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Towards social justice in education**

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A capability perspective on impairment, disability and special needs
Towards social justice in education

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ABSTRACT

This article presents elements of a capability perspective on impairment and disability and develops in connection with it a multidimensional and relational account of disability. It suggests how a capability perspective provides new and fundamental insights into the conceptualization of impairment and disability, and in doing this, resolves the tension between natural and social causal factors evident in current discussions of disability and education. It argues that the capability approach is innovative with respect to the centrality of human diversity in assessing equality, and that the specific understanding of human diversity proposed, the democratic decisional process promoted and the normative account of disability those entail, all have the potential to take educational theory and inclusive education policies in fruitful directions.

KEYWORDS *capability theory, disability, education, equality, social justice*

INTRODUCTION

WHAT DISABILITY IS and how it can be defined in relation to human diversity and personal heterogeneities more generally is a theme common to several disciplines. In particular, recent perspectives in socio-medicine, disability studies and political philosophy have all engaged the topic of disability, outlining some of its dimensions with reference to their own internal debates. Socio-medical approaches and disability studies have mainly concentrated their analyses on the definition of disability and on its causal factors, and have provided contrasting understandings of what disability is and how it relates to human diversity and social and political matters. In their political struggle for

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equal consideration and equal entitlements, and against any reduction of disability to a biological notion of abnormality, disabled people's movements advocate the 'celebration of difference', or a positive recognition of disability as part of the inescapable human diversity that so enriches our life experience and our society (Corker, 1999; Morris, 1991; Shakespeare, 1997; Thomas, 1999; Wendell, 1996). In this context, the concept of disability is articulated in terms of differences to be positively recognized, rather than stigmatized and discriminated against.

Conversely, the concept of human diversity plays a crucial role in contemporary theories of social justice. These theories engage with the questions of what traits constitute personal advantages or disadvantages, whether these are naturally or socially determined, and how and why diverse personal traits do or do not have to be taken into account in determining what is just. A disability is usually referred to as an individual disadvantage and considered as a further 'complexity' in the already complex framework of a just distribution of benefits and burdens, however defined. Aspects of this debate have also addressed the causal factors of disability, whether natural or social, mainly in connection with interpersonal comparisons of disadvantage and a concern for social justice (Dworkin, 2000; Nagel, 2002; Rawls, 1971, 2001; Sen, 1992). What is a cause of celebration for disability scholars and disabled people's movements has become an object of inquiry for political philosophers, particularly liberal egalitarians.

Notwithstanding this diversity of approaches, the debate raises three interrelated questions that are important both to disability studies and to political theories of social justice: 'What is disability and how can we think of it within a concept of human diversity?' 'What relevance do the causal factors of disability have for a theory of justice?' and 'How ought disability to be evaluated and considered in the design of equitable and inclusive social and political arrangements?' In addressing these questions, the debate operates on two distinct but interlocking levels: a theoretical level, concerned with definitional and causal issues, and a political level, where theoretical understandings of disability and ideals of social inclusion are translated into matters of equal rights and entitlements for disabled people. The three questions, and their respective answers, form a fundamental framework for addressing impairment, disability, and different abilities or special needs in education.

In the first section that follows, I shall address how current models of disability present an unsatisfactory understanding of impairment and disability, at both the theoretical and political levels of analysis. I shall then, in the second section, outline how the capability approach advances the theorization of impairment and disability at both of these levels. Finally, in the third section, I shall apply the capability perspective on impairment and disability to related educational issues.

HUMAN DIVERSITY AND 'MODELS' OF DISABILITY

The current debate on disability is mainly characterized by two contrasting conceptions, or 'models' of disability, each with its own definition of disability in relation to human diversity and its own view on the design of inclusive social arrangements and policies.[1] Biomedical and socio-medical approaches to disability underpin the definitions of the International Classification of Impairments, Disability and Handicaps (ICIDH, 1980) proposed by the World Health Organization (WHO). This Classification, based on the distinction between *impairment*, *disability* and *handicap*, defines *impairment* as an 'abnormality in the structure or the functioning of the body' whether due to disease or trauma, *disability* as the 'restriction in the ability to perform tasks' due to impairment, and *handicap* as the 'social disadvantage' that could be associated with impairment, disability, or both (Bury, 1996: 22).

This classification implies a causal relation between individual impairments, seen as departures from human normality, and disabilities, seen as restrictions in abilities to perform tasks. According to it, therefore, disabilities are attributable primarily to individual biological conditions that depart from normal human functionings and cause handicaps to be experienced as disadvantages. These definitions promote an understanding of disability and the disadvantage associated with it as primarily an individual condition arising from natural causes – hence the labelling of this view as the 'individual model' of disability by disabled people's movements.

Consider as an illustration of this view, the case of congenital blindness. According to this model, a visual impairment, being a departure from standard human repertoire, determines a restriction of activity and, consequently, causes disability, which may then result in handicap. While being a clear departure from human average functioning, this condition determines a restriction in some activities, in that visually impaired people are, for instance, unable to drive, and this inability constitutes a disability, which, in turn, produces a social disadvantage. The disabilities take the form of inability to perform certain tasks, from everyday ones, like driving the children to school on a given day, to broader ones, like choosing an occupation that involves driving.

The set of definitions presented by the WHO classification involves a distinction between *normality*, or normal average human functioning, and *abnormality* as divergence from this standard. Moreover, normality as a functional concept carries a wider connotation of natural superiority. Within this view, in fact, disability is referred to as caused by an individual 'abnormality', linked to certain inabilities to perform tasks and, therefore, to disadvantages. Here, the relational aspect of disability, its relation to individual impairment and to handicap, is fundamentally grounded in the causal link established

between natural impairment and disability, and the resulting disadvantage is attributed primarily to a specific individual condition. Consequently, as disability scholars have repeatedly asserted (Finkelstein, 1980; Oliver, 1990; Shakespeare, 1997), disability is considered mainly a target of treatment and rehabilitation intended to achieve as much as possible an approximation to normality.

