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Chapter 1: Rethinking Social Policy from a Capability Perspective

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Introduction <1>

European social policies address a broad array of issues, including (un)employment, activation, child and elderly care, education, health, housing, migration, aging and poverty (Yerkes, 2015). The design and evaluation of these policies has been approached from multiple perspectives, including the social investment paradigm, which has featured prominently in recent research (e.g., Hemerijck, 2017). With respect to this and other approaches, a key question increasingly being asked is: To what extent do European social policies empower individuals to freely use the tools and instruments created by these policies, or, in the capability language, to what extent do they enhance what individuals are truly able to do and be, their ‘capabilities’ (Sen, 1992)? We argue that the capability approach (CA) as developed by Sen (Sen, 1992, 1999a), and later expanded on by Nussbaum (Nussbaum, 2000, 2011) and Robeyns (Robeyns, 2005, 2017), offers a unique evaluative perspective to both researchers and practitioners of social policy (e.g., Morel and Palme, 2017; Otto et al., 2017). The CA sees individuals as embedded in broader contexts, acknowledging that these contexts shape the real opportunities individuals face (Javornik and Kurowska, 2017; Kurowska, 2018). Thus, what individuals are really able to do and be is a reflection of their capabilities, their agency (i.e. being ‘active agents of change’ Sen, 1999b: 189) and choice (Robeyns, 2017), within the diverse contexts in which individuals are embedded (Hobson, 2014, 2016; Hvinden and Halvorsen, 2017). The increase in the use of the CA is evident across multiple social policy areas, such as disability policy (Trani et al., 2011), education policy (Walker, 2006), employability policy (van der Klink et al., 2011), family policy – including such areas as work-family policy (den Dulk and Yerkes, 2016; Fahlén, 2013; Hobson, 2014; Korpi et al., 2013; Yerkes and den Dulk, 2015), parental leave policy (Javornik and Kurowska, 2017; Koslowski and Kadar-Satat, 2018) or childcare policy (Yerkes and Javornik, 2018), and youth transitioning from school to work (Otto, 2015). The CA has also been recently used to

reconceptualize the (de)familialization perspective in comparative family policy research (Kurowska, 2018).

Applying the CA in social policy research leads to debates about its conceptualisation, measurement and application in empirical research (e.g., Anand et al., 2009). A key issue in these debates is how to account for the role of social policies when analysing individual capabilities. At present, social policies are generally interpreted and applied either as explanatory factors (Hobson, 2014, 2016; Robeyns, 2017), structural constraints (Robeyns, 2017) and/or as a resource (means) to facilitate capability (Javornik and Kurowska, 2017; Kurowska, 2018; Yerkes and Javornik, 2018). Hvinden and Halvorsen (2017) and Kurowska (2018) argue social policies are both contextual factors and means, dependent upon the view of the researcher. For social policy researchers, having a clear conceptualisation of the role of social policies is central to using the capability approach effectively. The main aim of the book is to clarify Sen's approach (Sen, 1992, 1999a) in a *social policy* context, addressing this and other debates by synthesizing existing research and presenting original analyses that tackle the conceptual, methodological and empirical problems encountered when using the capabilities perspective particular to social policy research and practice. This, in turn, is meant to inspire and encourage further development of the CA in relation to social policy, a field which is now rather distracted and lacks coherency.

In this chapter, we discuss the key challenges and issues related to interpreting basic concepts of the CA in a social policy context. We start by briefly introducing the CA, tracing the idea of capabilities back to the writings of Aristotle and interpreting them in the context of Sen's capability approach. We then discuss the theoretical and empirical debates surrounding the CA as it was further developed by Nussbaum and later interpreted by other scholars such as Robeyns. The focus here is on the main conceptual and empirical debates in relation to social policy research and practice, centred on the key concepts in Sen's approach to capabilities: means, capabilities, functionings, conversion factors, and agency. Multiple interpretations of these concepts create difficulties in applying the CA to social policy research. This book offers a way forward in addressing these issues as they apply specifically to social policy research and practice.

The Capability Approach: its history, and its application in social policy <1>

Drawing on moral and political philosophy (Aristotle, Smith and Marx), the CA grew out of a concern for social justice, with two underpinnings: the philosophical (a concern for social justice and human good), and the economical (seeking ways to measure life quality, promoting autonomy and individual life choices). Aristotle's key principle was the idea of human flourishing as ethically fundamental (see Nussbaum 1988; Sen 1999: 14, 24). Advanced through moral and political philosophy, the CA values pluralism in ways of living (Robeyns, 2017) and promotes the notion of the human being as 'in need of a totality of life activities' and opportunities for such activities (Nussbaum, 1987). Thus, the freedom to achieve well-being is seen to be of moral importance and is to be understood in terms of people's capabilities - that is, their real opportunities to do and be what they have reason to value.

