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**The Capability Approach:
Rescuing Aid from Paternalism**

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Candidate

Dr. Lucrezia Alberti Corseri

Supervisor

Prof. Sebastiano Maffettone

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Table of contents

An Introduction to Sen	4
Abstract	6
Introduction	9
I. The capability approach: a new evaluation of standards of living	
Moral approaches to the study of well-being	17
Traditional criteria of distributive justice	18
The moral approaches	19
Utilitarianism and the utilitarian theory	20
The deontological theories of rights	21
Nozick's theory of rights	22
Dworkin and the equality of resources	23
The theory of primary goods.....	24
Sen's critique.....	25
II. The capability approach: conceptual foundations	
An attempt to define the capability approach	27
The core concepts: capabilities and functionings	28
The dimensions of agency and well-being	30
Capabilities as abilities and opportunities	35
III. Sen and his critics	
The communitarian critique	38
Sen's reply to the Communitarian critique	46
Sen's idea of democracy	48
IV. Different versions of the capability approach	
Nussbaum's version of the capability approach.....	52
Comparing Amartya Sen and Martha Nussbaum	55
Robeyns' version of The Capability Approach	57
Comparing Ingrid Robeyns with Martha Nussbaum and Amartya Sen	59
V. Application of the Capability Approach to the study of social phenomena: inequality and poverty	

The need to focus on human diversity	61
The inadequacy of traditional approaches	62
Equality of what?	66
Analysis of inequality: class, family and the role of women.....	68
Poverty and Famines	71
Poverty as deprivation of freedom: some empirical evidence from the analysis of famines	72
VI. Development as the process of expansion of freedoms	
Social development or economic growth?	78
Human freedom and development	80
Human development: development as expansion of capabilities.....	82
VII. The capability approach in the context of international development policies	
The plight of the poor.....	88
Why international assistance is flawed.....	89
A long history of paternalism	90
Paternalistic features in international assistance.....	91
The moral problems of paternalism	95
A new paradigm in international assistance	98
Freedom as the goal of development	99
Sen's empowerment-focused development ethics	103
Conclusion	108
Bibliography	115
Journals	119
Sitography	123

An Introduction to Sen

Amartya Sen was awarded the 1998 Nobel Memorial Prize in Economics for his contributions to welfare economics and social choice theory and for his interest in the problems of society's poorest members. Although his primary academic appointments have been mostly in economics, Nobel Laureate Amartya Sen is an important and influential social theorist. He is indeed renowned for his humanitarian approach to economics, having contributed almost without peer to the study of economics, philosophy and politics, transforming social choice theory, development economics, ethics, political philosophy and Indian political economy, to list but a few. His contribution to moral and political philosophy has also been crucial to the development of several aspects of feminist economics and gender analysis. Many of his writings have actually addressed gender concerns directly, but even when not explicitly feminist, his work has often engaged with themes that are central to feminist economics and philosophy.

Amartya Sen was born in 1933 in Santiniketan in West Bengal, India. He spent much of his childhood in Dhaka in what is now Bangladesh. Following partition in 1947, his family moved to India. He was educated at Presidency College in Calcutta (now Kolkata). He went on to study at Trinity College, Cambridge, where he received a B.A. (1955), an M.A. (1959), and a Ph.D. (1959). He taught economics at a number of universities in India and England, including the Universities of Jadavpur (1956–58) and Delhi (1963–71), the London School of Economics, the University of London (1971–77), and the University of Oxford (1977–88), before moving to Harvard University (1988–98), where he was professor of economics and philosophy. In 1998 he was appointed master of Trinity College, Cambridge—a position he held until 2004, when he returned to Harvard as Lamont University Professor.

Sen's books on welfare, poverty, and development are well-known and influential. His monograph *Collective Choice and Social Welfare* (1970) - which addresses problems such as individual rights, majority rule, and the availability of information about individual conditions – has inspired researchers to turn their attention to issues of basic welfare and well-being of the community. Sen is best known for his work on the causes of famine, which led to the development of practical solutions for preventing or limiting the effects of real or perceived shortages of food. In his book *Poverty and Famines: An Essay on Entitlement and Deprivation* (1981), Sen reveals that in many cases of famine, food supplies were not significantly reduced. Instead, a number of social, political and economic factors - such as declining wages, unemployment, rising food prices, and poor food-distribution

systems - led to starvation among certain groups in society. Sen's interest in famine stemmed from personal experience since, as a nine-year-old boy, he witnessed the Bengal famine of 1943, in which three million people perished. Sen's other writings include *Development as Freedom* (1999); *Rationality and Freedom* (2002), a discussion of social choice theory; *The Argumentative Indian: Writings on Indian History, Culture, and Identity* (2005); *AIDS Sutra: Untold Stories from India* (2008), a collection of essays on the AIDS crisis in India; and *The Idea of Justice* (2009), a critique of existing theories of social justice.

The primacy Sen places on freedom and capabilities is attractive to many. He is generally regarded as the contemporary initiator of the capability approach, although it has been pointed out repeatedly, by Sen himself and by others, that the core notions of a functioning was crucial in the work of Aristotle, and hence also in the work of philosophers and economists who have been greatly influenced by Aristotle. Today, the capability approach is used by scholars and researchers from a variety of disciplines and fields, in countries across the world. The type of work in which the capability approach is used differs remarkable - ranging from the development of philosophical theories to applied empirical studies that guide policies for the government as well as civil society organizations, to theoretical or empirical measurement.

That Amartya Sen also had a seminal and profound influence on the human development paradigm hardly needs a reminder. He served as an advisor to the very first Human Development Reports and contributed to the development of the human development index. The Human Development Reports had a profound impact on the way policy-makers, public officials and the news media, as well as economists and other social scientists, view societal advancement around the world. Rather than concentrating on only a few traditional indicators of economic progress (such as gross national product per capita), "human development" accounting proposes a systematic examination of a wealth of information about how human beings in each society live and what substantive freedoms they enjoy. Today, the Human Development Reports continue the tradition of pushing the frontiers of development thinking. Undoubtedly, Amartya Sen is one of the world's best-known voices for the poor, the destitute and downtrodden and an inspiration for policymakers and activists across the globe.

Abstract

The Capability Approach is much discussed in academia and this makes Sen one of the most influential philosophers and economists of our time. His capability approach is integrated in various fields from economics, political science, philosophy to public healthcare, developmental studies, and studies on poverty. Regarding the areas of human development and development economics, this dissertation aims at applying the Capability Approach in a manner that can contribute development practitioners to plan, monitor and evaluate development projects.

From a philosophical perspective, Sen's Capability Approach is part of the debated field of the theory of distributive justice, which concerns the criteria according to which wealth should be distributed among the various members of society. The first chapter introduces the traditional criteria of distributive justice, especially focusing on utilitarianism (with its components of consequentialism and welfarism) and on Rawls' theory of primary good. These approaches are seen as inadequate and represent critical targets for the Indian philosopher-economist Amartya Sen, who lays the foundations for the alternative approach of capabilities.

Chapter II is an attempt to define Sen's capability approach starting from the core concepts of functionings and capabilities. The chapter explains why Sen's approach is particularly suitable for analyzing and measuring people's quality of life and the sustainability of development processes. It is a regulatory approach for the evaluation of individual well-being and social structures in order to identify adequate social policies.

As Chapter III highlights, the capability approach and its emphasis on individual effective freedom have been criticized as excessively individualistic. According to a communitarian perspective, Sen's approach seems to advocate individual capabilities going back to particular liberal conceptions of human rights and freedom, and might be insufficiently critical of the quotidian realities of human interdependence and the social structures according to which individuals frame their value judgments.^{1;2;3} The paragraph "Sen's reply to the Communitarian critique" explores how Sen defends

¹ C. Renouard, *Corporate Social Responsibility, Utilitarianism, and the Capabilities Approach*. *Journal of Business Ethics*, 98(1), 2010, pp.85-97

² M. Hill, *Development As Empowerment*. *Feminist Economics*, 9(2-3), 2003, pp.117-135

³ C. Koggel, *Globalization And Women's Paid Work: Expanding Freedom?*. *Feminist*

his approach supporting deliberative democracy and public reasoning as universal values. Since judgments about what people come to understand and value through public reasoning are necessarily contingent and relative, Sen himself has been reluctant to provide a fixed list of capabilities to go with his general capability approach.