This view of disability as divergence from normal average functioning has major implications for theory and social policy alike. The diagnostic application of the WHO classification appears useful and unproblematic in both medical and social policy settings, yet further analysis reveals that this approach suffers from at least three theoretical limitations. First, in individualizing disability, this view downplays social factors. Whether an inability to perform certain tasks becomes a disability and, in turn, a handicap, does also depend upon the social structure and the environment in which people find themselves. Thus, the visually impaired person of my previous example would be badly disadvantaged in social arrangements where driving is paramount to achieving other goals and no alternatives are available. She would be unable to take her children to school and would either have to rely on the help and assistance of others or find an alternative arrangement. On the other hand, the same person would not be as disadvantaged if alternative provisions were made available, such as accessible and reliable public transportation or a specifically designed service. Furthermore, she would not be disadvantaged with respect to driving in a hypothetical society consisting entirely of non-drivers. Second, the concept of human diversity implied by this set of definitions in effect assumes away wider consideration of diversity in terms of age, sex, general intellectual and physical abilities, social circumstances, and climatic differences (Sen, 1992: 28), and leads to a monolithic assumption of disability as abnormality or deviation from a normal condition. The multidimensionality of human diversity is thereby understated. Third, as sociologists and educationists have suggested, this view may lead to or be used to justify a stark and exclusionary separation between normal individuals and those defined as abnormal.

In light of many such considerations, the WHO has recently revised the Classification and provided a more circumstantial perspective on *Functioning, Disability and Health* (ICFDH, 2001). However, since the original classification has had a considerable impact and is still widely referred to by disability scholars, the analysis I offer here is based on the original Classification.

Opposed to this conception is the 'social model of disability', which has emerged from the political activism of disabled people's movements and the reflection of disabled scholars on their own experience. Mainly developed by Michael Oliver, the social model plays a major role in Disability Studies and

is fundamental to the theoretical positions of disabled people's movements. In Oliver's account, the social model 'does not deny the problem of disability but locates it squarely within society' (Oliver, 1996: 32). Basically, Oliver sees disability, by contrast with impairment, as something imposed on disabled people by oppressive and discriminating social and institutional structures. Thus, according to the social model, *impairment* is 'lacking part or all of a limb, or having a defective limb, organ or mechanism of the body', and *disability* is

> the disadvantage or restriction of activity caused by a contemporary social organization which takes no or little account of people with impairments and thus excludes them from participation in the mainstream of social activities. (Oliver, 1996: 22)

Disability, therefore, 'is all that imposes restrictions on disabled people', and, as such, 'disablement is nothing to do with the body' (Oliver, 1996: 35), but is instead caused by the oppression of social and economic structures bearing on impaired individuals.

The aim of the social model of disability is to redress both sources and causes of disability – both individual, natural differences and social arrangements – and to deny any theoretical legitimacy to the notions of normality and abnormality. According to this view, disability is caused by social structures, which, like the concept of human average functioning, take no account of impaired people. A disability is seen as an imposed restriction added by society to existing impairments, and normality, in Oliver's words, 'is a construct imposed on a reality where there is only difference' (Oliver, 1996: 88). Social model theorists oppose any idea of normality, which they consider ideologically constructed with the aim of controlling and excluding disabled people from the mainstream of social institutions.

Consider visual impairment as it is understood by the social model: the visually impaired person experiences disability arising from the restrictions imposed by economic and social structures, which, in providing only for sighted people, exclude visually impaired people from the mainstream of social activities. Thus, according to this understanding, the disability experienced by the visually impaired person would be caused by the fact that society is designed on the basis of an average – consequently restricted – idea of normal human functioning. This idea of normal functioning does not provide for visually impaired people, preventing them from undertaking a wide range of activities.

The social model of disability has developed into a multifaceted, critical analysis of the concepts of human diversity and disability, and defined the terms of debate in Disability Studies. Recent works by disability scholars (Morris, 1991; Thomas, 1999; Wendell, 1996) have described disability in terms of difference, and have promoted the celebration of disability as difference or

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an aspect of human diversity. Feminist disability scholars such as Wendell and Morris, while acknowledging the cultural and social aspects of ideas of normality and abnormality, nevertheless reintroduce considerations related to the individual condition of impairment, with its biological dimension and restrictions of activity, pain, and illness. Thus, Wendell 'appears to accept that there are some biological differences which really do set some bodies apart from others' (Thomas, 1999: 105), and Morris argues,

> [w]e are different. We reject the meanings that the non-disabled world attaches to disability but we do not reject the differences that are such an important part of our identities. (Morris, 1991: 17)

These and other authors (Corker, 1999; French, 1993) assert the value of disability as a part of human experience, and advocate an inclusive society with no social, economic, or cultural barriers to participation (Terzi, 2004: 154).

This view of disability as difference has the political force and legitimacy that comes with voicing disabled people's own experience, reflection, and political aims. However, beyond the political appeal and the constant reminder of the moral importance of this debate, the social model of disability has evident shortcomings. First, there is an aspect of over-socialization of sources and causes of disability. In stating that disability is a restriction of activity caused by discriminatory economic and social structures, the model over-socializes the reality of disability. It is difficult to see, in fact, how the inability of a blind person to read non-verbal cues can be ascribed to a social condition. Second, in so doing the model overlooks the complex dimensions of impairment and its effects on activities and abilities, hence disabilities. There are aspects of pain, fatigue, and sometimes illness related to certain impairments, and these play roles in the lives of disabled people, which are not accounted for by the social model. Finally, the social model reaches untenable conclusions. If we reject the idea of normality as a guiding concept, how would we evaluate impairment and disability? Would any possible functioning or non-functioning be considered equally in a social model of disability? And in that case, what would then constitute impairment and what disability? Moreover, in promoting the celebration of difference in the absence of a clear definition of what difference means and how it has to be evaluated, the social model loses sight of what is specific to impairment and disability. Consequently, the social model fails to address disability in a theoretically coherent way and in a politically feasible manner (Terzi, 2004: 155).

It appears therefore evident that both the individual and social models of disability have theoretical deficiencies that limit their value as a basis for policy. The individual model of disability understates the relational and social character of disability, overlooks more complex dimensions of human diversity,

suggests social policies that overemphasize the adjustment of the individual person and underemphasize social changes, and may lead to policies unilaterally informed by concepts of assistance rather than principles of equal entitlement. Conversely, the social model ends up over-socializing causes and misplacing responsibility for impairment and disablement; in proposing disability as an aspect of difference within human diversity, it under-specifies what difference is and yields a proposal that is more rhetorical than substantial. Both models, in defining disability as generic restriction of activity, fail to provide a definition of disability that can adequately inform the design of inclusive institutional and social schemes.

These considerations point to the need for a different approach to conceptualizing impairment and disability, an approach which considers disability as a specific variable of human diversity and evaluates its impact on the positions of individuals within institutional and social arrangements. The capability approach, developed by Amartya Sen and Martha Nussbaum, is such a framework, and it is well suited to assessing the relevance of impairment and disability in designing just and inclusive institutional and social arrangements. I shall consider what the capability approach can contribute to our understanding of impairment and disability in the section that follows.