Individuals may clearly value more than just economic utility. People with disabilities may value autonomy more than income (Burchardt, 2004). Mothers may value flexibility from employers when reconciling work and care (Yerkes et al., 2017). Emphasizing capabilities, or individual freedom to achieve a wide range of valued outcomes, shifts the focus away from solely economic measures of utility towards other valued outcomes and individual capabilities to pursue these valued outcomes. Ideas around individual well-being and a plurality of life styles made the emergence of Sen's approach appealing across a diversity of disciplines. Part of its broad appeal is that the CA is a flexible and multi-purpose *framework*, rather than a theory (Sen 1992: 48). Robeyns (2017) aptly describes it as being both open-ended and underspecified: 'It is *open-ended* because the general capability approach can be developed in a range of different directions, with different purposes, and it is *underspecified* because additional specifications are needed before the capability approach can become effective for a particular purpose' (Robeyns, 2017: 29; emphasis in original).

The broad appeal of the CA has led to multiple interpretations, with two key issues at their core. First, there are two dominant general approaches to the CA: Sen's and Nussbaum's. Sen's approach, economic and philosophical in its perspective, emphasises questions of how we value good life and measure life quality (given Sen's work on poverty and inequality). Nussbaum, in contrast, takes a moral-legal-political philosophical approach, arguing for a given set of 'basic' human capabilities to be guaranteed by governments (Nussbaum, 2000). This conceptual difference stems from the varying objectives of Sen and Nussbaum in their interpretation of the CA as well as their personal histories (Robeyns, 2005). Second, the open-ended, underspecified CA offers a general and broad evaluative framework

to assess issues from the perspective of capability. The *application* of the CA, however, for purposes such as social policy analysis or theory-building, requires domain-specific knowledge, and hence further specification (Robeyns, 2017). Robeyns thus distinguishes the capability approach, a broad, abstract framework, from capability theories, specifically applied to particular fields. However, such distinction might be misleading because these theories can include theoretical and empirical applications or analyses.¹

What we are suggesting is that it is necessary to clarify a *capability approach to social policy* and to distinguish the CA from *capability theories in various sub-fields of social policy* as a research discipline. This chapter sets out the capability approach to social policy, providing basic building blocks for further specification of capability ‘theories’ within specific social policy domains, as illustrated in the remaining chapters. We do this from the perspective of Sen’s approach to capability. While we recognize the contributions of both approaches, we favour the approach of Sen for being broader, and more clearly emphasizing the role of situated agency in producing inequality in capabilities.

Key elements of the capability approach <1>

The capability approach (Sen, 1992, 1999a) centres around at least five key concepts: means, capabilities, functionings, conversion factors, and agency (cf. Robeyns, 2005). *Capabilities* are the freedoms individuals have, their ‘real opportunities’ (Robeyns, 2017; Sen, 1992) to achieve a desired outcome or *functioning*. Social policy scholars tend to view capabilities in Sen’s (1992) terms of *valued functionings*, or the real opportunities individuals have to pursue a life they have reason to value (Kurowska, 2018). For example, some individuals may value being a carer, and place greater value on providing care than on taking part in paid employment. The CA rests on the idea that individuals have an array of valued functionings, reflecting a diverse range of needs and desires. Whether they are able to pursue these diverse needs and desires is dependent upon their capabilities. However, Robeyns (2017: 41-45) argues that capabilities and functionings can be either positive or negative, and thus must be viewed as essentially value neutral in the abstract sense. While in some cases we might be able to distinguish positive functionings (e.g., good health) or negative functionings (e.g., serious illness), in many cases the value of functionings is ambiguous. Assuming that social policy is concerned with facilitating a collective wellbeing (a positive functioning for most

individuals), these same policies can lead to unintended negative functionings for some groups or individuals (see for example Chapter 4, this volume).

Regardless of such distinction, individuals do not have the same freedoms (capabilities) to achieve varying life pursuits, leading to inequality in outcomes, or *achieved functionings* (Sen, 1992). Using the example mentioned earlier, some individuals may value reconciling paid work with care for children. However, there is inequality in *how* individuals (are able to) reconcile paid work with care for children. Inequalities in outcomes may arise because capabilities – in this case, the capability to be in paid work and the capability to care – depend on the social and economic resources (*means*) to which individuals have access, *conversion factors* (contextual and relational aspects that shape our ability to translate resources into real opportunities) and *agency*.

