

Amartya Sen's Position on Social Justice: An Assessment of Social Injustice in Modern Society

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[0151] Abstract

This article examines at Amartya Sen's thoughts on the subject of injustice and what justice is. To understand Sen's view of justice, one must consider his critique of Rawls' Theory of Justice. One way to read Sen's Idea of Justice is as a critique of Rawls' theory of justice with an alternative. Niti and Nyaya's human reasoning is able to discern between justice and injustice by analyzing and comprehending Sen's idea of justice, which was developed as a result of Sen's critique of Rawls' theory of justice. According to Adam Smith's Theory of Moral Sentiments, the moral standard is the unbiased observer. Sen brings this concept to the political justice discussion. Sen suggests the Capability Model in his writings as a remedy for the problem of equal justice.

Key Words: Amartya Sen, Justice, Niti and Nyaya,

Introduction

Amartya Sen's contributions to welfare economics, social choice theory, and the issues facing the impoverished earned him the 1998 Nobel Prize in Economic Sciences. His view of justice is comparative and evaluative. Sen's work expands on his earlier studies of capabilities and makes an effort to develop a thorough philosophy of comparative fairness. Sen's *The Idea of Justice*, dedicated to John Rawls, first distinguishes two schools of thought around the concept of social justice. According to Sen, the notion of social justice has been discussed for a very long time, but it was significantly reinforced by the social and economic transformations brought about by the European Enlightenment in the 18th and 19th centuries, which altered the political landscape in both Europe and America. As a result, the main philosophers' perspectives on justice follow two different lines of reasoning and two different techniques.

Philosophical Perspectives on Justices

Thomas Hobbes was the first to suggest the justice concept in the 17th century, and it was later embraced by notable philosophers from a variety of schools, such as Rousseau, Locke, Kant, and Rawls. In modern political philosophy, the "social contract" hypothesis is a popular perspective that highlights social justice processes. Additionally, Sen calls this

approach the transcendental institutionalism technique. Smith, Wollstonecraft, Bentham, Mill, Marx, Condorcet, and others all supported different institutions that affect justice. Justice may be attained by comparing different lives under it, according to the comparative philosophy of justice (Sen, 2009:6-7).

The transcendental institutionalism method, according to Sen, aims to describe what is just and what perfect justice is without particularly addressing real societies, as opposed to contrasting justice and injustice in actual communities. Because it presupposes a hypothetical social contract scenario, Sen, views this part of the approach- which prioritizes the equal arrangement of institutions rather than individuals and real societies- as a contractual style of thinking. Since this social compact offers the ideal antidote to chaos and uncertainty, it is evidently significant.

"The results of this approach lead to the development of theories of justice that focus on the transcendent identity of ideal institutions," Sen says, highlighting the arrangement-focused nature of the transcendental institutionalism approach (Sen, 2009:6). Sen notes that the other approach to justice, the comparative justice approach, is realization-focused. Comparative theorists attempt to rectify this by demonstrating the injustice in the world and that social realization (actual institutions, behaviors, and other effects on human life) claims that they concentrate on the outcomes. Rather than restricting their research to the transcendent analysis of an ideal society, these theorists have compared current or likely cultures and focused entirely on eliminating injustice worldwide (Sen, 2009:7).

As a key distinction between the arrangement-focused and realization-focused approaches to justice, the realization-oriented approach- that is, the comparative justice approach—focuses on people's real behavior rather than their compliance with ideal behavior. The realization-oriented approach asks "How can justice be developed?" in contrast to the regulation-oriented approach (transcendental institutionalism approach), which asks "How is a competent just institution?" The realization-oriented approach concentrates on the actual realization of justice in societies rather than merely on institutions and regulations; in other words, it emphasizes comparison rather than taking a transcendent path (Sen, 2009:7-9). Sen contends that transcendental institutionalism is the prevailing perspective on justice in contemporary political philosophy and cites John Rawls as an example of this perspective.

According to Sen, the principles of justice may be seen in Rawls' Theory of Justice, where our relationship with perfectly just institutions is fully defined and specified, and the standards of proper action in the moral and political environment are illuminating. Sen contends that the transcendental institutionalism approach, which incorporates Rawls, has two issues with regard to justice. First, there can be an irrational consensus on what constitutes a just society, even in the face of rigorous standards of impartiality and open-minded examination (as in Rawls' initial view, for instance).