The following chapters explore how Sen - starting from the question “Equality of what?” - offers new insights into the vision of equality, poverty and freedom. Sen maintains that people who are hypothetically identical in terms of their physical characteristics and potentialities might achieve different levels of well-being depending on the family environment in which they grew up, the institutional context in which they live, the opportunities that the economic system reserves them or the cultural norms or social rules they have. In the same way, a person with large wealth cannot be considered advantaged if she suffers from a severe disability.⁴

It emerges that poverty is contingent on the different characteristics of people and of the environment in which they live. Poverty should thus be considered as a vicious circle characterized by the lack of freedom (represented by fundamental capabilities). Sen thus relates the idea of development to that of freedom, stressing that such correspondence requires a much broader vision of the development concept.⁵ In this perspective, development has a real impact only when it allows individuals to register substantial improvements in their capabilities.^{6:7} The ideas developed by Sen in the 1980s and the related studies concerning social phenomena of global importance have contributed to review the concept of human development carried out by the United Nations Agency. Over the last two decades, Sen’s approach has particularly had some ostensible influence on the United Nations Development Programme and has provided the conceptual foundations for the Human Development Movement. As the international community moves toward implementing and monitoring the 2030 agenda, the

Economics, 9(2-3), 2003, pp.163-184

⁴ Maffettone, S. (2011), Sen's Idea of Justice versus Rawls' Theory of Justice. *Indian Journal of Human Development*, 5(1)

⁵ A. Sen, *Development as Freedom*, Oxford University Press, 1999

⁶ A. Sen, *Risorse, valori e sviluppo*, Bollati Boringhieri, 1992

⁷ S. Deneulin & F. Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen’s capability approach. St Edmunds College, Cambridge, 2010

human development approach remains useful to articulating the objectives of development and improving people's well-being by ensuring an equitable, sustainable and stable planet.

The need to reconsider the meaning of development is particularly relevant especially when considering developing countries. Chapter VII explores the Capability Approach and the idea of agent-oriented development in the context of international development policies. As discussed in this final chapter, Sen promotes a major break with the dominant approach adopted by most national and international development agencies, by presenting innovative solutions to respond to the poor's plight in a more effective, accountable and sustainable way. He indeed investigates why traditional paternalistic assistance is morally unacceptable, and develops a new normative conception of the assistance relationship that shifts away from paternalism towards partnership. Sen's approach advances the current normative debate in normative political theory and applied international ethics by developing a non-paternalistic conception of the assistance relationship that places the emphasis on the development of local institutional capacity for long-term sustainability. He benefits the academic community in the field of political theory and international ethics, and policy makers and practitioners in the field of development aid.

Introduction

The capability approach developed by the Indian philosopher-economist Amartya Sen has emerged as an important new paradigm in thinking about development and conceptualising the nature of social inequality and relative poverty.⁸ A growing literature in economics, philosophy and social science attests that the influence and stature of Sen's approach have also increased in the recent years. Sen's approach has indeed been recognized by the Nobel Committee and fellow scholars for its contribution to the broader field of development studies, and has prompted important debates on issues such as poverty, justice, freedom and humanitarian aid.⁹ As it will be argued in the dissertation, Sen's Capability Approach can contribute development practitioners to plan, monitor and evaluate development projects.

The ethics of capabilities is a disciplinary approach that brings together a philosophical framework with economic and social aspects. It focuses on freedom and equality, justice and the correlation between ethics and economics. As Baglieri claims, Sen's ethics can be described as an ethical-political theory that considers the individual in terms of her freedom to lead a life that she considers of value, rather than as a mere economic agent merely focused on maximizing her economic utility. This approach seeks to close the gap between the field of economics and the field of ethics promoted by the neoclassical economy.¹⁰

As a distinctive normative framework to evaluating wellbeing, the capability approach has evolved and matured significantly over time. It was firstly advanced in Sen's Tanner lecture entitled "Equality of What?" delivered at Stanford University in 1979.¹¹ It has subsequently been refined over three

⁸ S. Deneulin, *Capability approach and the praxis of development*. 1st ed. Palgrave Macmillan UK, 2014

⁹ Y. Zheng, *Different spaces for e-development: What can we learn from the capability approach?*. Information Technology for Development, 15(2), 2009, pp. 66-82

¹⁰ Baglieri M. (2019), *Amartya Sen. Welfare, educazione, capacità per il pensiero politico contemporaneo*, Carocci

¹¹ A. Sen, *Equality of What?*, The Tanner Lecture On Human Values Delivered at Stanford University in May 22, 1979. Available at: https://tannerlectures.utah.edu/_documents/a-to-z/s/sen80.pdf [Accessed 04 June 2019]

decades until reaching its final maturity in Sen's later works, "Development as Freedom" published in 1999 and "The Idea of Justice" which followed some years later.^{12; 13} Some aspects of Sen's approach can be traced back to Aristotle, Adam Smith, and Karl Marx, among others.^{14;15;16;17} From the very outset Sen has acknowledged strong connections with Adam Smith's analysis of necessities and living conditions and Karl Marx's concern for human freedom and emancipation. Sen has then recognised that the most powerful and conceptual connections relate to Aristotle's theory of political distribution and his analysis of eudaimonia and human flourishing.^{18;19}

Sen's argument is that development should be discussed in terms of people's capabilities to function, that is, their effective freedom to live the kind of life that they find valuable.²⁰ What is ultimately important is that people have the freedom (what Sen calls "capabilities") to lead the kind of lives they want to lead, to do what they want to do and to be the person they want to be (what Sen calls "functionings"). Development is therefore the expansion of this freedom. Once they effectively have this freedom, people can choose to act in line with their own ideas of the kind of life they want to live. For example, every person should have the opportunity to be part of a community and to practice a religion, but if someone prefers to be a hermit or an atheist, he or she should also have this option.²¹

¹² A. Sen, *The idea of Justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, 2011

¹³ A. Sen, *Development as freedom*, 1st ed. OUP, 1999

¹⁴ K. Marx, *Capital*, Penguin UK, 2006

¹⁵ I. I. Rubin, *Essays on Marx's Theory of Value*, Montreal: Black Rose Books

¹⁶ A. Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, Bantam Classics, 2003 (first published 1776)

¹⁷ Aristotle, J. A. K. Thomson (Translator), J. Barnes (Introduction), H. Tredennick (Editor), *The Nicomachean Ethics*, Penguin Classics, 2004

¹⁸ A. Sen, *Il tenore di vita*, Marsilio, Venezia, 1993

¹⁹ M. Nussbaum, *Creating Capabilities: The Human Development Approach*, Harvard University Press, 2011

²⁰ A. Sen, *Development as freedom*, 1st ed. OUP, 1999

²¹ I. Robeyns, The capability approach: an interdisciplinary introduction. [online] Researchgate, 2011. Available at: https://www.researchgate.net/publication/228867656_The_capability_approach_an_interdisciplinary_introduction [Accessed 16 May 2017]

Sen's distinction between achieved functionings and capabilities is therefore between the realised and the effectively possible. Functionings refer to the objective assessment of people's state of existence in terms of people's actual beings and doings, while capabilities refer to the alternative bundles of functionings that people have reason to be and to do and are also able to choose.²²

The essential characteristic of the capability approach is its focal point on what people are effectively able to be and to do. This focus distinguishes it from other more established approaches to evaluating wellbeing, such as resourcism or utilitarianism, which concentrate respectively on the availability of means for a good life or subjective welfare. Sen argues that whatever their particular strengths none of these approaches provide an account of well-being that is suitable as a general concept.^{23;24} This is because they typically see development in terms of enhancement of inanimate objects of convenience and they are both focused on the wrong particular things (whether income/commodity command for resourcism or happiness/satisfaction for utilitarianism). According to Sen, wealth or commodities that people have (resources) or their mental reactions (utility) only provide indirect information about how well a life is going and exclude too many important aspects from evaluation. By contrast, a focus on people's capabilities in the choice of development policies makes a profound theoretical difference, and leads to implement different social policies compared to resourcist and utilitarian approaches.