A CAPABILITY PERSPECTIVE ON IMPAIRMENT AND DISABILITY

Sen's capability approach: human diversity and disability

Sen's priority in developing the capability approach has been to provide a more adequate framework for the conceptualization of human development and for the analysis and assessment of poverty. The frameworks commonly used in welfare economics are too narrowly based on income generation or income distribution, he contends. In examining poverty, inequality, and their relation to social arrangements, Sen's work also critically engages with the philosophical debate on equality and distributive justice, and develops a complex and compelling form of egalitarianism (Sen, 1992). I shall argue that Sen's capability approach offers new and important resources for redefining impairment and disability, and designing inclusive social policies. I begin with some key concepts: the space of capability, the informational basis of the metric used in interpersonal comparisons of equality, and the democratic decision process entailed by the approach.

Sen maintains that closely linked to the central question of what it is that social arrangements should aim to equalize, are two fundamental issues: first, the choice of the 'evaluative space' in which to assess equality, and second, the

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metric that should be used in comparing people's relative advantages and disadvantages. He identifies the evaluative space for the assessment of inequality and, conversely, for determining what equality we should seek, in the space of the freedoms to achieve valuable objectives that people have, that is, in the space of *capability*. Rather than aiming to equalize resources or welfare, Sen argues that equality should be defined and aimed at in terms of the capability each individual has to pursue and to achieve well-being, i.e. to pursue and enjoy states and objectives constitutive of her or his well-being. Thus, the capability approach delimitates a space for the assessment of individual well-being and the freedom to achieve it.

Within this space, Sen distinguishes *functionings* and *capabilities*. Functionings are defined as 'beings and doings constitutive of a person's being', such as being adequately nourished, being in good health, being happy and having self-respect, or taking part in the life of the community (Sen, 1992: 39). Achieved functionings are the specific functionings that a person has accomplished and realized at any given time (Alkire, 2002: 6). Since functionings are constitutive of a person's being, according to Sen, 'an evaluation of a person's well-being has to take the form of an assessment of these constitutive elements' (Sen, 1992: 39).

Capabilities, on the other hand, are capabilities to function, and they represent a person's freedoms to achieve valuable functionings. In other words, they represent:

> Various combinations of functionings (beings and doings) that the person can achieve. Capability is, thus, a set of vectors of functionings, reflecting the person's freedom to lead one type of life or another. (Sen, 1992: 40)

Capabilities amount to the substantive freedoms a person has, or the 'real alternatives' available to the person herself to achieve well-being. In that respect, capability is related to well-being both instrumentally, as a basis for judgements about the relative advantage a person has and her place in society, and intrinsically, since achieved well-being itself depends on the capability to function, and the exercise of choice has value of its own as part of our living (Sen, 1992: 41, 62).

The capability approach endorses equality of capabilities as a policy objective and asserts the fundamental importance of capabilities and functionings as value-objects for the assessment of individual well-being (Sen, 1992: 46). With this in mind, it is important to address the basis for interpersonal comparisons implied by the space of capability.

The 'evaluative space' of capability encompasses the use of a 'metric' (Pogge, 2003) to evaluate people's relative advantages and disadvantages. In other words, the capability approach theorizes a space where consideration of the 'basic

heterogeneities of human beings' or 'empirical fact' of human diversity is crucial in assessing the demands of equality (Sen, 1992: 1). In Sen's words, 'Human diversity is no secondary complication (to be ignored, or to be introduced 'later on'); it is a fundamental aspect of our interest in equality' (Sen, 1992: xi). According to his view, human beings are diverse in four fundamental ways. First, they are different with respect to their personal, internal characteristics, such as gender, age, physical and mental abilities, talents, proneness to illness, and so forth. Second, different individuals are different with respect to external circumstances, such as inherited wealth and assets, environmental factors, including climatic differences and social and cultural arrangements (Sen, 1992: 1, 20, 27–8). Third, a further and important form of diversity, defined as *inter-individual variation*, pertains to differences in the conversion of resources into freedoms or, in other words, to different individual abilities to convert commodities and resources in order to achieve valued objectives (Sen, 1992: 85). To illustrate this last point, Sen provides the example of a lactating woman, who, due to her specific condition, needs a higher intake of food for her func- tionings than a similar but non-lactating woman. A fourth, fundamental way in which human beings are diverse is that they have different conceptions of the good, and therefore aim at different ends or objectives. Sen calls this *inter-end variation*, and the recognition of it leads him to envisage capabilities as the overall freedoms that people have 'to achieve actual livings that one can have a reason to value' (Sen, 1992: 85, 1999: 18), without specifying what ends there is reason to value or (hence) specifying a definitive list of capabilities.

Within this view of human diversity as central, the capability approach holds that it makes a difference whether someone is a man or a woman, has physical and mental prowess or weaknesses, lives in a temperate physical environment or in a more adverse climatic zone, and lives in certain social and cultural arrangements rather than in others. The differences entailed by these variations have to be accounted for when addressing the demands of equality. The actual differences in conversion factors and conceptions of valuable ends and objec- tives that people have must be considered too. Thus, ultimately, the metric used to make interpersonal comparisons includes the four central aspects of human diversity pertaining to personal characteristics, external circumstances, inter- individual variations in conversion factors, and inter-end variations related to the plurality of conceptions of the good.

An example taken directly from Sen's work may help to illustrate the use of this metric, and to introduce considerations pertaining to disability that will be expanded later on.

> Consider two persons 1 and 2, with 2 disadvantaged in some respect (e.g. physical disabil-
> ity, mental handicap, greater disease proneness). They do not have the same ends or objec-
> tives, or the same conception of the good. Person 1 values A more than B, while 2 has

the opposite valuation. Each values 2A more than A and 2B more than B. With the given set of primary goods (resources and opportunities) person 1 can achieve 2A or 2B, also – though there may be no great merit in this – A or B. On the other hand, given 2's disadvantage . . . she can achieve only A and B. (Sen, 1992: 83)

It is evident here that person 2 finds herself in a situation of inequality owing to her personal characteristics and how she converts resources into functionings, despite having the same amount of resources or opportunities. Her disability, which is regarded for the purposes of this example as an inherent disadvantage, must be taken into account in evaluating equality.[2]

It is this set of considerations regarding human diversity and its centrality in the metric used to compare individual advantages and disadvantages that has ultimately led Sen to conceptualize the space of capabilities and functionings as the relevant space for equality. He identifies the capability approach as a framework of thought, a general approach to the assessment of individual advantage or disadvantage in social schemes, while declining, in light of the variability of human ends, to specify a definitive list of capabilities or functionings. He leaves these details to the processes of public choice, reasoning, and democratic procedure that are themselves the most freedom-preserving means by which social policy can be determined. Hence, the deliberately under-specified character of the capability approach (Sen, 1999: 78; Robeyns, 2003: 6). Capabilities are context-sensitive, or sensitive to social and cultural arrangements, and their selection should be the result of a democratic process involving public consultation, Sen argues. This implies that, in considering a person's capability set, attention should be given to individual conceptions of well-being, and to their interplay with political, social and cultural settings, thus, ultimately, with conditions that may influence choice and reasoning. Some authors (Alkire, 2002; Robeyns, 2003) have expanded this aspect of the capability approach, envisaging different perspectives on what forms this process of social deliberation and democratic participation may take with regard to such things as the analysis of gender inequality or with the operationalizing of capability in poverty reduction.