Sen declares that this is a transcending solution that has been agreed upon and that the viability of the result reached is the issue. The selection of the extremely unlikely ideal scenario from among potential options and the real selection requirements for a comparison framework of justice in the application of practical reason are two more of these issues. The repetition problem of research in terms of a transcendent answer is what Sen refers to as this (Sen, 2009:9). A fictitious state of equality (the initial position) is presumed to exist at the beginning of Rawls' theory of justice, as does the idea that

individuals who are ignorant of themselves will all agree on one of the two principles of justice.

Rawls, however, is unable to explain why other perspectives on justice were not selected. Sen, attempts to demonstrate with this approach to justice that Rawls' explanation of this concept of justice is incorrect. Sen contends that since Rawls developed his argument to highlight objectivity, various alternative viewpoints might readily reject it as unhelpful and unreliable. According to Sen, this blocks the fulcrum of Rawls' theory of justice. Sen is interested in ways to lessen unfairness, notwithstanding the fact that we all have diverse ideas about what a rationally consistent ideal system might look like.

In this regard, Sen views "the diversity of systems and lifestyles as things that signify human freedom, rather than as an error or mistake" (Sen, 2009:12). Sen contends that there can never be complete agreement on what constitutes a just world. There can be more than one competing cause for justice, all of which claim to be impartial. Sen (2009:16) contends that "there are multiple systems of values and criteria to consider justice." The fundamental idea of Rawls' theory of justice is truth, according to Sen (2009:54), who also notes that "The principles of justice in Rawls' formulation determine the basic social institutions that regulate society." When determining the principles of justice and impartiality in a hypothetical original circumstance, accuracy becomes necessary. Since the inception of political theory, "justice as truth has been central as a right" (Sen, 2009:55). The identification of suitable principles that dictate the consensus selection of just institutions required for a society's fundamental structure is one of the structural goals of righteousness practice. Accuracy and impartiality are integrated in Rawls to choose the right justice principles. This is where Sen situates Rawls alongside Kant.

According to Sen, "Those who defend a universal law, as Kant did, accept that the characteristics such as not being emotional and being objective are shared by most people" (Sen, 2009:57). Sen then discusses the variety of conflicting objective principles and attempts to clarify this by using the example of three kids playing a flute (Sen, 2009:16): Our three children are named Anne, Bob, and Carla, and we own a flute. One of these three kids has to get this flute. Bob wants that flute because he doesn't have any toys, Carla says she made the flute herself, and Anne thinks she only deserves it because she can play it.

In the aforementioned example, Sen, highlights that every youngster has a unique motive for possessing the flute, making it extremely challenging to decide who should receive it. Sen claims that liberals, utilitarians, and proponents of economic equality will all have different opinions about who should be given the flute. Because Bob is the poorest, for instance, economic egalitarians will support him; liberals will want to give the flute to Carla because Carla made it; and utilitarians will support giving it to Mother because only Anne is proficient on the flute and she will enjoy playing it the most. For Rawls and his adherents, Sen contends, only one of these kids will be correct, and the choice will be made accordingly.

Rawls is part of the transcendental institutionalism perspective, which views justice as universal and necessary, applicable everywhere and at any time. Sen, who contends that this is impossible, highlights that according to Rawls' theory of justice, there is only one kind of just society, and that is described in terms of principles. That is, this ideal form of Rawls cannot account for tenable, rational responses to the plurality that exists in the modern world, and all other replies fall short. However according to Sen, in the case of the three kids, we always violate at least one justice standard when we give the flute to one of

them: Not giving the flute to Anne will result in human performance; not giving the flute to Bob will lead to the abolition of poverty; and not giving the flute to Carla would be incompatible with the right to enjoy the fruits of one's labor.

Sen, notes that the aforementioned example makes it clear that there are valid reasons for each child to receive a flute. To put it another way, Sen contends that if we have to make a choice, we can only come up with three distinct answers for three distinct people. Sen contends that potential solutions are likewise illegitimate, emphasizing that it is extremely challenging to come to an agreement on the fundamentals of justice. Instead of talking about ideal solutions that might not work, the emphasis should be on selecting from among plausible alternatives. "If we try to choose between Picasso and Dali, we should not do it by referring to the diagnosis that Mona Lisa is the most ideal painting in the world," Sen (2009:16) tries to justify this decision.

