

The capability approach as an account of
minimal well-being that does justice to
indigenous peoples

*Finding common ground between indigenous and
non-indigenous perceptions of well-being*

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Abstract

In disputes over indigenous lands, there seems to be a huge value gap. Indigenous peoples see their ancestral lands as more than a commodity, unlike governments. This raises the need for finding common ground, which this thesis attempts to find in an account of minimal well-being. By drafting criteria of a Razian theory of minimal well-being that can account for both non-indigenous as indigenous values. To demonstrate the latter, I have brought the Andean indigenous based conception of the good life, *Buen vivir*, forward. This is a concept that is useful to verify if the capability approach can capture indigenous well-being to a sufficient extent. This thesis shows that there is a need to include collective capabilities in cases they are truly valuable, even if they at times can conflict with individual freedom. This thesis suggests not to include relational and intrinsic communal capabilities in this capability approach concept of well-being, as they are incommensurable with individual capabilities. One cannot justify to include values that cannot be traced back to an individual or a group of people in question to be taken into an account in a sufficientarian minimal account well-being. Due to a broad application of collective and individual capabilities, however, a sufficient extent of indigenous values can still be accounted for in a minimal concept of well-being as it meets the three drafted criteria of a theory of minimal well-being. The thesis shows that a capability approach theory of minimal well-being can serve as a common ground that could be used by governments in case of conflict or dealing with indigenous communities.

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Introduction

Over the past 500 years, indigenous peoples have been facing exploitation, oppression and marginalization. Today, their struggles are still existent as they are facing serious discrimination, being socially and economically excluded and struggling to protect their ancestral lands. Their distinct way of life and their cultures are under threat. One of the main causes is, among a few others, the extraction of resources of their ancestral lands which often cause land grabs. Several studies have found that the oil and gas development in the last decades has caused a negative impact on indigenous culture, which resulted in societal changes.¹

At the same time, the governments of the Andean countries aim to move from a privatized to a nationalized extraction industry. This means that the state will receive a bigger part of the profits gained by resource extraction. Several governments now claim that the states' profit will be spent on improving social life which, according to them, can be seen as development. As a reaction at the extractive practices, an alternative approach to development has been put forward: the indigenous concept '*Buen vivir*'². The holistic concept *Buen vivir*, which is based on Andean indigenous philosophy, can be translated to 'the good life' or 'living well'. In conflicts about land and resource extraction, some parties state that in order to achieve *Buen vivir*, Indigenous lands should stay untouched as resource extraction cannot be part of the concept. While others state that in order to achieve *Buen vivir*, the profits of the resource extraction are needed. Often times indigenous peoples worldwide are blamed for halting the development of the state they live in by not allowing resource extraction on their lands. Claiming that the income that the state could gain by resource extraction on indigenous lands, could be spent on improving the social lives of both indigenous peoples as non-indigenous citizens. This means that against the will of indigenous communities, resources should be extracted from their ancestral lands affecting their way of life, their culture and their well-being. Halting resource extraction, on the other hand, would mean less income for the state, an increase in income which could have an effect on the

¹ For example, see Eveline Bruijn and Gail Whiteman (2010). That which doesn't break us: Identity work by local indigenous 'stakeholders'. *Journal of Business Ethics*, 96(3), p 490.

² Ana Estafanía Carballo (2015), Re-reading Amartya Sen from the Andes: Exploring the Ethical contributions of Indigenous Philosophies (No. 3). DPS Working Paper Series. p 12-14.

well-being of the entire society.³ The companies interested in resource extraction see the land as a commodity, the governments see the land as an opportunity to improve welfare and income and the indigenous peoples relate in a very different way to the same piece of land.

Indigenous peoples do not view their land as an economic commodity only. They have a specific attachment to their ancestral land. Their identity and culture are strongly linked to their ancestral lands.⁴ In disputes over land between an indigenous community and the government and/or an external party (oil or gas companies) different values based on different worldviews are at stake, including the welfare of the nation's citizens, governments claim. This raises the question: how can the different values be compared or weighed? There seems to be a conflict between Indigenous values, welfare politics and extractive projects.

This raises the need for a theory or a concept that can capture indigenous values, in which non-indigenous values can be expressed as well. As in many conceptions of well-being, Indigenous values are excluded as it is impossible to capture them in these conceptions. There is a need to find a common ground between on the one hand indigenous values and philosophies and on the other hand western conceptions. In the case of a cross-cultural conflict, there is a need for common ground and language to be able to theorize and make a (moral) judgement of the situation. Indigenous values should be translated into a concept that is understandable for non-indigenous peoples and is commensurable with western values. Finding common ground will help to make consequences of resource extraction on indigenous and non-indigenous well-being visible. Here, well-being is understood as a conception of how well a persons' life is going for that person.

In this thesis, I will be looking for a theory of minimum well-being that can capture indigenous values and is translatable to the well-being of non-indigenous peoples as well. This conception serves as a tool that can be used by governments to be able to know what the effect on well-being of certain actions, like resource extraction on indigenous lands, will be on indigenous peoples. If such an action would decrease the

³ What I did not mention is that it is not sure if a higher income will be spend on social aims, and if the government is corrupt or not. An interesting fact that I leave out of this discussion is that if the state is depending on the income of resource extraction, this will mean that more and more resource extraction will be needed in the future.

⁴ Bruijn and Whiteman (2010), p 481.

well-being of indigenous peoples to such a large extent, it would be immoral for the government to proceed. The government has a duty to safeguard a minimal amount of well-being of their citizens, including indigenous peoples. Furthermore, if anything, the government should sustain from practices that threaten the minimum well-being of their citizens. Therefore, in this thesis, I will be looking for a theory of minimal well-being that does justice to both indigenous and non-indigenous values.

I will, therefore, explore if an application of the capability approach can serve as a theory of minimal well-being. The capability approach is an approach that can be applied as a theory for development, justice and well-being. What matters for well-being, justice or development according to this approach is that a person is capable to choose the kind of life she or he values. This approach places humans and their freedom to the center. The capability approach is praised for moving beyond economic prosperity when looking at development, justice or well-being. As what matters is not the commodities only, but rather what people are able to do or be, with or without these commodities.

Different theorists, of whom Christina Binder and Constanze Binder (2016) have argued that the capabilities framework can account for indigenous value systems.⁵ They state that the capability approach allows for different usages and significance of goods to be taken into account to the well-being of indigenous communities.⁶ Firstly, because it moves beyond commodities and income-based theories, such as welfarist theories or basic goods theories. Secondly, because it can account for different distinctive practices and the significance of ancestral land. Their territory and ties to ancestral lands allow indigenous peoples to perform fitting, spiritual practices. The same land has a different value for the Peruvian government and the ones that profit from resource extraction.

While many theorists see the capabilities approach as a promising account to serve indigenous value systems, others have criticized the capability approach for being too individualistic and therefore cannot incorporate indigenous worldviews. They state that the capability approach cannot account for the collective indigenous values and relational values of indigenous peoples as the capability approach is too individually

⁵ Binder, C., & Binder, C. (2016). A capability perspective on indigenous autonomy. *Oxford Development Studies*, 44(3), 297-314.

⁶ Binder & Binder (2016), p 305.

centered.⁷ To be able to capture indigenous values they state that the capability approach needs to broaden. Whether it is possible for the individually centered capabilities approach to move beyond these limitations and broaden its scope to collective capabilities is doubtful. At times, group practices that contribute to the community as a whole can threaten the freedom of individuals and at times even decrease the well-being of community members. As well, many indigenous values seem to be relational and communal to not only fellow community members but to their land and their ancestors or even the cosmos. It could be problematic to include these relational values in the capability approach.

In this thesis, I will examine if the capability approach can do justice to indigenous as non-indigenous values in an account of minimal well-being. I will, therefore, tempt to answer the research question: “Can the capability approach serve as an account of minimal well-being that can do justice to both indigenous as non-indigenous peoples?” In order to answer this research question, I will draft three criteria of minimum well-being by using a Razian conception of well-being that can do justice to both non-indigenous and indigenous perceptions of well-being. To demonstrate the latter, I will explain the conception of a good life according to Andean indigenous peoples: ‘*Buen vivir*’. In the third chapter, I will give an introduction to the capabilities approach. Therefore, I will discuss the possibilities of group capabilities. In the fourth chapter, I will raise objections to broadening the capability approach to a more collective, relational approach. Here, I will discuss the tension between individual and collective capabilities. In the last chapter, I will justify my choice to only include communal and relational values from an individualistic perspective, using the capability approach. I will conclude that however, the capabilities approach cannot include for indigenous values fully, it can account for indigenous values to a sufficient extent, meeting the three criteria of a theory of minimal well-being.

⁷ For example Merino (2016), Carballo (2015) and Watene (2016). For an overview, see Bockstael and Watene (2016).

Chapter 1

Drafting criteria of a theory of minimal well-being

As explained in the introduction, in order to find out if the capability approach can account for a theory of minimal well-being that captures the well-being of indigenous peoples as non-indigenous peoples, criteria of the theory need to be drafted. The criteria need to sketch the conditions that are needed for someone (an indigenous person or a non-indigenous person) to live a minimal valuable human life. I will first defend a conception of well-being that can capture how well life is going for indigenous as non-indigenous peoples. From there, we will look into a theory of minimal well-being. After, I will also discuss the implications of this theory of minimal well-being. And at the end of the chapter, I will formulate three criteria.

1.1 Introducing the Razian conception of well-being

Well-being is a term that is widely used in many different disciplines. In philosophical literature, there is a big discussion on theories of well-being. Examples of theories of well-being are hedonism, objective list theory and desire fulfilment theories. It is hard to define well-being, but we all vaguely have an idea what it means when using this term. Perhaps well-being cannot be captured in one definition and should be conceived of as a work term. I will now attempt to define a conception of well-being, that I think that will serve well as a definition for both indigenous as non-indigenous people.

The conception of well-being that I will now explain and defend is that of Joseph Raz.⁸ It has later been emphasized and further developed by Ambrose Yuk Kong Lee.⁹ Raz states that well-being is constituted by two factors. The first entails the satisfaction of biological needs. If biological needs are not sufficiently met, someone could suffer great pains, will not be able to pursue certain activities and can even die. Therefore, it seems pretty straight forward that the satisfaction of biological needs is fundamental for someone's well-being.

1.2 Whole-heartedness, dis-heartedness and half-heartedness

Raz states that well-being goes beyond the satisfaction of biological needs. Therefore, he adds a second factor that determines someone's well-being. According to Raz,

⁸ Joseph Raz, (1986), *The Role of Well-being*, in *Philosophical Perspectives*, 18: 269–94.

