



## The BIG Thinkers

Leaving Certificate Politics and Society



Nussbaum, Martha



**Key Concepts:** Human Rights, Social Justice, Education

**Specific Arguments:** Human Rights through Capabilities, Liberal Education



**Influential Work:** *Creating Capabilities* (2011) and *Cultivating Humanity: A Classical Defence in Reform of Liberal Education* (1997)

# Martha NUSSBAUM

(1947 to Present)



## Human Rights and Human Capabilities

Martha Nussbaum points out that when governments and international agencies talk about people's basic political and economic entitlements, they regularly use the language of rights. Although she acknowledges that *'the language of rights has a moral resonance that makes it hard to avoid in contemporary political discourse'* she believes that a rights based approach doesn't go far enough. She is also critical of models of measuring development and quality of life which rely on Gross Domestic Product (GDP) figures. According to Nussbaum *'this crude measure can give high marks to countries that contain alarming inequalities, countries with a large proportion of people not enjoying the fruits of economic growth'*.

Along with Amartya Sen, she puts forward a different approach known as the Human Development or Capabilities Approach. This emphasises the need to look beyond what an individual possesses, and instead to look at what they can *achieve* with these possessions – the *capabilities* of an individual arising out of what they possess. *'It begins with a very simple question: What are people actually able to do and to be? What real opportunities are available to them? This question, though simple,*

*is also very complex, since the quality of a human life involves multiple elements.'* She argues that *'the Capabilities Approach is the counter-theory we need in an era of urgent human problems and of unjustifiable human inequalities.'*

But even before this new measurement can be enacted, thus facilitating rights, Nussbaum first challenges contemporary liberalism, something she believes greatly impedes the facilitation of basic constitutional rights. She is critical of contemporary neoliberal economic policy, arguing that its dominance leads to a grave negation, even eradication, of basic human rights. Nussbaum criticises its emphasis on negative liberty ( and its insistence that interference from the state should be kept to a minimum - Nozick, Neoconservatism, Libertarianism, etc.), and instead argues for *'positive'* liberty. Inspired by theorists such as J.S Mill, this emphasises the freedom to make the world a better place for the disadvantaged. She calls this *'the only sort of liberalism worth defending.'*

So, armed with a liberalism much more sympathetic to altruism and welfare, she proposes the idea of the *'social minimum'*, an equal starting point deserved by all, which *'should be respected and implemented by the governments of all nations'*. This is based on the human capabilities approach.

This approach, Nussbaum argues, can transcend state limitations, and can accommodate all citizens, including the disabled, women and vulnerable groups. In addition she suggest *'this approach provides a fine basis for a theory of justice and entitlement for both non-human animals and humans.'*

On the other side of capabilities is functioning. *'A functioning is an active realisation of one or more capabilities.'* Capabilities are important because they may lead to functionings (or the realization of capabilities) but she points out that human freedom and choice must be honoured. She believes that *'capabilities not functionings are the appropriate*



Creating Capabilities

THE HUMAN DEVELOPMENT APPROACH

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*political goals, because room is thereby left for the exercise of human freedom'. So for example, governments should provide health care but cannot force people to take up healthy life-styles.*

Nussbaum argues that the following list of central capabilities, which must be afforded to citizens if rights are to be attained.

- 1) Life: Being able to live a full, healthy, life
- 2) Health: Being able to enjoy health, shelter, and nourishment
- 3) Bodily integrity: Being able to move freely without suffering any form of assault, and being able to choose one's own partner
- 4) Senses, imagination, thought: Being able to attain fully formed senses pertaining to the human condition: arts, sciences, education, etc. Personal choice in music, literature, religion. Full freedom of religious expression and freedom of expression
- 5) Emotions: Being able to fully engage human emotions
- 6) Practical reasoning: Being afforded full, measured and logical, decisions
- 7) Affiliation: Being able to affiliate with whomever the individual desires, from friend to political ideology/party
- 8) Other species: Being able to live with concern for other species
- 9) Play: Being able to engage in human joviality, laughter, play, etc.
- 10) Control over one's environment: Being able to exercise personal agency with regard to marriage and politics.

## Education

It is her hope that education can *'cultivate humanity'* and develop *'world citizens'*. She suggests that three capacities are essential for the cultivation of humanity in today's world. Firstly, *'is the capacity for critical examination of oneself and one's traditions... this means not accepting any belief as authoritative simply because it has been handed down by tradition or become familiar through habit'*. Secondly, is the ability *'to see oneself as a citizen of not just one region or group but also, and above all, as human beings being bound to all other human beings by ties of recognition and concern'*. We must recognise our common needs and aims in a world that is inescapably international. The third ability that students should attain is *the narrative imagination*. *'This means the ability to think what it might be like to think what it might be like in the shoes of someone different than oneself'*.

Nussbaum approaches education, from a liberal perspective. Influenced by Socrates, she believes that liberal education she argues should be Socratic - committed to creating critical and independent minds.

*'In order to foster a democracy that is reflective and deliberative, rather than simply a market place of competing interest groups, a democracy that genuinely takes thought for the common good, we must produce citizens who have the Socratic capacity to reason about their beliefs. It is not good for democracy when people vote on the basis of sentiments they have absorbed from talk-radio and have never questioned. The failure to think critically produces a democracy in which people talk to each other but never have a genuine dialogue. In such an atmosphere*

*bad arguments pass for good arguments and prejudice can all too easily masquerade as reason’.*

## **Feminism**

In *Sex and Social Justice* Nussbaum links her passion for social justice with a feminist critique of society. She points out that *‘Many women all over the world find themselves treated unequally with respect to employment, bodily safety and integrity, basic nutrition and health care, education, and political voice. In many cases these hardships are caused by their being women, and in many cases laws and institutions construct or perpetuate these inequalities’.*

She develops a concept of feminism that is characterized by five features – internationalist, humanist, liberal, concerned with the social shaping of preference and desire and finally, concerned with sympathetic understanding.

## **In Summary**

- Nussbaum promotes the *‘capabilities’* approach to measuring human wellbeing
- Nussbaum sets out a vision for Liberal Education that will lead to critical and active citizens working for the common good.
- She develops a feminist theory that combines the personal and the public sphere and brings together elements of national and global justice.

## **Other related thinkers**

Kathleen Lynch, Amartya Sen, Paulo Freire, Robert Nozick

## **Materials Consulted**

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