



Foye, C. (2020) It's about process: who draws up the list of capabilities and how? *Housing, Theory and Society*, 37(3), pp. 300-304.

(doi: [10.1080/14036096.2019.1705385](https://doi.org/10.1080/14036096.2019.1705385))

This is the Author Accepted Manuscript.

There may be differences between this version and the published version. You are advised to consult the publisher's version if you wish to cite from it.

<https://eprints.gla.ac.uk/210055/>

Deposited on: 17 February 2020

Enlighten – Research publications by members of the University of Glasgow
<http://eprints.gla.ac.uk>

It's about process: who draws up the list of capabilities and how?

Invited open-peer comment on housing and capabilities

Author: Chris Foye, University of Glasgow

Date of submission: November 2019

Abstract: I agree with the focus article that, in theory, 'capabilities' represent the most ethically appropriate informational space for evaluating housing outcomes. My concerns with the article are twofold. First, it overestimates the practical utility of the capabilities approach for qualitative and quantitative housing research. Second, it leaves unanswered the more pressing and pertinent procedural question of "who decides on the list of capabilities and how?". In line with Sen, I argue that the list of capabilities (or any alternative framework for evaluating housing outcomes) should be determined from the bottom-up through a process of deliberative democracy.

Thanks to the editors of the journal for providing me with the opportunity to comment on this paper. As a supporter of Sen's capabilities approach I am sympathetic with the paper's line of reasoning. It offers a good summary of the key ethical advantages of the capabilities approach, and synthesises the (limited) existing evidence on the capabilities approach as applied to housing.

My main issue with the paper is that it oversells the practical utility of 'capabilities' as an informational space, and underspecifies and undersells the procedural component of Sen's approach. Like the author, I focus on Sen's capabilities approach rather than Nussbaum's. Many of the arguments below come from recent papers I have written with David Clapham (Foye, forthcoming; Clapham and Foye, 2019).

The authors start by discussing some of the key theoretical concepts of the approach, but they do not really discuss its epistemological foundations. Perhaps space was the limiting factor, but fundamental to the capabilities approach is the idea

that individuals have reason to value many goods (freedom, well-being, duty) which inevitably come into conflict with each other and can only be chosen between arbitrarily (see Sen's flute example – 2009: 12-15). Transcendental rationalist 'theories' of justice ignore this conflict, generally by elevating the one good that the author happens to value most – be it happiness, liberty, or equality – at the expense of all the others. The capabilities approach, on the other hand, is designed to respect this plurality of values both as an *informational space* and, crucially, as a *process*.

Sen's capabilities approach as an informational space

By defining justice and progress in terms of people's effective freedoms to do the things they have reason to value, the capabilities approach respects both 'well-being' and 'agency'. It respects happiness and basic human functionings as end goals, but it also places intrinsic importance on the effective freedom of individuals to realise those functionings (or not). It is the step that the capabilities approach takes in abstracting out from well-being which G. A. Cohen (2011: 49) labelled as "*profound and liberating, albeit remarkably simple*", and which puts it in a uniquely strong position to respect the plurality of goods that individuals have reason to value. However, it is this same abstraction away from well-being that also makes it ill-equipped to quantify progress or, I suspect, to fully capture the passive feelings that individuals value, and have good reason to value, in relation to their home.

When we operationalise the capabilities informational space at a large scale, the distinction between functionings and capabilities collapses (as the author recognises). It is often unfeasible to measure a person's capabilities as they are abstract, hypothetical states. Those seeking to adapt the capabilities approach for large scale measurement look instead at people's functionings (see Coates et al., 2013 in relation to housing) but this just re-introduces the same risk of paternalism and majoritarianism – of neglecting agency - that the capabilities approach is designed to guard against.

For sure, Sen has played a hugely influential role in ridding technocrats (and neoclassical economists) of the rationalist illusion that progress must be reduced to a single metric, even if he failed to enlighten UK Treasury whose Green Book (2018) for policy evaluation could have been written by Jeremy Bentham. But this emphasis

on measuring progress using other metrics than income predates the capabilities approach. In 1976, the emergent 'quality of life movement' (Anger, 2005) was already calling for “*a broader and more sensitive set of measures that will provide a fuller description of people's lives*” (Campbell 1976, 118).

