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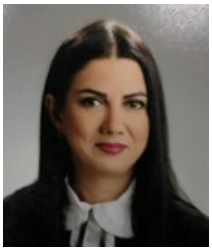

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# AN UNJUSTIFIED LEAP OF NUSSBAUM'S REASONING[1]

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**Abstract**
As an evaluative framework to various social problem such as inequality and poverty, the capability approach proposes that the just society is the one where people are able to achieve a good life. Although the approach has been taking a great attention from scholars and various (inter)national institutions since 1990s, its prominent figures, namely Amartya Sen and Martha Nussbaum, has been continuing a long-lasting debate that is about who is going to decide what makes one's life good. In this debate, Amartya Sen proposes that dimensions of good life should be decided by people themselves whilst feminist philosopher Martha Nussbaum advocates that what makes one's life good should be defined from a philosophical account of good life since some people, particularly disadvantaged ones, can be unable to decide what could make their life better. Drawing on a data collected three different cities of Turkey, this paper argues that disadvantaged people can be aware of their true-interests and make sophisticated judgements on their interests. This argument is supported and developed further by claiming that disadvantaged people can demand something that can be seen at first sight as false-consciousness towards their true-interests. However, such demands are in essence not because of their false-consciousness, but structural inequalities that do not allow them to follow their true-interests.
**Key Words:** *The Capability Approach, Social Justice, Martha Nussbaum*

## Introduction

Both the principle of justice and how the just society can be achieved are among the greatest questions of philosophical discussions of our era. Among mainstream approaches to social justice such as utilitarian, libertarian, and Rawlsian models of social justice, Amartya Sen and Martha Nussbaum's capability approach has been taking a quite substantial interest from not only scholars but also policy makers. Although the approach takes such a substantial interest from a large spectrum of people and institutional bodies, it still suffers from some ambiguities which have not been responded satisfactorily by those who proposed and developed the approach itself. One of the most striking question that still leads to continuity of debate between Amartya Sen and Martha Nussbaum is about who is going to decide what opportunities should be considered as the valuable ones and how these opportunities should be identified methodologically. This focal question that has led to emergence of a long-lasting internal division among the leading figures of the capability approach still represents one of the biggest ambiguities of the approach that is the most attractive evaluative framework of recent years in inequality, poverty, well-being and development studies.

Amartya Sen, who is a Nobel laureate economist, and Martha Nussbaum, who is a leading figure of contemporary political philosophy, critically approaches to the mainstream models of social justice. They can be both considered as figures who position themselves within the liberal-egalitarian tradition. They critically refuse normative approaches that restrict individual's (dis)advantage based-on her/his resource ownership and advocate that one's ability to achieve a good life should be the primary space of evaluation in assessing well-being, poverty, justice, or goodness of institutional arrangements. However, who should be entitled to the authority in deciding what makes one's life good or specifying dimensions of good life is the question that has led to emergence of two contending perspectives. On the one side, Amartya Sen deliberately avoids to specify dimensions of what makes one's life good, except for stressing significance of certain basic opportunities such as having shelter, freedom of movement, being clothed and access to food in one's ability to achieve a good life. This is known in the literature as deliberate incompleteness of Sen's capability approach. He puts forward various reasons to justify this deliberate incompleteness and advocates that people should decide what makes their life good themselves rather than determining these dimensions from a transcendental philosophical account. On the other side, Martha Nussbaum claims that Amartya Sen's conception of freedom, or capability, is too vague; and she advocates that if the capability approach has anything to say about, for example, (in)justice, then it must specify what beings and doings (or dimensions of good life) are valuable. Her foundational criticism of Sen's capability approach rests on the idea that people's (especially disadvantaged ones') preferences in valuing a being or doing can be distorted by unjust social conditions such as patriarchal norms and/or traditions. This is known in the literature as the question of adaptive preferences. Underlining influences of unjust social conditions that can distort people's preferences in what makes their life good and lead them to value something against to their true interests, Nussbaum advocates to specify dimensions of good life from a point that is extrinsic to people's own life. Thus, drawing on an interpretation of the Aristotelian conception of human dignity, she specifies some dimensions of good life from a

[1] This is a piece of work that I revised based on my previous research that I conducted in the framework of my Ph.D. studies completed in the University of Manchester/UK in 2016.

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transcendental philosophical account and calls them as "central human capabilities" which are, according to Nussbaum, valuable for everyone universally.

