

# Intersecting Human Development, Social Justice and Gender Equity: A Capability Option

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## Abstract

The greatest achievement of any education system lies in its ability to harness and develop human capabilities indiscriminately. This paper aims to show that the development of capabilities is crucial in bolstering individual well-being while at the same time propelling human beings to function adequately at various levels in society. I argue that, for a symmetrical development of capabilities to be attained for all, institutionalised unfreedoms that are perpetuated through entrenched classism, racism and sexism need to be addressed. The claims in this paper respond to the dilemma of continued marginalisation of women in South African higher education by arguing that a capability approach (CA) to human development should be considered as a possible framework through which gender and gendering can be investigated and evaluated. The paper has adopted a critical exploration methodology in discussing theories of social justice and a capability approach to human development. The paper concludes that education is an essential component of human development that should be enjoyed by all regardless of their creed, gender, race or social class.

**Keywords:** capabilities; gender; equity; development; justice

## Introduction

Many developing nations align their educational goals with their developmental agenda in appreciation of the crucial role that education plays in the lives of individuals and the general well-being of nations. What this means for those who are overtly or covertly excluded from enjoying educational opportunities is exclusion and underdevelopment of their capabilities. This paper aims to illustrate the centrality of developed capabilities in propelling human beings and nation states to greater functionings and enjoyment of liberties. The claims advanced in the paper have been



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drawn from the goals of South African higher education and Sen's (1980) theorisation on the pivotal role education plays in society. This is because the role of higher education is intricately linked to the development of human capabilities that translate into the requisite human resource production that is crucial for the survival of national economies and nation building (DoE 1997; MoE 2001). Consequently, *White Paper 3: A Programme for the Transformation of Higher Education* (DoE 1997) and the Ministry of Education's *National Plan for Higher Education in South Africa* (2001) identify skills development, personal improvement, economic development and international competitiveness as some of the most important competencies that ought to be developed through higher education. Moreover, Dei submits that education is crucial because it equips learners with knowledge, skills and resources that allow them to improve their conditions and contribute to building healthy sustainable communities (Dei 2008, 207).

The hallmark of the South African transformation agenda that arguably started in 1994 was the opening up of spaces that were previously exclusive with respect to race, social class, gender, sex and geographical positioning (DoE 1997). Ideally, this would have translated to equal access to higher education to all. However, it has been argued that the same factors that were used to disadvantage certain population groups from accessing higher education are notably being used to stifle the dreams of a majority of the previously disadvantaged groups (CHE 2010). Although a majority of black students' trajectories in higher education are marred with many frustrations, the struggles of women in general and black women in particular are highlighted in this paper. The challenges range from general access, meaningful participation, and high dropout rates to low throughput. In particular, success is still a challenge to a majority of black women in higher education due to historical factors, sexism, other related academic struggles, and the articulation gap. Furthermore, the challenges are explicitly exacerbated by the high cost of higher education and accommodation, historical debt and other hidden costs which among other factors make higher education inaccessible for students from low-income backgrounds. This is notwithstanding the gains from the promulgation of free higher education (HE) for students from low-income families (Akala and Divala 2016; Akoojee and Nkomo 2007; Badat 2010; Bitzer and De Jager 2018; CHE 2010).

In view of this, Sen (1999) and Nussbaum (1995) argue that excluding women and girls from accessing educational opportunities impacts families and the society negatively. The ramifications can be classified as individual, familial and societal. They range from poor health choices leading to high mortality rates to inadequate participation in public debate and political awareness and stagnation of the economy (Nussbaum 1995; Sen 1999). As a result of the above stated, the paper suggests that proper mechanisms be put in place in order to ensure equitable access and development of capabilities in higher education. Whilst considering Sen's (1980; 1999) and Nussbaum's (1995) views that locate the development of capabilities in education, I reiterate the fact that the throughput and completion rates for women in

general and black women in particular ought to be of paramount importance. This will improve their positioning in society, promote their individual well-being and impact on how they engage, participate and contribute to various facets of society. Therefore, this paper contends that no woman of any race group, social class, political affiliation or geographical positioning should be denied access to higher education explicitly or implicitly.

Gender equity and equality policies and frameworks also emphasise the indelible importance of equipping women and men with analogous skills as a way of preparing them for the crucial roles that they have to play in society as decision-makers, breadwinners, agents of change and meaningful employees (CGE 2000; FSAW 1954; National Women's Coalition 1994). Similar sentiments have been expressed whilst identifying the development of capabilities as a positive move towards the empowerment of black women. This was necessitated by the fact that historically black women suffered triple marginalisation. They were excluded from participating meaningfully and symbolically in education, politics and the economy (Hassim 1993; Hassim and Walker 1993). At the same time, the need for women to have access to equal and quality education in order for their capabilities to be developed on symmetrical levels with their male colleagues provides a compelling account for an inclusive education system. Despite the policy and legal provisions and guarantees aimed at augmenting gender equity and equality in higher education, the disjuncture between policy and the lived experiences of women in higher education cannot be ignored (Walker 2006a).