What does the capability approach contribute to our understanding of impairment and disability and to our moral quest for an inclusive society? In what follows I shall outline how aspects of the capability approach can provide a new framework for thinking of impairment and disability as multidimensional and relational, and how this framework can inform issues of distributive justice and policies of inclusion.

A superficial reading of Sen's work suggests that it treats the identification of disability with personal disadvantage as non-problematic. For instance, in addressing personal heterogeneities, Sen maintains that:

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> People have disparate physical characteristics connected with disability, illness, age or gender, and these make their needs diverse. For example, a disabled person may need some prosthesis, an older person more support and help, a pregnant woman more nutritional intake, and so on. The 'compensation' needed for disadvantages will vary, and furthermore some disadvantages may not be fully 'correctable' even with income transfer. (Sen, 1999: 70)

Similarly:

> Equal income can still leave much inequality in our ability to do what we would value doing. A disabled person cannot function in the way an able-bodied person can, even if both have exactly the same income. (Sen, 1992: 20)

And finally:

> The extent of comparative deprivation of a physically handicapped person vis-à-vis others cannot be adequately judged by looking at his or her income, since the person may be greatly disadvantaged in converting income into the achievements he or she would value. (Sen, 1992: 28)

These examples suggest how disability, defined as an individual condition, influences individual functionings, as these are correlated with various personal characteristics and diverse individual conversion factors. Disability is equated with an individual disadvantage that should be taken into consideration in interpersonal comparisons. However, it would be an oversimplification of Sen's approach to read this as an endorsement of the WHO's definition of disability as individual limitation causally linked to biological impairment.

A more sensitive reading yields two important contributions that Sen's capability approach makes to our understanding of impairment and disability and their assessment in interpersonal comparisons aiming at equal consideration and freedoms for disabled people. The first insight relates to how we can think of impairment and disability as aspects of human diversity, and more specifically to Sen's understanding of personal heterogeneities and their role in the metric for assessing equality. The second insight concerns democratic participation and the active participation of disabled people and disabled people's movements in the process of identifying relevant capabilities and evaluating how social policies should be designed when aiming at inclusion. Both require some explanation.

The first reason for considering the capability approach as innovative with respect to current understandings and models of impairment and disability relates both to the centrality of human diversity in assessing equality in the space of capability and to the specific understanding of human diversity proposed by Sen. First, in repositioning human diversity as central to the evaluation of individual advantages and disadvantages, Sen's capability approach promotes an egalitarian perspective that differs from others in dealing at its

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core with the complexities of disability. Second, Sen's concept of human diversity, in encompassing personal and external factors as well as an individual conversion factor, implies an interrelation between individual and circumstantial aspects of human diversity. This enables disability theory to overcome current understandings of impairment and disability as unilaterally biologically determined,[3] because disability can be regarded as one of the aspects of individuals emerging from this interlocking of personal and external factors. Moreover, the capability approach provides an egalitarian framework in which entitlement does not depend upon the causal origin of disability. It does not matter, in capability terms, whether a disability is biologically or socially caused as such; what matters is the scope of the full set of capabilities a person can choose from and the role impairment plays in this set of freedoms. Furthermore, the capability framework opens the way to considerations of impairment and disability as multidimensional and relational, a conception that will be discussed further on, in that it sees disability as one aspect of the complexity of human heterogeneities, and therefore as one aspect of the complexity of individuals in their interaction with their physical, economic, social, and cultural environment. In this respect, the capability approach goes also in the direction of promoting a conception of disability as one aspect of human diversity, comparable to age and gender, without suggesting monolithic and direct notions of diversity as abnormality. This appears to be fundamental in overcoming the discrimination and oppression denounced by disabled people's movements as inherent in current notions of normality, abnormality, and diversity.

An example may be useful at this stage. Walking is a functioning, and so is moving about from one space to another, and it is a functioning that enables other functionings, such as taking one's children to school, or going to work, or serving as a head of state. In this sense moving about may be seen as a basic functioning enabling more complex functionings to take place. Now consider an impaired person who uses a wheelchair. In determining the full set of capabilities that a wheelchair user has to achieve her valued ends, the capability approach looks at how this specific physical activity (moving about by wheelchair) interacts with circumstantial factors, such as the physical environment where the person lives and the presence of wheelchair accesses to buildings, and how it interacts with personal conversion factors, such as general strength, health, and aspects of attitude. The approach also considers the interplay between wheelchair use and the person's most valuable ends, one of which could be, for example, having an interest in politics and aspiring to serve as a head of state. The capability approach allows us to say that being a wheelchair user may be considered a disadvantage when the wheelchair is not provided or the physical environment is not designed appropriately. In the same way

many persons would be disadvantaged would stairs or lift not be fitted between flights in buildings, since very few people would be able to move from floor to floor (Perry et al., 1999: 2). The provision of a wheelchair and wheelchair accessibility is a matter of justice on the capability approach, because these contribute to the equalization of the capability to pursue and achieve well-being.

Let's continue with this example and consider the achievement of more complex functionings, such as serving as a head of state. Let us suppose that acting in her political capacity is fundamental to the achievement of well–being for the physically impaired person considered in this example. And let us also assume that the physical environment is designed so as to prevent her from moving about, thus ultimately preventing her from the achievement of some basic functionings. This person, although potentially able to exercise her political role, is prevented from achieving her valued end by the interaction of some of her personal features with some of the characteristics of her physical environment. In this case, well–being freedom appears to be restricted in some fundamental ways, hence the full set of capabilities available to this person is diminished.

The capability approach's second main contribution to disability theory pertains to democratic participation in determining relevant capabilities. Here the approach is compatible with the demands of disabled people's movements on the one hand, and with questions of the design of social schemes and policies on the other. Disabled people's organizations have long denounced their *de facto* marginalization from active participation in society and have reclaimed their role in society as a matter of right. The capability approach, through its reconsideration of human diversity, and by assigning itself the role of 'neutral observer', seems to provide a substantive framework to fulfill disabled people's demands. In promoting some forms of public consultations on the choice of relevant capabilities, it commends a participatory democratic process that avoids exclusion and discrimination as a matter of principle.