⁹ Ambrose Y. Lee (2011), *Duties of Minimal Well-being and Their Role in Global Justice*.

someone's well-being is positively influenced when goals and activities that are socially latent, are actually valuable and are pursued 'whole-heartedly' by this person.¹⁰ Undertaking goals "whole-heartedly" should be understood as having a pro-attitude towards the goals and activities that one is pursuing. Or, as Ambrose Yuk Kong Lee states "properly speaking pursue them".¹¹ If the attitude of someone pursuing a goal or activity falls under self-doubt, lack of self-esteem, self-hate or resentment, someone is acting dis-heartedly and not whole-heartedly.¹² Having one of these dis-heartening attitudes will contribute negatively to someone's well-being. If someone is not having one of the four dis-heartening attitudes, but someone's feelings, emotions or motivation are not in line with the pursuit of the goal, then you can call this half-heartedness. Half-heartedness does usually not influence someone's well-being (neither positive or negative).¹³

The factor of dis-hearteningly, whole-heartedly or half-heartedly pursuing actions makes that this concept of well-being is partly subjective. The beliefs, experiences or emotions of a person make that pursuing an action or goal has a (positive or negative) contribution to her well-being if the action or goal could be seen as truly valuable. What someone finds worth doing and how they experience (partly) determines their well-being. Here, what is good for a person is not independent of someone's attitude.¹⁴

An Objective List theorist could object to this subjective character of the conception of well-being, as they believe there is a list of goods that contribute to peoples' well-being. Some Objective List Theorists believe that well-being is independent of the attitude or experience of a person. If well-being would be conceived as hedonistic or fully experienced based, someone could conceive more positive of a situation in which it seems that the person is actually worse off. In the case of adapted preferences for example, where an individual is oppressed for a long time, one adapts to the oppression and conceives of it as normal.¹⁵

¹⁰ Raz (1968), p 279, Lee (2011), p 279.

¹¹ Lee (2011), p 149.

¹² Both Lee and Raz are argue fort his component. Lee, however does it in a more extensive way, that's why he is quoted here.

¹³ Lee (2011), p 112.

¹⁴ Lee (2011), p 150.

¹⁵ Chris Desmond , Sharlene Swartz, Heidi Van Rooyen, and H. S. R. C. Welllbeing (2017), Adapted but not preferred: Human capabilities and well-being in oppressive environments, Harvard, p 1-2 .

However, stating that there is an objective list of goods that influence peoples' well-being from different cultures, independently from their experiences, can be problematic. How can one justify that certain things are good for people even if people do not experience it as such? And who decides what those goods will be? Let's say that some person or a group of theorists says that art is important and good for everyone's well-being. If someone does not experience art as such, what does this group of people give the authority or wisdom to state what is good for everyone? As we are biased by our own beliefs and environment, how can we for sure know what is good for someone that has a different worldview? Finding goods to add to the list that serves as a concept of well-being for people from different cultures, seems to be practically challenging. A fair way would probably involve an intercultural conversation about the goods that should be added to the list, which could take a long time to find some consensus if it would be ever found at all. For a conception of well-being to be not authoritative and applicable to different worldviews, for now, needs to be at least partly subjective and open to a range of values. Therefore, this conception of well-being is well suited. The subjective element added by whole-, half- or dis-heartedness makes that something that may be truly valuable contributes to someone's well-being while it doesn't to the other due to her attitude.

1.3 Theories of value and societal fit

Only when an action or goal has true value, it will contribute to someone's well-being, when pursued with success. The theory of value, which determines if the action or goal is valuable or not, is open in this concept of well-being.¹⁶ The theory is open for different substantive theories of value. Adding the value factor to the conception of well-being makes that well-being is not fully subjective. What is of actual value does not get determined by the persons' experience, but by different theories of value. This could be determined by indigenous worldviews, for example. Therefore, it gives an answer to the objection of adaptive preferences in subjective well-being. Raz and Lee are keeping what is valuable open, in such a way that it accepts different theories of value. So, there is no drafted list, but the concept is open to a range of theories of value.

As what is of true value is open to so many theories, it does seem that what determines what is of value still is some black box. What is valuable could be justified by

¹⁶ Lee (2011), p 106.

any theory, so it is hard to justify or criticize the concept of value. This openness, however, makes this conception of well-being inclusive for different worldviews and different cultures. Perhaps in the future, someone could draft the list of all the theories of value that one could include. But, even making a list of values not everyone has to experience as such would take a lot of work and it is not easy to draw lines of what would be a justified theory of value and what not. For now, it is important to say that it is justified that his concept is open to different theories of value, so it can capture the well-being of different cultures and worldviews. Therefore, this conception of well-being can serve different cultures: indigenous as non-indigenous.

By being partly subjective and partly objective and open to a range of values, this concept of well-being is less sensitive to oppression and discrimination. The conception is being able to include someone's experience as well as easily applicable to different cultures. Therefore, this conception of well-being is very suitable to capture indigenous as non-indigenous values. As well, this concept of well-being is sensitive to not being able to act towards goals that are in fact valuable. For example, certain religious practices that have a relation to indigenous ancestral lands could be a truly valuable action in the pursuit. Being not able to do this, which means not being able to succeed, makes that this has a negative effect on someone's well-being.

To be able to contribute to someone's well-being, goals and activities should be socially latent, as the goal or activity should have meaning within the social society in which someone is situated. As the meaning of a goal or activity is depended on the form of the society. Without the goal or activity being significant in that society, it loses its meaning. Without it having any meaning in the societal form, it will not contribute to the well-being of the person. For example, 50 years ago there were many indigenous communities in which no one has ever seen a car. Racing cars would not have been socially significant activity. Whereas now, not in all but some indigenous communities that have access to roads and cars, it can be an activity that some indigenous people could see as significant within the community, depending on the attitude of the person.

1.4 Implications of a threshold of minimal well-being

Above I have defended the Razian concept of well-being and shown that it is able to serve as a theory of well-being for different cultures and worldviews. Now I am going to draft the criteria of a theory of minimum well-being, which can be conceived as

sufficientarian. As this conception implies that if one's well-being is below the minimum, their life is not going sufficiently well for them. In other words, there is a threshold of well-being. If someone's well-being falls below this threshold, they have priority over ones that fall above the threshold for improving their well-being. This is what makes this theory sufficientarian: reaching the threshold or above gives you a life that is sufficiently going well for you. Therefore, as this is a sufficientarian account, someone concerned or responsible for the well-being of people, say a government, has to give priority to people that fall below this minimum over the ones that have a well-being above the minimum. As the ones below the threshold are definitely worse off and not able to live a valuable human life.¹⁷

1.5 What is needed for a theory of minimal well-being

Now the question arises: to what extent is someone's life going well enough in such a way that their well-being is above the threshold of minimum well-being? Using the Razian concept of well-being, Lee states that someone's life is going well enough when someone is able to live a valuable human life.¹⁸ This entails more than the fulfilment of someone's biological needs. Raz's second factor here has to be fulfilled to a certain extent too. To be able to whole-heartedly pursue goals and activities that are latent in one's social environment and truly valuable, one needs to be able to find out what goals and activities are worth doing, to be able to revise them and to be able to act towards them. Therefore, exploring values and beliefs and thereby gaining whole-heartedness towards certain goals are needed in order to live a good life. According to theorists like Will Kymlicka and Raz, this is only possible by being part of a societal culture. As someone's societal culture provides us with different meaningful options.¹⁹

Raz and Kymlicka's motivation of culture being important comes from a liberal motive, namely that to live a human, liberal life one needs a culture to explore and revise meaningful options in life.²⁰ I think this argument can be used in this concept of well-being as well, without being a liberal account of well-being. Kymlicka sees societal culture as an instrument to the well-being of individuals, not per se intrinsically

¹⁷ Lee (2011), p 64, 65.

¹⁸ Lee (2011), p 35.

¹⁹ Will Kymlicka (1995), *Multicultural citizenship: A liberal theory of minority rights*. Clarendon Press, 1995, p 83.

²⁰ Kymlicka (1995), p 84-90.

valuable. Here, I do want a conception that is open to both indigenous as non-indigenous beliefs. Therefore, I won't state that culture plays an instrumental or intrinsic role towards well-being. As stated before, what is of true value is open to different theories of value, therefore within this account, it can be intrinsic as well as instrumental.

The extent of minimal well-being here is that someone is able to live a valuable human life, which entails moving beyond the satisfaction of biological needs. Therefore, one should have the ability to express and to interact within a societal culture in order to find and pursue meaningful options. Therefore, education and an extent of freedom to revise beliefs are necessary. As well as the ability to move towards certain goals and pursue actions. Therefore, the preservation of societal culture is necessary. Threats to the culture of minority groups, like indigenous communities, such as the threat to lose their ancestral territory, is a threat to the well-being of indigenous peoples.

1.6 Criteria for an account of minimal well-being

Now I will draft the criteria for the account of minimal well-being. The first criterion holds that one's biological needs need to be met.²¹ The second criterion holds that one should have the right circumstances to interact within its societal culture and the ability to revise one's beliefs. This entails the ability to express and interact as well as being educated and having the freedom to revise one's beliefs as well as the preservation of one's societal culture. The third criterion holds that one should be able to pursue goals and activities that one conceives as being of value. What is conceived of as having value is determined by the abilities of the second criterion. Here, I do not state that it has to be of true value, as the person needs the abilities to find goals and activities of true value, of which the conditions are found in the second criterion. What is important is what is of value here is open. In this open space includes what is valuable according to non-indigenous peoples as what is valuable according to indigenous peoples. This includes indigenous values and perspectives like indigenous structures of social relationships, their ties to their land and collective structures.²² In order to gain a better

²¹ Exceptions exist in which one chooses to prioritize to pursue goals or actions that seem more valuable than meeting biological needs. For example, when one fast for religious reasons. This can still contribute to one's well-being.

²² John Taylor (2018), Indigenous peoples and indicators of well-being: an Australian perspective on UNPFII global frameworks. Canberra, ACT: Centre for Aboriginal Economic Policy Research, Research School of Social Sciences, College of Arts & Social Sciences, The Australian National University p7.

understanding of these relational values, that are linked to their concept of well-being, we will explore an indigenous concept of “the good life”: “*Buen vivir*” in the next chapter.

What should be added to the last criterion is that pursuing goals and activities here is limited to actions that do not harm someone else to such an extent that it will have such a negative effect to a person or a group of people that it will bring their level below the threshold of minimal well-being. This can be justified by the fact that below-threshold well-being should be prioritized over above-threshold well-being. Important to this is that the account of minimal well-being might not be a complete theory of justice. Therefore, it cannot be said that it is always justified to prioritize actions that will benefit below-threshold people over above-threshold people or groups. There might be exceptions based on other principles, like basic human rights, that are part of a complete theory of justice. However, it is beyond the scope of this thesis to discuss such theories.

Chapter 2

Buen vivir and *Ayllu*

In the first chapter, I have defended a conception of well-being that can do justice to both indigenous as non-indigenous values. After, I have drafted three criteria for an account of minimal well-being. The third criterion is open to different values, of which collective and relational indigenous values. To get a better understanding of these values, and the relational aspects of the indigenous conception well-being, I will look at the Andean notion of indigenous well-being which is called 'Sumak Kawsay' and is often referred to in the Spanish translation '*Buen vivir*'. To avoid confusion, I will use the term '*Buen vivir*' from now on. With the help of the concept '*Ayllu*', an extended concept of community that is linked to *Buen vivir*, I will demonstrate the communal and relational dimension of indigenous concepts and values. And I will show that the nonhuman-human interaction is an important aspect of the indigenous conception of the good life.