The capability approach is an advance on Rawlsian concepts of social justice and resourcist approaches in general. It is true that, being means to many alternative ends, Rawlsian primary goods or, more generally, resources seem to guarantee their owners a certain degree of freedom for the construction of any particular good life.^{25;26} However the exclusive focus on resources dismisses consideration about substantial heterogeneity in people's ability to convert resources into valuable functionings. For example, a person with large wealth cannot be considered advantaged if she suffers

²² M. Teschl and F. Comim, *Adaptive Preferences and Capabilities: Some Preliminary Conceptual Explorations*. *Review of Social Economy*, 63(2), 2005, pp. 229-247

²³ A. Sen, *Commodities and Capabilities*, North-Holland, 1985

²⁴ A. Sen, *Development as capability expansion*. *Journal of Development Planning*. 19 (1), 1979, pp. 41-58

²⁵ Maffettone, S. (2010). Rawls: an introduction. *Polity*, p. 1-388

²⁶ I. Carter, *Is The Capability Approach Paternalist?*. *Economics and Philosophy*, 30(01), 2014, pp. 75-98

from a severe disability.²⁷ Given the diversity of human beings and the complexity of their circumstances, resources should not be the exclusive attention of concern for a fairness-based theory of justice. Rawls's primary goods - and all resourcist approaches- are for Sen "feticist" because they (wrongly) consider primarily means where they should rather consider ends. While resources are considered as "not something we value for its own sake",²⁸ capabilities instead focus on the actual ability to do.

The view of development as a process of enhancing people's capabilities has also emerged as an alternative normative framework to full and simple utilitarianism, which tends to limit its informational apparatus to welfare information. Whatever their further specifications, welfarist theories seem exclusively to rely on mental states and seem to exclude non-utility information, such as freedom and agency, from moral judgements.^{29;30} The non-utility-information may refer, for instance, to social or moral aspects, such as the principle that men and women should be paid the same wages for the same work. For a utilitarian, this principle has no intrinsic value, and men and women should not be paid the same wages as long as women are satisfied with lower wages.³¹ But it is counter-intuitive, Sen argues, that such principles would not be taken into account in our moral judgements.³² Mental states such as satisfaction, Sen acknowledges, are obviously important and have a role to play in our moral judgments; however, it is not obvious that mental states are the only aspect of life we have reason to value.

²⁷ S. Maffettone, *Sen's Idea of Justice versus Rawls' Theory of Justice*. Indian Journal of Human Development, 5(1), 2011, pp. 119-132

²⁸ Sen, A. (2011), *The idea of justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, p. 253

²⁹ A. Sen, *Development as capability expansion*. Journal of Development Planning. 19 (1), 1979, pp. 41-58

³⁰ S. Maffettone, *Sen's Idea of Justice versus Rawls' Theory of Justice*. Indian Journal of Human Development, 5(1), 2011, pp. 119-132

³¹ H. Brighouse and I. Robeyns (eds.), *Measuring Justice: Primary Goods and Capabilities*, 2010, Cambridge: Cambridge University Press

³² A. Sen, *Commodities and Capabilities*, North-Holland, 1985

Moreover, the utilitarian calculus based on mental states is not adequate as an informational space for normative evaluations, because many deprived people might adjust their desires to actual circumstances to make their life more bearable.³³ Unfavourable social and economic circumstances as well as lifelong habituation to adverse environment might induce people to accept current negative situations and live through them with “cheerful endurance”.³⁴ Any self-evaluation in terms of satisfaction or happiness will in this case necessarily be distorted. Since oppressed people may cultivate adaptive preferences as the result of an adjustment process to bad circumstances, their wants and aspirations, or their sense of well-being, cannot be relied upon to track their authentic interests.³⁵ Sen disregards self-evaluations based on subjective well-being alone, on the grounds that they are open to the influence of many factors such as low expectations and life-long habituation of cultural and traditional rules.³⁶ The concept of capability is supposed to overcome this difficulty by taking into consideration well-being in the optics of substantive freedom.³⁷

According to Sen, freedom should be the goal of development (what Sen calls *the constitutive role of freedom*) and also the means of achieving that development (*the instrumental role of freedom*). Sen thus opts for a distinction between two different aspects of freedom, that is, opportunity and process.³⁸ This is appropriate for his conception of development in terms of removing unfreedoms – the domination of circumstances and chance over individuals- and in terms of respecting and supporting individual agency to decide on and pursue the life people have reason to value. Sen’s approach treats people as autonomous agents and seems to refuse to take any position regarding the ends that are to be promoted for a flourishing life.³⁹ This understanding seems to limit the scope for paternalist

³³ S. Maffettone, *Sen's Idea of Justice versus Rawls' Theory of Justice*. Indian Journal of Human Development, 5(1), 2011, pp. 119-132

³⁴ M. Teschl and F. Comim, *Adaptive Preferences and Capabilities: Some Preliminary Conceptual Explorations*. Review of Social Economy, 63(2), 2005, pp. 229-247

³⁵ S. Maffettone, *Sen's Idea of Justice versus Rawls' Theory of Justice*. Indian Journal of Human Development, 5(1), 2011, pp. 119-132

³⁶ A. Sen, *The idea of Justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, 2011

³⁷ S. Maffettone, *Sen's Idea of Justice versus Rawls' Theory of Justice*. Indian Journal of Human Development, 5(1), 2011, pp. 119-132

³⁸ A. Sen, *Development as freedom*, 1st ed. OUP, 1999

³⁹ S. Deneulin, *Perfectionism, Paternalism and Liberalism in Sen and Nussbaum's Capability Approach*. Review of Political Economy, 14(4), 2002, pp. 497-518

intervention supposedly embedded in the idea of development, and links the anti-paternalist argument to the capability approach's democratic view of policy and society.

Sen asserts that people's capabilities emerge through a process of public reasoning that includes the views of those concerned and at the same time expresses the status of equal citizenship shared by all the members of society and their duty of mutual civility.^{40;41} According to Sen, public reason is important for people's conceptualisation and comprehension of both their own individual needs and social standards, so that people can have a better understanding of the role, the reach and the significance of particular capabilities. Sen gives the impression to rely on some idea of deliberative democratic politics while using the concept of capabilities in thinking about social justice. He insists on the constructive value of democracy that, ideally, should allow "different voices from diverse sections of people" to be heard.⁴² Democracy would also increase the information and the knowledge that people have about a particular issue under scrutiny.⁴³ In this perspective, public reasoning and democratic processes can bring about social changes and reforms in society; hence their importance to the realization of the goal of development as freedom.^{44;45}

Sen relates the idea of development to that of freedom, stressing that such correspondence requires

⁴⁰ A. Sen, "Capabilities, Lists, and Public Reason: Continuing the Conversation", *Feminist Economics* 10, no. 3, 2004, pp. 77-80

⁴¹ C. Audard, *The Idea of "Free Public Reason"*. *Ratio Juris: An International Journal of Jurisprudence and Philosophy of Law*, 8(1), 1995, pp. 15-29

⁴² A. Sen, *The idea of Justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, 2011, P.238

⁴³ T. Brooks, *The Capabilities Approach and Political Liberalism*, 2014 [online] Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2198841 [Accessed 28 May 2018]

⁴⁴ B. Chimni, *The Sen Conception of Development and Contemporary International Law Discourse: Some Parallels*. *The Law and Development Review*, 1(1), 2008

⁴⁵ F. Bourguignon and T. Verdier, *Oligarchy, democracy, inequality and growth*. *Journal of Development Economics*, 62(2), 2000, pp. 285-313

a much broader vision of the development concept.⁴⁶ Sen questions the widespread belief that development may merely be evaluated in relation to the quantitative increase of, for example, GDP. Although the increase of a country's overall GDP might sooner or later have positive effects on the entire population in the form of new jobs, higher living standards and reduction of poverty, Sen considers this approach absolutely misleading. Poverty cannot be properly understood just in terms of income because it is contingent on the different characteristics of people and of the environment in which they live.⁴⁷ According to Sen, poverty should be considered as a vicious circle characterized by the lack of fundamental capabilities. Thus development has a real impact only when it allows individuals to register substantial improvements in their capabilities.⁴⁸ The emerging view of development promoted by Sen, as an expansion of people's capabilities, dismantles the conventional wisdom in human development studies that the best way for a country to develop is to increase its rate of economic growth. Instead, Sen explains freedom as a function of development and development as a function of freedom, always taking into account the heterogeneity of different kinds of freedom and the diversity of human beings and their needs. In this way, the expansion of freedom is seen both as the primary means and as the ultimate goal of development.