Theoretically, the discourses and contestations in the paper are undergirded by critical theory. The paper has engaged with secondary data that have been used to debate the current status and positioning of women in higher education. In the first instance, the theory interrogates claims of probable attainment and enjoyment of liberties and freedoms and human emancipation from their lived experiences. This is crucial in highlighting the gains that have been made post 1994. Secondly, the means through which this can be achieved are interrogated and appraised accordingly (Habermas 1984). Scott and Usher (2010) and Scott and Morrison (2006) propose that research methods, whether qualitative or quantitative, ought to be underpinned by a meta-theory that embraces epistemological and ontological elements. For instance, the paper has adopted a capability approach to human development to fulfil the two claims of ontology and epistemology because of its multi-dimensionality. Thus, adopting a capability approach makes it possible to interrogate various aspects affecting the positioning of women in higher education while assessing the intervening factors that make it impossible for them to access and succeed in higher education. These factors become unfreedoms if they stifle their trajectories and are a reflection of their lived experiences (Nussbaum 1995; Sen 1992).

The capability approach also brings together many variables that can be looked at from various angles and different disciplines. Hence, Sen (1993, 49) observes that “a

plurality of purposes for which the capability approach can have relevance” suffices in grasping the gains of women in education. Finally, Sen (1980) opines that the gains that accrue from education can be measured through a wide spectrum of human developments and life activities. This can be inferred from the extent to which people’s lives have changed invariably in terms of general well-being, access and exercise of freedoms and liberties, access to opportunities in education, political and economic realms, and the contribution that the citizenry can make to the general development of the country and the economy at large (Nussbaum 1995; Sen 1999).

## **The Value of Acknowledging Contexts in Social Justice Approaches**

The capability approach (CA) to human development is based on Sen’s (1980) and Nussbaum’s (1992) theorisation of human development. Sen’s capability approach is a critique of utilitarianism and Rawls’s theory of justice (1971). Utilitarianism and resource-based approaches to individual advantage assess a person’s advantage through his/her capability to do things that h/she values or has reason to value. Presumably, a person who has less opportunity to do the things s/he values is judged on a lower scale than one who has access to more opportunities and is able to enjoy the necessary freedoms (Sen 2009, 231). Utilitarianism is therefore problematic because it treats people in a homogenous manner. It is contentious that utilitarianism assesses the greater good that accrues to individuals based on imperatives such as the fulfilment of people’s desires, happiness and pleasure which are complex, fluid and elusive. Besides, determining what would be universally desirable or pleasurable is a very complex exercise since the sources of happiness and pain are varied, contextual, individual and unique. Rawls’s (1971) position on primary goods and self-respect as prerequisites to equality has been disputed as unconvincing (Sen 1980). Instead, Sen (1980) and other theorists favour a context-based approach to justice, commonly referred to as substantive justice (Mackinnon 1993; Rawls 1971).

In the interim, this approach aims at moving away from homogenising people’s experiences and hopes to achieve justice through equity mechanisms that address the particular and specific circumstances of previous marginalisation. Sen (1980) further demonstrates that models that epitomise welfarism, egalitarianism and utilitarianism are unlikely to offer a veritable account of people’s lived experiences. Such models rely on generalised studies and conclusions that have been criticised for providing information that is solely based on utility and thus non-utility information is not included in moral judgements. Sen (1980) argues that if the analytical lenses are insufficient and not broad enough to capture the contexts and concerns of all the stakeholders, universalised conclusions tend to silence the voices of the marginalised and those in the peripheries. Sen (1999) and Nussbaum (1998) agree that although globalised studies or statistical indexes provide vital data on phenomena under investigation that show a nation’s well-being, they are less reliable due to the manner in which they homogenise people’s conditions without paying attention to individual circumstances. This is demonstrated in the quote below (Sen 2006, 61):

There are no good grounds for expecting that the diverse considerations that are characteristic of practical reason, discussed, among others, by Aristotle, Kant, Smith, Hume, Marx, or Mill, can, in any real sense, be avoided by taking refuge in some simple formula like the utilitarian maximization of utility sums, or a general reliance on optimality, or going by some mechanical criterion of technical efficiency or maximization of the gross national product.