2.1 The emergence and the use of the *Buen vivir* approach in Andean countries

The three Andean countries Bolivia, Ecuador and Peru have had seen a favourable economic growth in the last decade.²³ The economic growth, however, depends on the expansion of extractive activities since the governments of those countries have aimed to nationalize the extractive industries. That means that the nation will receive a bigger part of the benefits, instead of foreign investors and companies. On the one hand, governments act in favour of the growth of extractive industries in their countries, which has caused conflicts and has a negative impact on the original inhabitants of the land such as indigenous and rural communities. On the other hand, governments have responded by institutionalizing the concept of *Buen vivir*. This concept means literally translated 'living well' or can be translated to 'the good life'.²⁴

The concept *Buen vivir* is a notion of the good life, which is also used as a concept of alternative development that has become popular among Andean countries. Instead of based on Eurocentric western political philosophy, this idea is based on indigenous

²³ Roger Merino (2016), An alternative to 'alternative development'? : *Buen vivir* and human development in Andean countries. *Oxford Development Studies*, 44(3), p 280.

²⁴ Merino (2016), p 280.

worldviews.²⁵ *Buen vivir* is a representation of ideas that are still valued now and are rooted in traditional indigenous philosophies and thinking.²⁶ In section 2.4 I will elaborate on how indigenous peoples conceive of this concept and if it is present in their daily lives. First, I will elaborate on the concepts itself and its interpretation. *Buen vivir* can be understood as an integral vision of life “based on the communion of humans and nature and on the spatial-temporal-harmonious totality of existence”²⁷. In Indigenous philosophies, *Buen vivir* is built on the indigenous idea that there is a connection between human beings, their territory and nature. This connection can be conceived of as having intrinsic value to the notion of a good life. What is important and unmissable in this notion of the good life is the communal dimension and the relational dimension: the relation to nonhuman entities, like nature or the cosmos.

In a world in which extraction is an important base of income, the implementation of *Buen vivir* in politics brings hope for Indigenous peoples, socialists and environmentalist.²⁸ The concept of *Buen vivir* has been used widely over the Andean countries over the last decade. It has not only been used as a philosophical or theoretical notion but has been implemented in politics and used as an alternative approach of development. Not only Indigenous communities and environmental movements use this notion but it has been taken up by presidents and has been implemented in policies. Some have expressed the need of implementing *Buen vivir* as complete as possible, as it seems that some policymakers try to use only the elements they like of the notion of *Buen vivir* just to push through their own agenda, while misleading indigenous peoples and others being sceptical or against the extraction of resources. Therefore, the implementation of *Buen vivir* has been controversial.²⁹ Many academics, indigenous and environmental activists call for the right implementation of *Buen vivir* in which indigenous ideas and indigenous philosophy are sufficiently represented.

²⁵ Merino (2016) p 271.

²⁶ Merino (2016), p 273.

²⁷ Catherine Walsh (2010), Development as Buen Vivir: Institutional arrangements and (de) colonial entanglements, *Development*, 53(1), p 18.

²⁸ Merino (2016), p 272.

²⁹ Merino (2016), p 274.

Antonio Luis Hidalgo-Capitán and Ana Patricia Cubillo-Guevara (2017) state that there are three different notions of *Buen vivir* that are being used.³⁰ The first concept is the original indigenous notion, in which identity plays a key role. This concept is closest to the indigenous philosophies. The second is a socialist notion of *Buen vivir*, in which natural resources can be seen as a means for achieving *Buen vivir*. In other words, the economic benefits are necessary to spend on making *Buen vivir* for indigenous and other groups possible. Equity is prioritized in this conception. The third conception is ecologist, in which modern development is seen as a form of domination and sustainability is prioritized. This concept puts nature at the center and has a bio-centric view. The ecologist concepts correspond with a Western postmodern conception of the world. .³¹

On the one hand, *Buen vivir* is being used in all sorts of ways to promote the agenda of different groups and peoples, often not doing full justice to the indigenous worldview. On the other hand, using the right concept of *Buen vivir* could “[break] away from western epistemology of linear development and progress.”³² in which nature is not only seen as a resource, “which overcomes western universal ontology”³³ However, some critics argue that because of the epistemological and ontological differences, the notion of *Buen vivir* is hard to apply to existing western notion of development or well-being.

2.2 Relational character

The concept of *Buen vivir* is based on different indigenous philosophical ideas that originate from the Andean and Amazonian region. Some of these principles have existed for centuries.³⁴ The features of these versions are shared. They are all sharing the holistic idea that includes a relation between the individual, the society, the earth as well as the cosmos.³⁵ This concept is based on four principles: relationality,

³⁰ Antonio Luis Hidalgo-Capitán and Ana Patricia Cubillo-Guevara (2017). Deconstruction and Genealogy of Latin American Good Living (Buen Vivir). The (Triune) Good Living and its Diverse Intellectual Wellsprings. *International Development Policy | Revue internationale de politique de développement*, 9(9) paragraph 3-56.

³¹ Hidalgo-Capitán and Cubillo-Guevara (2017), paragraph 3-56.

³² Merino (2016), p 271.

³³ Merino (2016), p 280.

³⁴ A current debate exists, however on if the conception of *Buen vivir* should be seen as a newly created concept or a consolidation of principles that have existed for a long time. This debate goes beyond of the scope of this thesis. For example, see Walsh (2010).

³⁵ Carballo (2015),, p 13.

correspondence, complementarity and reciprocity. These four principles highlight the relational character of *Buen vivir*. The concept has a relational orientation in which spiritual, material and intellectual aspects of life co-exist. Correspondence refers to how humans correlate with non-humans. Meaning, one should conceive of nature and the cosmos as having equal value. Human life is integral on multiple dimensions, namely spiritually, temporally and material. The complementarity and reciprocity happen on all integral experiences of life. Which means that indigenous peoples compliment extra-humans and the other way around. Reciprocity appears on different levels: within a family, between families and between humans and extra-humans. These four principles make clear that *Buen vivir* is a holistic concept. According to Carballo, all four principles are necessary for the achievement of *Buen vivir*. The notion of the good life includes ties to the environment.³⁶ Not only people make ‘the good life’, but the interaction of all living things within this society and therefore is very different from a western anthropocentric idea of well-being.

2.3 *Ayllu*: extended and interrelated notion of community

The notion of *Ayllu*, translated from indigenous language as “society or community”, is central to understand the communal dimension of *Buen vivir*. This notion of community should be seen as an expansion of the western notion of community, which puts forward a notion of well-being which not only includes individual considerations.³⁷ *Buen vivir*, “the good life”, cannot be understood outside *Ayllu*. *Ayllu* plays a central role in the organization of the economic and the social life of indigenous communities in the Andes. The lives of individuals are understood within that of their communities, which includes relation to spiritual and extra-human entities such as ancestors, mountains, mother earth, rivers and rain. Thus, *Ayllu* consists of more than only human beings. The good life, *Buen vivir*, cannot be achieved on an individual level but can be achieved within *Ayllu*. Reciprocity and complementarity happen on different levels, namely within families, between families as well as between human beings and extra-humans. This conception can, therefore, be conceived as holistic and relational. Differences between individuals and collectives and between human and non-human nature are diffuse. This does not mean that human beings are not conceived of as individuals. It

³⁶ Carballo (2015), p 13.

³⁷ Carballo (2015), p. 17

means that their ties and practices are less individualistic than in a western conception of community. This extended notion of community is a fundamental aspect of *Buen vivir* and is conceived of as having intrinsic value.³⁸ *Ayllu* can be seen as an extended family, of which the members work collectively to attain welfare for the community, as an economic principle. It may be clear that the Andean Indigenous philosophy has a holistic conception of community, in which human beings and the well-being of the community as a whole are important rather than “atomized individualities whose well-being may or may not be achieved together with that of their societies”.³⁹

Above I have argued that *Ayllu* is fundamental to understanding the notion of *Buen vivir*. The framework of *Buen vivir* includes the conception *Ayllu*, the ‘good life’ can only be understood when taken the importance and the conception of community as *Ayllu* into account. This cannot be done by taking only individual considerations into account.⁴⁰ As the concept of *Ayllu* entails interconnectedness between all beings, so the connections that are part of the communal interactions are not only between human beings.⁴¹ The notion of *Ayllu* shows the importance of the well-being of the community as a whole. The specific social and territorial context of *Buen vivir* is represented by *Ayllu*.⁴² This means that indigenous values cannot only be thought of as individual values but collective values as well that can capture the communal and relational dimension of *Buen vivir*.

2.4 Prominence *Buen vivir* and *Ayllu* in real life

Before I will move on to the next part, I want to discuss the prominence of the above-discussed concepts *Buen vivir* and *Ayllu*. Used by indigenous peoples, environmental organizations and in politics, it seems that *Buen vivir* is rather used as a rhetoric than a concept that is actually believed to the extent that it is acted upon in daily lives. It is perhaps true that this concept is used as a rhetoric by organizations, both environmental as indigenous, as well as by governments. All in their own way and with their own agenda. That does not mean that some people don’t live by the concepts of *Buen vivir* and *Ayllu*. Different case studies have reported that the *Buen vivir* and its

³⁸ Carballo (2015), p 18 – 20, Unai Villalba (2013), *Buen Vivir vs Development: a paradigm shift in the Andes?*. *Third World Quarterly*, 34(8), p 1440.

³⁹ Carballo (2015), p20.

⁴⁰ Carballo (2015), p20.

⁴¹ Villalba (2013), p 1430.

⁴² Villalba (2013), p 1431.

concepts exist in the societal cultures. For example, Paloma León Campos has done research in the Andean community Choquecancha, where concepts of reciprocity and complementarity typical to *Buen vivir* still exists.⁴³ In Choquecancha, elements of *Buen vivir* can be found back in production and how welfare is conceived of. One could say that in this community *Buen vivir* has a place in their daily life practices and beliefs. Several other case studies have shown that the values of different indigenous peoples fit the indigenous conception of *Buen vivir* well, so the community of Choquecancha is not an isolated case. Ana Maria Peredo (2014) reported that she herself has experienced how the concept of reciprocity is still alive in an Andean community in Peru. She found the concept on different levels, namely in production and retribution but also in rituals in which offers to Pacha Mama (mother nature) and *wakamans* (mountains) are made.⁴⁴

Obviously, for different indigenous communities in the Andean countries, the place of *Buen vivir* will be different. For some, it will have a more prominent place than for others and there are different ways *Buen vivir* is conceived of.⁴⁵ Nicole Fabricant (2013) for example, states that in daily functioning individuals play a more important part than it would seem to be in indigenous philosophies. She reports that this causes a tension between individual desires and the indigenous vision of communities.⁴⁶ However, the existence of individual desires does not mean that there are no communal or relational ties. There certainly are communities in which *Buen vivir* has a prominent spot, it can be argued that indigenous peoples conceive of a more extended version of communities. Some of them, many living in the Andean countries, include extra-human entities within their communities. For them, these communities are of intrinsic value and they cannot achieve their conception of well-being outside this community.

2.5 Ontological differences

The extended conception of community (*Ayllu*), the perception of nature and spirituality that are drawn from the indigenous worldview do not seem to fit in the

⁴³ Paloma León (2012). Questioning conventional notions on development: a study of el Buen Vivir and the indigenous community of Choquecancha, Peru (Master's thesis, Norwegian University of Life Sciences, Ås), p 72-78.

⁴⁴ Ana Maria Peredo (2014), El 'Buen Vivir': Notions Of Well-being Among Indigenous Peoples Of South America p 6-10 .

⁴⁵ For example see the report of Merino (2016), discussed on p 32 of this thesis.