In the context of international development policies, Sen's approach would replace the traditional and paternalistic model of humanitarian aid - adopted by most national and international development agencies⁴⁹ - with a development model where the political autonomy of the target is respected. By regarding people as autonomous agents and refusing to take any position about the ends that are to be promoted for a flourishing life, Sen develops a new normative conception of the assistance relationship that shifts away from paternalism towards partnership and focuses on long-term development of self-sufficiency.^{50;51} While a paternalistic model is likely to leave people dependent

⁴⁶ A. Sen, *Development as Freedom*, Oxford University Press, 1999

⁴⁷ S. Maffettone, *Sen's Idea of Justice versus Rawls' Theory of Justice*. *Indian Journal of Human Development*, 5(1), 2011, pp. 119-132

⁴⁸ A. Sen, *Risorse, valori e sviluppo*, Bollati Boringhieri, 1992

⁴⁹ M. Baaz, *The paternalism of partnership*, New York: Zed Books, 2005

⁵⁰ Maffettone, P. and Muldoon R. (2017). *Two views of assistance*. [online] Available at: <https://doi.org/10.1177/0191453717692646> [Accessed 2 May 2018]

⁵¹ S. Deneulin & F. Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen's capability approach. St Edmunds College, Cambridge, 2010

on external factors for the continuation of the aid programs, the idea of agent-oriented development would help people survive emergencies and get back on the path to freedom, self-reliance and dignity. This concept of aid as empowerment of people would limit the scope for paternalist intervention supposedly embedded in the idea of development and, at the same time, would respond to the poor's plight in a more effective, accountable and sustainable way. If there is a key to successful development, it lies in the participation of local people in generating the strategies for poverty reduction that ultimately encourage their long-lasting development and self-determination.

I. The capability approach: a new evaluation of standards of living

I.I Moral approaches to the study of well-being

The capability approach consists in evaluating individual well-being in terms of the individual capabilities a person has, in order to achieve a set of personally chosen functionings. While individual functionings represent what a person intends to be or do in her life, individual capabilities can be defined as the effective possibilities that a person actually has to realise her own goals in life.⁵² Individual capabilities can also be considered as an index of the freedom a person enjoys. With this in mind, a person's well-being should not be considered in terms of her income or assets but in terms of the freedom and capabilities she has.⁵³ From an economic perspective, Sen's approach does not consider the individual as a "utility maximizer". When evaluating individual well-being, Sen considers criteria that are different from income and assets. The core idea of Sen's approach is the Aristotelian question "how should we live?" That is, Sen's interest concerns the person, her human condition and her realization through her functionings and capabilities.⁵⁴

The adoption of this new logical-conceptual framework might lead to some difficulties, actually more operational than theoretical; however not insurmountable. I am talking about empirical problems related to the multidimensional perspective that Sen adopts. In fact, the study of individual capabilities requires appropriate measuring tools, and Sen is aware of the need of distinguishing between what can be quantitatively measured and what requires a qualitative approach.⁵⁵ We cannot, Sen stubbornly affirms, disregard important aspects of reality because of the inadequacy of the quantitative tools available. Sen's proposal is then to build new methodologies capable of addressing the complexity of reality, of re-establishing the economic system on an ethical basis, and of overcoming the separation between economics and philosophy strongly supported by traditional approaches.

⁵² A. Sen, *Il tenore di vita*, Marsilio, Venezia, 1993

⁵³ A. Sen, *Commodities and Capabilities*, North-Holland, Amsterdam, 1985

⁵⁴ M. Nussbaum, *Human Functioning and Social Justice: In Defense of Aristotelian Essentialism*, in Douglas Tallack, ed., *Critical Theory: A Reader*, New York: Harvester Wheatsheaf, 1995

⁵⁵ A. Sen, *The impossibility of a Paretian liberal*, in "Journal of Political Economy", 1970

I.II Traditional criteria of distributive justice

From a philosophical perspective, Sen's approach is part of the debated field of the theory of distributive justice, developed for the first time by Plato and subsequently refined by Aristotle.⁵⁶ The concept of distributive justice concerns the criteria on the basis of which wealth should be distributed among the various members of society. It is opposed to the concept of commutative justice which, on the other hand, claims a distribution in equal parts.⁵⁷

Subsequent elaborations of moral approaches in order to achieve a fair distribution of wealth in society have led to the definition of two basic criteria - according to which specific theories have been developed - that of merit and that of need. According to the criterion of merit, those who have mostly contributed to the creation of welfare with their efforts and abilities should be rewarded more than others; according to the criterion of need, however, wealth should be distributed to those who mostly need it because they have less ability to create welfare.⁵⁸ The criterion of merit is the core of modern market economy. In fact, free market remunerates economic actors on the basis of their productive contribution, ensuring efficiency in the allocation of resources in this way. Conversely, the ideological roots of the criterion based on needs can be summarized, in their most classical expression, in the slogan popularised by Karl Marx in his 1875 Critique of the Gotha Program: "From each according to his ability, to each according to his needs". The "need" is a typical concept of the socialist tradition and of all those theories and those socio-economic movements that advocate the creation of a new society by achieving political, social and economic equality for all.⁵⁹

Currently, the modern welfare state tries to combine the two criteria in a single vision, promoting (in a more or less interventionist way) a redistribution of well-being through political-economic

⁵⁶ M. Nussbaum, *Human Functioning and Social Justice: In Defense of Aristotelian Essentialism*, in Douglas Tallack, ed., *Critical Theory: A Reader*, New York: Harvester Wheatsheaf, 1995

⁵⁷ P. Samuelson, trad. it. *Analisi economica, ottimizzazione, benessere*, Il Mulino, Bologna, 1993

⁵⁸ J. Bentham, *An Introduction to the Principles of Morals and Legislation*, (1789); a cura di J.H.Burns e H.L.Hart, Methuen, London, 1982

⁵⁹ A. B. Atkinson, *Social Justice and Public Policy*, Brighton (Sussex) : Wheatsheaf, 1983

instruments. The welfare state both imposes taxes that tend to reduce the most acute economic imbalances, and seeks to ensure a minimum welfare threshold by providing free welfare and educational services and care facilities to those who need most. But, the defence of a certain margin of inequality has always been considered necessary in order to ensure the maintenance of the political system itself.⁶⁰ It emerges that redistributive policies are based on the concept of “social desirability”, studied by the welfare economy, in order to develop alternative economic situations. In the following pages, this dissertation will illustrate in what ways the concept of a fair distribution of wealth in society has been addressed by various approaches of social justice.

I.III The moral approaches

The welfare economy offers analytical schemes in order to consider and judge the desirability of particular economic policies. More generally, it is useful to compare alternative economic situations in terms of ethical criteria that are necessarily value judgments.⁶¹ In fact, the welfare economy considers and promotes different methods and ethical criteria that can be used to make classifications of alternative economic systems. The purpose is to redefine the economic situation of a system through redistributive policies. The result of these policies will depend on the moral criteria adopted.