Sen claimed that each of the three children's justifications in the "three children with a flute" scenario demonstrates non-arbitrary justifications and various forms of impartiality. Sen contends that no social institution, but only social negotiation, can bring about a peaceful resolution to such a dispute. In order to quantify justice, he highlights that this is achievable by eliminating standards that do not stem from common sense (Sen, 2009:14-15). As Sen notes, the flute example illustrates various basic concepts about what constitutes a just society that are examined independently and argued objectively. As a result, it appears impossible to identify the institutions required for the fundamental framework of society and to define the fundamentals of justice. Sen claims that "it is very difficult to use the whole procedure/procedure of justice as the correctness developed by Rawls in his theory" (Sen, 2009:57) because of this.

In his book *Theory of Justice*, Rawls makes the case that the development of justice principles will occur independently and that those who join together in the first place will not select other alternative beliefs about justice. Sen views Rawls' method as an attempt to arrive at a transcendent ideal. Sen, claims that although Rawls acknowledged later that it was difficult to get to a unanimous agreement on the one set of justice principles, this unsolvable issue had disastrous consequences for the notion of justice as truth. Sen, however, asserts that Rawls' theory "enriched political philosophy with its thoughts and played a great role in our understanding of various aspects of the idea of justice" (Sen, 2009: 58). However, Sen (2009:18) believes that "knowledge about the creation and regulation of institutions and rules cannot replace the importance of experiences and realizations in human life."

Sen's Views of Nyaya and Niti

Niti is an idea that links organizational relevance and behavioral correctness to norms and institutions. Niti, according to Sen, therefore replaces the idea of a perfectly just society and is consistent with the transcendental institutionalism approach, which aims to answer the question, "What do competent just institutions look like?" in the modern world. Nyaya's philosophy, however, is about making a breakthrough. In other terms, Nyaya is a comprehensive plan or vision of justice that is realized. While Niti represents the procedural sense of justice and the instrument of codification, Nyaya represents the more practical and comprehensive idea of justice, which is focused on particular results. Furthermore, Nyaya in particular gives people useful life advice. Nevertheless, Nyaya and Niti both wish for the development of just, understandable justice. Sen argues that when

considering justice from Nyaya's wider and more inclusive perspective, organizations, laws, and institutions all play crucial roles, but they are all inexorably linked to the actual world. Accordingly, he claims that the Nyaya concept is consistent with the realization-oriented comparative justice approach. Nyaya's focus on justice is on "how justice can be developed," not "how perfect just institutions look." Sen 2009:21.

Justice is seen as Nyaya rather than Niti, according to the old Indian tradition. In accordance with Sen (2009:411), "the difference between transcendental institutionalism and social realization approaches regarding justice to the difference that exists between Niti and Nyaya".

In ancient India, the legislators also debated, or *matsyanyaya*, according to Sen. In line with this argument, "the big fish can freely swallow the small fish, which is justice in the world of fish." Sen insists that we need to consider this demeaning rhetoric, which parliamentarians call *matsyanyaya*, for a specific reason. Preventing *matsyanyaya* should be the main goal of justice as "justice in the fish world" shouldn't be allowed to enter the human world. Sen proposes that in this instance, achieving justice by Nyaya awareness and society's self-reasoning is more significant than assessing institutions and laws. Sen senses that transcendental notions for the creation of capable just societies or social arrangements do not lead to a solution in order to avoid the *Matsyanyaya* example that was previously discussed. "The realization-oriented approach makes it easier for us to understand the importance of preventing sharp injustices seen in the example of *matsyanyaya* and to prevent or correct the injustices that exist in the actual world," according to Sen (Sen, 2009: 21).

