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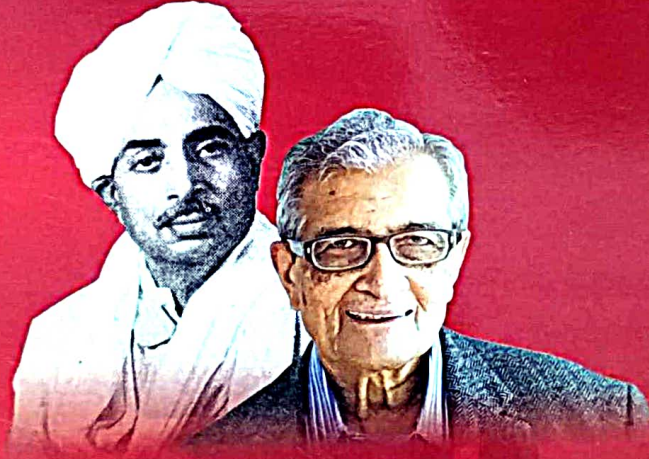
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& M. H. Mehta Science College, Palghar**



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Maharashtra Philosophy Council 37th Conference

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Theme of Conference

Contemporary Problems and Role of Philosophers

Philosophy of Dr. Amartya Sen || Philosophy of Modern Saint Vai. Sonopant Dandekar

Executive Editor
Dr. Kiran Save

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Vai. Sonopanth Dandekar

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Justice Theory of Amartya Sen with Reference to the Capability Approach

Dr. Tanaji Pol

Associate Professor, Sonopant Dandekar College, Palghar. Visiting Faculty Centre for Central Eurasian Studies, University of Mumbai.

ABSTRACT

The idea of justice has been one of the most crucial concepts in the arena of political philosophy. Various renowned scholars and philosophers have contributed towards the idea of justice through their philosophy. Justice theory is one of such important one formulated by the Noble Prize winner great political scholar Amartya Sen. Sen's idea of justice is based on several components like the idea of freedom, the availability of the opportunities for the human development. His capability approach deals with all these elements. With the same social choice theory and the capability approach stated by the Amartya Sen tried to provide the various solutions for the injustices in society. Amartya Sen claimed that the human development and their welfare is accommodated in their capabilities and can be enhanced by providing the comprehensive opportunities.

The researcher has used various resources including the original work of the author throughout writing of this paper. This paper particularly described the idea of justice with reference to the capability approach. Among other important aspects of the theory of Amartya Sen, the researcher has stressed more on the Capability approach and its relevance in bringing human welfare. The capability approach of Amartya Sen has provided one of the outlooks towards the idea of justice. It has not only contributed in philosophy but in general welfare of the human beings.

Keywords – Opportunities, Capabilities, Welfare, Justice

Political philosophy has become the way of life for human beings. Enhancing the human lives through thoughtful process has been the major contribution of political philosophy. Being a very distinctive form of study political philosophy can be applied to various institutions and organisations. "Political philosophy may thus be viewed as one of the most important intellectual disciplines, for it sets standards of judgment and defines constructive purposes for the use of public power."¹ Different political ideas and values come under the broad purview of the political philosophy. The concept of justice has been one of the most crucial aspects not only of individual life but also it has relevance for a stable society. The principle of justice is a moral principle which gives importance to the just behavior and rightful conduct.

Justice: Mapping the Concept

The idea of justice secured the focus stage among the various values. It is not only the highlighted concept in ethics but also it has its significance in the very diverse areas of political philosophy, law, administrations and public policies. Various scholars have contributed for the philosophy of justice. One of the most prominent liberal American scholar John Rawls has been very deeply associated and contributed for the idea of justice. The contribution made by Rawls with regard to idea of justice is remarkable. He has described the idea of justice 'as a first virtue of the social institutions.

Since the idea of justice has attachments with the other complementary ideas of the various disciplines. The idea of justice has been explored with different types of justice. The concept of justice can be studied in different forms. While understanding the different facets of justice, it is related to the individual claims. Treatment given to people with regard to their freedom, opportunities, and issues of exploitation, violation of human rights or distribution of resources various conflicts arises in the society. As a result of which, individual can claim justice.



The claim for justice can be seek by individual or even by a community, group of people, by an institution or by a government. Besides the idea of claims justice can be seen as an obligation a well. When rules and laws to implemented for the better functioning of stable society then the idea of justice can be enforced and becomes binding on people. Another feature of the concept of justice can be reflected through the impartial treatment. Justice does not take into account any form of discrimination that exists in society while its delivery. To do so justice sometimes can go beyond the laws and rules laid by the government and grants decisions which resulted into the creation of new laws for the further references. Sometimes the formal role played by the agents proved to be very effective in justice granting. Justice cannot be totally dependent on these agents but with the ability of searching truth by investigatory measures, justice can be imparted. However, this is not the most reliable factor for justice but in particular cases it can be considered as an important one to reshape the doctrine of justice.