From this perspective, the main problems that can be found are those concerning equity and the choice of variables.⁶² Equity concerns the moral judgments made by a society on the basis of the distribution of its resources and the goals intended to achieve. The choice of variables is instead an analytical problem: which variables can satisfactorily express individual and social well-being? It can be noted that the two problems are not disjointed, and the choice of variables is always contingent on the meaning given to the concept of equity.⁶³ At this stage, it is convenient to briefly illustrate the main moral approaches of the twentieth century, highlighting the variables considered as determinants in

⁶⁰ R. Forst, *Justice, Morality, and Power in the Global Context*, in *Real World Justice: Ground Principles, Human Rights, and Social Institutions*, ed. Andrea Follesdal and Thomas Pogge (2005), Dordrecht: Springer

⁶¹ K.J. Arrow, *Social Choice and Individual Values*, New York, Wiley; 1951; trad. it. *Scelte sociali e valori individuali*, Etas, Milano, 2003

⁶² P. Samuelson, trad. it. *Analisi economica, ottimizzazione, benessere*, Il Mulino, Bologna, 1993

⁶³ Sen, A., *The impossibility of a Paretian liberal*, in “*Journal of Political Economy*”, 1970

each of these approaches. In this way, the innovative aspects of Sen's approach can be better understood. As Sen suggests, utilitarianism provides a convenient starting point for the analysis of the various approaches.

I.IV Utilitarianism and the utilitarian theory

The theoretical construction of utilitarianism has two basic components: consequentialism and welfarism. From a consequentialist perspective, the choice of variables is judged on the basis of the goodness of the results obtained. Welfarism instead implies that judgments of individual and social well-being are closely linked to the notion of utility, without considering whether individual rights and duties have been satisfied or violated.⁶⁴ With this in mind, the goodness and desirability of particular situations is solely judged on the basis of the total sum of the individual utilities; this sum still needs to be maximized regardless of the inequalities that may exist in the distribution. Overall, in the classic utilitarian formula, each action is judged in terms of the overall sum of utilities it generates.

Thus, the utilitarian theory in the context of welfare studies is presented as a consequentialist approach, in the sense that judgments of the goodness and desirability of re-distributive policies are expressed according to a perspective merely based on the gains and losses of utility for the community as a whole, regardless of how utility levels are distributed among individuals.⁶⁵ This is a moral approach based on outcomes (outcome morality). Welfarism is instead expressed in the practice of considering utility as a faithful indicator of the well-being enjoyed by an individual. To conclude, utilitarianism considers the well-being of a society as the sum of individual utilities.

A similar theoretical system has very serious gaps. First of all, it is hard to make interpersonal comparisons without considering the distributive inequalities within the community. While the individual welfare seems at first to be considered, actually in the analytic phase the total sum of welfare is taken into account, regardless whether or not each individual is satisfied with the results obtained.⁶⁶ Another serious problem of the utilitarian approach is that it seems to ignore those values

⁶⁴ Sen, A., *Il tenore di vita*, Marsilio, Venezia, 1993

⁶⁵ P. Samuelson, trad. it. *Analisi economica, ottimizzazione, benessere*, Il Mulino, Bologna, 1993

⁶⁶ K. J. Arrow, *Social Choice and Individual Values*, New York, Wiley; 1951; trad. it. Scelte

that are non-intrinsically utilitarian, such as rights and freedom. The latter have a relevance in the analysis only indirectly, that is, only when they affect utility.⁶⁷ Finally, utility measurement is practically impossible. Indeed, as utilitarians maintain, utility is associated with the concept of happiness, and this concept is based on many psychological aspects that make it difficult to measure happiness according to scientific criteria.⁶⁸ Also, the individual perception of utility is conditioned by too many aspects (social situations and circumstances, degree of individual adaptation, personal history of individuals, etc.) that a utilitarian analysis omits a priori, and that would make the analytic work too complex.⁶⁹ The impossibility of making interpersonal comparisons and the lack of consideration of the rights and freedoms enjoyed by individuals induce Sen to seek an alternative framework to utilitarianism. Thus, Sen considers ethical theories of rights based on respect for moral duties, which however are not free of criticism.

I.V The deontological theories of rights

The basic characteristics of utilitarianism form the critical basis on which the various ethical theories of rights are based on. When taking in consideration only the results of certain individual and public actions, utilitarianism seems to forget that there are moral aspects that cannot be ignored: individual rights. Individual rights cannot be substituted with an increase of someone's utility. This is what the theories of Nozick, Rawls and Dworkin have in common. The theories in question are different from utilitarianism because their priority is not that of maximizing overall profit, or utility, but that of respecting certain principles of justice. Thus, these theories are more concerned with the respect of moral and political values, such as equality, rights, fairness and freedom, than with the evaluation of certain outcomes.⁷⁰ That is, the defense of human rights should be advocated on the basis of their intrinsic moral value. These theories of rights have different starting points and try to answer the

sociali e valori individuali, Etas, Milano, 2003

⁶⁷ A. Sen, *Etica ed economia*, Laterza, Roma-Bari, 1988

⁶⁸ K. J. Arrow, *Social Choice and Individual Values*, New York, Wiley; 1951; trad. it. Scelte sociali e valori individuali, Etas, Milano, 2003

⁶⁹ A. Sen, *Commodities and Capabilities*, North-Holland, Amsterdam, 1985

⁷⁰ R. Forst, *Justice, Morality, and Power in the Global Context*, in *Real World Justice: Ground Principles, Human Rights, and Social Institutions*, ed. Andrea Follesdal and Thomas Pogge (2005), Dordrecht: Springer, p. 33

question “Equality of what?” Sen himself, as we will see later, seeks to answer this question. As Sen suggests, in order to answer the question, we must always take into account the respect for individual principles and rights, and we should not be merely focused on outcomes. This dissertation will first analyze Nozick’s approach, since it represents a critical target for Sen.

I.VI Nozick's theory of rights

In the first stages of the elaboration of his libertarian theory, Nozick’s attitude especially focused on inviolability of rights. Inviolability is considered the most stringent constraint when speaking about the respect of the individual. Like Rawls, Nozick’s starting points are classical liberalism and a critique of utilitarianism; Nozick’s later arguments however differ from the Rawlsian approach.⁷¹ Nozick supports a radically individualistic view of life, which encourages a drastic reduction of state intervention in the private affairs of citizens (“Minimum State”). According to Nozick, such an attitude would be the only consistent way to take seriously the Kantian principle which defines people as ends in themselves and not means for other purposes. Therefore, individual rights should represent constraints on actions, not purposes to achieve. In Nozick’s view, rights should not be considered as goals to maximize, because this would justify violations of the individual sphere in view of a higher goal to achieve.

Nozick’s anti-utilitarian individualism assumes the existence of an inviolable right to the ownership of the fruits of one’s work. Based on a “neo-lockean” argument, private property obtained through one’s own work falls within the sphere of an intangible individual right; justice does not involve a redistribution of assets if these have been legitimately obtained.⁷² The resulting theory of justice is procedural in nature: all acquisitions are legitimate if, and only if, they are the result of non-aggressive actions. The state should intervene as little as possible in the life of individuals. It is thus clear that Nozick contrasts any attempt of re-distributing well-being through political-economic instruments, because individuals cannot sacrifice their personal rights for the good of society.

⁷¹ J. Rawls, *A Theory of Justice*, in: *What do we deserve?* Editors Pojman, McLeod -New York; Oxford University Press, 1999

⁷² A. B. Atkinson, *Social Justice and Public Policy*, Brighton (Sussex) : Wheatsheaf, 1983

When speaking about poverty and famine, Sen however demonstrates that many great famines have not been caused by insufficient food. They have instead been caused by a certain distribution of rights, including property, considered legitimate by a juridical perspective, which was not enough to satisfy people's hunger.^{73;74} Nozick's libertarianism appears too limited: the absolute priority given to individual rights and freedoms might lead to losing sight of people's economic needs. For this reason, Sen considers Dworkin's approach more moderate. Dworkin, in fact, has elaborated an ethical form of liberalism, deriving values and rights from a notion of freedom closely related to that of equality.