In this context, Sen references the 18th and 19th century rebellions to abolish slavery as an example. Sen asserts that Adam Smith, Condorcet, and Mary Wollstonecraft are among those who emphasize that a society with slaves is unjust, and that it is not necessary to seek consensus on what makes a just society in order to abolish slavery; rather, slavery was abolished by a majority vote. The American Civil War led to the abolition of slavery. Sen points out that the "great strike launched for justice in America, the enhancement of justice through the abolition of slavery, cannot be shown within the transcendental institutionalism approach, but within the social realization approach (comparative justice approach or realization-oriented approach)" (Sen, 2009:22). A proper understanding of social realization, or the Nyaya-based view of justice, according to Sen, "contains a comprehensive, broad explanation (including process) of the events and situations that occur through the right processes" (Sen, 2009: 24).

However, Sen values the global component of justice highly in his vision of justice. Sen (2009:24) argues that "the restrictive/limiting perspective of the dominant view of transcendental institutionalism in political philosophy emphasizes that it will not be possible to realize global justice from this perspective." This assertion is stated within the framework of the transcendental institutionalism, or regulation-oriented, justice approach, which is unable to meet the demands of a fair world in this day and age on a global scale. In actuality, applying the Rawlsian method to the philosophy of justice requires a comprehensive grouping of institutions in order to determine the essential elements of a just society. When it comes to how to conceive about global justice, Rawls does not compromise his principles of justice or turn to creative interpretations.

While pursuing calls for justice as truth, Rawls's subsequent book, *The Law of Peoples*, attempts to show how this would transpire amongst countries. Sen claims that

"this addition, which includes the resolution of the fundamental problems of humanity through negotiations between the delegates of different countries, remains very weak and qualifies justice in a very limited way" (Sen, 2009:27). "What global change is required to make the world less unfair?" Sen ponders. Sen asks the question that in order to reap the benefits of political chances, technical progress, and commercial relations, the interests of disadvantaged and oppressed countries must also be sufficiently considered. (Sen, 2009:25). Sen argues for a more equitable distribution of the vast advantages of globalization, seeing poverty and pervasive inequality as the primary problems at its heart. "The impoverished should have a better and fairer arrangement with less economic, social, and political inequalities of opportunity," states Sen (2010:156). It should be examined what advantages the domestic and international reorganizations will provide. The introduction or strengthening of social security regulations, together with other positive governmental measures, might be very useful to Sen at this time. Sen contends that while there are still differences on other matters, public discussion may result in agreement on the pursuit of global justice for a capable fair society.

Sen emphasizes that the institutional structure of the contemporary society must be altered in order to lessen unfairness and redress existing inequalities. Sen notes, for example, that the drugs needed by poor AIDS patients may be produced more easily, sold for less, and acquired more easily from the market. Reforming the laws governing this is a simple matter with some implications for international justice. By contrast, Hobbes' 1651 book *Leviathan*, which might be seen as a model work, emphasized the 'evil, wild, and brief' quality of people's lives. Sadly, Sen states that "this Hobbesian conclusion still constitutes a good starting point for today's theories of justice" (Sen, 2009:412). Sen indicates that far too many individuals throughout the world continue to live with these terrible traits in spite of enormous material development. Sen's approach centers on people's lives and capacities, as well as their oppression, suffering, and lack of resources. Some assumptions about the nature of human life are shared by many conceptions of justice, according to Sen. These assumptions include disparaging and shaming other people, hurting them, being cruel and empathetic, disputing, disagreeing, etc.

According to Sen, the fact that these traits are common in human life does not need a particular theory of justice; rather, it suggests that, in spite of our varied ways of living, we should all work toward achieving justice and eradicating injustice from human society. Sen confirms in his argument that he frequently highlights human potential and capacity and contrasts it with alternative ideas of justice. Sen thinks that while certain individuals and communities lack fundamental human traits like collaboration, empathy, communication, and empathy for others, they shouldn't be condemned to live solitary lives. Sen thinks that avoiding loneliness is essential to the quality of human life. Sen claims that Hobbes emphasizes the 'bad, wild, and brief' quality of people's existence in *Leviathan* in order to underscore the pain of loneliness. In this case, Sen's insights on the plight of the isolated and the difficulties of loneliness that Hobbes emphasizes are identical (Sen, 2009:415). In an already awful world, Sen argues, we face a lot of issues, such as tyranny and famine, and to make things worse, we fight with each other all the time yet are unable to relate to each other. Sen now promotes the replication of true democratic opportunities and forums for discussion while highlighting the importance of public reason. Sen argues that justice should have a worldwide reach in the last section of *The Thought of Justice*, where he also examines the practical problems of the last 25 years.