The concept of agency, much debated within the social sciences, is similarly debated within the CA. Hobson (2014; 2016) views agency as ‘situated’: one’s ability to be agentic is circumscribed or enhanced by individual factors such as gender, class and race. Similarly, Hvinden and Halvorsen (2017: 7) argue for a conceptualisation of ‘active agency’, referring ‘partly to the dynamic complex of persons’ self-reflection, evaluation of their own experience and observation of the world around them.’ The concept of active agency is in line with Mead (1934) and Giddens (1984), who argue that agency is the way in which individuals perceive and interpret social situations (Mead, 1934) and their active response in these situations (Sen, 1999b; Shaw, 1994). The reflexive interaction with the world around them (agency – structure) can be seen as a mutual constitutive process of structuration (Giddens, 1984). Men and women may reconcile paid work and care differently because gender inhibits or enhances their agency (Hobson, 2016). At the same time, gender as a social structure shapes individual behaviour in reconciling the two. The CA emphasises such relational aspects, seeing individuals with differing freedoms to act (agency inequalities) as relationally embedded in personal and social contexts (*conversion factors*).

Relational and contextual aspects, conversion factors in the CA, make visible the processes through which individuals with varying agency translate means into capabilities. Conversion factors exist at multiple levels (e.g., individual, societal, institutional); they interact to form an individual’s unique *capability set* (the options and perceived alternatives from which an individual chooses). The choices individuals make are further dependent upon one’s personal history and circumstances, psychological factors, and socio-cultural influences

on decision-making (Kurowska, 2018; Robeyns, 2017). Some scholars refer to conversion factors as conversion *processes* (e.g., Hvinden and Halvorsen, 2017). From this perspective, conversion factors not only shape individuals' freedom to achieve valued functionings, but also shape their ability to change the social structures around them, thereby affecting their active agency. The emphasis on this process can be of particular relevance in social policy applications of the CA. Namely, the process of translating means into capabilities through conversion factors can further elucidate the relationship between structure and agency to help 'grasp the mechanisms behind *vicious cycles* of disadvantage' (Hvinden and Halvorsen, 2017). Such nuances of the CA are useful for understanding possible feedback effects on individual wellbeing across time (Hobson, 2016; Hoogenboom et al., 2015; Hvinden and Halvorsen, 2017).

A Capability Approach for Social Policy Research and Practice <1>

The capability approach, in its open-ended and underspecified form, is an attractive perspective across multiple disciplines, such as law, social sciences, and economics. Two key adjustments are needed, however, to develop a *capability approach to social policy*. These adjustments lay the foundation for social policy applications in both research and practice.

What role for social policy? <2>

For social policy scholars and practitioners alike, a key concern in using the capability approach is how social policy itself fits into the capabilities framework. Within the CA, individuals do not have equal capabilities to achieve the life they have reason to value. But what role does social policy play? Is it a means, and hence a resource to individuals? Is it part of the social context (conversion factor) in which individuals operate? Or is it a way in which means are redistributed? We argue for a conceptualisation of **social policy primarily as a means** (Javornik and Kurowska, 2017; Kurowska, 2018; Yerkes and Javornik, 2018). Other policy scholars have viewed social policies as conversion factors, that is, as part of the social structure in which individuals are embedded (Hobson, 2014, 2016). Others argue for viewing structures (including social services and arrangements) as both resources *and* conversion factors (e.g., Hvinden and Halvorsen, 2017).

We propose that from the CA perspective, social policy can be primarily understood as an interdependent set of measures and instruments aiming to change human behaviour

and/or improve quality of life and well-being. In our CA framework, social policy, developed and delivered at multiple levels, represents a *means*, providing the basis for individuals to operate within their ecological and social spaces (*context*). We understand the uniqueness of social policies in their diverse, historical and political contexts (Ginsburg, 2004) – that is, as value-laden, developed based on culturally-informed, dominant ideas (Béland, 2005, 2016) of human behaviour. Social policies provide normative reference points (Goerne, 2010; Javornik, 2014) that set the ‘rules of the game’ (Grönlund and Javornik, 2014; Javornik, 2014; North, 1990). Crucial in this regard is thus that policies are developed by human beings, who are informed by dominant ideas of what constitutes a good life; these ideas then get reflected in policies. In other words, social policies are developed in reference to implicit and explicit valued outcomes (Goerne, 2010). For example, policies centred on work-life balance inherently presume that parents need policy support to reconcile paid work with care rather than a plurality of lifestyles (Yerkes and Javornik, 2018).