⁴⁶ Nicole Fabricant (2013), Good living for whom? Bolivia's climate justice movement and the limitations of indigenous cosmovisions. *Latin American and Caribbean Ethnic Studies*, 8(2), p 163, 164.

modern dominant western philosophy. We can conclude that the current western ontology is different from the indigenous worldview. We have seen that *Buen vivir* is based on indigenous ontology, while Western worldviews are based on other ontologies. The concept of *Ayllu* makes clear that the world, is understood differently. Villalba states that “ontology implies culture, but it embraces more than that. It has to do with world-views; conceptions about people and the way they interact; ethical frameworks and values; assumptions about what exists and what does not exist; and the paths to knowledge and objectivity.”⁴⁷ Due to these ontological differences, it will be hard to fit *Buen vivir* into the western philosophy. However, that is not a reason to put these conceptions to the side. *Buen vivir* entails different ethical frameworks and values and it is important to consider these too. We should attempt to take indigenous philosophies into account as much as we do with different theories of western philosophies.

As stated above, *Buen vivir* cannot be captured by ethical individualism only, as *Buen vivir* cannot be reached by an individual due to the intrinsic value *Ayllu* has. Therefore, the account minimal of well-being needs to be able to take these holistic and relational values into account. Therefore, the third criterion of minimal well-being needs to include relational and collective values next to individual values. These values are included in the third criterion that has been drafted in chapter one: “The third criterion holds that one should be able to pursue goals and activities that one conceives of as being of value. What is conceived of as being of value and the goals and activities that link to these values can be relational and collective. Therefore, the third criterion is open to the concepts that are important in *Buen vivir* and *Ayllu*. If indigenous peoples whole-heartedly pursue goals and activities linked to these values, they are needed to be able to pursue in order to secure minimal well-being.

There are different practical interpretations of *Buen vivir*. Every other indigenous community conceives *Buen vivir* different, according to their place, culture and history. However, most indigenous communities in the Andean and Amazonian regions do agree with the fundamentals and cosmovision.⁴⁸ The broad uptake of *Buen vivir* makes that it can be used by and for multiple indigenous groups. It has been

⁴⁷ Villalba (2013), p 1430.

⁴⁸ Karolien van Teijlingen and Barbera Hogenboom (2016), Debating alternative development at the mining frontier: buen vivir and the conflict around el Mirador Mine in Ecuador. *Journal of Developing Societies*, 32(4), p 402.

suggested that the concept of *Buen vivir* can be implemented outside Latin America.⁴⁹ By introducing the concepts *Buen vivir* and *Ayllu* I have shown that the third criterion can include collective and relational values of different worldviews and that are different from the western ontology.

Before I turn to the next chapter, I will first explain why it is important to take indigenous values and worldviews into account. It is important to not undermine indigenous cultural identities and indigenous worldviews, that make up for a substantive part of the well-being of indigenous peoples. Indigenous peoples have known a history of being dominated by ideas based on Western values. For a good representation of the well-being of indigenous peoples' collective and relational values should be taken into account. As they play a critical role in indigenous peoples' worldviews, as has I have shown in this chapter. Therefore, the account of minimal well-being needs to capture indigenous values. A serious attempt to take relational and collective values into account should be undertaken, even if that is not easy.

⁴⁹ Craig Kauffman and Pamela Martin (2014), Scaling up Buen Vivir: globalizing local environmental governance from Ecuador, *Global Environmental Politics*, 14(1), 40-58.

Chapter 3

The Capabilities approach: expanding to a collective dimension

In the past two chapters, I have drafted criteria of an account of minimal well-being and have elaborated on the indigenous values that are included in this account of minimal well-being. As discussed in the introduction, the capabilities approach has been praised as an approach that can be applied to indigenous peoples, while others have expressed their concern stating that the capabilities approach has some limitations in taking indigenous worldviews into account as it is too individually centered. An argument in favour of the capability approach being able to account for indigenous people is that the capability approach puts humans at the center instead of welfare or commodities. It is an approach that is a great alternative for the ones that are focused on commodities only such as Rawls' basic goods principle and utilitarian welfare theories. For the capability approach to take both indigenous as non-indigenous values and well-being into account, it must be able to meet the criteria drafted in the first chapter and include the relational and collective values discussed in the second chapter. In this chapter, I will give an introduction to what the capability approach entails. After, I will explore if the capability approach can move beyond its individual focus, by exploring the possibilities of collective capabilities.

3.1 The Capability Approach: an overarching framework

The capability approach is not a specific theory, but an overarching, flexible and multipurpose framework, which allows for great diversity. In her book "Well-being, freedom and social justice: The capability approach re-examined", Ingrid Robeyns (2017) argues that the capability approach has a non-optional core, that each capability approach has. Outside the core, multiple variations are possible, this makes the capability approach "open-ended and underspecified".⁵⁰ Would the capability approach allow for collective and relational values within this underspecified space?

Ingrid Robeyns defines the capability approach as "a conceptual framework, which in most cases used as a normative framework for the evaluation and assessment of individual well-being and that of institutions, in addition to its much more infrequent

⁵⁰ Ingrid Robeyns (2017), *Well-being, freedom and social justice: The capability approach re-examined*, Open Book Publishers, p 24.

use for non-normative purposes.”⁵¹ The capability approach can be used for a range of different evaluative exercises of which the most important are: 1) assessing individual levels of achieved well-being and the freedom to well-being; 2) the assessment and evaluation of social arrangements or institutions; and 3) the design of policies or the design of other structures of social change.⁵²

As stated before, the aim of this thesis is to find out whether the capability approach can capture the values at stake for indigenous peoples by meeting the criteria of the account of minimum well-being. Therefore, I will examine if the capability approach can assess the well-being of indigenous peoples can be and if this can be weighed against the values of the external parties, like that of the citizens. If so, an application of the capability approach could be a useful tool for governments to use in land disputes involving indigenous peoples to examine if one’s minimal well-being is being threatened by taking certain decisions on the use of that land.

Robeyns makes the distinction between the use of the term ‘capabilities approach’, which refers at the open-ended and multipurpose framework, and the term ‘capability theory’, which refers to a specific application of the capability approach. For example, Martha Nussbaum has developed a capability theory that is a minimal theory of social justice, which includes a list of basic, universal capabilities. According to her, everyone should be entitled to these universal capabilities to a certain extent.⁵³ Another example of a capabilitarian theory is the human development paradigm. The human development paradigm is known to be a human-centered theory of development. Offering an alternative theory of development for current dominant theories of development criticized for their focused on the growth of Gross domestic product (GDP), National domestic product (NDP) or economic prosperity. ⁵⁴ In this thesis, I will perceive of the capability approach as a capabilitarian theory of minimal well-being.

3.2 Focusing on possible doings and beings of individuals

The basic claim of the capability approach is that what is important when asking normative questions is peoples’ ‘doings’: what they are able to do; and peoples’ ‘beings’:

⁵¹ Robeyns (2017) p 26.

⁵² Robeyns (2017) p 24, 25.

⁵³ See Martha Nussbaum (2002), *Capabilities and social justice*. *International Studies Review*, 4(2), p 123-135.

⁵⁴ However in development literature it may seem so, human development is not the same as the capability approach, but is an application of the capability approach. The human development paradigm is taking much more aspects into account than only functionings and capabilities, see Robeyns (2017) p 201 and 202.

what lives they are able to lead.⁵⁵ The Capability Approach is most famous for offering an alternative to income based approaches. Instead of looking at a GDP of a country, the capability approach is able to focus on what matters for the person. Amartya Sen argues that economic growth, income and GDP are commodities that can contribute to a persons' well-being, but they should not be seen as ends in themselves.⁵⁶ His capability approach puts people and their values at the center, by seeing the life people want to live and peoples' values as ends. Giving an alternative to traditional approaches of development and well-being that are commodity based or income based, the capabilities theory has been praised to be taking a more holistic view on well-being or development. As the capabilities approach can take in a broad range of concerns, it has been said that it is a great theory that can include for indigenous values and therefore indigenous well-being.⁵⁷ As Bjorn-Soren Gigler (2005) states, "*the capability approach provides a fuller recognition of the variety of ways in which lives can be enriched or impoverished not only based on real income, wealth, resources or primary goods.*"⁵⁸

In capabilitarian literature, doings and beings are also called 'functionings'. The functionings one has reason to value are the ones that are relevant for a person's well-being. This includes the goods at hand, as well as certain social, environmental and physical conditions, make that people can or cannot achieve the doings and beings they value. These conditions are called 'conversion factors'. For example, for me, a book would have more value than for an illiterate person, as she cannot read the book and I can. Being are not being able to read the book (being illiterate or literate) is an example of a conversion factor. Putting people's values and the freedom to live according to these values to the center, the capability theory moves away from a commodity-based theory of well-being. According to the capability theory, not only goods and resources are of importance, but the freedom to do what one values, the freedom to enjoy a certain life path.⁵⁹

These conversion factors are one of the main reasons that the capability theory is suitable to be applied to indigenous peoples. For example, when taken conversion

⁵⁵ Robeyns (2017) p 7.

⁵⁶ Amartya Sen (1990), Justice: means versus freedoms, Philosophy & Public Affairs, p.112-115.

⁵⁷ See Schlosberg and Carruthers (2010), Gigler (2005) and Binder and Binder (2016).

⁵⁸ Bjorn-Soren Gigler (2005), Indigenous peoples, human development and the capability approach,

⁵⁹ However in development literature it may seem so, human development is not the same as the capability approach, but is an application of the capability approach. The human development paradigm is taking much more aspects into account than only functionings and capabilities, see Robeyns (2017) p 201 and 202.

factors in a broad way, the land has much more value to indigenous peoples, due to their conversion factor. Because of their worldview, culture and/or beliefs, they are capable to pursue certain actions which non-indigenous peoples would not be able to. Their ties to the land make that they can convert the land into something meaningful, perhaps spiritual. While to me the land would have a different value due to my conversion factor.

As one has reason to value her biological needs and the fulfilment of biological needs enlarges one's capabilities, it seems that the capability approach meets the first criterion that is drafted in chapter one. Being healthy, being able to eat, being able to drink clean water can all be seen as possible "beings". Here, there still is space for personal goals. For example, someone that has the capability to be healthy and has enough money to buy food can still choose to fast. This is different from someone that is not eating as this person has the capability not to do it, as this person does not have money to buy food, for example. Here, we could say that the first person could be above the threshold of minimal well-being (other criteria being met), while the other person isn't, as the capability to be able to meet biological needs is not met at all for the second person.

3.4 Subjective and objective capabilities

A current debate in literature discusses how to select identify the functionings or capabilities that are relevant for identifying what is of value for a person. Nussbaum, for example, states there is an objective notion of well-being and selected a certain list of capabilities.⁶⁰ Which has been criticized because of the external imposition of values.⁶¹ Others say that there is not an objective notion of what is valuable for a person, rather, what is valuable for a person is subjective to what the person values, of whom Christina Binder and Constanze Binder:

"Through the process of deliberation and discussion among the indigenous people concerned, the functionings they consider important to their own well-being can be identified. The special importance indigenous peoples ascribe to their ancestral territories, for instance, can lead to additional capabilities they have reason to value,

⁶⁰ Nussbaum (2002), p 124-136.

