

# Recovering Nussbaum's Aristotelian Roots

SÉVERINE DENEULIN<sup>1</sup>

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## I. The capabilities approach

*Creating Capabilities* aims at making accessible to a wide, non-academic audience what Martha Nussbaum and Amartya Sen have been advocating for more than three decades. With his concept of 'capability', Sen provided alternative foundations to economics. Wellbeing, he argued, is best assessed not in the utility space but capability space, that is, in the freedom people have to do or be what they have reason to value (Sen, 1992).

Whereas Sen's concept of capability offers only an alternative space to utility for assessing states of affairs, Nussbaum has, ever since her first writings on the topic in the late 1980s, offered a stronger programme for political action. She brings the idea of capabilities beyond an evaluative space to constitutionally guaranteed fundamental entitlements. First, she has specified further the valuable capabilities which constitute the evaluation space of state of affairs. Whereas Sen situates the evaluation space in the 'capabilities people have reason to choose and value' and left it to public debate to specify 'valuable' capabilities (Sen, 2003), Nussbaum argues for an open-ended list of ten central human capabilities. Second, whereas Sen limits the idea of capability to a comparative exercise for evaluating states of affairs (Sen, 2009), Nussbaum brings the idea of capability towards a more fully-fledged theory of justice.

She argues that the aim of her capabilities approach – she uses the plural to distinguish her approach from that of Sen's – is to give people opportunities to be or do what they value being or doing. She associates her list of

central human capabilities with fundamental entitlements which governments have responsibility to guarantee. She illustrates the reach of her project with the life of Vasanti, an Indian woman from the state of Gujarat who is unable to do many things she values doing and being, such as having bodily integrity, being educated, having a decent and stable employment. Nussbaum argues that 1) analyzing Vasanti's life from the perspective of her list gives insight about deprivations and sufferings that no other ethico-theoretical framework would have highlighted, and 2) the capabilities approach gives citizens some framework to hold their governments responsible and accountable for what they should do, namely to protect a set of fundamental individual entitlements.

Nussbaum's project to link Sen's idea of capabilities with political action dates back to the 1980s. Her way of doing so was by setting her list of central human capabilities within the context of a 'thick vague theory of the good' (Nussbaum, 1990a: 217). She explicitly rejected Rawls' political liberalism with the freedom people have to choose their own conception of the good. Acknowledging that her position went against the mainstream in political theory (Nussbaum, 1988: 150), she contended that there were constituents to a human life that all humans shared as being worthwhile and that the aim of the government was to provide the structuring conditions for people to live a good human life.

According to Nussbaum, that governments ought to create the conditions for people to live good human lives does not mean that humans have no choice on how they live.

Each of the constituents of a good human life, eating, having bodily integrity, playing, being in relationships, etc. is infused by choice and practical reason. Humans choose what, when and how to eat, with whom and how to be with others, with what and how to play, etc. As Nussbaum wrote in the 1980s:

Truly human living requires performing all one's natural activities in a way infused by human choice and rationality; and that the capability to function in this human way is not automatically open to all humans, but must be created for them by material and social conditions (Nussbaum, 1988: 184).

Nussbaum's political activism took another turn in the mid-1990s when she shifted to political liberalism. Her list of central human capabilities is no longer a thick vague theory of the good, but a list whose function is similar to Rawls's list of primary goods. The central human capabilities are what people need to have access to in order to pursue their own conception of the good. Her capabilities approach is no longer based on a comprehensive vision of the human good and of what constitutes good human living (performing activities characteristic of human life according to the exercise of reason). This political-liberal account accommodates value pluralism and respects people's freedom to live a life of their choice, even if one profoundly disagrees with their choices. One may not choose to be a workaholic or have an unhealthy diet for oneself, but one should respect the freedom of others to live such lives.

Both an Aristotelian and political-liberal account of the capabilities approach emphasize the centrality of freedom, but in the former, freedom is the expression of practical reason, that is, the outcome of a deliberation of what constitutes the best decision in the context of the human good (Nussbaum, 1990a); in the latter, freedom is no longer constrained by concerns for the human good, a life freely chosen is the human good itself.