Unlike Rawls, who presents an ideal of justice, Sen summons us to a non-local, impartial mind. You consider things from Smith's objective audience's point of view, emphasizing the need to consider our tendencies, routines, and preferences without supposing that there is just one viable strategy (Sen, 2009:394-396). Sen urges us to pursue justice by relying on public reason that is independent of any specific goal. "We need to compare the effects of specific policies that were implemented in the name of impartiality and integrity in order to assess the far-reaching effects of social arrangements without obsessively following formal and procedural rules," he argues. (Sen, 2009: 408–409)

Amartya Sen Capability Approach

In the late 1980s, the United Nations Development Program (UNDP) created the capacities approach, which was based on the work of Amartya Sen and Martha Nussbaum (Tilak, 2002:192). In 1989, Sen and Mahbub ul Haq created the Human Development Index (HDI). The HDI took into account skills such as basic health and education, in contrast to earlier development indexes. Both the index's development and the recognition of the importance of some unmet liberties have benefited greatly from the previously discussed "feminist economics" (Sen, 2004b:80). The human development concept was developed by Sen in 1999 and introduced as a capacity approach, according to Tilak (2002). As "the most serious criticism developed against utilitarian liberal justice theories," Sen's capabilities approach addresses human flourishing from several perspectives (Seker, 2009:260). This approach demonstrates an interdisciplinary feature. This approach was used in empirical studies and provided the theoretical underpinnings for the paradigm of human development.

"The capability approach addressed the question of 'what is equality?' in liberal political philosophy and concentrated on what people can do and become effectively, rather than their happiness or income and expenditures" (Nussbaum, 2005, pp. 168, 93). The capacity approach, as opposed to traditional money or benefit-based approaches, proposes a development plan that is seen as a process of expanding people's basic rights. It is thought that expanding freedoms is the main objective and tool of progress. These are the essential and essential functions that freedom plays in development, respectively; according to Sen. Being able to improve your life is one of the fundamental human rights and the purpose of freedom.

Examples of fundamental freedoms include the freedom from preventable diseases, early mortality, malnourishment, and famine. Other liberties include the capacity to study and practice calculus, to engage in political activities, and to freely express oneself. On the other hand, instrumental freedoms emphasize how different rights, opportunities, and advantages contribute to a person's total capacity to lead a more free life. For example, instrumental freedoms such as political freedom, economic opportunity, social opportunity, transparency guarantees, and protective security tend to have an impact on the overall capacity needed for a person to live more freely (Sen, 2004a:57-58). Benefit and income methods, which gave other development criteria precedence, disregarded the significance of values like rights and freedoms in human wellbeing (Sen, 2000:19).

This approach, which provides a more holistic perspective of human growth, recognizes the instrumental importance of increasing national and individual incomes in expanding freedoms, even while it opposes seeing them as a goal. Individuals should also be given the freedom to pursue their lives and reach their full potential. The capacity approach holds that the objectives of justice, progress, and human welfare are constructed

using people's competencies. Individual liberties are the core elements of the capacity approach, according to Sen. Sen (2004a:101) asserts that "individuals can choose the lifestyles that they value" in this context. Freedom itself, not its outcomes, is what you appreciate in this circumstance. Sen is interested in enabling more individuals to live the lives they choose. As explained by Sen (2004a:108), "capacity" refers to the wide range of activities that a person may do.

As a result, the ability to act—which stands for the various things one may decide to be or achieve—is what matters in this circumstance. It is clear that Sen has a complex perspective on poverty, which differs from traditional economic theory. Conventional economic theory holds that while economic expansion and increased worker productivity can reduce poverty, unemployment and government intervention in free markets worsen it. Conventional economic theory holds that increasing the efficiency of commodity production and optimizing utility are essential. According to Nussbaum (2000), the "capability approach is a universal approach, every thought, every individual, and everything that is considered as a goal is important" (p. 241). The statement "Human rights and human competencies have a very close relationship" is also emphasized (Nussbaum, 2000:243, 2005:184; Osmani, 2005:206; Sen, 2005a:163, 2005b:8).