The tensions in the maximisation principle advanced in egalitarianism are evident in the above quote. The probability of the distortion of vital personal information, dimensions and circumstances that might misconstrue outcomes as far as interpersonal or inter-temporal comparisons are concerned is very high (Miller 1999). Miller thus argues for a balance between burdens and benefits because people's points of departure which may disrupt the maximisation principle adversely are varied. Miller's (1999) presupposition is that, if basic needs for individuals are unmet, the burden is very heavy to the extent that the equilibrium between burdens and benefits in society would be upset. Egalitarianism is hence seen as being largely reductionist because it ignores the context of people's lived experiences and circumstances (Ball 2005; Miller 1999; Robeyns 2003). For instance, the significance of people's identities and states such as disability, gender, sexual orientation, ethnicity and race can easily be undermined and yet they concretise individuals' livelihoods and the way they experience life. Sen (2005) unequivocally disputes the use of mental states to decide on what is morally right or wrong. When women earn less than men for equal work, even if the likelihood of them being portrayed as happy with the status quo is high, it doesn't change the fact that the act is morally wrong and discriminative. Miller (1999) conversely explicates that a just wage is determined of necessity by distributive considerations, which are mainly based on distributional contexts. A capability approach, to the contrary, is less centred on commodities, material gain, income and resources that enhance people's well-being coupled with advantage. In brief, the aforementioned could be done at the expense of factors that have intrinsic value, such as capabilities and functionings (Sen 2005; Unterhalter 2005).

Whereas Sen's capability approach largely (1980) agrees with Rawls's (1971) theory of social justice, Sen argues that the antithesis of Rawls's theory is in the theorisation of human freedom and equality. Sen (1980) argues that basing equality on primary goods and self-respect without addressing the means through which freedom and equality is achieved is problematic. According to Sen (1980), the gaping gap in Rawls's theorisation should have been transcended by providing a mechanism through which it (freedom) can be achieved (the means of achieving it). A capability approach is allegedly modelled on real-life opportunities that fulfil particular purposes and afford people substantive freedoms to achieve what they value and have reason to possess (Sen 2009). The approach is unique because it does not accentuate the economic value that arises from freedom. It instead shifts attention towards people and the things that they have reason to value. Pressman and Summerfield (2002) argue that development should be conceptualised based on the people themselves, their living conditions and their day-to-day realities and how they can overcome challenges they

face rather than on commodities and incomes. It has been demonstrated that globalised conclusions that are drawn from wider scenarios, such as utilitarianism or egalitarianism, are inadequate. Narrower and specific accounts formed around individual experiences within which the realistic narrative of development or underdevelopment occurs are preferable. This claim concurs with Miller's (1999) theorisation of social justice that seeks to maximise the smallest bundles of goods or advantages (equity), unlike universalisation (equality) that is based on large-scale advantages that are likely to be skewed (Dei 2008; Pressman and Summerfield 2002).

## **Theorising Social Justice and a Capability Approach to Human Development**

A capability approach to human development focuses on individual advantages that accrue from real-life opportunities. Sen's (1980) development of the capability theory evidences that the evaluation of the quality of life that people lead and the fulfilment of their desires vis-à-vis the commodities that they acquire is crucial. Other models of assessing human development are deemed as reductionist because they base people's well-being on their incomes and commodities. Such an analysis does not necessarily explicate the kind of freedom that they have or enjoy in their current state. These lacunae can also be supported by the claim that people differ significantly in the ways in which they convert incomes and commodities into achievements—capabilities and functionings. Sen (1992; 2009) therefore states that a person can be wealthy while at the same time struggling with impairment, ill-health or operating within undemocratic structures that constrict him/her from exercising his/her rights to the maximum. He refers to this as “unfreedoms” which could be inherent or sculptured by society. The differences in advantages and burdens are attributable to individuals' contexts and lived experiences which might therefore require localised and differentiated commodities and social arrangements in order to strengthen the enjoyment of rights and opportunities for all. A good example is the struggles that people with disabilities endure due to inability to access lecture halls despite education being guaranteed as a human right in the South African Constitution (RSA 1996).

Sen (1980) contends that commodities on their own are limited because they do not provide sufficient information about the welfare of people or about the lives that they lead or might want to lead. Sen places emphasis on the means that ought to be just and fair in order to enable the achievement of a particular good rather than concentrating on the end itself (Sen 1999). Freedom is about respecting people's will to be free to do the things that they value, to determine what they want to do and to be able to make decisions based on the available choices (Sen 1980). This line of argument is fundamental in relation to women's actual and perceived place in society, and how this affects the freedoms and choices that they make vis-à-vis the available opportunities. It is plausible that many societies across the globe are still entrenched in patriarchal hegemonies, and struggle to recognise women as equal citizens. Patriarchy tends to overshadow constitutionalism and the rule of law. Women's rights are often

largely flouted, obscured and ignored, and their ability to choose and operate in tandem with their own preferences and desires tends to shrink and diminish (CGE 2000; Msimang 2015; Onsongo 2009).

