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Nussbaum anvender sin “capabilities approach” på dyr i boken “Justice for Animals”. Redegjør for hva tilnærmingen består i, og drøft dens styrker og svakheter med tanke på dyr - les: ulike typer dyr - til forskjell fra mennesker.

Justice for Animals: Our collective responsibility

The capabilities approach, created and developed by Martha Nussbaum, has significantly influenced contemporary ethical and political philosophy, offering a profound framework for evaluating human well-being and social justice. Initially focused on the complexities of human development across different countries, and to critique the inadequacies of prevailing utilitarian and GDP-centric measures of prosperity, Nussbaum’s theory defines a set of fundamental human capabilities necessary for a life of dignity.

Her work, rooted in Aristotelian ethics and modern political liberalism, argues that true justice requires not only the availability of opportunities but also the actual ability of individuals to pursue a flourishing life. While this approach has primarily focused on human concerns, Nussbaum’s recent application to the realm of non-human animals in “Justice for Animals” marks a significant, albeit not contradictory, expansion of her ethical vision.

We will discuss the transition of the capabilities approach from its originally anthropocentric origins to its inclusion of animal rights, assessing its strengths and seeing if we can find any limitations in redefining our moral obligations towards all sentient beings.

The Capabilities Approach

Martha Nussbaum’s capabilities approach, in its original form, proposes a shift from traditional assessments of well-being that rely on economic prosperity or subjective (read: self-proclaimed) happiness towards a more nuanced evaluation of what individuals are actually able to do and to be at their highest potential. The approach identifies a list of essential capabilities, such as life, health, bodily integrity, emotion, practical reason, affiliation, and control over one’s environment, as indispensable for supporting a dignified human existence.

Central to Nussbaum’s theory is the idea that justice demands more than the mere provision of resources or the formal assurance of rights: it requires the actual freedom of agency to make meaningful choices and engage in activities that contribute to one’s well-being. Her initial focus on human capabilities was motivated by a desire

to address global inequalities and to advocate for social policies that not only ensure equality of opportunity, but also the real possibility for all individuals, regardless of their background, to achieve a full and rich life, whatever that may be for them.

Ethical Expansion to Include Non-Human Animals

Building on this foundation, Nussbaum's recent work extends the ethical consideration of capabilities to non-human animals, challenging the human-centric extension of traditional moral and political theories. By applying the capabilities approach to animals, she argues for a reevaluation of how societies recognize and respect the intrinsic value and rights of animals to flourish according to their species-specific nature. This expansion does not merely append animals to the list of concerns within the existing framework but she also calls for a radical rethinking of our ethical responsibilities, advocating for legal and social reforms that acknowledge the moral significance of animal well-being and their agency.

Nussbaum's effort to include animals within the scope of the capabilities approach highlights the universality of the need for a life of dignity, beyond the human species. We have seen other authors such as Peter Singer discuss utilitarian perspectives in terms of animal justice, but in his case he prioritizes the minimization of suffering and maximization of happiness, Nussbaum's approach is fundamentally rooted in the recognition of individual dignity and the right to pursue a life worth living, grounded in the specific capabilities inherent to each species. In either case, they believe animals deserve equal treatment on the premise that every sentient being's experiences and conscience is inherently valuable.

Ethical paradigm shift

This paradigm shift towards considering the unique capabilities of different animal species leaves us needing a broader, more nuanced understanding of justice. It pushes us from shifting from a welfare system which focus primarily on avoiding harm and suffering, towards a more holistic appreciation of what it means for an animal to lead a good life. She also points out that different animals have different capabilities: for instance, the capability for play in otters, the social bonding in elephants, or the need for flight in birds, are not superfluous to their existence but are central to their well-being.

Furthermore, Nussbaum's approach demands a critical examination of human practices that restrict these capabilities, whether it be through industrialized farming, entertainment, or the destruction of their habitat. It calls into question long-standing societal norms and legal structures, advocating for a reformation that considers the well-being of animals as an integral part of justice. This includes not only protective legislation but also proactive measures to ensure environments where animals can exercise their natural capabilities.

Her expansion also highlights the interdependence of human and non-human lives, suggesting that the flourishing of one is intricately linked to the flourishing of the other. It challenges the anthropocentric notion of human superiority and instead promotes

a vision of shared well-being, where respect for dignity and rights goes beyond a hierarchical idea of the species.