I.VII Dworkin and the equality of resources

Dworkin's theory is based on two basic ideas, that of human dignity (of Kantian derivation) and that of political equality. It follows that Dworkin's liberalism is built around two main considerations: the equality of individuals and the idea of legal institutions and policies as bodies aimed at guaranteeing the right to "equal concern and respect" for every person".⁷⁵ It emerges that Dworkin analyses equality in terms of resources and opportunities rather than generic welfare. Resources refer to what is required in order to satisfy individual needs. According to Dworkin, physical and psychics faculties are actually resources, as they are needed, together with material resources, to improve a person's life. As Amartya Sen notes, this idea is extremely interesting, because it acknowledges both the need of equality of resources and that of equality of capabilities.⁷⁶ In Dworkin's perspective, the concept of equality of resources requires a perfectly functioning competitive market, and the existence of a system capable of compensating for the differences in people's production capacity. In this way, the concept of equality of resources can be considered as a morally convincing criterion.⁷⁷

The "insurance system", in the Dworkinian archetype of a just society, is of fundamental importance because it must compensate for the impossibility of distributing non-transferable resources, such as

⁷³ A. Sen, *Commodities and Capabilities*, North-Holland, Amsterdam, 1985

⁷⁴ A. Sen, *Etica ed economia*, Laterza, Roma-Bari, 1988

⁷⁵ R. Dworkin, *Eguaglianza di Risorse*, in *L'idea di eguaglianza/ introduzione a cura di Ian Carter*, Feltrinelli, Milano, 2001

⁷⁶ A. Sen, *Etica ed economia*, Laterza, Roma-Bari, 1988

⁷⁷ R. Dworkin, *Eguaglianza di Risorse*, in *L'idea di eguaglianza/ introduzione a cura di Ian Carter*, Feltrinelli, Milano, 2001

physical and mental faculties. In order to be able to compensate physical and intellectual handicaps, a criterion of judgment of normal faculties is required,⁷⁸ but Dworkin seems to ignore the need of developing such a criterion. This criterion is however necessary to define what personal faculties are socially considered as normal, so as to identify the extent of the handicap and then implement compensation measures. Some basis for comparison between what is considered as normal and what is considered as a handicap are undoubtedly necessary in order to make a compensation. Neither the philosopher John Rawls - whose arguments have greatly influenced the liberal-democratic thinking of the twentieth century - addresses the problem of developing a criterion for compensating handicaps.

I.VIII The theory of primary goods

The American philosopher Rawls has attempted to overcome the philosophical doctrine of utilitarianism, that is, the idea according to which a just society must pursue the greatest possible well-being for the greatest number of people.⁷⁹ For the philosopher, the utilitarian position tends to sacrifice the interests of the minorities. His approach in normative economics is based around two principles of justice. First, “each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others”. Mainly concerned with distribution of rights and liberties, the basic liberties of citizens are the political liberty to vote and run for office, freedom of speech and assembly, liberty of conscience, freedom of personal property and freedom from arbitrary arrest. Not even the wellbeing of the society as a whole can prevail over these basic liberties.⁸⁰ The enjoyment of such liberties is an absolute right that does not allow exceptions or compromises. But there is actually an exception: injustice is tolerable if it is needed to avoid an even greater one. Rawls’ second principle, known as the principle of differences, states that social and economic inequalities can be accepted only if they are to be of the greatest benefit to the least-advantaged members of society. As Rawls maintains, being born rich or poor, intelligent or with some handicaps is not a

⁷⁸ J. Bentham, *An Introduction to the Principles of Morals and Legislation*, (1789); a cura di J.H.Burns e H.L.Hart, Methuen, London, 1982

⁷⁹ J. Rawls, *A Theory of Justice*, in: *What do we deserve?* Editors Pojman, McLeod -New York; Oxford University Press, 1999

⁸⁰ J. Rawls, *A Theory of Justice*, in: *What do we deserve?* Editors Pojman, McLeod -New York; Oxford University Press, 1999

merit, but only a matter of arbitrary luck.⁸¹ Rawls therefore believes that fair distributive justice must take into account the undeserved inequalities and should create the conditions for the least advantaged to improve their life.⁸²

The principle of differences cannot be defined as welfarist: Rawls does not analyse well-being in terms of utility, but in relation to an index of goods defined as primary goods, that is, things that every rational individual is supposed to want.⁸³ The condition of equality is therefore satisfied when primary goods are equally distributed. However, Sen has some doubts regarding the feasibility of defining an index of primary goods. For Sen, Rawls fails to consider the intrinsic differences among individuals, who may pursue the same goal in different ways, or even different goals.^{84:85} Sen's criticism is based on the conceptual and analytical value of primary social goods. That is, Rawls evaluates the tools for freedom instead of freedom itself.

I.IX Sen's critique

Sen believes that rejecting utilitarianism is of fundamental importance; but deontological theories exclusively focused on respect for rights might be too limited as well. The deontological theories of rights reject the utilitarian approach which does not really consider people as autonomous agents in their own private sphere. Sen however reflects upon a major weakness of the deontological theories: Nozick's theory, for instance, only seems to consider whether legitimate rights are respected or violated. All rights are assumed to be equally binding towards third parties that are morally called to respect it. This means that all rights are equally stringent and have the same moral weight. It follows

⁸¹ R. Forst, *Justice, Morality, and Power in the Global Context*, in *Real World Justice: Ground Principles, Human Rights, and Social Institutions*, ed. Andrea Follesdal and Thomas Pogge (2005), Dordrecht: Springer

⁸² Maffettone, S. (2012). *Rawls: 40 years later (1971-2011)*. *Philosophy & Social Criticism*, p. 901-915. [online] Available at: <https://doi.org/10.1177/0191453712465731> [Accessed 28 September 2018]

⁸³ J. Rawls, *A Theory of Justice*, in: *What do we deserve?* Editors Pojman, McLeod -New York; Oxford University Press, 1999

⁸⁴ K. J. Arrow, *Social Choice and Individual Values*, New York, Wiley; 1951; trad. it. *Scelte sociali e valori individuali*, Etas, Milano, 2003

⁸⁵ A. Sen, *Commodities and Capabilities*, North-Holland, Amsterdam, 1985

that, in a deontological framework, the violation of private property in order to save a person's life might even be hardly justifiable.

To illustrate this weakness, Sen makes an example: a person (A) wants to attack another (B); a third person (C) knows that he can prevent this aggression only if she illegally enters the home of the aggressor before the attack. According to Nozick's theory of rights, the third person is not authorized to violate the aggressor's private property, since legally obtained private property is a right to be respected in any case.

This example, however, also illustrates the problems of utilitarianism. If the benefit obtained by A when attacking B is greater than the "disutility" obtained by B when attacked by A, it should be concluded that A is legitimate to attack B and that C would have no role in the situation. In the case of utilitarianism the problem is that the satisfaction of preferences, desires and happiness seeks to compensate the negative effects of actions that should not be committed.

Both theories – the utilitarian and the deontological one – have a major weakness. In the utilitarian theory, the respect for a person's physical safety tends to depend on the satisfaction, happiness and personal desires of third parties; whereas, in the deontological theory, the respect for a person's physical safety seems to depend on the respect of the right to private property. While utilitarianism is likely to disregard that there are other moral values in addition to utility, deontological theories fails to consider the differences of moral values in different areas of life. According to Sen, any theory that has only a single moral value to respect or maximize fails to consider the variety of ethical problems and needs, such as equality, freedom, efficiency, rights, activities and well-being. With this in mind, Sen tries to combine the need of maximizing social welfare with the need of achieving an equal distribution of primary goods, without reaching the extreme results proposed by the utilitarian approach, on the one hand, and by the deontological approach, on the other hand.

II. The capability approach: conceptual foundations

II.I An attempt to define the capability approach

The capability approach, formulated by Amartya Sen in the 80s and then revisited several times, is particularly suitable for analyzing and measuring people's quality of life and the sustainability of development processes. It could be defined as a regulatory approach for the evaluation of individual well-being and social structures in order to identify adequate social policies. As proposed by Amartya Sen, the capability approach offers a new perspective of analysis by investigating the individuals and their (dis)abilities. At this point, it is useful to consider and analyse the notion of "good", in order to understand how the capability approach is innovative with respect to the previous literature.