Nussbaum (1994; 2011) robustly defends a capabilities approach that goes beyond aggregated and generalised indices that measure the quality of life attained by women through satisfaction and resourcing indicators. Whilst the indicators compare country performances, it is Robeyns's (2003) proposal that studies be designed so as to deal with idiosyncrasy. The personal and individualised circumstances that are unique in nature to a person's well-being should be accounted for. Nussbaum (1995) questions the abilities that are developed and the kind of transformation (the doing and becoming, or functioning) that a woman goes through after receiving an education. Putting into context what Nussbaum refers to would require one to imagine the levels of education women attain, and the level of freedom they have to choose career paths of their preference without any forms of constriction. If either of these two (doing and becoming) is in question, the future well-being of the majority of women will be in jeopardy.

Nussbaum (1995; 1998) also believes that the availability of resources is a factor that can enable or stifle the functioning of women, especially those with fewer or no resources at all. The assessment of the extent to which a resource such as an equity policy has succeeded or failed to bridge the gap that was intended is not only important to the policymakers and stakeholders, but rather it is also important to the women whom it was intended to cushion from oppressive structures and ideologies. In the case of South African higher education, the resource (equity policy) should contribute to the general liberation of women in terms of the freedoms that they can enjoy and the choices that they are able to make from among the wide variety of alternatives at "their disposal." Alternatively, one can use the same lens to also assess the impact of the gender equity policy for women in higher education post 1994 and the inception of the equity clause in higher education as key resources of equalisation. Apart from the aforementioned, limitations and unfreedoms could take the form of gender violence and sexual abuse, disparities in course selections or options, high dropout rates, and hierarchical power relations that assert male dominance and female servitude (Martineau 1997; Unterhalter 2005; Walker 2006b).

Although rights and capabilities conflate, they are significantly different. Sen (2005) explicates that rights are much broader in the sense that they include processes and opportunities (means and ends). To the contrary, capabilities do not concern themselves with processes but rather opportunities (ends). However, it is notable that capabilities and processes intersect and they have to be understood as such in order to account for the tensions that emanate from unfair and skewed processes and procedures. If processes are flawed, constricting, incoherent and inequitable, the chances of obliterating inequities and attaining equitable development of desired

capabilities and avoiding a recurrence of unfreedoms could be minimal (Nussbaum 1995; 2011).

It is however debatable whether the policy itself can provide an opportunity to think about a discursive framework that can articulate gender and gendering in higher education. I opine that an attempt should be made to come up with a discursive framework that will be holistic and suffice to deal with questions about context, the importance and the general nature of higher education, course selection, access and success, throughput and dropout rates, completion time and systemic impediments that hamper further growth and progression. Lastly, it should also encompass nuanced realities regarding the positioning of women in society, victimisation and victimologies, sexual harassment and abuse attributed to structural and systemic factors, as these are worthy of note and require adequate attention.

### **Intersecting Education, Capabilities and Functionings**

Despite the fact that human development is dependent on educational achievement, the latter is also influenced by the former. Sen's (1980) capability approach is embedded in capabilities, functionings, freedoms and unfreedoms. Capabilities are a reflection of an individual's ability to actualise a certain functioning (being or doing). It is a combination of functionings that reflect the ability for one to choose one type of life from several possible ones (Sen 1992, 40). Sen (1999) also defines "capabilities" as substantive freedoms that are available to an individual in order for her/him to live the kind of life s/he values most. In essence, they are real opportunities of states of being and doing, otherwise known as functionings.

Capabilities ideally include being able to choose to live a healthy life, be nourished, be educated, have access to employment and be part of a supportive network (Alkire 2005). In hindsight, these choices are made voluntarily and after considering the available choices. Contrary to Alkire's (2005) supposition, I state that cases of unfreedoms could hinder the process and availability of choices from which to choose. Below, Sen (1999, 75) illustrates that a capability can be likened to a substantive freedom that is a prerequisite for one to make informed choices regarding lifestyle:

A person's "capability" refers to the alternative combinations of functionings [sic] that are feasible for her to achieve. Capability is thus a kind of freedom: the substantive freedom to achieve alternative functioning combinations (or less formally put—the freedom to achieve various lifestyles).

Functioning, on the other hand, refers to people's achievements, being able to do or to be. It entails being able to access the opportunities that have been presented in the best way possible and becoming the person you wish to be. It can be used to evaluate the quality of life and capacity to function (Nussbaum 1995; Sen 1980). This can include being literate, numerate, having a healthy body, being safe, having a good job, being well-nourished and able to participate in community development (Alkire 2005). For



example, in a perfect situation, which is often not the case, for one to be properly nourished, the individual ought to be on a proper diet and have his/her needs for food (commodities) met. This should be achieved while taking into account personal and social factors that might affect the actual process of the body being nourished and chronic diseases that might impede the process such as diabetes, metabolism, and age and body size. Functionings can therefore refer to the use that a person makes of the commodities at his/her disposal. Sen (1992) claims that the ability to achieve functionings that one values is indicative of a general way of evaluating social arrangements within which capabilities are being developed, as freedom, and assessing equality and equity claims in such social arrangements. Sen's (1992) claim provides an opportunity for people to interrogate the nature and role of social structures and institutions in which functionings can be achieved. In other words, to what extent do they propel or restrict progress?