In this work, taking a position against to Nussbaum's claim, I critically discuss that her justification of specification of valuable opportunities from a perspective extrinsic to people's own life is flawed. I pursue this counter-argument by drawing on a data collected three different cities of Turkey where I particularly focused on everyday experiences of economically and socially disadvantaged people. An overall and detailed look at lives of disadvantaged people, especially those who are women, demonstrates that they are well-capable to develop a sophisticated deliberation concerning what could make their lives better. Although, what they express as dimensions of good life can be seen as examples of false-consciousness at first sight, such expressions of good life in fact are the best options that they can have without being more disadvantaged within the given circumstances of patriarchal and unequal structural relations. Therefore, the data that I aim to draw on in this discussion facilitates us in developing a further insight concerning that disadvantaged people, especially women, can be well-capable to reflect on and decide what makes their life better; but they can deliberately avoid to aspire and thus express those dimensions of good life due to, not having false-consciousness, structural inequalities that restrict them to ask for more and better options. Based on this discussion, I underline that both scholars and policy makers should pay more attention on structural inequalities that constraint people's choices rather than questioning their mental abilities in developing sophisticated judgements.

**A Normative Evaluative Framework to the Idea of Justice: The Capability Approach**

Nobel laureate economist Amartya Sen initially developed the capability approach as a perspective that focuses on the actual life of people who suffers from the consequences of various problems such as poverty, inequality, underdevelopment and injustice. As a new evaluative framework to deal with such problems by challenging mainstream utilitarian understanding of human well-being (see: Sen, 1979a, 1979b, 1985, 1987), the capability approach has been taking a quite broad interests from both policy makers and scholars. Different from many of the existing theories in the field, the capability approach boldly underlines the importance of social and human diversity and proposes that such diversities should be taken into account in assessing social issues related to injustice, inequality, poverty and underdevelopment. In this regard, its sensitivity to social diversities has gained it a reputation as a new perspective that illustrates a "sociological turn" (Robeyns, 2006, p. 371) within the existing literature.

The approach in essence has a quite clear and straightforward argument. It claims that a person's advantage depends not only what she or he possesses, but also how much she or he can make use of her or his possessions in order to achieve a good life that is compatible with her or his own definition of what makes one's life good. Individual's possession obviously can take quite a different forms such as income and properties. However, beyond this, individual's possessions can also take forms of entitlements or rights too. Regardless of what the form of resources that individuals hold is, the capability approach advocates that these resources on their own is not sufficient to assess individuals' well-being. It proposes that an assessment of individual well-being should also take how much they can make use of these resources into account. This is primarily because of that resources are simple means to achieve a good life, or well-being; and thus, the assessment of people's advantage cannot be limited to resource ownership. Sen (1983, p.160) discusses the relevancy of this view through an example of bike ownership. The significance of holding a bike is not, in essence, associated with its ownership for an individual, but rather in what its characteristic affords for her or him, *viz*., transportation. Holding of a bike is, Sen claims, is significant as long as it enables the holder's movement from place to another. Here, the capability approach distinguishes itself from other mainstream perspectives of justice that primarily focuses on individuals' holdings in assessing her or his advantage and claims that the individuals' advantage cannot be limited to possessions, but should be extended towards including what she and he can do with her or his holdings. In this regard, the capability approach proposes to focus on functions of means (e.g. mobility), or individual's holdings, rather than holdings (e.g. bike ownership) themselves.

In the literature of the capability approach, the functions of means are named as "functionings". These functionings reflect, in the literature of the capability approach, various things that an individual may give value to do and to be (Sen, 1999, p. 75). These can be being educated, healthy person, employed, mobilize, taking respect from society and so forth. Rather than advocating to put the resource ownership at the centre of the research, the capability approach proposes that we should focus on if individuals are able to achieve functionings that individuals value. However, considering that individuals who have different conceptions of the good may value to achieve different functionings that are in line with their own conceptions of good life, Sen deliberately avoids to identify what functionings are valuable for people. Individuals different conceptions of the good life is conceptualised by Sen as inter-end variations among people (see: Sen, 1990, p. 120 and 1992, p. 85). According to Sen, people themselves should be entitled with a right to identify what makes their own life good. This comes from the ethically and politically liberal nature of the capability approach that recognises the significance of the people's freedom to form their own ends and lifestyles (see: Sen, 2009, p. 237 and 238).