In its broad arena justice is applied to both for human as well as non-humans. Even the animals are also owed to the matter of justice. "We might attribute rights to the animals over whom we exercise power – rights against cruel treatment, and rights to food and shelter, for instance."² Sometimes its application is relational and sometimes it becomes non-relational. Justice can take various forms depending on the time and situation.

Amartya Sen's Idea of Justice

The great Indian philosophers, political scientists and a noble economist Amartya Sen has contributed with his idea of justice. Sen's idea of justice is one of the dominant theories of justice among the enlightened theories of John Lock, Rousseau and John Rawls. Amartya Sen's idea of justice is enrooted the philosophy of the welfare economics.

While stating the importance of the idea of justice, Sen stated that how we can overcome with the idea of injustice at global level and find the solutions for the human welfare. The idea of justice philosophized by the Amartya Sen does not believe on the universal solutions for the diversified problems that exists in the society. "The approach Sen favors, on the other hand, focuses on the comparative judgments of what is "more" or "less" just, and on the comparative merits of the different societies that actually emerge from certain institutions and social interactions."³ Therefore, Sen focused on the comparative perspective for the idea of justice.

Capability Approach and the Idea of Justice: Amartya Sen Importance to the Freedom

While understanding the nature of human living, Sen demarcate the various factors of human welfare like social healthcare measures, standard of living of people for which he analyses the GDP and GNI of a nation, quality schooling and education, social cohesion etc. These are the various parameters that actually contribute to the better living. Interestingly in enjoying all these aspects of individual's life Sen has highlighted the importance of individual freedom that the person has. "Indeed, the freedom to determine the nature of our lives is one of the valued aspects of living that we have reason to treasure. The recognition that freedom is important can also broaden the concerns and commitments we have."⁴ Freedom is such a crucial aspect of human lives which can enhance the human ability to prosper their lives. Rather it is the primary element of development. Amartya Sen describes the importance of the freedom for two reasons as it creates the opportunity to pursue our objectives and it helped us to involved into the process of choices. "Freedom, he says, is a principle determinant of individual initiative and social effectiveness; it is good primarily because it enhances the ability of individuals to help themselves, a property that Sen describes as the 'agency aspecy' of the individual."⁵ Freedom is one of the important tenets of the Sen's theory in which he admired the five aspects of freedoms in the form of political freedoms, economic facilities, social opportunities, transparency guarantees, and protective security.

The Capability Approach

Capability approach is a general framework which specifies the space for interpersonal comparisons for the wellbeing of individual with the extensions of their capabilities. In this matter



he has given most emphasis on the comprehensive opportunities shall be created for the freedom and thus can achieve the development. Freedom is the important value to channelize the opportunities into the best outcomes. To denote the realities of the social disparities, Sen points out to the central inequalities of the capabilities of the individual. "Capability refers to a 'the various combinations of functioning (beings and doings) that the person can achieve. Capability is, thus, a set of vectors of functioning, reflecting the person's freedom to lead one type of life or another... to choose from possible livings.'"⁶ This approach advocates the primary concern with the individual capabilities and not with their achieved functioning.

In the aggregate progress of the society, individual's capabilities are important but at the same time Sen does not provide any particular blueprint for the overall progress of society. Capability approach of Sen gives its main contribution towards the assessment of societies and social institutions. "The capability approach directs our focus to people's capability sets, but insists that we also need to scrutinize the impact of social norms, the context in which economic production and social interactions take place and how that affects people's well-being, and whether the circumstances in which people choose from their opportunity sets are just."⁷ Amartya Sen filled up the lacuna in theory of John Rawls by significantly highlighting the importance of the other informal social structures and social norms. Another important aspect is that the Amartya Sen is concerned with the plurality of different features of our lives and concerns. Amartya Sen has realized the real nature of living of people. He has stated that indeed the rules and regulations led by the government played very important role in human lives. But at a certain point human lives can reflect the truth beyond these rules and regulations. Thus, the capability approach is closely related to the human lives. It emphasized on the transferring the means of livelihood into the real opportunities for the human beings.

Critics of Capability Approach

Like other theories Amartya Sen's theory has also met with several critical parts. While highlighting the capabilities of the individuals, Sen does not consider the strength of the capabilities of the group or a community which can also count more weight in the overall development of the country. Gore challenges the capability approach over individualistic positions. "Gore critiques Sen for arguing that the capability approach's evaluation of well-being is exclusively based on individual properties. Therefore, Gore argues that Sen does not take into consideration the fact that an individual has properties that belong to society or institutions."⁸

Conclusion

The capability approach of the Amartya Sen towards the development of the theory of justice has played a very crucial role in the entire political philosophy. With the elements of freedom, capabilities and Justice Amartya Sen tries to provide answers to the several questions and injustices within the society. Unlike John Rawls his notion of justice is based on non-idealism. Sen takes into account the multiple angles of human possibilities and diversities. Although there are criticisms of capability approach one cannot ignore the contribution that the Amartya Sen's theory of justice has made to the solutions of various problems by providing a very different outlook.

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