The role accorded to democratic decision, however, if extremely relevant to the democratic empowerment of disabled people, is problematic in failing to provide sufficient normative guidance for adjudicating the demands of disabled people vis-a-vis the demands of others. Choices concerning which capabilities to protect are to be made through democratic processes, but the capabilities essential to democratic participation would themselves need to be protected as a matter of prior constitutional principle, in order to ensure just outcomes.[4]

These considerations provide the basis for a multidimensional and relational concept of impairment and disability that will be outlined in the next section. In the remainder of this section I consider Martha Nussbaum's approach to

capabilities, which goes beyond Sen's in its understanding of justice as a funda-
mental dimension of the issues surrounding impairment and disability.

Nussbaum's capability approach, disability and justice

Nussbaum has presented her own account of the capabilities approach through
a philosophical perspective on issues of international development aimed
specifically at reconsidering and addressing the unjust conditions of women
in developing countries (Nussbaum, 2000). In her book, *Frontiers of Justice:
Disability, Nationality, Species Membership* (Nussbaum, 2005),[5] she has extended
her account of the capabilities approach in connection with previously unex-
plored issues of justice, including justice for mentally disabled citizens. She
endorses Sen's concept of capability as the space for comparisons of freedom
and quality of life, but refines the approach in some important ways. In
particular, she gives it a universal and normative dimension by stipulating a
list of central human capabilities and a threshold of adequacy in the universal
possession of these capabilities. These elements form the basis for constitu-
tional principles to be adopted by all nations (Nussbaum, 2000: 12).

The central human capabilities listed and endorsed by Nussbaum include
'life', 'bodily health', 'bodily integrity', 'senses, imagination and thought',
'emotions', 'practical reason' and 'affiliation', as well as 'play' and 'other species',
and 'control over the environment', understood as both political and material
control. She identifies these and the other items listed as 'combined capabili-
ties', or 'internal capabilities combined with suitable external conditions for
the exercise of functioning' (Nussbaum, 2000: 84). Further, she distinguishes
basic capabilities, generally intended as the basic innate equipment of indi-
viduals, from internal capabilities, seen as 'developed states of the person that
are sufficient conditions for the exercise of the requisite function' (Nussbaum,
2000: 84). Each capability on the list is therefore some combination of innate
and internal capabilities and external conditions. Among these, practical reason
and affiliation are particularly important capabilities, because they make it
possible for other capabilities to be pursued in ways that are genuinely human.
Practical reason, intended in its Aristotelian sense of being able to form one's
conception of the good and to engage in the planning of one's life, and affil-
iation, or being able to engage in meaningful relationships and having the
social bases of self-respect and dignity, are fundamental capabilities without
which a life loses its characteristically human features (Nussbaum, 2000: 82).

Nussbaum's focus on central human capabilities subsumes and is related to
the intuitive idea of the moral worth and the dignity of each and every human
being (Nussbaum, 2000: 5). She maintains that when we ask the question
central to the capabilities approach, 'What is this person actually able to do

and to be?', we imply a set of considerations related to evaluating the position of the person in interpersonal comparisons while, at the same time, referring to some core human capabilities, the absence of which would preclude the possibility of leading a truly human life (Nussbaum, 2000: 71). In posing that central question, we are evaluating what this individual person, considered as an end in herself, is actually in a position to be and to do, what her liberties and opportunities are, and how the resources she can use allow her to function in a human way (Nussbaum, 2000: 71, 74). Nussbaum thus defines a universal set of capabilities, which should be secured for every person at least up to the threshold below which any life loses its dignity or humanness.

The universality of the list of capabilities provided by Nussbaum's approach is justified not only by the idea of respect for human dignity, but through a political concept of overlapping consensus. The political justification is grounded on the recognition that the items on the list can be considered crucial to human functioning by people who otherwise endorse very different conceptions of the good. In other words, the normative universality of central human capabilities could be politically endorsed – as the 'underpinnings of basic political principles that can be embodied in constitutional guarantees' (Nussbaum, 2000: 74) – through an overlapping consensus, by people of different religions, beliefs, cultures and understandings of what constitutes a good life. Nussbaum's political justification through an overlapping consensus intersects here with her appeal to the moral worth and dignity of persons, through the idea that the central human capabilities 'can [be] convincingly argued to be of central importance in any human life, whatever else the person pursues or chooses' (Nussbaum, 2000: 74). She maintains that by providing a list of central human capabilities and by setting a threshold level below which a life cannot be deemed truly human, the capabilities approach sets the basis for a decent social minimum that governments have to deliver (Nussbaum, 2000: 71). Capabilities cannot be directly distributed, but governments are to provide the social bases for central human capabilities. Governments 'cannot make all women emotionally healthy', for instance, but they 'can do quite a lot to influence emotional health through suitable policies' (Nussbaum, 2000: 82).

Nussbaum further articulates her position on the normative aspect of capabilities by relating them to human rights, understood both as political and civil liberties and as economic and social rights (Nussbaum, 2000: 97). She maintains that the political dimension of capabilities provides the philosophical underpinning for basic constitutional principles, and in that way plays a role similar to that of human rights. But she maintains, furthermore, that the capabilities approach in some ways goes further than the language of rights, and that for two reasons. First, 'thinking in terms of capability gives

us a benchmark as we think about what it is to secure a right to someone'
(Nussbaum, 2000: 98). Second, as a capabilities analysis considers what people
are actually able to be and to do, how they are enabled to live,

> Analyzing economic and material rights in terms of capabilities thus enables us to set
> forth clearly a rationale we have for spending unequal amounts of money on the disad-
> vantaged, or creating special programmes to assist their transition to full capabilities.
> (Nussbaum, 2000: 99)

For these reasons, the political dimension of the capabilities approach has rami-
fications for equality with respect to both political liberties and resource distri-
bution. For instance, from a capabilities perspective, acts of (invidious)
discrimination entail a 'failure of associational capability, a type of indignity or
humiliation' (Nussbaum, 2000: 86), and the demands associated with the
delivery of the threshold level of capabilities imply policies entailing redistri-
bution of resources. Consequently, even if the capabilities approach does not
constitute a theory of justice, it does provide elements for a framework in
which justice has a central and fundamental role.