The nexus between freedom and political rights is overt and undisputable (Nussbaum 1999). Capabilities are linked to human rights because they encompass first-generation rights, basic liberties, and second-generation rights and social and economic freedoms. Capabilities and freedoms are thus indissoluble and interdependent. The success of one depends on the accomplishment of the other. Sen (1999; 2009) avers that freedom provides more opportunity to pursue objectives that are linked to the things one values and has reason to value, which includes the ability for people to live their lives as they wish and defines freedom as “the real opportunity to accomplish the things we value” (1992, 31). It also goes hand in hand with the process of choice, which is crucial in ensuring that people are not coerced, dominated or forced into making choices due to impositions by external forces (Sen 2009). Sen's (1992) position on freedom encounters various limitations when put into practice because the impositions by external forces largely obfuscate people's choices and opportunities.

Whilst agency and capabilities intersect with freedom, capabilities refer to opportunities whereas agency refers more to processes and procedures (means) that enable or stifle the attainment of capabilities. For example, instead of a poor rural woman being coerced to procure an abortion by her doctor because of the financial implications of having another child, exercising freedom envisages that the woman be empowered with relevant information and subsequent options to enable her to make a reasonable decision—one that she values most. Bearing in mind that harm should not be one of the choices that an individual has to choose, freedom can afford an individual a chance to refrain from a functioning if s/he has good reasons to do so (Sen 1980).

Freedom plays three key roles. First is the evaluative role, which refers to being able to evaluate other human rights based on their indivisibility. The second is the constitutive role, which deals with the self and well-being. It encompasses the ability to function adequately as a result of developed capabilities on an individual and societal plane. The third is the effective role that operates as a lens through which the

first two roles of freedom are judged and consolidated (Sen 1999). I observe that in consolidating the development of freedom, the known and less well-known immanent obstacles that might deter the eventual development of capabilities and freedoms should be considered. Unterhalter (2005) posits that some of the impediments to accessing equal opportunities and achieving veritable outcomes in education emanate from lopsided power relations, unresponsive systemic and institutionalised practices and cultures, sexism, patriarchy and discriminatory laws. This is further compounded by policies and processes that are used to maintain the status quo. Sen (1999, 5) writes as follows about the intricate relationship between institutional arrangements, economic opportunities, unfreedoms and the exercise of freedoms:

What people can positively achieve is influenced by economic opportunities, political liberties, social powers, and the enabling conditions of good health, basic education, and the encouragement and cultivation of initiatives. The institutional arrangements for these opportunities are also influenced by the exercise of people's freedoms, through the liberty to participate in social choice and in the making of public decisions that impel the progress of these opportunities.

### **Agency, Diversity and Human Development: Implications for Policy Interventions**

Sen (1999) envisages that the development of requisite capabilities and freedoms will have a ripple effect of promoting human agency. It is understood that an agent is a person who effects and brings about change. Such an individual is intolerant of being coerced and oppressed (Freire 2005; Sen 1999). Agency provides an individual the opportunity to assess and implement what s/he deems appropriate in his/her own life, other people's lives, and in the community at large. Agency can also be linked to determination, self-reliance, autonomy and self-direction (Dei 2008; Walker 2010; Wilson-Strydom 2011). It thrives in a state in which an individual is able to pursue and achieve goals and objectives that are valuable within an enabling environment. Conversely, agency is minimised in environments that are characterised by deep and wide socio-economic disparities. Although agency is a fundamental imperative in education, it is encumbered by unfreedoms that are impelled by socio-economic factors, unequal power relations and ignorance in relation to one's rights and responsibilities (Freire and Freire 2004; Unterhalter 2007; Walker 2010). In response to the aforementioned dilemmas, the South African higher education sector has called for constant engagement with all stakeholders so as to re-examine how far the system and structures have widened and entrenched democratic values and practices, access, equity and equality as constitutional requirements and higher education policy imperatives (Badat 2009; CHE 2010).

Notwithstanding the assumption that developed functionings impact positively on people's well-being and freedom, Sen (1999) further confirms that human agency does strengthen social life and contribute to its betterment. The achievement of agency originates from the radicalisation and politicisation of societal commitment and

organisation. Agency is manifested in the actions of people when fundamental questions are asked about their leadership styles, the distribution of resources and opportunities, and the operation and management of institutions. People's positions are elevated to the extent that they are seen as being active as opposed to passive, doing as opposed to being done to or for because of agency (Dei 2008). It is further noted that people are not just beneficiaries of the economic and social progression of society but architects of positive change in whatever position they occupy (Christie 2008; Sen 1999). Likewise, it should be noted that not everyone can be on the streets picketing. There are those who exercise their agency through revolutionary activities silently or through material contributions.