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Briefly saying, the capability approach advocates to focus on, not what people hold as resources, but what people can do and be with resources that they hold. It proposes to investigate if people are able to achieve what they value to be and do with their holdings, in other words possessions. However, Amartya Sen who initially developed the capability approach, deliberately avoids from identifying what makes one's life good, in other words valuable beings and doings due to the fact that different people can have different forms of conception of good life. Sen's such deliberate avoidance is known as the deliberate incompleteness within the capability approach's literature and has led to emergence of various criticism. Most prominent advocator of this criticism is Martha Nussbaum who is also known as a leading figure of the capability approach.

**A Long-lasting Debate in the Capability Approach**

As noted above, Sen deliberately avoids specifying valuable functionings, in other words what makes one's life good. However, he acknowledges that certain basic functionings are cross-culturally valuable such as free movement of person, accessing food, being clothed, having shelter and so forth (see: Sen, 1979b, p. 218; 2004, p. 78; 2005, p. 158). There are several reason why Sen deliberately avoids from specifying valuable functionings. First of all, Sen aspires the capability approach to be compatible with different conceptions of the good life that different people holds. According to him, it is impossible to reach a universal aggrement of good life in world where there are quite different forms of cultures that illustrates different forms of good life. Therefore, Sen avoids from identifying "objects of value" (e.g. holding a bike), but prefers to identify a "space of value" (e.g. being able to mobile) (see: Qizilbash, 2002, p. 468). Secondly, according to Sen, the capability approach is not a complete theory of justice; but rather than that, it is an evaluative framework in which quality of life, advantage/disadvantage, developmental practices, poverty and so forth can be assessed. As Robeyns noted (2005, pp. 195-196), Sen aimed to develop the capability approach as a general approach for the assessment of individual's advantage and social configurations of societies instead of developing it as a well-defined theory of justice. Therefore, instead of identifying a clear-cut theory of justice, he focused on developing the capability approach as a more flexible evaluative perspective that can be applied for the different forms of analysis that different social questions need to have. Thirdly, Sen himself puts an epistemological reason for why he avoids from identifying valuable functionings. According to Sen, a pure theory that is completely detached from the diversities of social reality "cannot 'freeze' a list of capabilities for all societies all time to come" (Sen, 2005, p. 158; 2004, p. 78). According to him, to expect such an achievement from a theory is misunderstanding of what a theory can (and cannot) do. Based on such reasons, Sen proposes that specification of valuable beings and doings should be done through a public "discussion" (see: Sen, 2009, pp. 241-243). People themselves, he advocates, should specify what makes their life good. Therefore, he frequently emphasizes that people must be given the opportunity of "shaping their own destiny" (Sen, 1999, p. 53).

However, contrary to Sen's proposal of specification of valuable functionings through public discussion, Martha Nussbaum who is also a leading figure of the capability approach claims that Sen's conception of freedom is too vague. According to her, if Sen's capability approach has anything to claim about justice or injustice, then it must specify what beings and doings are valuable (see, Nussbaum, 2003, p. 46). Nussbaum's foundational criticism of Sen's perspective is on the unreliability of what people aspire valuable for themselves. For example, she points out that

> (…) females in certain poor regions of India suffer from diseases of malnutrition in greater numbers than males do, and thus are less capable of various functionings requiring mobility and vigour. (…) Let us say that they make a more sophisticated answer: that, according to their deeply held conceptions of value, a lower level of capability in these areas of life is what it is right and good for a woman to attain. (…) Sen takes their case to show the deficiency of approaches to distribution that are based upon desire and satisfaction; well and good. (…) Just as people can be taught not to want or miss the things their culture has taught then they should not or could not have, so too they can be taught not to value certain functionings as constituents of their good living (…) (1987, pp. 38-9).

As can be seen in above quotation, Nussbaum's points out that some people, especially disadvantaged ones, can be manipulated by various entities of social structure, such as certain cultural values and norms, in valuing what makes their life good. Therefore, leaving the decision in what makes their life good to themselves can be misleading and unreliable. Nussbaum's criticism refers to the question of adaptive preferences, which is a long-lasting debate within the capability approach. However, in Nussbaum's works, the problem of adaptive preferences is usually reflected as a problem of false consciousness that constrains people from being aware of their true-interests. In other words, the way that Nussbaum address the problem of adaptive preferences illustrates that she sees the problem as one where disadvantaged people lack the capacity for sophisticated deliberation or critical reflection on their material circumstances. Such a conceptualisation can be seen in her writings based on her research in India where she talked to two disadvantaged women named Vasanti and Jayamma.