Having outlined these features of Nussbaum's approach, I suggest that it
advances the analysis of the political and normative dimensions of impairment
and disability in three main ways. First, the universality of its conception of
human capabilities makes it applicable to all individuals, irrespective of differ-
ences due to impairments. Second, it can precisely inform and guide inter-
personal comparisons involving impairment and disability, pursuant to
evaluating the respective positions of individuals in social arrangements.
Finally, it allows us to frame matters of justice for people with disabilities in
the language of basic constitutional guarantees, or inescapable demands on
governments for their intervention in securing the social bases of capabilities.
These claims require some elaboration.

First, the universality of central human capabilities and their being sought
for each and every person implies not only including all individuals under this
framework, irrespective of their differences and the causes of their differences,
but entails also a regard for the dignity of each person as an underlying prin-
ciple. This makes the capabilities approach developed by Nussbaum an appeal-
ing basis for a principled political project of inclusion. The definition of a
threshold of adequate capability to be aimed at leaves open the question of
what is mandated when the health and bodily integrity of impaired people
does not allow them to reach the threshold level (Kittay, 2003), but Nussbaum
evidently does not intend that their condition would disqualify them from
moral concern. Her *Frontiers of Justice: Disability, Nationality, Species Membership*
(2005) introduces as a fundamental dimension of justice the care and love of
others that are the response of a decent society to our condition of humanity;

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a decent society would provide care and respect for our needs in times of dependency and would provide this care and respect to mentally impaired people, doing so for love of justice.

Second, the merit of considering each person's capabilities in the evaluation of their respective positions in social arrangements seems intuitively evident, and the application of this to impairment and disability is clear. Asking 'What is this person able to be and to do?' and thinking of the person as physically or mentally impaired allows for a reconsideration of the actual condition of impairment and disability and their effects and consequences. The approach thereby allows these factors to be fully recognized and assessed in evaluating each person's capabilities.

Finally, the third contribution that Nussbaum's capabilities approach makes to the analysis of disability is a normative and political framework that is fully compatible with disabled people's movements' efforts to overcome the discrimination and oppression of disabled people in society and secure the recognition of their entitlements as citizens. Nussbaum's approach, in identifying the central human capabilities as having a role similar to that of human rights, and grounding government policy standards in the resulting normative concepts, provides a framework that accords the legitimate demands of disabled people full constitutional recognition.

A capability perspective on impairment and disability

Having summarized the aspects of Sen's and Nussbaum's versions of capability theory that seem most useful for the construction of a multidimensional and relational view of impairment and disability, a view concerned with issues of definition as well as justice, I shall now on this foundation attempt to construct such a view. In doing this, I shall also draw on accounts of the relational aspect of disability developed by Allen Buchanan (Buchanan, 2000), John Perry (Perry, 1996, 1999), and others.

I begin with matters of definition. It is important to distinguish impairment from disability, and to see how and why disability is inherently relational and circumstantial, or, in other words, a phenomenon of the interface between personal characteristics of the individual and the specific design of the social and physical environment that the individual inhabits. *Impairment*, either physical or mental, relates to the loss of some aspect of functioning. For instance, a lesion of the spinal cord that results in restricted movements – whether caused by a genetic condition or trauma – is an impairment of average movement functioning (Buchanan, 2000: 285). Perry defines impairment in this sense as 'a physiological disorder or injury' (Perry, 1996: 3). Disability, on the other hand, is the inability to perform some significant class

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of functionings that individuals in some reference group (e.g. children or adults) are on average and ordinarily able to do under favourable conditions, or 'where the inability is not due to simple and easily corrigible ignorance or to a lack of the tools or means ordinarily available for performing such a task' (Buchanan, 2000: 286).

In defining a disability we are thus referring to a reference group, according to Buchanan, and where no members of the reference group are actually able to function in a specific way, we do not speak of disability. Consequently, 'because no infants are able to drive cars, we do not say that any infant is disabled in this regard' (Buchanan, 2000: 286).[6] Buchanan's definition also suggests that disabilities are inabilities that cannot be overcome by simply supplying relevant information or tools. For instance, if one is unable to play Monopoly because one does not know the rules of the game or because one lacks the game board and pieces, one's inability does not constitute a disability. On the other hand, if someone cannot perform certain functionings that, on average, people in the reference group are able to, and if this is connected to an identifiable impairment, then the person is disabled with respect to that specific functioning. Thus, for example, if a blind adult person is unable to drive, whereas on average and under favourable conditions an adult is able to do so, then the blind person is disabled with respect to driving.

Disability, so defined, is distinct from impairment, and impairment does not always result in disability. Buchanan provides a very convincing example to illustrate this. He suggests the case of a hearing impaired person who has lost the hearing function with regard to a range of sound frequencies that is detected on average by persons. If the range of sounds undetectable by the impaired person is irrelevant to the functionings in her social environment, then she is not disabled (Buchanan, 2000: 287). Consequently, whether impairment does or does not result in disability depends on the design of the physical and social setting and on whether or not it is possible to overcome the impairment. For example, if the means existed to provide cars whose operation did not require sight – the functions associated with sight being played by computerized monitoring devices, say – then a blind adult might be able to overcome her inability to drive, hence, her disability with respect to that functioning. Thus, disability can be seen as inherently relational, or arising from the interplay between impairment and social arrangements. The relation between impairment and disability does not appear to be one of straightforward causality.

Disability involves impairment, but a full understanding of it requires recognition of its other dimensions. Disability can involve impairment of multiple functionings, arising from different impairment effects. Certain traumas, illnesses, or the pain and fatigue associated with back injuries and arthritis,

may impair not only physical functionings, such as walking, for instance, but also aspects of health or other functioning. Disability also has a temporal dimension, as the inability to function in a certain way can be temporary, such as after an eye operation, or more permanent, such as in the event of blindness resulting from a permanent loss of optic nerve function, occurring in conditions that do not allow the inability to be overcome. There is, finally, a dimension of dependency, either on tools or on other people, to help with carrying out functions that, on average, are done more or less independently by people in the reference group. So, for instance, a quadriplegic person or a severely cognitively impaired child may require a personal assistant or support not needed by an average individual of the relevant reference group in order to achieve certain basic functionings.

As we have seen, the design of physical infrastructures and social schemes plays a substantial role in the relation between impairment and disability. Circumstantial elements such as wheelchair accessible buildings and public transportation, as well as the provision of different tools, all provide interfacing between the individual and her environment, and the greater the interfacing is, the less possibility there is that impairment will result in disability. So, for instance, blindness becomes a disability with respect to reading text messages on computer screens to obtain information, when, and if, no use of Braille displays and speech-output screen readers is provided (Perry, 1996: 4). Moreover, society's attitude and dispositions towards severely cognitively impaired people, although more difficult to assess, have a considerable influence on the extent to which their impairments result in disability. An illustration of this is provided by Eva Feder Kittay's description of how people's indifference to her daughter Sesha's attempts to communicate narrowed the range of interactions she could enjoy and amplified her disability (Kittay, 2003).