Given the dominance of liberalism in Anglo-Saxon academic circles, this political-liberal move has certainly contributed to the capabilities approach being a credible contender as a theory of justice. But it remains to be proven whether a political-liberal account of

the capabilities approach is sufficient to protect people's lives from the destruction of what they value being and doing. The remainder of the paper examines two problematic aspects of a political-liberal account of the capabilities approach.

## II. Affiliation and the common good

The focus of Nussbaum's capabilities approach is not on groups but on each person as an end, for human beings live separate lives from each other. Each person should be treated as an end in itself. Structures, like the caste system or patriarchy, and groups, like belonging to a church or self-help group, are important in determining capability outcomes, but they should be left out from the evaluation space. What matters is not what a structure or group is doing, but how each individual is doing.

As separate as humans are, the person is a 'social being' (Nussbaum, 2011a: 39) Nussbaum's capabilities approach views affiliation as an architectonic capability which influences all other capabilities: 'Affiliation organizes the capabilities in which deliberation about public policy is a social matter where relationships of many kinds (familial, friendly, group-based, political) all play a structuring role' (Nussbaum, 2011a: 40).

Nussbaum notes that affiliation can be a 'fertile' or 'corrosive' capability.<sup>2</sup>

Considering the protagonist of *Creating Capabilities*, Vasanti, affiliation both furthers and undermines other central human capabilities. Belonging to SEWA, the Self-Employed Women Agency, one of India and Bangladesh's biggest NGOs, has enabled Vasanti to use a sewing machine and generate some employment and independence for herself. The good quality of the relationships among SEWA members has enabled her to recover a sense of bodily integrity through friendship with other women. But belonging to the scheduled caste, Vasanti faces racial discrimination and stigma.

Affiliation is however treated differently in Nussbaum's Aristotelian and political-liberal accounts. In the latter, affiliation is a capability whose function is the same as Rawls's primary goods, to provide means for people to pursue whatever conception of the good they have. If

they choose not to make use of that capability, it is their own free choice.<sup>3</sup> In the former, affiliation is part of what a good human life is. There is no choice about the very fact of being in relation with other people. Affiliation is constitutive of human living, but the ways one affiliates with other people is subject, to a lesser or greater extent, to choice.

Another difference relates to concerns for the common good. In the political-liberal account, the central human capabilities are enjoyed by separate individuals and not by individuals who are in relation with one other and who form something bigger than their sum. There is no common end which individuals pursue except establishing the conditions (the principles of justice) in which people can pursue their chosen ends – this may include pursuing a life which does not contribute to the wellbeing of other people.<sup>4</sup>

On the Aristotelian account, given that relationships structure a person's life, the quality of these relationships becomes an integral part of good living and of justice. Whether SEWA is an organization which empowers women or which reproduces male patriarchy, or whether Indian cultural norms respect each person equally or disrespect some because of their birth, does not belong to Vasanti's life as such. The quality of our social relationships, from marriage and family relationships to work relationships and cultural norms, are as important as individual fundamental entitlements for assessing how well people are doing.<sup>5</sup>

In this sense, given affiliation, one's own good is co-dependent on a common good, a good constituted by the relationships one engages with. The good of the community formed by these relationships and the good of each individual are mutually implicating.<sup>6</sup> Freedom of speech may be one capability enjoyed by individuals, but it would not exist without the relationships of society as a whole defining the scope of freedom of speech and being structured by it. The functioning 'living in a free society', of which freedom of speech is one aspect, is a truly common good because it rests: 1) on citizens viewing each other in a certain way; 2) on citizens acting towards each other in a certain way because they view each other that way; 3) on citizens coming together in public dialogue to give concrete

definitions of what a 'free society' consists of.<sup>7</sup> That Germany has different freedom of speech laws regarding the Holocaust than the United States is a concrete example of the existence of a common good, of a good which pertains to a specific set of relationships built through history but which does not pertain to any individual life as such. On an Aristotelian account of the capabilities approach, freedom of speech is a common end which individuals pursue together as part of their efforts at living a good life as members of a specific political community. On a political-liberal account, freedom of speech is an all-purpose good for individuals to pursue their own ends. They have no common ends except establishing the conditions to pursue their own individual ends.

