickening' the approach, there is more scope for disagreement. That in part justifies Sen's concern in his earlier writings not to go beyond a general perspective of the sort constituted by the thin view. If capability and functioning are the key objects of value which are central in the capability approach, then Sen suggests that there is a case for 'pausing' prior to making the approach more 'complete' – along various lines which might include providing a specific list of functionings or weights. Nussbaum's evolving version of the approach which includes a list of capabilities, was a route Sen might have taken. But he insisted that there may be disagreement on evaluation including both the grounds on which weights are chosen as well as on the actual weights used in evaluation, while there can nonetheless be 'reasoned agreement on the general nature of the value-objects'.¹⁰ If reasoned agreement is something one is looking for, one might further claim that there is a strong case for associating *the approach itself* with the thin view even if it is recognized that in application it may often need to be supplemented with further evaluative judgements. Amongst other things, the thin view is something that the chief protagonists of the approach – Nussbaum and Sen – would agree on. It can be seen as the core which constitutes the capability perspective. That perspective can and does inform and can complement work on human rights especially through its focus on human lives and freedoms.

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Endnotes

- 1 Sabina Alkire, Mozaffar Qizilbash and Flavio Comim (eds), *The Capability Approach: Concepts, Measures and Applications* (2009) pp. 1-25.
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- 7 Amartya Sen, 'Elements of a Theory of Human Rights' (2004) *32 Philosophy and Public Affairs*, p. 320, pp. 348-355.
- 8 Amartya Sen, *The Idea of Justice* (2009) p. 233 and Mozaffar Qizilbash, 'Social Choice and Individual Capabilities,' (2007) *6 Politics, Philosophy and Economics*, pp. 169-192.
- 9 Martha Nussbaum, 'Nature, Function and Capability: Aristotle on Political Distribution' (1988) *6 Oxford Studies in Ancient Philosophy*, 145-184; B. Douglass, G. Mara and H. Richardson (eds), *Aristotelian Social Democracy, Liberalism and the Good*, (1992), 203-252; 'Human Functioning and Social Justice. In Defence of Aristotelian Essentialism' (1992) *20 Political Theory* 202-246; *Women and Human Development* (2000); *Frontiers of Justice: Disability, Nationality, Species Membership*, (2006).
- 10 Martha Nussbaum and Amartya Sen (eds) *The Quality of Life* (1993) Oxford University Press, Oxford. p. 48.

The elimination of ignorance, of illiteracy... and of needless inequalities in opportunities (is) to be seen as objectives that are valued for their own sake. They expand our freedom to lead the lives we have reason to value, and these elementary capabilities are of importance on their own - Amartya Sen



Paul Jackson, *The Unknown Woman and Feathers*, 2009. Oil on Linen. Courtesy of the artist and Boutwell Draper Gallery, Sydney

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