> Think, once again, of Vasanti and Jayamma. Vasanti stayed for years in an abusive marriage. Eventually she did leave, and by now she has very firm views about the importance of her

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> bodily integrity. (…) But there was a time when Vasanti *did not think* this way. (Nussbaum 2000, p. 112) (Emphasis added)
>
> When women were paid less for heavier work at the brick kiln and denied chances for promotion, Jayamma didn't complain or protest. She *knew that this was how things were and would be*. (Ibid. p. 113) (Emphasis added)
>
> …these [disadvantaged] women apparently had no feeling of anger or protest about their physical situation. They *knew no other way*. They *did not consider their conditions* unhealthful or unsanitary, and they *did not consider* themselves to be malnourished. (Ibid. p. 113) (Emphasis added)

Here the problem of adaptive preferences is approached as a problem of the absence of critical reflection. She notes certain ways of expressions to illustrate how disadvantaged women see their materially deprived conditions such as "Vasanti did not think in this way", Jayamma "knew that this was how things were and would be", they "knew no other way", they "did not consider their conditions". So, she approaches to the question of adaptive preferences in a way that illustrates disadvantaged people as beings who are lack of developing critical reflection on their materially deprived conditions.

On the other hand, I argue that disadvantaged people including women who suffer from implications of patriarchal social and cultural values can be well-able to approach their material circumstances critically. There can be some cases in which these people are well-aware of what could make their life better. However, structural inequalities can prevent them to demand such necessities of good life. This perspective reflects a way of understanding that claims disadvantaged people adapt their preferences, not because they are unable to develop sophisticated reasoning or critically reflect on their material circumstances, but because they are constrained by structural inequalities that do not allow them to express what they really aspire to do and to be. Below, I will illustrate and discuss this perspective in light of an empirical data.

**Against Nussbaum: The Role of Structural Inequalities in People's (De)valuation**

As briefly introduced above, Nussbaum's understanding of adaptive preferences illustrates an approach that disadvantaged people are unable to critically reflect on their constraining conditions. Such an understanding leads her to advocate that what makes one's life should be decided from a point of view extrinsic to disadvantaged people's life. Thus, she suggests to specify valuable beings and doings from a philosophical point of view. However, I argue that disadvantaged people are able to develop sophisticated judgements on their constraining conditions, and thus they are able to develop a critical reflection on their materially deprived conditions. They may avoid to express such reflections, not because of being unable to critically reflect on their material circumstances, but because of structural inequalities lead them to choose something else.

This argument is supported through a data collected in three different cities of Turkey, namely İzmir, Konya and Diyarbakır, in 2013 by conducting deep-interview with those who have different conceptions of good life and who are different from each other in terms of economic status, cultural belonging, age, gender, and political orientation. Talking to 44 people about their everyday life, economic and social aspirations, experiences in constraining social and economic conditions, interviewees are invited to discuss on conditions that could have led them to achieve what they value to be and do. One of these interviewees was an economically poor, divorced middle-aged and undereducated female living in Izmir with her two children. She was unemployed at the time of interview and was struggle with various constraining conditions including and many social and economic restrictions. After her divorce, she started to experience some other social constraints in addition to her economic constraints. One of the most striking ones among others was the way that, she spoke of, how other people see her as a divorced woman. After she spoke of that the physical and verbal harassment of men is a serious problem for a divorced woman in her neighbourhood, I asked her if she experienced any such harassment. She related a personal experience, which was not easy for her to share

> Interviewee: I mean, I have not told anyone so far. So, it is a bit difficult [to tell]. (…) It happened in this building. In the elevator… There is a son of a neighbour. He is much younger than me. We had actually very good relation with (his) family. We were visiting each other frequently. But, I could not realise that their son thought about me in this way. (…) He jumped on me in the elevator and harassed me with his hands. I can only say that much.
>
> Researcher: Why did you not go to police or tell this to his family?
>
> Interviewee: No no, never. (…) Because, if I did something, it could have been worse. (…) It could have been worse. I am a divorced woman. If this [harassment] is heard, then doing the same thing becomes easier for other men.

Looking what she said at the first part of her talk in above quotation, we can speculatively consider that she was not aware of her true interest in going to security officials and reporting the harassment that she experienced.

However, the second part of the quotation from her interview illustrates that she did not report the harassment, not because of being unaware of her right to ask for protection, but because of the fear arising from the spread of such harassment in her neighbourhood, which could, according to her, make easier for others to harass her more. This reasoning illustrates that her deliberate avoidance from seeking her right to be protected against harassment through the help of official bodies is not because of her unawareness concerning her official rights, but because of fear that spread of words concerning her experience of harassment can socially constrain her in everyday life further due to risk of facing same treatment again.