Osmani (2005:206) views the capacity approach as a "bridge connecting human rights and poverty" when looking at poverty and human rights from this perspective. Because "rights are moral reasons based on a moral basis and they should be handled without prejudice and impartially," morality need to be used while discussing human rights (Sen, 2005a: 153; Sen, 2005b:8). The capability approach holds that "human rights and human competencies should be considered together," considering all of these as fundamental to justice (Nussbaum, 2000:244, 2005:184; Sen, 2005a:153). Considering these aspects makes each case easy to understand. Certain liberties should be considered rights since freedoms and rights are inextricably linked. According to Sen (2005a:185), "fundamental freedoms need to be protected, integrated, and expanded." Sen states that "basic capabilities to avoid hunger, malnutrition, preventable diseases, and premature death, to receive education, to benefit from political participation and free expression" are among the fundamental freedoms (2004a:56).

However, the capacity method also emphasizes how historically sexist culture views women's skills as inferior to men's. Sen has used the term "missing women" to refer to women who, in most parts of the world, are less supported in carrying out daily tasks: "In reality, the 'missing women' are second-class citizens, despite their theoretical equality" (Nussbaum, 2000:241). This perspective interprets women's rights as human rights and holds that women have different human talents and competencies due to their unequal social and political situations (Nussbaum, 2000:240, 2005:183). The world is a vast prison that limits women's creativity, according to Mary Wollstonecraft. Sen asserts that "the description of Wollstonecraft, who lived and started the defense of human rights, is still valid today, two and a half centuries ago" (Sen, 2005b:3).

Sen's gender study states that women are discriminated against and thus disadvantaged in all areas of social life, a situation that is "not acceptable in terms of universal norms of equality and freedom, and needs to be reconsidered in terms of the distribution of opportunities and resources," according to Nussbaum (2000:242). It is necessary to provide additional resources to individuals or groups tackling these problems. In terms of increasing awareness and providing alternatives, education is the

most important element in addressing these problems (Nussbaum, 2005:184). The capacity viewpoint holds that education is a fundamental human right, independent of its financial value, and that rights are seen as an extension of human freedom. "A wider educational perspective that emphasizes people's capacity to select the lives they value is highlighted by the idea that education is a right" (Sen, 1997:1959).

There is a relationship between capacity and education. Capacity refers to the variety of options that a person is likely to choose from. The focus of "capability thinking" is therefore on the freedom that allows a person to select their own lifestyle (Saito, 2003:20). Consequently, "people are deprived of their freedom when they have poor educational attainment or are unable to obtain an education" (Costantini & Monni, 2005:335). "Education enhances an individual's inner peace, self-confidence, employment opportunities, and the capacity to take various beneficial actions" (Alkire, 2005:129). According to the capacity perspective, education broadens human skills. When people learn ideals and improve their skills via education, they become freer. Personal liberties are said to expand with education. According to this viewpoint, which sees individual rights as the essential building blocks, education is a virtue regardless of whether or not individual freedom of action is restricted.

While other development models see education as a means to increase profits, the capacity approach sees it as an end in itself. Based on the capacity approach, a lack of education both contributes to and results in poverty. It makes a distinction between economic poverty and capacity/adequacy poverty, as was previously mentioned. Income is not the sole factor used to explain poverty. According to Sen, poverty is "the state of being deprived of certain rights, opportunities, and options" (Sen, 2004a:101), therefore the genuine definition of poverty is capacity/competence poverty. Sen's technique in modern economic theory, as was previously noted, is a new beginning in the struggle against the belief that all preferences and material desires are only specific expressions of a universal and abstract need concept such as utility.

However, Sen used the standard tools of economic theory to define utility as an individual's capacity for action rather than wellbeing, which removes the need to interpret utility as contentment or the fulfillment of wishes. Sen's theory of freedom, in other words, argues that utility is an individual's capacity to act rather than the outcome, unlike the welfare theory, which is based on the utility-happiness pair. Choice and freedom are two concepts that are fundamental to ethics. For a variety of reasons, freedom is defined as the extension of one's choices for attaining a preferred lifestyle. In this case, the main goal of progress is freedom. Sen's method is predicated on the fundamental idea that an individual's value is better reflected by freedom itself than by its outcomes. Freedom is important to you not only because it allows you to achieve specific objectives but also because of its intrinsic value, which surpasses the value of the state obtained.

