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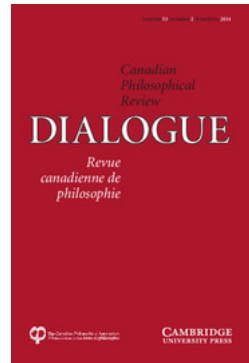
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Disability and Justice: The Capabilities Approach in Practice **RIDDLE CHRISTOPHER** **A.Lanham:Lexington Books / Rowman & Littlefield,2014;126 pp.;\\$77.00 (hardback)**

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Book Reviews/Comptes rendus

Disability and Justice: The Capabilities Approach in Practice

CHRISTOPHER A. RIDDLE

Lanham: Lexington Books / Rowman & Littlefield, 2014; 126 pp.; \$77.00 (hardback)

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In his debut monograph, *Disability and Justice: The Capabilities Approach in Practice*, Christopher Riddle provides a compelling argument for treating disability as a concern that is at the heart of justice. In the interest of making the strongest possible case, he focuses his efforts on operationalizing the capability approach under the most developed model of disability, namely, the interactionist model. He finds that the capability approach, widely regarded as the best point of departure for rethinking impairment and disability, is insensitive to the complex interactions between certain traits inherent to individuals (impairment) and external barriers. More precisely, he faults the capability approach on two separate accounts: i) for its lack of an indexing mechanism to make comparisons among individuals with respect to their needs (horizontal spectral analysis), and ii) for its inability to map the variances in an individual's opportunities to secure any particular capability (vertical spectral analysis). In response to these shortcomings, Riddle contends that a version of the capability approach that captures the distributive metric best designed to promote justice for people with disability must accommodate both spectral analyses, and be formulated under the view that health (as a capability) is of special moral import, since a lack of this functioning interferes with an individual's ability to secure other capabilities.

Riddle's overall critique of the capability approach greatly benefits from a contextual account that regards disability as a serious obstruction to justice, and showcases how disability has been (perhaps unintentionally) judged to be peripheral to justice by contemporary egalitarianism. In Chapter 1, Riddle acknowledges the primacy of disability, stressing the point that attending to disability under the purview of an egalitarian theory of justice would be of comprehensive advantage to society, since problems of justice that affect able-bodied people are often compounded by the prevalence of a disability.

In Chapter 2, Riddle examines to great effect the roots of conceptual misgivings inherent in working definitions of disability that fail to supply provisions that improve the lives

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of those targeted. Riddle, among others¹, considers the interactionist approach to disability as superior to the British sociological model, since the former can address the sociological model's concern with assuaging the external dimensions of disability (social, political, geographical, legal), while also accounting for the causes of impairment, whose basis may be physical, and whose alleviation requires direct intervention and/or the distribution of resources. In Chapter 3, Riddle promotes the capability approach as a much-needed departure from resource and utility driven welfare conceptions of equality, neither of which prove to be sensitive to distinctive features of disability. At the same time, he establishes that the veritable virtue of the capability approach is its recognition that the goods needed to promote the opportunity to secure a particular functioning may vary from person to person, depending on their abilities to convert goods into capabilities.

Chapter 4 constitutes the better part of Riddle's critical account. He constructively employs new terminology to both reframe one existing criticism of the capability approach, and to deliver a decisive criticism of his own. While Nussbaum contends that every capability she lists is crucial to human flourishing, Jonathan Wolff, Avner de-Shallit and Paul Anand have all argued that an indexing of capabilities—what Riddle refers to as a “horizontal spectral analysis”—is required under the view that some capabilities that Nussbaum lists are more crucial to one's well-being than others. Wolff and de-Shallit apply the imaginative analogy of a decathlon to demonstrate that, in the same way we reduce athletic performances in incommensurable activities (swimming, running, cycling) to a single ranking of overall athletic ability, we can implement an indexing mechanism to account for the great disparity between the able-bodied and the disabled, despite the incommensurability of capabilities. In Chapter 6, Riddle reintroduces the need for a horizontal spectral analysis, arguing that an egalitarian theory of justice best suited to addressing the features of disability would recognize the corrosive damage that failing to secure a capability like health would have on one's opportunities to secure other capabilities. He suggests that lexically prioritizing capabilities according to whether a failure to secure that capability would hinder one's opportunities to secure other capabilities is one way to effectively operationalize the horizontal spectral analysis.

Riddle exposes a new pressure point for the capability approach by introducing to the discussion the notion of a “vertical spectral analysis”: one that is sensitive to the ways impairment interacts with external factors under the various conditions individuals with disability face. The vertical spectral analysis is an insightful proviso to a working theory of justice, informed by the interactionist model, and ultimately aimed at providing a comprehensive understanding of the fluctuations in opportunities for securing a particular capability through a phenomenological approach to disability. Upon these further considerations, Riddle concludes that the capability approach is, in its current form, inadequate for addressing the needs of people with disabilities. On his view, it cannot account for the number of positions a person may occupy on a vertical spectrum with

¹ Tom Shakespeare, *Disability Rights and Wrongs* (New York: Routledge, 2006); Simo Vehmas, “Dimensions of Disability” *Cambridge Quarterly of Healthcare Ethics* 13, no 1 (2004): 39; Jerome Bickenbach, “Measuring Health: The Disability Critique Revisited”, paper presented at the Third Annual International Conference on Ethical Issues in the Measurement of Health and the Global Burden of Disease (Cambridge, Massachusetts: Harvard University School of Public Health, April 24-25, 2008).

respect to her opportunities for securing a capability, nor the frequency with which she occupies these positions.

Riddle suggests that conducting a vertical spectral analysis, to continue with the decathlon analogy, is a mid-event calculation, since one's opportunities to secure a capability, much like one's ability to perform in an athletic event, may be compromised by external conditions. Riddle writes: "when examining people with disabilities and well-being, I think it is best to compare the ranking of such individuals to the ranking of athletes in mid-event" (54). One related issue for the capabilities theorist to explore is how one would conduct the assessment of athletes "mid-event". One might understand this assessment as being concerned with whether one *secures* a capability, which differs acutely from the benchmark (having *the opportunity to secure* a capability) that Nussbaum advances. At the start of the race, we judge that the runner has the ability to break a current world record, but it is only mid-race, and in continuing to track her progression, that we confirm whether she occupies the position we initially hypothesized. This kind of assessment might be required if the ultimate aim of a vertical spectral analysis is to achieve an accurate assessment of one's overall well-being, as opposed to an assessment of one's opportunities to achieve that level of well-being.

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