⁶¹ Christina Binder and Constanze Binder (2016). A capability perspective on indigenous autonomy. *Oxford Development Studies*, 44(3), p304.

such as “living on the land of one’s ancestors”. The assessment of a set of valuable capabilities which differs from that of the majority of the population, thereby doing justice to indigenous value systems.”⁶²

One could state that certain capability theories perceive relevant capabilities to be objective, while other capability theories perceive them as subjective. The capability approach is open to both. Thus, the capability approach could serve the partly subjective, partly objective account of the Razian account of well-being, which is explained in chapter one. According to the account of minimal well-being, a person needs to be able to find goals and activities of true value. What matters too, for well-being is one’s attitude towards the pursuit of a goal or activity as well if those are of true value according to a range of theories of value. One should, therefore, be able to pursue goals and activities that one conceives of as being valuable, according to the third criterion. However, one needs the abilities to reflect and find out what is of value for that person. Therefore, the third criterion holds that one should be able to pursue goals and activities that one conceives as being of value. As well as it includes some objective relevant capabilities: namely, that one should have the right circumstances to interact within its societal culture and the ability to revise one’s beliefs which the capability approach can account for, which is the second criterion. The capability approach can account for both and thus take on this partly objective, partly subjective account of relevant capabilities.

3.5 Ethical individualism and collective capabilities

One of the main critiques on the capability approach is that it is too individualistic. This claim put forward by different authors, entails that individuals should not be seen as atomized individuals, but rather as individuals that are part of their social surroundings.⁶³ Robeyns (2017) however, states that often, this criticism is misplaced. To make her argument clear, she makes the distinction between ontological individualism (sometimes called methodological individualism) and ethical individualism (sometimes called normative individualism). She states that the capability approach does not rely on ontological individualism. This is the view that

⁶² Binder and Binder (2016), p 304.

⁶³ For example, see Stewart (2005).

society is the sum of atomized individuals. The capability approach, however, does rely on normative individualism, which entails that only individuals count in evaluative exercises and decisions. It claims that only individuals are of ultimate moral concern. According to Robeyns, an ontology that recognizes the connection between people is compatible with normative individualism.⁶⁴

Thus, the capability approach allows for groups and social structures to be taken into account, without making a claim about how individuals should be perceived of ontologically. Certain capabilities can only be attained within a social structure. I will refer to these capabilities, that define the possibilities of collective action, as ‘collective capabilities’ from now on.⁶⁵ Here I agree with Robeyns that focusing on groups can be compatible with the normative individualism and therefore the capability approach. As what matters for individuals can be determined by both collective as individual actions. In ethical individualism, collective capabilities are perceived of as an instrument for enlarging individual capabilities.

In chapter 2, I discussed the indigenous concept of *Buen vivir* and how it is based on a different ontology than western modern ontologies. The question arises whether the capability approach while staying individually focused, can account for the collective and relational aspects of *Buen vivir*. As discussed, the only way the capability approach seems to take collectives into account is as an instrument in order to achieve individual well-being, provided that ethical individualism is maintained. The group values serve as an instrument to be capable of certain functioning. For example, joining an Anonymous Alcoholics meeting is something that cannot be achieved on your own. You need others to come to that meeting in order to have a helpful conversation during that meeting. So, you do need others to come to the meeting too. Here, I assume that you would do this for yourself as the only reason you are going there is to keep being sober. You being able to go to a successful Anonymous Alcoholics meeting is achieved through collective action. The same counts for other people that join the meeting. Realizing this functioning then could contribute to your well-being.

3.6 Substantive and instrumental collective capabilities

⁶⁴ Robeyns (2017) p 184, 185.

⁶⁵ Gigler (2005), p 18.

I have shown that the capability theory can take groups into account and does not necessarily consider them as unimportant. Acknowledging that the capability approach can take groups into account, Bjorn-Soren Gigler (2005) states that “the capability approach [still] has a strong bias towards views of well-being solely in individualistic terms”.⁶⁶ As they are only perceived as being instrumentally important to enlarge individual capabilities. According to him, such a view would fail to recognize the values and struggles of indigenous peoples and not reflect their worldviews.⁶⁷

To broaden the capability approach in order to reflect indigenous peoples’ worldviews, Gigler makes a distinction between two types of collective capabilities: instrumental and substantive social capabilities. What Gigler refers to as social capabilities equals what I define as collective capabilities. Therefore, I will now refer to these capabilities as ‘instrumental collective’ and ‘substantive collective’ capabilities. According to Gigler, instrumental collective capabilities are capabilities that serve as an instrument to enhance individual capabilities. These capabilities can only be enhanced if accomplished by a group. But, he argues that the incentives of these capabilities have an instrumental character as the incentive is based on an individual need. One could not enhance these capabilities on their own but needs a collective action for that.⁶⁸ The case given above of the Anonymous Alcoholics is an example of an instrumental collective capability.

The second type, however, plays a substantive role on its own. The character of this type of collective capability goes beyond only instrumental enhancement of individual capabilities, but is closely related to the indigenous worldview in which well-being is defined through the well-being of the community. Gigler states that here important rituals, information systems and indigenous knowledge are examples of these substantive capabilities.⁶⁹ To give an example, he states that “festivities serve to strengthen the communities’ identity and traditional institutions, and thus are ‘substantive’ for the community, rather than having the objective of enhancing the human capability of any one of its members. In fact, they can often be detrimental to the well-being of the individual.”⁷⁰ By introducing substantive collective capabilities, Gigler

⁶⁶ Gigler (2005), p 12.

⁶⁷ Gigler (2005), p 20.

⁶⁸ Gigler (2005), p 12.

⁶⁹ Gigler (2005), p 19.

⁷⁰ Gigler (2005), p 19.

seems to move away from ethical individualism. The substantive characters of substantive collective practices are about more than just the instrumental enlargement of individual capabilities. How I understand these capabilities, is as capabilities that also include for relational and collective values that can not only be traced back through the individual. Gigler acknowledges that substantive collective capabilities can strengthen communities, but can be harmful to communities too.⁷¹ It seems that here enhancing substantive collective capabilities can limit individual capabilities. The conception of community and the importance of community seem to sometimes trump the importance of the individual in *Buen vivir*.

The well-being of indigenous peoples is often defined as the well-being of their community. As shown in chapter one, the conception of community, *Ayllu*, is integral and is important to the well-being of indigenous peoples. If the indigenous values based on indigenous identity and their worldview, are captured in the capability approach, the implementation of substantive collective capabilities is necessary. As for this holistic concept, the community as a whole is important as well. Therefore, capabilities that strengthen the community, instead of the individual, seem important.

It seems that instrumental collective capabilities can be compatible with normative individualism, but substantive social capabilities cannot. The ontological differences described in the second chapter cannot be taken into account by instrumental collective capabilities. The capability approach can include social, cultural and spiritual elements and can contribute special value to the land due to conversion factors, but only in an instrumental way. If we want the indigenous values to be taken fully into account in the capability approach, such as *Buen vivir*, ethical collectivism must become part of the capability approach, instead of the capability approach being fully based on normative individualism. This means that this capability theory entails that collective capabilities can be substantial and that at times, collective capabilities might trump individual capabilities.

For the capability approach to be able to serve as a theory of minimum well-being and to meet the three criteria drafted in chapter one, the capability theory has to be able to account for collective and relational values. To fully account for those values, would

⁷¹ Gigler (2005) p 19.

mean that the capabilities approach should move beyond ethical individualism. Then, substantive collective capabilities, that have been put forward by Gigler, can be brought forward. Including collective capabilities might turn out to be problematic as that could result in a tension between individual and collective capabilities. If the capability approach will include substantive collective capabilities, how would one deal with individual rights? How does one decide when the collective capabilities are allowed to trump the individual capabilities? Especially substantive collective capabilities can be detrimental for the well-being of individuals. This raises questions of how to prioritize (substantive) collective capabilities and individual capabilities if that is possible at all.

Chapter 4

Objections to including (substantive) collective capabilities

In this chapter, I will discuss the problems of broadening the capability approach to one which can include substantive collective capabilities. In order to do that, the capabilities approach needs to move beyond ethical individualism. Ethical individualism, however, seems to be fundamental to the capability approach. I will discuss three objections against including collective substantial individualism.

4.1 Objection 1: individual embodiment of ‘beings’ and ‘doings’

I will now turn to possible objections against including substantive collective capabilities and broadening the capability approach beyond ethical individualism. The first two objections I will discuss have been brought forward by Ingrid Robeyns. Her first objection holds that the capability approach is about enlarging individual freedom by enlarging individual capabilities. The approach is individually and human-centered. According to Robeyns, ethical individualism is an unavoidable property as humans live in human bodies. According to her, ‘beings’ and ‘doings’ are dimensions that appear to occur on this embodied level.⁷² However, if certain valuable beings and doings occur in a different setting or dimension than the human body (only), this argument does not apply to these cases. Of course, beings and doings that are possible by the realization of individual capabilities happen on that embodied level. And collective capabilities realize possibilities of embodied humans by collective action. However, substantive collective beings and doings as taking part in certain festivities, spiritual and religious practices while relating with the other individuals, nature and/or the cosmos, as discussed in chapter 2. While the communal relational and collective practices influence individual lives, the concept of *Ayllu* is not about individual well-being, and the actions that are part of the concept of *Ayllu* often do not happen on an individual level. They are not only made of individual actions but also by the spiritual relations that are interrelated by these communal practices. Therefore, one could say that some capabilities matter as they are important for an individual, while other capabilities matter as they are substantially important on a collective, relational level. These functionings, that are related to substantial collective capabilities, are of a different category. Unlike

⁷² Robeyns (2017), p 58.

individual or instrumental collective capabilities, these capabilities do not occur on an embodied level.

4.1 Objection 2: treating people as moral equals

The second objection given by Robeyns seems to be more problematic. She states that ethical individualism is a desirable property. She argues that it is important to treat people as moral equals, which ethical individualism forces us to do: “Ethical individualism forces us to make sure we ask questions about how the interests of each and every person are served or protected, rather than assuming that because, for example, all the other family members are doing fine, the daughter-in-law will be doing fine too.”⁷³ It seems that the problem of using substantive collective capabilities is that it cannot ensure treating people as moral equals anymore. If most of an indigenous community is fine with indigenous practices, that are related to collective substantive capabilities, but actually limit individual capabilities that are important for one member of the community, how can one explain that the collective substantive capability enlarges the well-being of the individual as well, even if he is not considered as a moral equal? The limits to individual capabilities can be light to severe. The risk of implementing collective capabilities is that it could limit the freedom of individuals severely. If one would claim, in some cases, that collective substantive capabilities trump individual capabilities, one needs to justify this. Which raises the question of how to prioritize between individual and collective capabilities?

Here I would like to emphasize too that the both instrumental as substantive collective capabilities could trump individual capabilities and thereby limit individual freedom. One could state that collective capabilities can trump individuals. However, as instrumental collective capabilities are justified by the enlargement of individual capabilities, one might solve this problem by using different principles. For example, a utilitarian principle, that states that instrumental collective capabilities enlarge the individual capabilities of 6 persons while limiting the capability of one person. One could justify this by the value of the enlargement of the capabilities of six people against the value of the limited capability of the one person. If someone perceives the limited capability of the person as a human right, for example, one could state that enlarging collective capabilities would not be justified. This depends, however on the capability

⁷³ Robeyns (2017), p 58.

theory one applies and what other principles of justice one chooses. It seems that it will always be hard to avoid a tradeoff between important capabilities. Especially, when one does not perceive of valuable capabilities to be fully objective. Individual freedom is of fundamental importance for the capability approach. Therefore, prioritizing capabilities of a large group by limiting individual capabilities is not something that the capability approach encourages to do. One should not forget that the strength of the capability approach is that it puts the human at the center and therefore enlarges individual freedom. Justifying that substantial collective capabilities trump individual capabilities will be harder than justifying that instrumental collective capabilities trump individual capabilities. As explained in chapter three, substantive collective capabilities move beyond the instrumental enhancement of individual capabilities. Substantive collective capabilities strengthen the community and can include relational and collective values typical to *Buen vivir* and other indigenous worldviews. These relational values, however, are hard to compare with values that are represented in individual and instrumental collective capabilities. Limiting individual freedom using these values might be hard to justify as the different values might be incommensurable. Which raises the question: by broadening the capability approach, can we move beyond ethical individualism, while not limiting individual freedom on unjustified grounds?