The pragmatic narrative on the development of capabilities and freedoms cannot be concluded without considering the diversity in the human population. Sen (1992) proposes that an undertaking be entered into that will inculcate the notion of the "basic heterogeneity of human beings" in knowledge systems. Whilst asserting the sameness of humanity as a basis for social justice, we should not lose focus of the diversity in the human nation. The significance of this recognition is in relation to understanding the complexities and fluidity within human beings which exacerbate inequalities. Sen (1992) opines that one kind of being cannot be taken to be the norm because the kind of being one is affects one's conversion of resources into valuable capabilities and functionings. The intricacies of people's differences are drawn along the personal axis in terms of race, gender, religion, sex, age, ethnicity and geographical positioning. An intersecting external axis is grounded on climatic conditions and wealth distribution and an interpersonal axis is vested in the ability to convert resources into valued outcomes (Mackinnon 1993; Nussbaum 1994; Rawls 1971; Taylor 1994; Young 1990).

Finally, although gender marginalisation has been an issue to grapple with, redress policies have been admonished for failing to address historical injustices conclusively. Essentially policies have two goals, material effects and rallying support for the attainment of the material effects (Ball 1994; 2005). Ball (1998) intimates that the role of policy contexts in policy processes cannot be underestimated. Material effects of policies can be linked to futuristic benefits of education for individual well-being and broader national development projections. For instance, set policy goals can only be met if sufficient consideration has been afforded to the contexts of the beneficiaries and stakeholders, institutional arrangements and traditions, power relations and the political ambience of the country within which the policy is being received and implemented (Bell and Stevenson 2006; Birkland 2014). Ball (2005) observes that the exegeses of policies are rooted in their social contexts, composed of what he calls the fissured social, political and economic conditions of education and social policy making. Arguably, the fissured social contexts in which policies are created and received by various stakeholders and actors could enable or obfuscate the successful implementation of the policy. This could have good or bad consequences for the development of capabilities.

## **Remodelling Gender Equity on A Capability Approach Framework**

A heuristic synthesis of the gains of transformation within South African higher education reveals at least a commendable shift towards inclusivity. The shift is remarkable and laudable due to historical reasons. The apartheid epoch education left indelible marks on women and black people in general by institutionalising racism and sexism (CGE 2000; Hassim 1993). In the current dispensation, gender, racism, sexism and classism are no longer being used explicitly to prejudice and exclude students (Akala and Divala 2016; Badat 2009).

Whereas the impetus is to achieve an inclusive education system that does not discriminate, as has been envisaged in higher education policies and related government literature, there is compelling evidence for women to be given special attention. Sen (1992) argues that at a basic level, a literate woman has a greater chance of survival and well-being. The expectation is that such a woman would have capabilities that would elevate her to function in various capacities adequately—publicly, legally and domestically. It is unfortunate that an illiterate woman would face several limitations and challenges operating competently in similar spaces (Nussbaum 1998; Sen 1992). As an iteration, the Department of Education's White Paper (1997) makes crucial links between the role of education, individual well-being and societal development. In sum, education should promote self-fulfilment, fulfilment of specialised social functions through skills acquisition, well socialised individuals who become critical, enlightened and responsible citizens, who are reflective and who can work for the common good of society (DoE 1997).

Due to the gaps that have been alluded to, remodelling gender equity analysis on a capability approach is necessary. A two-pronged framework is envisioned in undertaking this exercise. Firstly, adopting a capability paradigm as an evaluative framework of fathoming gender and gendering in higher education would entail working with a minimal list of capabilities as a guideline (Sen 1980). The list would include things that have intrinsic value (functionings and capabilities) and the means and not ends through which they can be achieved (processes, procedures). Since processes and procedures are fundamental in the development of capabilities, it will be imperative to review institutional procedures and processes. This exercise will help identify gaps that might be responsible for the current tensions in obfuscating the development of capabilities for a majority of women. Secondly, as previously stated, commodities and wealth are not necessarily good indicators and guarantors of happiness and fulfilment if an individual has to navigate a plethora of challenges and lack of fundamental freedoms. An inquiry that is premised on a capability approach would, concurrently, be interested in aspects that weaken material, cultural, social, political and economic impediments (unfreedoms) on the one hand, and on the other, the would-be enablers, such as equity policies and strategies. Besides, such an inquiry would assess the impact of the interventions (negative or positive) on the previous conditions of individual women (Nussbaum 2011).