When evaluating social policies, the CA can be used to identify the normative reference points of the policy as well as how the policy is intended to help individuals achieve that normative reference point. A good example of how social policies operate as a means to achieving an outcome valued by policymakers is the focus on social investment in contemporary welfare states (Morel et al., 2012; Morel and Palme, 2017). Currently, most European welfare states operate from the assumption that individuals of working age are ‘good citizens’ (Brace, 2015) when they are productive members of a society, i.e. through labour force participation. Broadly speaking, this assumption is supported by the social investment approach, which primarily invests in children as future good citizens of the society. However, social policy developed from this perspective is criticised for focusing too narrowly on economic outcomes (see Chapters 2 and 5, this volume). Applying the CA allows for a broader evaluation of policy in relation to what is valued by both policymakers (e.g. ideas, Béland, 2005, 2016) and individuals (valued functionings; see Kurowska, 2018; Nolan, 2017). Seeing social policy as a means allows researchers, policymakers and practitioners to view policy as a resource to achieve a diverse set of available options and not just normative ideas of ‘good citizenship’, improving individuals’ freedoms to achieve a plurality of life forms which they may have reason to value.

There may be situations when social policies are not only means but also conversion factors (Hvinden and Halvorsen, 2017; Kurowska, 2018). Viewing social policies from a

capabilities perspective means not only viewing individuals in relation to the social spaces in which they are embedded, but also the relational nature of social rights embedded in social policies. In the former, individuals may be supported or limited in their capacity to access social policy as a means to achieve a valued outcome given personal, social or environmental factors (Hvinden and Halvorsen, 2017). Thereby, social policies inherently create inequalities through a process of inclusion given varying degrees of universality or selectivity. Furthermore, social policies are necessarily relational and interdependent; in some cases, they are only accessible through another policy. In the UK, for example, the means afforded to one parent through Shared Parental Leave is fully accessible to the other parent only through the use of anti-discrimination law (see Chapter 4, this volume). Although the CA is seen by some to be fairly individualised, the example of Shared Parental Leave demonstrates the relational aspect of the CA, focusing on the interconnectedness of parents' decision-making about childcare and return to work. Thus, the UK's parental leave policy, with gender equality as a collective aim, can enhance father's capability by limiting the mother's. In this manner, a social policy solution/instrument can be part of a broader social context that shapes individuals' access to other social policy solutions/instruments as a means.

In a capability approach to social policy, the question of policy coherence and accessibility becomes central, as it shapes one's freedoms, and is therefore indicative of *distributive justice*. Namely, to fully use the policy, one needs to be aware of a web of policy options and be able to navigate the legal landscape. This entails understanding (1) the policy process (*functional literacy*), (2) the relational aspects of social rights, and (3) the power dynamics between them (when competitive, which right supercedes). Overall, policy accessibility (the value of policy in shaping capabilities) is thus also a function of one's awareness of the policy and the ability to navigate the system.

Social policy interdependencies <2>

We are suggesting a capability approach to social policy that entails two ways of moving the field forward when using the CA in social policy research and practice: recognizing social policy as a *means* with significant *interdependencies*. Social policy is first and foremost a means that, when individuals have access to, can help to achieve a wide variety of outcomes individuals may have reason to value. However, social policy as a means is embedded in a context of differing conversion factors. The way in which individuals engage with social

policies is dependent upon their situated (Hobson, 2014) or active agency (Hvinden and Halvorsen, 2017), their embeddedness in varying social and community contexts (Yerkes and Javornik, 2018), their sense of entitlement and perceived set of alternatives (Hobson, 2016), and their functional literacy, as previously explained.

Second, this 'conversion process' (Hvinden and Halvorsen, 2017) results in social policies being an *interdependent* set of measures and instruments. Social policies provide a means for achieving valued functionings, and also shape individuals' capacity to access these means. Interdependence is central to any application of the CA, as individuals' relational embeddedness to the social environment is a cornerstone of the framework (Robeyns, 2005). By extending interdependence to social policies, it becomes possible to unpack the complex ways in which social policy design:

- implicitly and explicitly develops normative reference points, or provides interpretations of 'good citizens';
- creates or alleviates social inequalities and/or positions of social (dis)advantage;
- effectively helps individuals achieve the outcomes they have reason to value (evaluating the process of means to valued and achieved functionings; Goerne, 2010).