Freedom, then, necessitates not just material riches, income, and formal advantages, but also the capacity to seize and build upon opportunities for basic human activity. The ability to make choices and act on them is the complement of freedom. It takes more than only optimizing one's own gain to reach a position of choice (Ínsel, 2000:15–17). As a result, the core idea of the capacity approach is that humans, as individuals with agency, make decisions rather than the "self-interested" people that resulted from utilitarianism, one of the main currents of the Enlightenment philosophy. His definition of economic human (*homo economicus*) was broad, and he "advocated that welfare economics should be

methodologically addressed within a broader set of variables (such as famine, hunger, injustice, income distribution, malnutrition, and gender discrimination)" (Seker, 2009:275).

Sen's capacity approach integrates "many basic variables pushed out of welfare economics, without compromising scientificity and measurability, are theoretical researches." It recognizes the development of human potential as a core principle. In contrast to positivist and immoral economics methodology, which disregards such evaluative techniques due to the fact that they are factors that cannot be measured with scientific care (Seker, 2009:270).

An Assessment of Amartya Sen's Theory of Justice

As the cornerstone of views of justice, liberalism was positioned alongside the concepts of individuality and freedom. Liberalism values and elevates the person and freedom. An individual is someone who is self-centered and has the basic rights of life, liberty, and property. Each of these rights must be taken into consideration by the state when establishing laws. The protection of each person's legal rights is the aim of the justice system. The state's sole duty is to uphold the rights and freedoms of every individual while enforcing the law. The state cannot infringe upon the rights and freedoms of any individual.

The state is the state of law, and justice is the protection of rights in whatever manner. Since liberal doctrine ensures freedom in the exercise of rights, justice has typically also been viewed as freedom. However, whether freedom is a goal or a means is not yet obvious. The reason for this is that freedom in this context is both a goal and a means to an end. If freedom is seen as a right in and of itself, then the relevance of the liberal concept of the right to justice is easily understood. The ability to exercise one's rights requires freedom. Individuals can be free in accordance with their rights. For example, if someone cannot vote, there is no freedom to do so. To a certain extent, allowing freedoms also means guaranteeing rights. The reason for this is because human rights and freedoms are closely related (Gündoğan, 2003:2-3).

This inherent relationship between freedoms and human rights is demonstrated by the capacity technique developed by philosophy and economics professor Amartya Sen. Sen (2004a:108) defines capability as "different combinations of functions that a person can achieve." According to Sen, a much narrower distribution of rights and capacities is usually the outcome of unequal financial distribution. Because of the initial unequal distribution of capacities, inequality is socially reinforced. However, the endowment of access to rights really necessitates the implementation of measures to redistribute talents in the context of social policy. Sen agrees that redistribution of capacities, not simply national income, is required to reduce inequality.

Sen contends, for example, that poverty encompasses not just a lack of financial resources but also a lack of rights and the capacity to enjoy life's opportunities. In one sense, poverty results from the denial of civil and political rights, the right to health care, the right to education, the right to access culture and other communal resources, and- above all- the ability to take part in public decision-making. These rights improve one's ability to make decisions, which makes them equally as significant as the right to financial income. But they are also physical manifestations of poverty and low income. Sen argues that these rights, combined with the right to financial gain, define personal liberties and form a whole (İnsel, 2000:18-19).

Conclusion

Sen's conceptions of Niti and Nyaya have the potential to eliminate social injustice and establish justice through the process of realization. According to Sen, Nyaya is a comprehensive plan or vision for justice that is realized, focusing attention on specific outcomes and embodying the practical and comprehensive concept of justice. Nyaya's main objective is to prevent matsanyaya, or the unfair practice of huge fish eating little fish. "Justice in the fish world" should not be allowed to infiltrate the human world; its main purpose should be to prevent matsyanyaya. Sen, rather than assessing institutions and laws, basic acceptance is predicated on society's self-reasoning and the achievement of justice with Nyaya awareness. By emphasizing public reason through human reason and separating fairness from injustice through a realization process, he aims to eradicate social injustice and establish a system of justice and equality. He also promotes the replication of true democratic possibilities and debate places.

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Biographical Note

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