At a smaller scale, it is also unclear the extent to which the capabilities approach can capture the complex subtlety and passivity that characterizes people's relationships with their home. The capabilities approach works well for substantive freedoms that can be discretely separated out and defined – e.g. the freedom to access green space – but there are a lot of senses and feelings that people value from homes such as 'homeliness', which cannot be neatly 'pigeonholed and padlocked' into 'effective freedoms'. This chimes with G.A. Cohen's critique of the capabilities approach for espousing an all too 'athletic' image of the human deriving happiness only from what they can do (Cohen, 1993, pp. 24±5), and ignoring the many passive ways in which humans derive happiness.

Would housing and urban policy be in a better place if scholars, policymakers and practitioners started from the understanding that capabilities are the optimum informational space for evaluating housing outcomes? Absolutely. We would be less at risk of the paternalism on space standards described by Pader (1994). We would be less inclined to measure a regeneration project using house prices as a positive metric of progress, as was done with Housing Market Renewal in England (Clapham and Foye, 2019). And we would be more willing to recognise the blurred distinction between fact and value (Putnam, 2002). But, in practice, as an informational space, I'm not convinced the capabilities approach has that much to contribute to the housing and urban studies empirical research agenda.

Sen's capabilities approach as a process

It is the procedural component of the capabilities approach - the colossal question of who should decide on the list of functioning/capabilities, and what form this process should take - which I think has the most radical implications for housing and urban studies.

The author recognises the existence of these questions at the top of page 10, but they plant themselves firmly on the fence, concluding that when it comes to deciding

on a list of capabilities and relative weightings, “Different methods are used for different purposes of research, and all of them have both weaknesses and strengths”.

This is a key lacuna that the paper leaves empty, and it makes it difficult to properly evaluate the author’s approach. In their defence, Sen too has been elusive in specifying an ideal process for deciding capabilities. We know that he refuses to specify a list of central capabilities - which is his main departure from Nussbaum who does specify a provisional list of ten central universal human capabilities, albeit a vague and stretchable one¹. Beyond this, Sen offers very little advice on the process for drawing up and ranking a list of capabilities.

Nevertheless, if we bring together his thinking, we can start to picture an ideal process that resembles deliberative democracy (Crocher, 2006). The two statements below illustrate this;

“If the listing of capabilities must be subject to the test of public reasoning, how can we proceed in a world of differing values and disparate cultures? How can we judge the acceptability of claims to human rights and to relevant capabilities, and assess the challenges they may face? How would such a disputation — or a defence — proceed? I would argue that, like the assessment of other ethical claims, there must be some test of open and informed scrutiny, and it is to such a scrutiny that we have to look in order to proceed to a disavowal or an affirmation. The status that these ethical claims have must be ultimately dependent on their survivability in unobstructed discussion. In this sense, the viability of human rights is linked with what John Rawls has called ‘public reasoning’ and its role in ‘ethical objectivity’” Sen, 2005: 162

“We come back again to the perspective of capabilities: that different sections of the society (and not just the socially privileged) should be able to be active in the decisions regarding what to preserve and what to let go. There is no compulsion to preserve every departing lifestyle even at heavy cost, but there is a real need—for

¹I think the authors could have done more to justify and make explicit their choice of Sen over Nussbaum -at one point they describe a study using Nussbaum’s approach (Nicholls, 2010) without discussing its limitations.

social justice—for people to be able to take part in these social decisions, if they so choose” Sen, 1999: 241

A deliberative democratic approach is also consistent with Sen’s idea of (trans-)positional objectivity (1993) and value pluralism. Since every observation is position-dependent, and every judgement made through a lens that is unique to us, getting a select group of people – be it policymakers, academics, or community elders - to define a list of functionings is likely to bias the list towards their worldview. Rather, in the fashion of pragmatists and ‘pragmatic realists’ like John Dewey and Hilary Putnam (e.g. Putnam, 2008), the list should be developed from the bottom-up, by those citizens who stand to be affected, through a process of deliberative democratic public reasoning. To arrive at the most reasonable list of capabilities we need citizens to reason with each other, consider other critical perspectives, and decide through a majority vote if necessary (a complete Habermasian consensus is rarely achievable). If the list of functionings we end up deciding upon is unreasonable then at least in focussing upon capabilities we won’t be paternalistically imposing it upon people.