Conclusion and outline of this volume <1>

This chapter discussed the key challenges and issues related to interpreting basic concepts of the CA and presented a capability approach to social policy. This approach remains purposefully broad and requires researchers to further specify *capability theories* within particular social policy domains. The remaining chapters of the book provide theoretical and empirical examples of such capability theories, from multiple perspectives and social policy domains. First, a capability approach to social policy *inspires to identify the ultimate values and goals of social policies* in terms of providing individuals resources for real opportunities to achieve doings and beings they have reason to value. In Chapter 2, Jean-Michel Bonvin and Francesco Laruffa investigate developments in education policy, providing a comparison between the dominant, normative paradigm of European social policy, i.e. social investment, and a capability approach. The authors argue that employability, competitiveness and economic return should not be identified as ultimate goals of education (as in social investment) but rather individual autonomy and capability to act as democratic citizens (as

formulated within a capability approach). Similarly, in Chapter 3, José de São José, Virpi Timonen, Carla Amado and Sérgio Santos criticize active ageing policy in Europe and propose to redesign this policy based on the principles of a capability approach. The authors show how applying a capability approach helps to overcome three current limitations of active ageing policy. A capability approach to ageing replaces the goal of activity as a main policy value with the alternative of well-being; it expands the focus away from outcomes towards a focus on capabilities; and finally, it stresses the role of a multidimensional and bottom-up approach rather than a narrow, expert-based approach to active ageing.

Second, we propose a capability approach to social policy whereby social policy is primarily understood as a resource (means) with significant *interdependencies*. Chapters 4 and 5 look at these complex interdependencies, investigating the extent to which social policy is a resource to enrich individuals' lives, focusing in particular on conversion factors such as personal characteristics, social structures, institutional and socio-economic contexts. In Chapter 4, Jana Javornik and Liz Oliver apply the CA to a social policy and legal analysis of the UK's new shared parental leave. Combining social policy and legal scholarship they demonstrate the analytical power of the CA to consider a multi-layered macro and meso-level context within which this complex social policy operates. They identify employment relations, legislation and litigation as key conversion factors and show how these affect inequalities in parents' capability sets.

This investigation continues in Chapter 5, where Anna Kurowska and Jana Javornik, using the example of parental leave in ten European countries, focus on three interconnected valued functionings of families: for mothers to continue working after having a child; for fathers to care for a child; and for a child to be cared for by both parents. The authors argue that the extent to which parental leave really enables families to achieve these valued functionings depends on socio-economic conversion factors, such as living standards within and between countries and gender pay gaps. Their comparative analysis provides evidence of significant differences in these structures both between and within welfare regime clusters, demonstrating the analytical power of the CA to recognise meaningful nuances.

Third, a capability approach to social policy helps to highlight the importance of policy professionals and practitioners (Chapter 6) and individual agency (voice; Chapter 7) in realising capabilities. These two chapters shift the perspective from social policy, to the 'end users' of these policies and the professionals and practitioners who engage with them in

envisioning and realizing their capabilities. In Chapter 6, Jana Javornik, Mara A. Yerkes and Erik Jansen engage with social policy professionals and practitioners in a two-way, mutually enriching theory-practice conversation, which reveals potentials and pitfalls of a capability approach to social policy. While professionals and practitioners subscribe to the underlying idea of the CA, problems related to differences between the CA and capability theories, the absence of a common language in using the CA, and feasibility issues around local implementation inhibit the CA from being used to its full potential. In Chapter 7, Rory Hearne and Mary Murphy provide a case study of homeless families in Dublin, describing how an innovative tool – the Participatory Action Human Rights and Capability Approach – enabled homeless families to articulate to policymakers the key issues in relation to their experiences of housing policy at the local level. Such tools have the capacity to empower families to ‘raise their voice’ in the policy sphere, contributing to the enhancement of their individual and collective agency, and ultimately, wider social policy development (*agentic change*).

We conclude this volume by integrating these three perspectives, focusing on how to make the move from a capability approach to social policy, to capability theories, and, ultimately, to capability-based social policies.

Notes <1>

¹ A distinction between a general 'approach' and more specified 'theories' may also seem counterintuitive from an epistemology of science perspective. That notwithstanding, we maintain the dominant terminology used by capability scholars such as Robeyns for clarity.

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