Nussbaum (2011b) justifies her political-liberal move on concern for pluralism. People have different views about how they should live and democratic societies should respect this. But her list of central human capabilities arose from what she calls 'Aristotelian essentialism' (Nussbaum, 1992). Originally, Nussbaum designed her list on the basis of what good human living consists of. A life which does not make use of these capabilities, does not constitute 'good' living. Taking this Aristotelian account one step further: because humans are social animals, they do not simply strive for a good life for themselves but for a good human life with others. This means that the quality of relationships among citizens in a political community becomes a core component of each person's good. For an Aristotelian account of the capabilities approach, justice is a virtue, not only of institutions but also of and by implication, a comparative view of justice needs to include people's ability to participate in society and collectively shape the public human beings. Justice as a virtue includes commitment to the common good, at the highest level, and the orientation of one's actions towards that aim (Keys, 2006: 122-3).

What constitutes the common good and necessary attitudes for a good living together is not fixed but essentially contested.<sup>8</sup> On an Aristotelian account, a political community is not a uniform organism but an association built on the interaction of people and hence, it is dynamic (Keys, 2006: 85). In post-WWII

Western societies, being a good citizen was partly being a good consumer. With the environmental threat, the assessment of good citizenship in terms of consumption behaviour is being challenged. Respect for the environment, and adopting sustainable lifestyles, are now increasingly seen as an essential quality of how people relate to each other and the world.

The capability to show concern for animals and the environment is one of Nussbaum's central capabilities. However, in her political-liberal account, this capability is no longer essential to what a good human life is. In her Aristotelian account, this capability, understood as the ability to choose how one cares about the environment (and not whether one cares or not), is constitutive of the common good. If having two cars will facilitate relationships among family members, and contribute to the common good of the family (members quarrelling less about distribution of the use of a single car), this decision is to be viewed within the context of the wider common good, for the common good of the family ultimately depends on the wider common good. The common good is the *telos* of human deliberation, and action has consequences for how one views human freedom.

### III. Practical reason and freedom

Within her Aristotelian account, Nussbaum wrote that living well as a human being was about 'performing all one's natural activities in a way infused by human choice and rationality' (1988: 184). Thus, exercising human choice is not deciding what to do or be on a whim but doing so according to human reasoning, which involves three steps (Nussbaum, 1990b). First, human reasoning is about taking decisions in the realm of contingent and particular realities. Perception of the context is key. What type of decision or action does the particular context require? Second, in order to decide what to do in a given context, one needs to have some knowledge of what it is that one is pursuing. Given the specific context, what is the best decision so that the good of myself and of the relationships I am part of can be enhanced?

Third, human reasoning involves deliberation, a process of choice where means and ends mutually adjust themselves. Consider human reasoning in relation to the capability to play. I have the capability to take 28 days of holiday leave a year. What to do with them? I could choose to take an expensive holiday overseas in a luxurious hotel with a golf course, or stay in Britain and rent an electricity-free hut in the countryside, or continue working. These three choices are not equivalent from a common good perspective. If I choose option 1, I may improve the relationship with my partner by taking a holiday, but my flying and its carbon emissions will perpetuate relationships of disrespect for the environment, and quite probably perpetuate unjust relationships in the country – the water for the golf course may have been diverted from local farming use. If I choose option 2, I may similarly improve the relationship with my partner but I will contribute less to perpetuating unjust relationships with the environment and unjust economic relations. If I choose option 3, I will contribute less to carbon emissions but will contribute to perpetuating a workaholic culture, which is detrimental to family life and personal relationships.

This may be a trivial and over-simplified example but there is clearly an issue of which is more conducive to the common good. Nussbaum (2011a: 39) writes that practical reason, as an architectonic capability, is 'just another way of alluding to the centrality of choice in the whole notion of capability as freedom'. However, the political-liberal version of the capabilities approach detaches freedom from the common good. In the Aristotelian account, it is not so much choice as such as the ability for practical reason, which should be protected. Nussbaum alludes to this in her writings on education (Nussbaum, 2010). Not all types of education are conducive to a good society, but one that is developing abilities for critical reasoning, for putting oneself in the lives of others and exercising imagination.