In a capability perspective, impairment may restrict functionings, and thus yield a disability, through the complex interrelation between the individual's characteristics, her conversion factors, and her environment. When the whole capability of the person in achieving her valued ends is thereby compromised, impairment and disability become matters of justice. It is in this way that disability and justice are related to one another in the capability approach. The capability framework allows us to think of disability as inherently relational and multidimensional, as one aspect of human diversity that has to be considered when evaluating the reciprocal positions of individuals and the distribution of benefits and burdens in social arrangements. In identifying disability as an aspect of individuals emerging from the interlocking of personal and external factors, the capability approach sets aside the debate over whether the causes of disability are natural or social, and promotes a direct

concern with functionings and with providing the social bases of adequate capability to pursue valued ends. The capability approach thereby provides a criterion of justice that is sensitive to disabled people's interests. The definitional aspect of the perspective seems to have some similarity with the revised WHO classification of Functioning, Disability and Health (ICFDH, 2001) and with its circumstantial elements. Nevertheless, the capability perspective on impairment and disability provides us with a framework informed by considerations of justice and equal entitlements for impaired and disabled people, which is something the WHO classification does not do. Two elements appear crucial in positioning a capability perspective on disability with respect to dimensions of justice: the place of disability in the metric chosen in evaluating people's reciprocal positions in social arrangements, and the choice of design of the social framework.

The capability approach invokes a metric of interpersonal comparison in which the personal characteristics that regulate the conversion of resources and goods into valuable ends should define individual shares. Thus, according to capability theorists, physical and mental impairments should receive attention under a just institutional order and the distribution of resources and goods should be correlated with the distribution of natural features. Thus, for instance, the interest of a wheelchair user has to be accounted for in comparisons made in the space of capabilities and, consequently, a wheelchair provided as a matter of justice. Moreover, consideration should be given to the full set of capabilities available to the person using the wheelchair, and when environmental or social barriers hinder her capabilities these should be removed as a matter of justice too.

Seeking equality in the space of capability implies using a metric in which disability, considered as one aspect of human diversity and as a limitation on relevant capability, has to be addressed within the distributive pattern of functionings and capabilities. This implies extra provision for disabled people as a matter of justice, and such provision does not appear to be a straightforward 'compensation' for some natural individual deficits, since social frameworks are as fundamental to the relational nature of disability as individual traits are.

The fundamental element of a capability perspective on disability relates the criterion of social justice to the design of social arrangements. If we agree that the design of the dominant social framework substantially determines who is competent and who is incompetent (Buchanan, 2000: 290), who is included and who is excluded, and whether impairment becomes disability, hence a limitation of capability, then the burdens of justice must be discharged largely through the choice of appropriate social arrangements.

Buchanan defines the dominant cooperative framework as the 'institutional infrastructure of social interaction' (Buchanan, 2000: 288) and describes the

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framework of most advanced industrialized societies as extremely complex, and involving institutional structures as well as economic ones, highly specified symbolic languages, and the dominance of competitive markets in the private sectors. The demands on individuals in this society are very high and determine a correspondingly high threshold of competence, involving complex arrays of skills and abilities. In placing these demands on individuals, this dominant social framework already implies who is excluded and who is included. The choice of dominant social framework is, according to Buchanan, like choosing which game a group of people is going to play. If the game chosen is, say, bridge, then young children will be necessarily excluded from the game. Conversely, if the game chosen is 'family', then participation by children is certainly possible. The point is that the choice of the framework determines the level of inclusion, and involves competing interests, namely the interest of those able to efficiently participating in the scheme and those excluded from it. The design and choice of a dominant cooperative social framework is consequently a matter of justice, and one that should be guided by a criterion of social justice that balances the interests of impaired persons with those of the unimpaired. Thus, the slogan of the disabled people's movement, 'change society, not the individual', needs to be evaluated with respect to these considerations, too.

There are, however, two compelling reasons for inclusion, hence for a criterion of social justice that aims at promoting capability with respect to disability. The first relates to the devastating consequences of exclusion on the lives and well-being of those excluded, and the second relates to the balancing of interests that such a criterion can aspire to. With regard to the first reason, if the choice of the dominant social scheme is in itself a matter of justice, and if one of the requirements of justice is people's entitlement to equal respect in light of their equal moral worth, than it seems plausible to argue that efforts should be made to ensure that all individuals are full participants in society (Buchanan, 2000: 295). Thus exclusion, with its consequences on the lives of individuals, appears morally untenable in that it evidently breeches the entitlement to equal respect of some individuals, namely those who are excluded. However, as Buchanan clearly outlines, the moral 'priority' of inclusion in relation to disability does not imply overriding the interests of non-disabled people (Buchanan, 2000: 296). A balancing of interests in the distribution of advantages and disadvantages might allow for certain individuals to be more advantaged within a specific cooperative scheme, since, and perhaps providing, that these advantages could overall benefit the situation of those least advantaged by the same choice of scheme.

The capability perspective on disability can inform such a criterion for social justice in evaluating the demands of disability within the space of

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capability, in considering disability as having a specific place in the metric used to assess individual shares, and in reinstating the importance of the social framework both in influencing disability and in determining inclusion. Furthermore, conceptualizing disability within a capability framework has important implications in the context of education. I consider some of these implications in the concluding section.

THE CAPABILITY PERSPECTIVE ON DISABILITY, SPECIAL NEEDS AND EDUCATION

A number of educationists have recently explored the potentially fruitful application of the capability approach to education, and the education of children in particular (Saito, 2003; Unterhalter, 2003). I shall draw on these previous explorations in briefly outlining some implications of the capability perspective for education, then outline the lessons of this perspective for special and inclusive education. I argue that the capability perspective on disability provides a promising starting point for reconsidering the educational entitlements of disabled children and children with special needs.