4.3 Prioritizing collective over individual capabilities

In this paragraph, I am going to look into the tension between collective and individual rights. In capability terms, I will look at the tension between collective and individual capabilities. I will discuss on what possible grounds collective capabilities can be prioritized over individual capabilities and the other way around.

Both instrumental as substantial collective capabilities can do good and wrong. In order to deal with the risk of limiting individual freedom by moving to collective capabilities, it could be helpful to make a distinction within collective capabilities, both for substantial and instrumental collective capabilities. Frances Stewart (2005) distinguishes between valuable and non-valuable capabilities. Examples of valuable collective capabilities are capabilities that can lead to empowerment, increased well-being and meaningful connections. Examples of non-valuable collective capabilities are capabilities that can lead to exploitation, oppression and exclusion.⁷⁴ According to

⁷⁴ Frances Stewart (2005), Groups and capabilities. *Journal of human development*, 6(2), p 190.

Frances, groups usually promote both valuable as non-valuable capabilities. As with individual capabilities, in order to contribute to one's well-being, only the valuable capabilities need to be promoted, not the non-valuable. Thus, the same should apply to collective capabilities. However, there are collective actions that can lead to meaningful, spiritual connections for some and could lead to oppression to a minority or an individual.

Godfrey-Wood and Mamani-Vargas argue, that some collective capabilities should come with some extent of coercion as social institutions do not exist without some constraints.⁷⁵ There is a need for some constraints and coercion in order to enable collective capabilities that will contribute to peoples' well-being. Promoting collective capabilities (like communal rituals) are necessary to maintain indigenous culture and indigenous identity. Even if this does not promote everyone's individual capabilities. Not promoting these individual capabilities is needed to sustain indigenous culture. Collective practices contribute to capabilities, would these collective practices not be able anymore, then they would not contribute to capabilities and well-being. Moreover, as discussed in chapter one, cultural practices enable people with options that are meaningful. Therefore, collective capabilities protecting these cultural practices, provide community members with valuable options. One could question how far these collective practices ought to go in order to trump individual capabilities. Here I agree with Godfrey-Wood and Mamani Vargas arguing that "the key challenge is to differentiate between those practices which have coercive elements, but which are essential to the generation of valuable collective capabilities and those which are non-essential and are more likely to generate non-valuable ones."⁷⁶ Some coercive elements are allowed if they are essential to the generation of valuable collective capabilities and not limit individual freedom to a severe extent.

To demonstrate how group rights sometimes conflict with individual rights Binder and Binder (2016) take the example of indigenous individuals owning indigenous lands that are sometimes not allowed to sell or mortgage their piece of land, aiming to maintain the territorial base of their community.⁷⁷ These individuals are clearly limited in exercising their right to property. On the other hand, by limiting their

⁷⁵ Rachel Godfrey-Wood and Graciela Mamani-Vargas (2017), *The Coercive Side of Collective Capabilities: Evidence from the Bolivian Altiplano*. *Journal of Human Development and Capabilities*, 18(1), p 76.

⁷⁶ Godfrey-Wood and Mamani-Vargas (2017), p 85.

⁷⁷ Binder & Binder (2016), p 300.

right to property, substantive collective capabilities are maintained. As the indigenous land is often conceived of as spiritual and linked to their ancestors. Meaningful relationships will be threatened if the community loses its territory and indigenous culture is threatened too. Indigenous peoples are often asked to sell their land by external parties, as the lands that indigenous peoples' own are often rich in oil or gas. Therefore, the landowners could earn a decent amount of money if they were allowed to sell their property. This raises the question: to what extent is it justified to promote collective capabilities at the cost of individual capabilities?

Binder and Binder argue that “what matters is not the conservation or promotion of one particular life path per se but the freedom to choose whether they wish to pursue their ancestral ways of life.”⁷⁸ By promoting particular individual capabilities, the freedom to pursue ancestral life is under threat, like attempting to sell ancestral land property to non-indigenous peoples. On the other hand, the indigenous peoples also need the freedom to not pursue their ancestral way of life: they need to have the freedom to opt out. Although the individual cannot sell her land, she could be still able to choose whether she will pursue an ancestral live or not. If she would have the right to property and would sell the land, this would limit the freedom to pursue an ancestral live for the others in the community.

On the one hand the capability approach needs to do justice to the value systems of indigenous peoples and on the other hand, every individual should be able to choose their own life path. Binder and Binder state that the capabilities approach could serve as a tool to examine the impact of collective decisions on individual capabilities.⁷⁹ According to Binder and Binder, traditional practices and cultural identity are only valuable when the members consider it valuable, not for its own sake.⁸⁰ They believe that what is valuable is up to the judgement of the people, which, in this case, are indigenous peoples. They state that often there is no real conflict between group and individual rights, as only practices that are truly valuable to the member of the community should be seen as valuable to the collective. Therefore, religious books, traditions, punishment systems and indigenous practices that have existed for a long

⁷⁸ Binder & Binder (2016), p 307.

⁷⁹ Binder & Binder (2016), p 306.

⁸⁰ Binder & Binder (2016), p 307.

time can only count as valuable collective capabilities when they are actually valuable according to the members of the indigenous community.

The above is in line with the account of minimal well-being. As the attitude of the person is one of the decisive factors of its contribution to the person's well-being. As discussed in chapter one, there should be the freedom to be able to reflect. In the above example, having the freedom to choose the ancestral way of life or not is such a freedom. Being coerced into pursuing an ancestral way of life could limit the ability to reflect on meaningful options in life. Therefore, there should always be an option to opt out and choose a different life path. Assuming that the person that wants to sell the land still has the ability to opt out, for example, by renting the land to a community member, it is justified that she is not allowed to sell her land to non-community members as this could limit meaningful options for community members. As well, the individual should not be limited of her freedom to such an extent, that this will have such an effect to her well-being that her well-being will fall below the threshold. As discussed in chapter one, in such cases actions that can contribute to the ones that have a level of well-being that falls below the threshold will be prioritized over actions that could contribute to ones that have a level of well-being that is above the threshold. Therefore, when there is a tension between collective and individual capabilities, there are some tools to prioritize the one over the other. Namely, that the capabilities need to be truly valued; that below-threshold well-being should be prioritized by enlarging capabilities that contribute to below-threshold rather than above-threshold; that individuals are free to choose a valuable live path, which includes a live path that is line with indigenous worldview when valued.

The application of the limitation of property rights should not be the same for every indigenous community. Merino has interviewed different community leaders in the Amazon about the concept of *Buen vivir* and resource extraction. Some of them could not imagine any resource extraction being good for their community, while others saw it as a way to move forward and realize their conception of *Buen vivir*.⁸¹ Assuming that what the leaders state is representative of the attitude of their community, different communities perceive their (ancestral) land in different ways although both communities embrace the concept of *Buen vivir*. Therefore, collective capabilities

⁸¹ Merino (2016), p 278, 279.

should only trump individual capabilities when they are truly conceived as valuable by the community. The individual capability can only be trumped if the individual still has the freedom to opt out as well as it is trumped by a collective capability that is conceived as valuable by the community members.

Binder and Binder state that there should be a space for deliberation and discussion within the self-government of indigenous communities. In that case, when there would be a conflict between individual and group rights, the community should be able to discuss this in order to identify the priority the members of the community would want to give to cultural or group rights.⁸² Including collective capabilities seems tricky, but is necessary to apply the capability approach to people that live in a more communal way, like indigenous peoples. Even though individual capabilities could be limited, the protection of collective capabilities is sometimes needed in order to give the community members the freedom to choose a valuable lifepath. Limiting individual capabilities here, however, could only happen to the extent that the individual has the freedom to choose different life paths. And therefore, has the freedom to opt out. Which is in line with one of the criteria drafted in chapter one. Namely, and trumps individual capabilities, but to a certain extent. Now the question arises, can the capability approach include substantial social capabilities?

4.4 Objection 3: Justification of incommensurable relational values

We have seen that the capabilities approach can include collective capabilities. As in paragraph 2.3, I have shown that there are ways to justify that collective capabilities can be prioritized over individual capabilities and the other way around. In order for the capability approach to account fully for the indigenous worldview, values like *Ayllu* and relational values should be able to be taken into account by the capability theory. To do that by broadening the capability approach and by including substantive collective capabilities, might cause some problems. We have already discussed two objections. The last objection that I am going to present is somewhat related to the second objection. Substantial collective capabilities should only trump other capabilities if this is justified. In paragraph 4.2 I have already stated that this could be hard as the values on which substantive collective capabilities are based might be incommensurable with the values related to individual and instrumental collective capabilities.

⁸² Binder and Binder(2016), p 307.

To demonstrate the incommensurability, we will look at the concept *Ayllu*. *Ayllu* is based on a concept of reciprocity which is also part of the concept *Buen vivir*. As explained in chapter one, *Ayllu* is not only about the human community members, but also about the relation with ancestors and nature. The reciprocity in *Ayllu* can be found back on many levels. For example, human community members to perform tasks that are good for the community, which can be seen as a cooperative system. This happens in work-related tasks, like getting food and exchanging goods. These tasks can be quite practical and can be seen as an instrument to survive as a community, which individual community members benefit from. This could be conceived as an instrumental collective capability. However, the reciprocity in *Ayllu* can be found back at other dimensions, in which there is a relation to the earth and the cosmos. Indigenous people caring for the earth in several ways and in their perception, the earth gives back to them. For example, in the shape of receiving crops. With rituals, indigenous peoples care for and give to the earth with offerings, which also connects them to their ancestors as well as the cosmos. When these relational reciprocal practices should be translated into instrumental group capabilities only, a lot of the relational value would be lost. In that case, these relational and collective practices are only represented by the contribution of those practices to the individual. As it would only translate what this reciprocal action means for the individual as receiver and giver, while the value means much more than that for the indigenous community.

Acknowledging the above, there is another side of this example too. Here, we aim to use the capability approach for an account of minimal well-being which should be able to be applied to both indigenous peoples as non-indigenous peoples. It seems unfair to also take into account the well-being of the earth or ancestors. As we are looking at the well-being of the indigenous individual, or a group of indigenous peoples and that of non-indigenous peoples, in which we cannot take into account values that might be there, but we cannot account for through the individual. Though instrumental collective capabilities, we can take into account that the relational value does well to the individual or a group of people. However, if one is looking for a conception of minimal well-being of indigenous and non-indigenous peoples, one cannot justify to also take into account what these reciprocal activities mean to the earth, the cosmos or ancestors as the account of minimal well-being does not have to serve for the extra-human ties that indigenous peoples could have. It would seem unfair towards non-indigenous

peoples to include these values as the comparison between well-being's would not be fair.