The move from Aristotelianism to political liberalism has practical implications for the concrete lives of people. Let us consider Wildo.<sup>9</sup> He and his family live in the Bolivian highlands, making a living out of farming and alpaca breeding. Every now and then, his family go to the city to sell meat and wool



at the market so they can buy the things they need that they can't produce themselves. However, the reality of climate change is limiting the opportunities Wildo has to be and do what he values. The snow showers are no longer sufficient to produce enough grazing for the alpaca livestock. The animals get sick and die.

Wildo is faced with the dilemma of continuing to live a life he values but at the cost of malnutrition, or of migrating to the city to find another source of living but at the cost of living a life in a way he does not value. A local farming organisation is currently helping him to cope with climate change by using other agricultural methods. How long it will remain possible for Wildo to live the life he values, to live in the land of his ancestors and carry on a way of life close to the natural environment, is uncertain.

Within a political-liberal version of the capabilities approach, governments should provide a set of fundamental entitlements which enable people to pursue their own conception of the good. But if people continue to have a lifestyle disrespectful of the environment and which privileges one's own comfort over concern for the common good – such as an individual car, a holiday abroad, plastic-wrapped ready meals, etc. – Wildo's ability to pursue a life he has reason to value, will not be guaranteed.

In contrast, in the Aristotelian account, there is no neutrality possible. Wildo's ability to live a life he values depends critically on people elsewhere in the world exercising human freedom according to practical reason, that is, to make choices in view of contributing to the common good. A conception of the good which does not include respect for others and the environment, is worse than one which includes such considerations. This does not mean that the good is absolute and set once and for all.

This point is dramatically expressed in the ongoing struggles of indigenous communities to live a life they value. The freedom of some people to pursue their conception of the good, a life based on material consumption and an instrumental stance towards the environment and exploitation of natural resources, prevents others from pursuing theirs. In a critical discussion of egalitarian liberal accounts of global justice, Robinson and

Tormey (2009) narrate the story of a group of indigenous people in West Papua whose lives are threatened by state-sanctioned logging, and ask whether the best way for justice to be achieved is for these groups to learn the language of rights and liberal democracy. The indigenous refuse to form an independent West Papua state to protect themselves from the Indonesian state. Quoting one member of the resistance movement: 'The struggle to free West Papua is not to take away one government and then replace it with a new government(...) It is a struggle between an ecologically harmonious way of life and an environmentally exploitative one' (Robinson and Tormey, 2009: 1405).

Indigenous struggles and exploitation of natural resources illustrate the limits of liberal accounts of justice. A pre-modern account of justice urges a common deliberation about the good life (Sandel, 2009). As long as a powerful minority of the world's population continues to live by conceptions of the good which are highly resource-intensive, conflicts are set to continue. The recognition and protection of indigenous rights may however contribute to a common deliberation about the good society and an understanding of a good life, largely in economic terms.

#### **IV. An Aristotelian version of the capabilities approach**

The project of *Creating Capabilities* is to advance an ethical framework, which is better at creating an opportunity set for people to be or do what they value than the utilitarian economic framework. Nussbaum sets this ethical framework within political liberalism. I have argued that the purpose of the capabilities approach is more fulfilled when it is set within the Aristotelian framework, from which it arose. An individual's good and the good of the relationships of which she or he is part, are mutually implicating; justice is a virtue of human beings and orients the exercise of human freedom towards the common good.

In an Aristotelian account of the capabilities approach, the focus of action is not so much securing central human capabilities seen as fundamental entitlements, as nurturing the type of relationships needed for such capabilities

to be enjoyed. Wildo's ability to do or be what he values is not facilitated by an economic system that subjects the lives of workers and the value of the environment to share prices. As there are material and social structuring conditions to individual capabilities (such as a public health system to give opportunities to be healthy, social norms of gender equality to give opportunities for all to be educated, etc.), so there are structuring conditions which do or do not enable people to exercise practical reason, that is, orient their freedom towards the common good. An economic system which prioritizes economic profits over people's wellbeing, is not conducive to people in that system making decisions in view of the common good.