Any good has a different relevance depending on the approach we use to analyse it. The nature of goods in the consumer economy has been designed in relation to the characteristics that these goods present, which would be decisive in the choices of the individuals. Sen proposes to consider the "goods" from another perspective, starting from four fundamental aspects⁸⁶:

- the asset as an object of use (e.g. the grain);
- the characteristics of the asset (e.g. nutritional values);
- the function relating to the asset (e.g. living without caloric deficiencies);
- the utility derived from the asset (e.g. the psychological reaction arising from the functioning).

Utilitarianism takes into account only the last of this four assets. The theorists of acquired personal rights, such as Nozick, would not be interested in any assets, considering merely the procedure according to which the goods are owned by people. Rawls' approach of the distribution of goods seems to consider only the first asset, even though Rawls, in the context of the principle of differences, pays attention to the various assets in this fourfold classification. In general, many theories of well-being have considered individual property as an expression of personal advantage. Sen points out that

⁸⁶ A. Sen, *Commodities and Capabilities*, North-Holland, 1985

any welfare-based studies on assets and their characteristics tends to neglect an important aspect: the mere possession of an asset fails to explain how the individual can take advantage of the asset itself.⁸⁷

Here we find a clear reference to Marx. In his critique of political economy explained in *Il Capitale*, Marx calls “commodity fetishism” the process that leads to believe that goods have value in themselves (forgetting that they are fruit of the human labor), forgetting that economic relations are relationships between men and not between “things”. Specifically, commodity fetishism is the perception of the social relationships involved in production not as relationships among people, but as economic relationships among the money and commodities exchanged in market trade. As such, commodity fetishism transforms the subjective, abstract aspects of economic value into objective, real things that people believe have intrinsic value.⁸⁸ Sen, inspired by the well-known expression of Marx, defines “fetishist” every intellectual effort that seeks to express a person's advantage in terms of the assets she owns, rather than in terms of her personal abilities in relation to these assets. In order to overcome this “fetishism”, Amartya Sen proposes a logical reversal of the analysis: it is not the possession of a good that expresses personal advantage, but the personal possession of some skills in relation to the use of this good.⁸⁹

II.II The core concepts: capabilities and functionings

The capabilities approach consists in assessing a person's well-being in terms of the individual skills she owns, in order to achieve a set of personally chosen “functionings”. At this point, it is useful to explain the categories of analysis of Amartya Sen: capabilities and functionings, two closely related concepts, so as to turn out to be two variations of the same concept. Functionings represent what a person intends to do or to be in her life; capabilities reflect the real possibilities that each individual has to carry out her own functionings. A functioning is an achievement, while a capability is the ability to achieve. Thus, while functionings constitute the different aspects of individuals' living conditions, capabilities are notions of positive freedom. They in fact express people's real

⁸⁷ I. Robeyns, *The Capability Approach: a theoretical survey*. Journal of Human Development, 6(1), 2005, pp. 93-117

⁸⁸ I. I. Rubin, *Essays on Marx's Theory of Value*, Montreal: Black Rose Books, 1990, p. 5

⁸⁹ A. Sen, *Commodities and Capabilities*, North-Holland, 1985

opportunities.⁹⁰ In other words, capabilities are what a person is able to do or to be, while functionings are those capabilities that are realized. Thus, functionings are “beings” and “doings”. Examples of the former (the “beings”) are being housed in a pleasantly warm but not excessively hot house, being part of a supportive social network or being part of a criminal network, being well-nourished or being undernourished, being educated or being illiterate, and also being depressed. Examples of the “doings” are caring for a child, working, voting in an election and taking part in a public debate or in social events, taking drugs, killing or eating animals, donating money to charity, travelling.... With reference to the functioning of travelling, for example, the corresponding capability is represented by the real opportunity to travel. The distinction between functionings and capabilities is between the realized and the effectively possible, in other words, between achievements, on the one hand, and freedoms or opportunities, on the other hand.⁹¹

Ingrid Robeyns has tried to better define the distinction between the two categories. According to Robeyns, the difference between functionings and capabilities is the same as that between being and freedom of being.⁹² Functionings are what an individual manages to be by using a good or a service. In this perspective, a good or a service is composed of certain characteristics, which turn into functionings when used by an individual. The central aspect is the transition toward conversion, which may depend on personal physiology (pregnancy, metabolic factors or diseases), age, sex, social conventions, and in general individual characteristics and situations. So the conversion factors vary from physiological to psychic characteristics and social security contributions. The capability approach allows us to take into consideration a large number of social aspects, since capabilities and functionings do not only depend on economic aspects, but also on personal aspects (age, sex, places, physical and psychic characteristics, handicap, etc.) and cultural aspects (discrimination, social stratification, etc.). Capabilities represent the possibility of choosing between different sets of functionings, given individual characteristics and availability of goods. From an economic perspective, capabilities refer to the possibility of choosing to convert goods into functionings. They thus reflect a person's freedom to choose.⁹³ Capabilities are closely related to functionings because

⁹⁰ A. Sen, *Il tenore di vita*, Marsilio, Venezia; 1993

⁹¹ A. Sen, *Commodities and Capabilities*, North-Holland, 1985

⁹² I. Robeyns, *The Capability Approach: a theoretical survey*. Journal of Human Development, 6(1), 2005

⁹³ N. Martins, *Ethics, Ontology and Capabilities*. Review of Political Economy, 19(1), 2007, pp.37-53

there cannot be freedom of choice if there are no individual conditions to be obtained through these choices. While functionings represent what a person can obtain, intended as acquisition, achievements, success or even just purchase, capabilities refer both to the generic possibilities of doing and choosing, both to the skills acquired by an individual through the use and the consumption of a certain good. Life is a combination of ways of being and individual well-being derives from the individual freedom to be able to realize these ways of being.

II.III The dimensions of agency and well-being

As Crocker suggests, “functioning” and “capability” are terms that Sen frequently employs, especially in his more technical writing, to connote well-being achievement and well-being freedom, respectively. In Crocker’s detailed analysis of the normative “foundation” of Sen’s social ethic, there is the distinction between agency and well-being, on the one hand, achievement and freedom, on the other.

According to Crocker, Sen pictures agency and well-being as two distinguishable but linked aspects of human life, which claim for respect (aid, protection) on the part of institutions and individuals. Indeed, the two variables (agency and well-being) might be connected because individual agency can influence individual well-being. The pursuit of individual well-being could be one of the person’s most important aims. If someone decides that their own personal welfare or advantage is their exclusive life goal, then they should exercise their agency exclusively in the service of their well-being. But individual agency might also be directed towards different aims, regardless the correlation between these aims and individual well-being.⁹⁴ Most people have commitments to others and to goals beyond their own well-being. If my agency is the only source of my life’s going well or ill, then my well- or ill-being owes nothing to outside causes or internal compulsions. Thus the two variables (agency and well-being) might also be independent.

Both agency and well-being have two dimensions, namely, actual achievements in the world and the freedom for those achievements.⁹⁵ These four dimensions are summarized as the following:

⁹⁴ Magni S. F., *Utilità e capacità. Un esame dell'etica sociale di Amartya Sen*. [online] Available at: http://spazioinwind.libero.it/ildubbio/numero1_02/magni.html [Accessed 10 Apr. 2020]

⁹⁵ Crocker D. A., *Sen and deliberative democracy*, published in Alexander Kaufman (2006), *Capabilities Equality: basic issues and problems*, Routledge, pp. 155-97 [online] Available at:

Agency

Well-being

Achievement	Agency Achievement	Well-being Achievements (Functionings)
Freedom	Agency Freedom	Well-being Freedoms (Capabilities)

As Sen maintains, a person’s “agency achievement refers to the realization of goals and values she has reasons to pursue”⁹⁶, regardless of whether their goals are altruistic or self-regarding. A person as agent is “someone who acts and brings about change, and whose achievements can be judged in terms of their own values and objectives, whether or not we assess them in terms of some external criteria as well”.⁹⁷ If one is acted on by outside persons or other forces or happens to act on a whim or impulse but for no reason, one is not an agent (in charge of themselves) but a “patient” - a passive object - acted on by external or internal forces over which one has no control.