I shall start by exploring two central aspects of the relationship between the capability approach and education, the first pertaining to the value of education and the second pertaining to the expansion of capability (Saito, 2003: 18). With respect to the value of education, the role Sen ascribes to capability relates to both the intrinsic and the instrumental value of education in promoting personal well-being (Brighouse, 2000; Saito, 2003; Unterhalter, 2003). Education is instrumentally good in that it yields other benefits, like better life prospects and career opportunities. In this sense being educated improves one's opportunities in life. On the other hand, education is good in itself, in that being educated, other things being equal, enhances the prospects of engaging in a wide range of activities and fully participating in social life. Thus, being educated contributes to a more fulfilling life. Therefore, according to Unterhalter:

> The capabilities approach helps us understand the nature of the intrinsic good of education, because it helps distinguish those aspects of education that are linked to schooling and intertwined with achieved functionings, for example skills to undertake a certain kind of work . . . and those aspects of education that are part of a wider concern with substantive freedoms. (Unterhalter, 2003: 8)

The capability approach, more than other perspectives, highlights both the intrinsic and instrumental value of education, and places a specific emphasis on its intrinsic value, Unterhalter argues.

This first aspect of the relationship between education and capability relates substantially to the second and more relevant one, that is, to the role education

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plays in expanding capabilities. Education expands the capability sets available to individuals by expanding both ability and opportunity (Saito, 2003: 27). For example, learning mathematics not only expands individuals' various capacities connected to mathematical reasoning and problem solving, but also widens the individuals' set of opportunities and capabilities with respect to choices of such things as occupation. Furthermore, the broadening of capability produced by education extends to complex capabilities. In fact, while promoting reflection, understanding, information and awareness of one's capacity, education promotes at the same time one's capacity to formulate exactly the valued beings and doings one has reasons to value.

Education enhances both well-being freedom and well-being achievements, and the capability approach captures the importance of providing the conditions for the development of capability in both of these senses. It alerts us to the importance of educational provision for children and adults alike. As Unterhalter writes:

> This seems to indicate the importance of attending to the aspect of developing freedoms in relation to curriculum content and pedagogies and the resources that support these. (Unterhalter, 2003: 7)

This is particularly important with regard to children's education, but at the same time more problematic, given the particular status of children, which requires adults to protect their interests and meet their needs, but does not permit full agency freedom or the exercise of autonomous choices (Shapiro, 2003). Sen has emphasized the importance of concentrating not on the freedom the child has, but on the freedom she will have in the future. Thus, writes Sen,

> I think the main argument for compulsory education is that it will give the child when grown up much more freedom and, therefore, the educational argument is a very future oriented argument. (Sen, quoted in Saito, 2003: 27)

Consequently, while expanding capabilities, education plays a very important role in promoting the future freedoms children will have to choose their valued beings and doings. Saito has plausibly argued that in order for education to promote future freedom it must have certain characteristics; it must promote autonomy, or, in other words, the capacity to make informed choices on the kind of life one has reason to value (Saito, 2003: 28).

These central aspects of the relationship between the capability approach and children's education form a possible background for reconsidering some of the issues related to the education of disabled children and children with special needs. Two sets of questions arise. The first relates to the difference such an approach makes with respect to the conditions for developing capabilities, and the second is connected to the difference it makes with respect to the distribution of resources and opportunities.

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In other words, in thinking about the provision of education for disabled children and children with special needs, the choice of the educational structure or system of schooling, and the choice of its funding system or scheme of resource distribution, are fundamental. Recall that the choice and the design of social and environmental arrangements play a substantial role in determining levels of inclusion. In the same way, the choice and the design of school systems and the ways in which they are funded are central to inclusion. I have addressed elsewhere in this article the relevance of inclusion in thinking of justice and my contention here is broadly that the same arguments apply to education. Considering that 'inclusion is in general a necessary condition for protecting a person's most basic interests – in well-being, in having a wide range of opportunities, and in self-esteem' (Buchanan, 2000: 291) – it seems plausible that an inclusive education system promotes children's interests in developing capabilities. Yet one may want to question why we should promote an inclusive system and not a special, separate one for disabled children and children with special needs. The argument for this view might be that a special system could better promote children's future freedoms, for instance in creating an environment more conducive to the achievement of certain levels of functionings, which are specific to the children's situations. Indeed, much of the current educational debate in the UK, for instance, focuses on this question. What answer does the capability perspective on disability suggest? It alerts us to two sets of considerations. First, it acknowledges the importance of the reasons for inclusion, making us reconsider the consequences of exclusion on the overall well-being of those excluded. Second, and more importantly, it alerts us to the relevance of the full promotion of all capabilities and of exercising certain functionings in childhood in order to develop the relevant mature capability (Nussbaum, 2000: 90). It seems at least questionable that separate settings would in fact provide children with conditions and opportunities for the full development of their capabilities to communicate, to relate to others, to respect and tolerate individual differences. Rather, special settings would more likely deprive all children, not only disabled ones, of the opportunities to exercise these functionings and develop the relevant capabilities. Further, in focusing on equality in the space of capabilities, this approach considers how providing special settings would bear on equality. Disabled people who were educated in special schools speak of the substantial 'deprivation' of 'normal' opportunities they suffered and the negative consequences on their lives as a whole (Barnes et al., 1999).

Furthermore, in considering personal differences as central to issues of distributive justice, the capability perspective on disability justifies a funding system sensitive to the need for additional resources for disabled children and children with special needs. It does this because it treats the resources needed

to equalize capabilities as a condition of equality. However, there are complexities and difficulties that remain to be resolved in order to provide a principled framework for a just distributional scheme informed by the capability approach. An obvious goal for future work in developing the approach is to devise such a scheme.

One final remark concerning the content of education is in order. When thinking of expanding capabilities for disabled children and children with special needs, the choice of curricular content and pedagogical practices, as well as of the 'educational environment' supporting these, appears fundamental. Recall here the relational aspects of disability. Designing curricula implies promoting certain functionings and the related capabilities, so choosing a highly 'academic' oriented curriculum would have implications for levels of achievement and successful participation. Similarly, pedagogical practices involving cooperation and mutual support would likely promote full participation, by contrast with practices promoting competition and putting 'children against all children in a battle for success' (McDermott, 1993: 293). With regard to such matters, the capability perspective on disability draws our attention to the important interface between children's learning and the design of curriculum and pedagogical practices.

This is only the beginning of the insights that a capability perspective on disability might bring to the issues surrounding education for disabled children and children with special needs. Much work remains to be done, most importantly toward developing a principled framework for a just distribution of educational resources and opportunities aimed at inclusion.

NOTES

1. I have critically analysed the social model of disability in Terzi, 2004.

2. I address below the relationship between disability and disadvantage in Sen's view.

3. I owe this observation to discussions with Harry Brighouse.

4. I owe this insight to discussions with Eamonn Callan.

5. I am deeply grateful to Martha Nussbaum for providing me with the book manuscript in advance of publication and giving permission to cite it.

6. I leave for another occasion the issues surrounding the choice of reference class.

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BIOGRAPHICAL NOTE

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