An Aristotelian version of the capabilities approach reinforces the importance of character formation for creating an environment in which each person can live well. In a recent article on the revolutionary potential of Aristotelian politics, MacIntyre (2011a) argues that most current economic, social, political and educational institutions are inimical to the pursuit of the common good. His critique is fourfold. First, the capitalistic economic system compartmentalises one's life. We engage in different spheres of activities with different roles and expectations. In the family sphere, I am expected, as a mother, to have caring qualities. In the professional sphere, I am expected, as a manager, to be competitive and better than others. This, MacIntyre writes, 'contrasts with the Aristotelian question: "What would it be for my life as a whole to be a flourishing life? Qua human being, not qua role players in a particular situation".' (2011b: 12) Second, a capitalist economy has transformed human desire. Children are no longer taught to distinguish genuine goods from false ones, and people are led to desire what the economy wants them to desire. Third, MacIntyre argues, the large socio-economic inequalities have seriously disrupted democratic life. Finally, positive law is now guided by market concerns because the state has become the instrument of the capitalist economy, serving profit maximisation and money making for its own sake.

MacIntyre (2011b) argues that asking the Aristotelian questions – What does it mean to live a good life? What kind of economic

or educational system is required for us to live a good life? – is essential for confronting present injustices and re-shaping our current institutions. Are economic practices whose sole aim is profit-making conducive to the common good? Is the common good better served by an education system which follows the demands of the economy rather than the demand of democracy?

An Aristotelian version of the capabilities approach makes a central claim which, as Nussbaum foresaw in 1988, goes against the stream in Anglo-Saxon political theory: that human lives and communities are teleologically structured (Blackledge and Knight, 2011). Nussbaum (1999) has criticized MacIntyre for offering a view of politics which attaches human reason to divine authority as its ultimate source.<sup>10</sup> This is, however, a misinterpretation of MacIntyre's Aristotelian revolutionary politics. In an Aristotelian version of a capabilities approach, human action has a *telos* which is not fixed once and for all. Even what constitutes divine authority is endlessly debated and contested in historical communities.

The destruction of Wildo's life urges us to ask again the basic Aristotelian questions of how we are to live well together, and what kind of institutions, relationships and attitudes are needed so that each and all can live flourishing human lives on one shared planet. The capabilities approach, in its Aristotelian version, is one of the best frameworks there is for asking these questions again.

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<sup>2</sup> Wolff and De-Shalit (2007) have coined these terms to distinguish capabilities which enhance other capabilities (fertile) and which are detrimental to other capabilities (corrosive).

<sup>3</sup> Nussbaum illustrates her preference for political liberalism with the Amish. Governments should guarantee the conditions for people to pursue their own conception of the good, even one which rejects political participation as a form of good living.

<sup>4</sup> This argument is taken from Keys (2006: 34-35) who compares the treatment of the common good in Rawls’s political liberalism and in Aquinas-Aristotle’s political theory.

<sup>5</sup> See also Alexander (2010) who discusses why the capabilities approach need not be liberal and can include a republican understanding of freedom as non-dominating relationships. Wolff and de-Shalit (2007: 45) make a similar argument.

<sup>6</sup> For a detailed discussion on the common good, see Deneulin and Townsend (2007) and Hollenbach (2002).

<sup>7</sup> I am indebted to Colin Tyler for this example and argument.

<sup>8</sup> See Keys (2006) and Tyler (2006) for a discussion on the common good as an essentially contested concept, the former in Aristotle-Aquinas’s account of the common good and the latter in T.H. Green’s account.

<sup>9</sup> The story is taken from a video ‘Surviving Climate Change in the Bolivian Highlands’ at [www.cafod.org.uk/climatechange](http://www.cafod.org.uk/climatechange).

<sup>10</sup> She also criticizes ‘virtue ethics’ as an alternative to Kantianism and utilitarianism, on the grounds that 1) both Kant and Mill have an account of virtues and; 2) that the diversity of non-utilitarian and non-Kantian views are such that they cannot be gathered under the single category of ‘virtue ethics’.