In keeping with Sen's (1980) theorisation, policies should not be seen as ends in themselves but as means through which justice and human development can thrive and be achieved. This approach gives room for further interrogation and recalibration of existing policies and redress mechanisms (Dei 2008). Of significance is to gain deeper insights regarding policy contexts and the extent to which the contextual issues have been articulated and captured (Ball 2005; Dei 2008). This is consistent with incredibly complex issues of equitability, distribution, resources, overarching ideologies and hegemonies of racism, sexism, classism, geographical positioning, institutional histories and traditions, power relations and patriarchy (Unterhalter 2007). Hodgson and Spours (2006) regard the various policy contexts as a policy triangle that conceptualises the contexts of influence, policy and practitioner. Pursuing policy contexts would lend credence and substance to a substantive approach to social justice (Young 1990).

Additionally, the efforts by Layder (1993) and Soudien (2001) to locate equity policies in various contexts are an attempt towards demonstrating their fluidity. The existence of a causal relationship with pre-existing factors and conditions ought to be studied and understood. I argue that, in the case of South African historicity, contextual issues are intricately linked to ideological, institutional, pedagogical and individual circumstances. The complex nature involved in analysing contextual issues requires researchers to consider using interconnected research frameworks (Hodgson and Spours 2006; Layder 1993). Soudien (2011) places contexts into three categories: *official* (state ideology), *formal* (institutional stance) and *informal* (individual socialisation). In summary, researchers should seek insights into tensions that arise from the contextual South African issues which are deeply entrenched in its historical, skewed power relations and material trajectories. It can be deduced from debates advanced in this paper that a capability approach is a favourable framework to deal with contextual issues because of its multiple approaches to issues.

Pursuant to the aforementioned, a capability approach scholarship will be persuaded to look into the state of institutional conditions and contexts within which people access education. The extent to which these institutions allow for freedom of choice to thrive is crucial; it is therefore also vital to the vision of developing basic capabilities and functionings. The researcher should be aware of the fact that institutional contexts have embedded and antagonistic histories, traditions, inherent power relations and structural arrangements that might not be amenable to new practices or structural changes (Ball 1994). Ball (2005; 2012) explicates that, by their very nature, policies not only change existing power relations but also enter and mediate them by way of destabilising, distributing, redistributing and redefining their structure. This is a fact that might not be welcomed by bureaucrats who might not want to willingly part with their power and positions. Therefore, dominant discourses and ideologies henceforward should provide direction and the way forward although this may be perceived as undesirable to certain groups of people (Bell and Stevenson 2006; Hodgson and Spours 2006).

Using a capability approach could offer an opportunity to enter women's "private spaces" in order to fathom how individual women benefit from or fail to benefit from educational interventions. Its ability to transcend the limitations of models proposed by paradigms such as utilitarian and egalitarian, which seek to equalise and globalise opportunities or achievements for the greatest good of the majority, is laudable (Miller 1999; Nussbaum 1998). Although it is true that national aggregates are equally important in giving accurate indications of the status of a phenomenon on a global scale, they do not delve into specifics of the state of individual women in higher education. I believe that the tensions that are attributed to egalitarianism and utilitarianism can be resolved through a capability approach that addresses concerns such as what human beings should do in order to achieve progress and development through policy, political, social and economic arrangements. The gap in data is primarily based on the notion of material things that are measured through average achievement. Sen (2009) and Unterhalter (2007) maintain that concerns of inequity and subsequent disparities that are propelled through gendering, sexism, political class, socioeconomic circumstances, sexual orientation, ethnicity and race might not be addressed conclusively through HDI indexes.

Fukuda (2003) regards Sen's (1980) capability approach as a well-being paradigm that can be used to define public policy despite having no set prescriptions. The framework is intermittently flexible and non-prescriptive, allowing for social policy analysts to look at a wide range of variables and challenges that face poor nations and poor people. It makes it possible for an evaluation of human development to be undertaken in terms of human achievement and improvement of life by using key indicators of progress, namely the evaluative and agency aspects. Unterhalter (2005, 115) suggests that one way of resolving tensions between international policies and local policies in cosmopolitan and communitarian systems is to adopt a capability approach based on an expanded notion of human rights. In order for us to assess and determine whether an equity policy intervention has achieved and promoted well-being for women, we should seek candid and complex answers to complex questions such as the following: To what extent has higher education ensured better health, freedom from discrimination, harassment and abuse? Has it facilitated choice of course/faculty, access to content that is not biased and useful resources, agency and achievement of goals and objectives, and agency and freedom of choice? Candid and honest debates around these issues will assist in moving the transformation agenda forward rather than camouflaging an ailing wound.