This does not mean that these relational ties do not exist or should be ignored. The well-being of extra-human entities can be justified from the indigenous ontologies, within their philosophy. However, they cannot serve in an account of minimal well-being that is applied to non-indigenous peoples as well as community members that might not value the relational ties as much. It would not be fair for those members of the community either. Coming back to the tension between individual capabilities and group capabilities within the indigenous communities, it should be justified to trump individual capabilities. In paragraph 4.3 we discussed that collective capabilities can be prioritized based on how valuable the collective capability is within the community. Relational values that fall outside the valuing of the individual, are not actually valued by that individual. In that case, it will be hard to justify prioritizing substantial collective capabilities over individual capabilities. Therefore, only that of the relational and communal practices that can be experienced by the individual should be a justified reason to trump individual capabilities. That value can already be captured by instrumental collective capabilities. Therefore, only the part of the relational and communal practices that can be experienced by the individual should be perceived as a justified reason to trump individual capabilities.

Comparing well-being, and prioritizing below-threshold over above-threshold, one should not take account values of the earth, that also could be valuable outside the fact of being valuable for the indigenous peoples. The purpose of finding a conception of well-being was not only to fully do justice to the values of indigenous peoples but by finding a common ground. Indigenous peoples can account for their own relational value systems with their own theories and philosophies, which have existed for centuries now. We should assume that these theories and philosophies fit their worldview best. The aim of finding a conception of minimal well-being is to find a comparison tool, to find a tool that can serve as a space in which cross-cultural values can be discussed. In order to see what the consequences for different parties would be in terms of their well-being, which could come with certain duties for different parties.

It seems that the best that the capabilities approach can do here, is to account for these intrinsic and relational values through instrumental collective capabilities. Here one would still be able to capture the value of ancestral lands and cultural practices. For

example, the ancestral lands allow indigenous peoples to connect with their ancestors, to be able to have reciprocal relations with their community, ancestors and Pachamama (Mother Nature) which are very valuable practices for a lot of indigenous peoples and contribute to their well-being. Indigenous culture, their worldview and attitude here can be seen as conversion factors. Because they live in such a culture, have beliefs in line with their worldview and have a whole-hearted attitude towards them, relational and collective practices are conceived as valuable for them. However, a community member that doubts these practices has a different attitude towards these practices, therefore, she will perceive of these practices as less valuable. Indigenous peoples that perceive of their land as ancestral, due to such a conversion factor, the land can be very valuable for indigenous individuals. Taking conversion factors this broadly means being able to include a lot of the relational value through the experience of indigenous peoples. This much, to show how important practising their culture is, to show important the role of their ancestral lands in practising their cultures is, while still being able to translate these capabilities to a conception of well-being that is cross-culturally understandable. What is valuable for indigenous peoples can be captured through instrumental collective capabilities to a sufficient extent. The third drafted criteria claims that the account of minimum well-being should be open to different values, of which indigenous values too. Conversion factors can account for the value of land, religious practices and practices that are in line with *Buen vivir* and *Ayllu* to the extent that it can be traced back to individual well-being. Which, for a minimal account of well-being, is sufficient.

Here it is really important to emphasize that the capability approach, used as a theory of minimal well-being, is not a complete theory. It is a bridge between cultures, a place of recognition. There is a need to capture indigenous values very well, as it is important that the values and the well-being of indigenous peoples are not misunderstood. However, the relational part of indigenous practices, values and culture is cannot be translated into a theory of well-being in which western views can be understood too. John Taylor (2018) states that there is a certain recognition space between indigenous culture-values and practices and governmental reporting frameworks and notions of well-being where the two notions actually cross, see figure

below.⁸³ This space needs to be as big as possible, but the two circles cannot overlap fully as they are based on different ontologies and epistemologies. This, however, needs to be clear too. While using a capabilityarian conception of well-being, it should be clear that this conception does not capture the full value of indigenous peoples, nor that it is a full theory. For example, it does not make a judgement on whether nature has intrinsic value or not, or if nature should be seen as a commodity only.

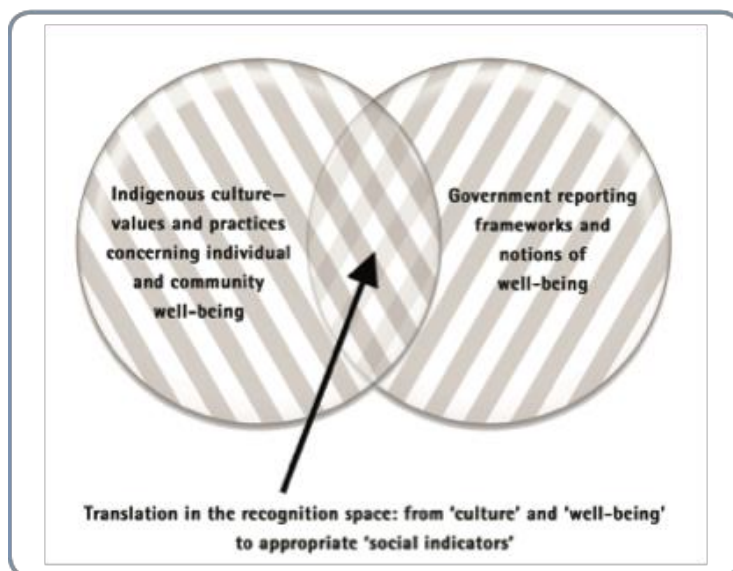


Figure: The recognition space for indicators of indigenous well-being, by John Taylor (2008)⁸⁴

By including instrumental collective capabilities, there will be a tension between individual and instrumental collective capabilities. However, as discussed in paragraph 4.3, prioritizing collective capabilities is possible, when the collective capability is of true value for the community members. In other words, when it is valued by the individuals in the community and limited individual capabilities are not causing such an effect on their well-being that this will be below the threshold. If these capabilities are valued by the community members, it means that these collective capabilities are only valid according to the experience of the individuals that make up the community. In other words, when it can be perceived as an instrumental capability. Here the substantial collective capability still does exist but is perceived of as an instrumental capability. As indigenous communities live in a more communal manner than for

⁸³ John Taylor (2018), p 7 -9.

⁸⁴ John Taylor (2018), p 7.

example western communities it is likely that collective capabilities will get prioritized more over individual capabilities for them than in western countries or in the cities of Andean countries.

Chapter 5

Justifying an individually focused account

In chapter four, I have argued discussed objections against including substantive capabilities and moving beyond ethical individualism within the capability approach. In the last paragraph, I have argued that substantive collective capabilities should not be taken into account as a separate category in the capability approach as an account of minimal well-being. In this chapter I will discuss possible counter-arguments against perceiving of instrumental collective capabilities only. It is important to go through these arguments as I have excluded substantial collective capabilities which might be perceived of as not taking indigenous values fully into account. Therefore, I will go through possible objections in order to justify my choice and make sure important aspects that were not at the forefront of the discussion of as yet are not being neglected.

5.1 Objection 1: Imposition of values

Choosing for an individual capabilitarian conception of well-being is not the same thing as stating that well-being is about individualism. However, a theory of well-being that is based on ethical individualism and includes individual and instrumental collective capabilities only, could make people believe that what only counts is ethical individualism. This could make it seem like indigenous philosophies, based on ontological collectivism, are not true while western ontological individualism is correct. Therefore, one might think that one can impose certain values upon indigenous peoples, or other people believing in ontological collectivism.

Therefore, serious attention needs to be paid on how to frame this theory of well-being and what the role of this theory of minimal well-being is. When applied in the right way, this capabilitarian account of minimal well-being will allow for indigenous values to be taken into account. Therefore, an open discussion with indigenous peoples is needed. As they are the ones who value, a conversation with them and conversations within their community can only make valuable individual and instrumental collective capabilities clear. A conception of well-being that will impose values upon them that they do not agree with, is something we want to avoid in the first place. It is important to recognize that a lot of capabilitarian theories would not account for indigenous values sufficiently. This would result in a large recognition space. In

which distinct values like their relation to nature and their conception of development, for example, will not be recognized.

In the article “whose sustainability? Environmental Domination and Sen’s Capability Approach”, Fabian Scholtes explores how concepts of sustainability respond to the imposition of valuations. He, therefore, comes up with three criteria of sustainability of how concepts of sustainability can respond to the problem of the imposition of valuations. Scholtes argues that sustainability suggests three criteria: 1) “the accessibility as well as reflectiveness of reasons for dealing with nature”; 2) “the acceptability of the valuation reference of these reasons”; and 3) “openness towards fundamentally different ideas of ‘the good’.”⁸⁵ He then analyses how Sen’s capability approach to development corresponds with these criteria. Scholtes finds the capability does respond to the first two criteria but is doubtful fit can respond to the third, which according to him is a challenge to the capability approach. Using up natural resources, according to him, does not mean that future generations do not have them, while the current generation does, it means that values on how to deal with nature are imposed on future generations.⁸⁶ Based on a differentiation of Foucault, Scholtes states that “environmental domination means that, by making decisions regarding nature that have inescapable consequences for others, we exert our ideas of the good upon others and shape their options in a definitive way.”⁸⁷ In his article, Scholte looks at the value imposition on future generations. The imposition of value can happen on different values like communal and relational values, as well as dealing with indigenous peoples. When the recognition space is big enough, however, we can be aware of indigenous values to a large extent. This would seem harder in the case of future generations, as we cannot be sure of their values. In the application of the capability approach to well-being, values should not be imposed or should be imposed as less as possible. The capability theory has a bias towards individualism. However, I argued that individual freedom should be perceived as an important aspect of well-being. Moreover, in chapter two the Andean conception of well-being, *Buen vivir*, has been discussed. We have come to see that the capability approach, applied in a broad way, can include a lot of valuable aspects that can be found in *Buen vivir* through conversion factors. Therefore, I believe

⁸⁵ Fabian Scholtes (2010), Whose sustainability? Environmental domination and Sen's capability approach. *Oxford Development Studies*, 38(3), p 291.

⁸⁶ Scholtes (2010), p 292.

⁸⁷ Scholtes (2010), P 292.

that the capability approach can be open to different ideas of 'the good' to a certain extent.

Not imposing values can be translated to a capability: the capability of not being imposed upon. This capability is very much related to the capability of self-determination, which is high on the priority list of many indigenous action groups. However, some concept of self-determination can still exist in combination with the imposition of values. As well, it seems that one cannot prevent some imposition of value, especially in the case of promotion of non-valuable collective capabilities by a community. What is important to keep in mind that even though the theory is based on ethical individualism, it does not make a claim about it. What is important for the capability approach is ethical individualism, but that does not mean that this applies to all ethical considerations. Even though the capability approach is ethically individualistic, I have shown that the capability approach will still meet the criteria drafted in the first chapter.

5.2 Objection 2: Ignoring ethical considerations of the earth and nature

As the capability approach is human-centered, the role of nature can only be translated into what it instrumentally means to an individual. The value of nature within the capability theory is solely instrumental, as the value depends on an individual's capabilities – not on how valuable nature is itself. This is not how nature is perceived of within the concept of *Buen vivir*. However, nature can be perceived of as really valuable, due to conversion factors. As nature is part of a lot of practices of indigenous peoples' it is related to many valuable capabilities of indigenous peoples. However, it cannot account for the intrinsic and relational value that indigenous feel it has, as stated in *Buen vivir* for example. Seeing the capability approach, not as a value theory may solve this problem. The capability approach here is solely used as a theory of minimal well-being. It is therefore not a complete theory of justice or value, which could mean that not taking the intrinsic and relational value of nature by the capability approach does not mean that automatically is assumed that these values are not real, that nature does not have intrinsic value and that should not be taken into consideration. It means that these relational or intrinsic values are not insignificant for the purpose or application of the theory. In this case, this would be the minimum concept well-being of indigenous peoples.