If, however, deliberative democracy is Sen’s ideal process for arriving at a list of capabilities – and I fail to see any alternative - then it is much more susceptible to the adaptive preferences problem than the authors suggest². If all the residents in the author’s fictional community (pg. 8) get together and agree (women included) that the issue of who possesses the tenure of a house is irrelevant, but that what matters is the freedom to worship one’s god, the freedom to cook and look after ones’ children – then the list of capabilities that results from this bottom-up reasoning process will reflect the subordinate position of women. Sen might suggest introducing some critical feminist perspectives into the discussion (a good idea), but if the community listens to and engages with these, but ultimately rejects them, then there is no further recourse under a deliberative democratic approach. I still think

² -In support of Sen’s adaptive preferences critique (p.8), the authors cite an observation made in Clapham, Foye, and Christian (2017) that the of home-ownership on subjective well-being is mediated by financial security. This is true but I don’t see how it relates to adaptation - Nakazato et al., (2011) is probably a better example

deliberative democracy offers the most reasonable means of arriving at a set of capabilities but it too is susceptible to adaptive preferences.

Saying that progress should ideally be defined through a process of deliberative democratic reasoning raises two questions: i) What from should this process take and who should be included? ii) How near /far are existing models of housing governance – such as the 50% ballot on regeneration recently introduced by the Greater London Authority³- to this ideal, and how can they be brought closer? These seem the most fruitful and relevant empirical and theoretical research questions to me.

In sum, I concur with the author that, in theory, capabilities should be the primary informational space for evaluating housing outcomes, and as housing researchers we would do well to keep this at the back of our mind when making policy recommendations or judgements about others' housing conditions. But in practice addressing the procedural question provoked by Sen's capabilities approach, of who should decide what constitutes success and how, is probably a more pressing question in the pursuit of justice.

References

Angner, E. (2005). *Subjective Measures of Well-Being a Philosophical Examination* (Doctoral dissertation, University of Pittsburgh).

Campbell, A. (1976). Subjective measures of well-being. *American psychologist*, 31(2), 117.

Clapham, D., & Foye, C. (2019). How should we evaluate housing outcomes?.

Coates, D., Anand, P., & Norris, M. (2013). Housing and quality of life for migrant communities in Western Europe: A capabilities approach. *Journal on Migration and Human Security*, 1(4), 163-209.

Cohen, G. A. (2011). *On the currency of egalitarian justice, and other essays in political philosophy*. Princeton University Press.

³ <https://blog.shelter.org.uk/2018/08/what-the-introduction-of-estate-regeneration-ballots-will-mean-for-london/>

Cohen, G. A. (1993). *Equality of What? On Welfare, Goods, and Capabilities. The Quality of Life*. M. C. N. a. A.Sen. Oxford, Oxford University Press.

Crocker, D. A. (2006). Sen and deliberative democracy. In *Capabilities equality* (Vol. 155, No. 197, pp. 155-197). ROUTLEDGE in association with GSE Research.

Foye, C (forthcoming) Ethically-speaking, how should we evaluate housing outcomes?. *Housing, Theory and Society*

Nakazato, N., Schimmack, U., & Oishi, S. (2011). Effect of changes in living conditions on well-being: A prospective top-down bottom-up model. *Social indicators research*, 100(1), 115-135.

Pader, E. J. (1994). Spatial relations and housing policy: Regulations that discriminate against Mexicanorigin households. *Journal of Planning Education and Research*, 13(2), 119-135.

Putnam, H. (2002). *The collapse of the fact/value dichotomy and other essays*. Harvard University Press.

Putnam, H. W. (2008). Capabilities and two ethical theories. *Journal of Human Development*, 9(3), 377- 388.

Sen, A. K. (2009). *The idea of justice*. Harvard University Press.

Sen, A. (2005). Human rights and capabilities. *Journal of human development*, 6(2), 151-166.

Sen, A, (1999), *Development as freedom*

Sen, A. (1993). Positional objectivity. *Philosophy & public affairs*, 126-145.

Treasury, H. M. (2018). *The green book: Central government guidance on appraisal and evaluation*. HM Treasury, London, www.gov.uk/government/uploads/system/uploads/attachment_data/file/220541/green_book_complete.pdf.