Nussbaum (2011) postulates that human rights and a capability approach are inseparable. They are intricately connected: rather than compete with human rights, a capabilities approach compliments human rights by espousing the material and social aspects that ought to be developed by governments in order for them to be realised and enjoyed fully by all. As in the case of post-apartheid South Africa, the ANC-led government has, for example, demonstrated a willingness to tackle the legacies of the past by embracing legal apparatuses and policies that could make higher education

more accessible to all who desire it. Not discriminating against women in higher education is an ideal that each nation should aspire to attain. It is the first step in observing and fulfilling human rights. The second aspect of redress mechanisms which can be achieved concurrently is premised on eradicating the economic and material unfreedoms that could obstruct women from accessing higher education.

However, although Nussbaum supports a universalistic approach to capabilities and human rights to a certain extent, she cautions against the impropriety of adopting cosmopolitanism in policy strategies. That is, treating women in a homogeneous manner, as this would be against the veneration of diversity and plurality that is at the core of her thesis which is shared by others such as Sen (Nussbaum 1998; Sen 1992). This view is in tandem with the narrative that education centres are sites that are rife with contestations. People consistently struggle for a voice, resources, and access to positions of power and an end to marginalisation (Ball 2005). Divergent contexts that are part and parcel of education centres should therefore be abstracted while choosing equity interventions so that egalitarianism and utilitarianism are not promoted.

Real challenges that students face originate from incongruities between home cultures, set institutional traditions and educational demands. This is best summarised in the Bourdieuan framing of the interaction between social habitus and social field, which is most likely to reproduce past social inequalities (Bourdieu 1977). Personal biographies tell stories of advantage, disadvantage, dominance, marginalisation, access and inaccessibility. History and personal biographies cannot be denied, but should be improved to benefit current and future generations (Mills 2000). In the spirit of recognising diversity in experiences, CGE (1998) concludes categorically that no person can purport to represent the experiences or sufferings of a group to which s/he does not belong.

Sen (1990) and Nussbaum (2000) argue that special attention should be paid to social norms and traditions that influence women's preferences, choices and aspirations. Values can be assessed in policy documents and gender frameworks based on democratic principles of non-racism, non-sexism, equality, and non-discrimination, as enshrined in the Constitution and Bill of Rights (1996). On the other hand, social norms, cultural practices and traditions are imbued in people's ways of life. Therefore, it may become problematic to find a balance between constitutional requirements while at the same time responding to the cultural demands that a community bestows upon an individual. Marginalisation that is exhibited through course selection and the view that women are merely slotted into courses that are congruent with their related feminine functions is worrying. This could be indicative of the recurrence of the underpinnings of traditional practices that thrive on institutionalised and predestined gendered relations and gendered assignments of social roles based on masculinity and femininity (Butler 1988; Lorber 1994).

Lastly, I reiterate that, as meaning-making beings, people are not mere bystanders but active participants and curators of their own destinies (Husserl 1965). The current transformation in higher education remains a contested terrain that has entrenched and nuanced struggles against racism, stereotypes, and sexism, and debates concerning quality, efficiency, economic emancipation, the nature of qualifications and conditions of employment. By extension, the development of capabilities and functionings is therefore greatly influenced and impeded by the individual circumstances, social conditions, resources and contexts that create and/or obliterate opportunities (MacNaughton 1998; Unterhalter and Walker 2007).

## **Concluding Remarks**

This paper has primarily attempted to show that education is a public good and a pillar of development. It is crucial for those who are able and willing to pursue it to be given a chance to do so because through it, one attains freedom of choice, liberation from domestication and the ability to function meaningfully in society (Alkire 2005; Nussbaum 1999; Sen 1999). According to Sen (1980) and Nussbaum (1999), capabilities, functionings, freedoms, agency and well-being can be used to evaluate a social policy. As opposed to egalitarianism and utilitarianism, Sen (1980) argues that a capability approach is broad and can be used to assess the level of beneficitation that individuals might accrue from social policy initiatives. In addition, life choices, for instance, are intricately connected to freedoms; the freedom for individuals to choose a particular life depends on the available alternatives. Closely linked to capabilities and functionings are unfreedoms, which act as impediments or constrictions to the development of capabilities and functionings. The paper has suggested that dealing with constrictions and unfreedoms catapulted through unjust practices and entrenched marginalisation tendencies requires an expanded theorisation of people's contexts that are also encapsulated in policy contexts literature. Finally, although the capability approach can be used as an evaluative tool in various disciplines, Sen observes that his theory does not amount to a theory of justice in the sense that it was intended by theorists such as Rawls (Sen 1995). It does not embrace key aspects of social justice that are universal, distributive, procedural or non-discriminatory. Instead, it puts emphasis on the importance of education in terms of developing key skills that could drive the development of society. The paper concludes that excluding a section of the polity from education is an injustice because education has value and it catapults posterity for the good of individuals and the nation.

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