Another example of the claim supporting that the disadvantaged people can be well-aware of their true interest but avoid to pursue it because of structural inequalities is from a poor, unemployed housewife living in Diyarbakır. She was a participant who considered herself as the primary caregiver in her family while considering her unemployed husband as the primary breadwinner of her family. When I asked what the most constraining question in her life, she pointed out her husband unemployment, rather than her own. Considering such narrative of her, it could perhaps be said that she had already internalised a patriarchal division of labour within household. This partly explains why she values her husband's employment more than hers. But, it is not a sufficient explanation. This is because when I asked her what would be happen if she and her husband changed roles within the family and her husband was responsible for housekeeping whilst she worked, she responded that

> Interviewee: No, this wouldn't happen. (…) There would be rumour, gossip...
> Researcher: Who would do that? Neighbours?
> Interviewee: Everyone would. People's mouths are not a bag that you can shirr[2].
> Researcher: What they would say for example?
> Interviewee: They would talk. They would say 'are you not man?', 'Can you not take care of your home [family]?' (…) They would keep talking.
> Researcher: Let them talk. You do not have to care…
> Interviewee: No, you should. Why do you become bad [with neighbours]? (…) When you are in trouble, when you are in need of something, what do you do? You knock your neighbour's door. Who does want to be in bad with neighbours?

The above quotation from my interview with her refers to the potential humiliation of the head of the family if gender roles are reversed in a patriarchal society. Yet, the disadvantage in such a case would not only be limited to humiliation, but also might result in a rupture in social relations. On the other hand, when the interviewee's dependency on good neighbourhood relations is considered, losing her community's respect and solidarity by acting against established norms is an unaffordable risk. In this regard, the interviewee's overvaluation of her husband's employment *vis-à-vis* hers own can be considered as a preference adapted to the established norms of her social context and shaped by the deliberately pragmatic reason of preserving social solidarity. Thus, it becomes difficult to argue that the interviewee prioritises her husband's employment simply because she was deprived of the ability of making rational judgement and choice.

The examples concerning disadvantaged people's ways of approaching their own constraining conditions illustrates that they sometimes engage in an action or (de)value some beings and doings not because of they are unable to develop sophisticated judgements on their constraining conditions, but because of structural inequalities do not allow them to aspire or do something. Accordingly, justification of the claim that specification of valuable beings and doings should be from an extrinsic point of view to disadvantaged people's life since they are unable to develop sophisticated judgements or critically reflections concerning what makes their life good is a not always true. As the cases of two disadvantaged women above demonstrates that such a claim is in some cases falsified.

**Conclusion**

As briefly discussed above, the capability approach has emerged as a new evaluative framework that has been drawn on by quite a large spectrum of people including those who work in various international organisation and academia. Although the approach has been taking seminal interests since it emerged in 1980s, there are still certain ambiguities that has not been clarified by its proponents, namely Amartya Sen and Martha Nussbaum. One of the most striking one among such ambiguities is about the specification of what makes one's life good, which is known as the question of list within the capability approach. On the one side, Amartya Sen advocates that the dimensions of the good life should be decided through a public discussion and people themselves should be in charge to decide what makes their life good. On the other side, feminist political philosopher Martha Nussbaum claims that Sen's perspective is too vague and if the capability approach has anything to say about justice, then it should propose a clear list of what makes one's life good. Her reasoning behind this justification is that people, particularly disadvantaged ones, can be manipulated by various entities including cultural norms and values as well as constraining social structure. Thus, what they deem valuable may not be reliable source of information. Therefore, she proposes that valuable capabilities, or dimensions of good life, should be specified from a philosophical point of view that is extrinsic to those people's lives. However, when she points out manipulating

[2] A saying that is similar to the rumour "spreads like wildfire".

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role of the social structure, she embraces an approach illustrating that disadvantaged people can be in a false-consciousness concerning what their true-interest is. However, based on an empirical data, I argued in this work that disadvantaged people are not always in false-consciousness, but choose to value something that is at first sight can be seen as an outcome of false-consciousness due to structural inequalities that push them to choose something that can be seen as a consequences of false-consciousness without making a further and deeper investigation to their lives. Based on this, I claimed that Nussbaum's reasoning in justification of specification of valuable capabilities from a philosophical account since disadvantaged people can be in a false-consciousness is flawed.

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