Strengths of the Capabilities Approach

Individual considerations

A primary strength of Nussbaum's capabilities approach is its emphasis on recognizing the specific needs and well-being of different animal species. Unlike a one-size-fits-all welfare model, this approach understands that what constitutes a flourishing life varies significantly across species. For example, the capability for flight in birds or for burrowing in rodents is acknowledged as fundamental to their well-being, providing a more nuanced and respectful approach to animal ethics.

This idea is useful even in an anthropocentric context, since we're simply evaluating the identity and needs of each being. Whether we define the being as morally relevant or not, if we conclude that they have the capability of sentience, this also means they have the capability to feel happiness, and thus this expectation needs to be met.

Positive freedoms

The author's approach goes beyond the prevention of suffering, as often called negative utilitarianism, to advocate for the positive freedoms animals require to lead fulfilling lives. This shift from a negative to a positive rights framework is revolutionary in the context of justice for oppressed groups/animals. It not only seeks to protect animals from pain and misery, but actively supports environments where they can express their natural behaviors and capabilities, such as the need for elephants to roam or for dolphins to engage in complex social interactions.

This framework extends beyond only animals, since it also offers a solution to the problem of adaptive preferences which is often discussed in the context of feminist philosophy, including Nussbaum's own previous works.

Actionable philosophy

Another significant strength is the approach's call for tangible legal and social reforms to protect animal capabilities. Once capabilities are known and defined, a proactive stance to defend them encourages a reevaluation of practices that restrict animal flourishing, such as industrial farming and entertainment uses, pushing for policies that respect animal dignity and well-being.

As previously done through the Human Development Index, which the author is very familiar with, in the context of human oppression, we can develop a system by which we can monitor the well-being of animals not only qualitatively, but also quantifiably.

Challenges

Determining and Measuring Capabilities

One of the main challenges is identifying and quantifying the capabilities of different species, which can often be challenging. It may not be trivial to detect all capabilities, if even possible, and it seems rather difficult to prove we've covered all of them.

Furthermore, the relative nature of determining what constitutes a capability and how to ensure it for every species poses practical difficulties, potentially leading to oversimplification or misinterpretation of animals' needs. Besides, there is no guarantee these won't change over time, or that they all have the same priority.

Self-interest dilemmas and intersectionality

For many people, the capabilities of non-human lives are irrelevant, and they may consider the defense of for-them subordinate species as striking against their own rights. For instance, habitat conservation efforts for wild animals might restrict land use for human development, which raises an ethical debate on how to balance the desires of one group of beings against another.

This goes partially in hand with intersectionality, a point which requires a section of its own.

Implementation

Implementing the capabilities approach on a wide scale involves substantial societal, legal, and economic changes, which may encounter resistance from industries which have achieved great economical success from the exploitation of animals, and practices which take pride in ethically questionable actions. For these individuals, the paradigm shift suggested by Nussbaum is quite radical, and they will probably reject, challenge and oppose it.

Intersectionality

The topic of intersectionality focuses on the complexities which arise when the interests and rights of different groups of oppression intersect in conflicting ways, and how, when combined, these struggles are often multiplied. This challenge is relevant when considering the diverse ways in which different societies value animals, influenced by cultural, economic, and environmental factors.

For instance, the preservation of certain animal species in natural habitats might come into conflict with local communities' economic interests, such as agriculture or urban development; especially when considering groups of people which don't have another gateway to survival. Here, the capabilities approach must navigate the nuanced terrain of prioritizing which capabilities matter most and for whom, acknowledging that decisions benefiting one group may adversely target another.

This complexity is compounded by the fact that societies are composed of individuals with varying degrees of power, privilege, and access to resources, which will directly influence whose interests are prioritized in ethical deliberations. The intersectionality challenge must go beyond simply balancing human and animal interests: it must also take into account the disparities within human communities that shape interactions with the non-human world. For example, conservation efforts that restrict access to land may disproportionately affect indigenous communities, whose livelihoods and cultural practices are closely tied to specific ecosystems.

Conclusion

In essence, Nussbaum's work serves as a call to action, urging us to embrace our collective responsibility towards animals by advocating for policies and practices that protect their ability to live fulfilling lives. As we move towards this ideal, we are encouraged to consider the moral significance of animals not just in theory but as a guiding principle for practical ethical decision-making and societal change.

Particularly useful, her framework gives us an approach which we can extend and improve upon with the goal of benefitting the well-being of all sentient individuals, not only in a theoretical manner, but also as tangible goals in our complex society. Hopefully, her accounts will be discussed by authorities with power of societal, political and cultural change.