Krushil Watene (2016) does not agree with the above. She states that “there is a clear need for capability theorists to think beyond the limits of the approach in order to fully engage with those values yet to be considered within the capability framework”.⁸⁸ Capability theorists understanding relational values of nature, in this case of from the Maori perspective is of fundamental importance according to her. As not allowing for nature valuing for its own sake will mean an allowance of natural resource to be able to be substituted. She states that “different cultures relate to well-being and how they understand well-being”.⁸⁹ However, if that is true, then this value of nature would be respected due to the value it has for the individuals. As the relation of nature is of such importance for indigenous peoples, using a capabilitarian account of minimal well-being that will meet the criteria drafted in chapter one, natural resources would most likely not be allowed to be substituted as this would have a detrimental effect on the well-being of (some of) the indigenous peoples. Therefore, I do not agree with Watene that the capability theory will allow for substitution of nature.

The minimum capabilitarian conception of well-being should be about finding common ground between different cultures. Again, it should be emphasized that this conception is not a full theory. This conception does not make a statement about nature intrinsic values or denies of relational relationships with nature or relational values. The capability approach is anthropocentric, as it is human-centered, but it does not make a claim about anthropocentrism or ecocentrism. As it cannot take biocentric or ecocentric values into account.⁹⁰ An overarching ecocentric theory that could be applied to both indigenous cultures and western cultures would be a great tool. As of now, however, theorists have proven that such a theory is hard to find due to incommensurability. However, such a theory should be used outside the scope of the capability approach and goes beyond the well-being of indigenous peoples and non-indigenous peoples. For this end, however, I argue the capability theory does suffice, which I have explained above.

⁸⁸ Krushil Watene (2016). Valuing nature: Māori philosophy and the capability approach. *Oxford Development Studies*, 44(3), p 288.

⁸⁹ Watene (2016), p 293.

⁹⁰ Biocentrism is a value theory that states that all individual living things have intrinsic value. Ecocentrism is a holist theory that holds that all ecosystems have value. Anthropocentrism is a human-centered value theory. For an extensive explanation see Surmeli, Hikmet, and Mehpare Saka (2013), *Preservice Teachers 'anthropocentric, Biocentric, and Ecocentric Environmental Ethics Approaches*. *Mathematics education*, 29(9).

5.3 Objection 3: Ignoring historical injustices

As discussed before, it is important to not undermine indigenous cultural identities and indigenous worldviews. The concept of minimal well-being that includes indigenous values could serve as a tool for the government in dealing with or deciding to deal with indigenous communities. This conception could be used to answer the question of whether or not to extract resources on indigenous lands, based on the impact on the well-being of indigenous peoples. This conception, as discussed in this thesis is based on the well-being of indigenous peoples. It is important to highlight that when this conception is used, the history of indigenous peoples is not taken into account specifically. What I mean by that is that only the well-being counts, but what would not count, or what this capability approach does not include are historical circumstances. Indigenous peoples are known for their struggles for recognition and against exploitation and oppression, which have been going on for centuries. They seem to be the most discriminated group of peoples in the history of mankind. Therefore, it seems that it is even more unjust to keep on abusing them or to keep on making decisions that will cause to keep this struggle and discrimination alive. This, however, seems to be a concern of justice that is not included in this conception. There might be an option when theorizing about this tool that the government would use, to add more dimensions than a minimum conception of well-being only. Principles of justice or fairness that include past injustices could be added for example. This, however, falls beyond the scope of this thesis and could be discussed in future research.

Historical injustices might be included more than one initially would think. As the injustices and struggles of indigenous peoples are much interrelated with their well-being. These injustices have shaped indigenous culture partly. Therefore, the capability approach can include some of these injustices in an indirect way. For example, Mandy Yap & Eunice Yu (2016) state that the understanding of the history of marginalization and colonization has shaped the ways of how well-being is understood by indigenous peoples.⁹¹ Indigenous peoples often demand autonomy and self-determination because they have been struggling with exploitation and oppression for centuries. Personally, I think it would not include the injustices to a sufficient extent. But as stated before, that should be discussed in future research.

⁹¹ Mandy Yap & Eunice Yu (2016), Operationalising the capability approach: developing culturally relevant indicators of indigenous well-being—an Australian example, *Oxford Development Studies*, 44(3), p 318.

5.4 Objection 4: individualistic focus of the concept well-being

As you might have noticed, I have defined the concept of well-being in chapter one as how well a life is going for that person. The concept of *Buen vivir*; however, could be translated to “the good life”. There is a difference between how I drafted the concept and how *Buen vivir* can be translated. As well-being in the former is perceived of from an individual viewpoint. Whereas how *Buen vivir* is defined does not make a statement about the well-being of one particular person. Thus, by drafting the account of minimal well-being, I was individually focused already. I have done this for several reasons: to not undermine individual rights and to be able to create a space in which both western concepts as indigenous concepts could be included. These reasons I have defended throughout this thesis. Perhaps I also chose this individual focus, because that is how I perceived of well-being both personally as well as a theorist. From a western perspective, I am trying to find common ground. Therefore, I started from an individual perspective and after I explored the possibilities of how to broaden it to a more collective conception. At first, I did not think the account of well-being was that individualistic. Perhaps I could have started from an indigenous, collective point of view and from there I would move to a more western view of well-being. Or I could have taken a different concept than well-being. It would be interesting to see what an indigenous theorist would have done when starting from an indigenous perspective, moving to a recognition space in which western views are included too.

Due to globalization more there will be more and more contact between indigenous communities and non-indigenous peoples. More and more indigenous communities are getting more and more connected with the outer world. As they are more and more paved roads are being built between communities and the outer world and many indigenous communities have been introduced to computers and the internet. I am not making any judgements on whether that is a good thing or not. It does mean, however, that more and more indigenous peoples are going to be introduced to western ideas and, hopefully, the other way around. This probably causes more and more indigenous peoples valuing non-indigenous values too. For these people, individual freedom might be important next to communal practices. Therefore, there is a need to find the recognition space between indigenous conceptions of well-being and western conceptions of well-being. At the same time, there should be enough opportunity for non-indigenous people to be introduced to indigenous values.

The focus that the capability approach has on individual freedom should not undermine communal practices that are conceived as important to well-being in communities worldwide. Culture and societal environment are of true importance for someone's well-being. Given the globalization, on the one hand, indigenous culture, when valuable, should be conserved. On the other hand, indigenous peoples should have the freedom to explore non-indigenous values as well. Both of these elements can be found in the criteria drafted in the first chapter. The criteria state that one should have the freedom to explore valuable options. These options include ancestral ways of living as well as being able to revise them and explore and revise western ways of living. Even though I have been individually biased, I do feel I have conceived of indigenous values as open as I could while also taking individual freedom into account.

Conclusion

In this thesis, I have attempted to examine if the capability approach can do justice to both indigenous as non-indigenous perceptions of well-being. To do that, I have first drafted three criteria of minimal well-being. The first criterion is that of the fulfillment of biological needs; the second criterion holds that one should have the right circumstances to interact within its societal culture and the ability to revise one's beliefs; and the third criterion holds that one should be able to pursue goals and activities that one conceives as being of value. I have also shown that someone's culture enables people to find meaningful goals and activities. Therefore, cultural preservation is of importance to peoples' well-being. An example of an indigenous concept of the good life is *Buen vivir*, which has a related notion, *Ayllu*, which can be seen as a holistic extended family including extra-human ties. These concepts are based on collective, relational and holistic values. The theory of minimal well-being needs to be able to take these values into account in order to do justice to indigenous values.

On the one hand, we have seen that the capability approach is as a promising approach to be applied to indigenous peoples. As it moves away from commodities and is able to include different values due to the human-centered focus and conversion factors. On the other hand, I have shown that the capability approach has an individual focus. Therefore, it cannot take indigenous worldviews and values fully into account, unless the capability approach will be adapted and moves beyond its individual focus. In that case, not only instrumental collective capabilities but also substantive collective capabilities can be taken into account. Taking collective capabilities (both instrumental as substantive) into account can be problematic, as it can cause tensions between individual and collective capabilities.

I have found, that an individual or collective capability can be prioritized by three rules, which are in line with the drafted criteria. 1) People should have the option to choose a valuable life path. This means that people should be able to choose ancestral ways of life or to opt out and choose a non-indigenous type of life. Therefore, people need the freedom to reflect on different values as well as the conservation of indigenous culture as well as the freedom to opt out. 2) Capabilities that contribute to below-threshold well-being should be prioritized over ones that contribute to above-threshold well-being. Capabilities threaten to lower one's well-being below the threshold should be avoided while capabilities that do not should be prioritized. 3) Only capabilities that

are truly valued by members of the group should be counted as valuable, otherwise one cannot justify for the collective capability to trump other valuable capabilities.

It is not justified to broaden the capability approach by including substantial collective values as they incommensurable with individual capabilities. Moreover one cannot justify to prioritize relational values that cannot be traced back to an individual over values that can. This cannot be justified towards non-indigenous individuals or individuals that do not value certain substantive collective capabilities. As when the theory of minimal well-being should be used as a tool, that can compare the well-being of different people or different groups. As stated in the third rule, values should be truly valued by someone. We cannot justify the relational well-being of extra-human entities to be taken into account, even though they can be justified by indigenous ontologies. Excluding substantive collective capabilities from the capabilities approach as a theory of minimal well-being, does not mean that these capabilities do not exist. The capability approach is not a full theory of value or justice. Practically, it is not possible to include these capabilities in a justified way. But a big part of the value of these substantial collective capabilities is being taken into account through instrumental collective capabilities. The capability approach, excluding substantive collective capabilities, still meets the drafted criteria.

The research question of this thesis “Can the Capability Approach serve as an account of minimal well-being that can do justice to both indigenous as non-indigenous peoples?” can be answered with yes. A capability approach conception of minimal well-being can be used as a comparison tool that can serve as a space where cross-cultural values can be discussed and compared. As this conception can take both distinctive indigenous values as western or other non-indigenous values into account.

I do have to admit, however, that I might have taken an individualistic approach to well-being to start with. Therefore, the criteria drafted have had an individual focus from the start. However, I have tried to perceive of indigenous values and worldviews as open as I could while respecting individual freedom too. However, I still have shown that, when applying the capability approach in a certain way, including instrumental collective capabilities, the capability approach can account to a sufficient extent for indigenous values needed for a conception of minimal well-being. Clearly, this is still an early stage of theorizing about this theory of minimal well-being, but I have shown that it could be worth to explore the applications and to further build on this conception of

minimal well-being. It could serve as a tool for governments to find common ground between cross-cultural values and be a reason for the government to initiate or sustain certain practices or halt them. One of these practices being the resource extraction on ancestral lands. Further theorizing about this theory of minima well-being, however, should happen in cooperation with both indigenous academics as indigenous peoples facing extraction conflicts.

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