Humans not only exhibit more or less agency, but they are often able or free to do so. One’s agency freedom is one’s freedom to bring about the achievements one values and attempts to produce. A violation of agency freedom would occur if an agent is not free to choose or to achieve what they choose due to external coercion or internal compulsion. Moreover, they even might get what they want and thereby realize a capability, but if they “are being forced to do exactly what they would have chosen to do anyway” they lack of agency freedom.⁹⁸ “The process aspect of freedom” – as Sen calls it - has to do with “the fairness or equity of the processes involved, or about the freedom of citizens to invoke and utilize procedures that are equitable”.⁹⁹ As Crocker notes, it should not be thought, however, that Sen’s emphasis on agency entails that an agent’s freedom must mean that the

<http://terpconnect.umd.edu/~dcrocker/courses/docs/crocker-sen%20and%20deliberative%20democracy.pdf> [Accessed 25 Jun. 2020]

⁹⁶ Sen, A. (1995), *Inequality Reexamined*, Harvard University Press, p. 56

⁹⁷ Sen, A. (1999), *Development as freedom.*, 1st ed, Oxford: OUP Oxford, p. 19

⁹⁸ Sen, A. (2011), *The idea of justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, p. 371

⁹⁹ Sen, A. (2011), *The idea of justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, p. 296

agent him- or herself always exercises or controls the “levers” of change.¹⁰⁰ For Sen, my agency freedom is enhanced when something I value occurs even when I had nothing to do with its occurrence but would have chosen it had I had the chance. If someone else eliminates the famine that besets me, not only is my well-being improved, but my agency freedom is enhanced, since had I been able, I would have chosen to end the famine and contributed to its end.

In addition to the norm of agency - both agency achievement and agency freedom - Sen proposes the norm of human well-being. Sen conceives well-being not just as happiness or preference satisfaction, although such may be involved, but as a plurality of subjective and objective states of being and a variety of doings, that is, “functionings”. Like agency, well-being has a freedom dimension as well as an achievement dimension. For Sen, “the well-being achievement of a person can be seen as an evaluation of the ‘wellness’ of someone’s state of being (rather than, say, the goodness of their contribution to the country, or their success in achieving their overall goals)”.¹⁰¹ For example, the functionings relevant to Sen’s analysis [of poverty] vary from such elementary physical ones as being well-nourished, being adequately clothed and sheltered, avoiding preventable morbidity, etc., to more complex social achievements such as taking part of the community life, being able to appear in public without shame, and so on. These are rather “general” functionings, but the specific form that their fulfillments may take would tend to vary from society to society.¹⁰²

Sen does not consider individual well-being as a static and materialistic condition but as a process in which the goods and the resources that can be acquired represent a tool to achieve well-being.¹⁰³ My life goes well not only when I am adequately nourished and have other functionings that I have reason

¹⁰⁰ Crocker D. A., *Sen and deliberative democracy*, published in Alexander Kaufman (2006), *Capabilities Equality: basic issues and problems*, Routledge, pp. 155-97 [online] Available at: <http://terpconnect.umd.edu/~dcrocker/courses/docs/crocker-sen%20and%20deliberative%20democracy.pdf> [Accessed 25 Jun. 2020]

¹⁰¹ Nussbaum, M; Sen, A. (1993), *The quality of life*, Oxford England New York: Clarendon Press Oxford University Press, p. 36

¹⁰² Crocker D. A., *Sen and deliberative democracy*, published in Alexander Kaufman (2006), *Capabilities Equality: basic issues and problems*, Routledge, pp. 155-97 [online] Available at: <http://terpconnect.umd.edu/~dcrocker/courses/docs/crocker-sen%20and%20deliberative%20democracy.pdf> [Accessed 25 Jun. 2020]

¹⁰³ A. Sen, *Capabilities, Lists, and Public Reason: Continuing the Conversation*, *Feminist Economics* 10, no. 3, 2004

to value, but also when I am free to continue to be so or I am free to be so again. Sen's approach focuses on the individual's capability to be or to do, rather than on personal functionings already realized, in order to analyse individual well-being. For Sen, what is important is the feeling of well-being that comes from feeling capable to choose, rather than the utility deriving from the realization of a choice.¹⁰⁴ Therefore, the well-being of an individual would depend, in addition to the combination of a set of functionings already carried out, from the freedom to create one's own way of being. The valuable capabilities or freedoms are not part of my current well-being achievement but are possible achievements. Because I am on a hunger strike to protest a military invasion, I may be very deficient with respect to numerous functionings that I value, but —unlike the starving person— I have the capability, given my income and opportunities, or freedom to escape from hunger and the other deprivations. Well-being freedoms – such as elementary capabilities like being able to avoid such deprivations as starvation, undernourishment, escapable morbidity and premature mortality, as well as the freedoms that are associated with being literate and numerate, enjoying political participation and uncensored speech - are included in the freedoms that enrich human life and constitute the primary end of development. In this constitutive perspective, development involves expansion of these and other basic freedoms.¹⁰⁵

II.IV Capability approach, consequentialism and human rights

Well-being plays a special role in social ethics, especially in the analysis of social inequality and the evaluation of public policies. In fact, problems of social injustice and class inequality are closely connected to great differences in well-being.¹⁰⁶ A social structure - or a specific public policy – is preferred when it allows individuals (all individuals) to have greater ability to achieve valuable functionings. Sen puts a strong emphasis on the proactive actions of public institutions. Public institutions have the essential role of contributing to establish the best conditions for individuals to develop their abilities, thus benefiting the whole society. As Baglieri says, the educated individual will be able to participate in political processes in a responsible way, enjoying the guarantees of

¹⁰⁴ A. Sen, *The idea of Justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, 2011

¹⁰⁵ Sen, A. (1999), *Development as freedom.*, 1st ed, Oxford: OUP Oxford, p. 36

¹⁰⁶ Magni S. F., *Utilità e capacità. Un esame dell'etica sociale di Amartya Sen.* [online] Available at: http://spazioinwind.libero.it/ildubbio/numero1_02/magni.html [Accessed 10 Apr. 2020]

freedom of speech and association.¹⁰⁷ Sen's ethics defines criteria in order to identify the most suitable social structures or public policies and establish what must be done to resolve problems such as inequality, poverty and famine. This approach to public ethics (also called capability ethics), might be regarded as a consequentialist theory with a focus on individual functionings and capabilities (i.e. what individuals manage to do or be).

Consequentialism is primarily non-prescriptive - meaning the moral worth of an action is determined by its potential consequences, not by whether it follows a set of rules. Consequentialism appears to be in contrast with deontological ethics (or deontology), which claims that morality of an action should be based on whether that action itself is right or wrong under a series of rules. Sen believes that one of the reasons for the rejection of consequentialism in normative ethics relates to the issue of human rights. It might erroneously appear that human rights are fully promoted only within a deontological ethics, as "constraints" to which people must simply obey. According to Sen, this is a bias related to the non-distinction between consequentialism and utilitarianism.¹⁰⁸

Sen accepts the consequentialist aspect of utilitarianism but not the welfarist one. Utilitarianism is a family of ethical theories that promotes actions in order to maximize happiness and well-being for the affected individuals, namely welfarism. Although different varieties of utilitarianism admit different characterizations, the basic idea behind all of them is to maximize utility, which is often defined in terms of well-being, pleasure, happiness, satisfaction of desires or related concepts. According to this vision, the importance of moral relevance seems to be questionable.¹⁰⁹ Such vision can hardly coexist with a moral or political theory based on rights and, therefore, welfarism is the most controversial aspect of utilitarianism. However utilitarianism might be seen as a mix of two theories - not only welfarism but also consequentialism. Like all forms of consequentialism, utilitarianism is based on the premise that actions, policies, and/or rules should be evaluated on the basis of their consequences. Consequentialism can clearly coexist with a rights-based moral theory.

¹⁰⁷ Baglieri M. (2019), *Amartya Sen. Welfare, educazione, capacità per il pensiero politico contemporaneo*, Carocci

¹⁰⁸ Magni S. F.(2003), *Capacità, libertà e diritti: Amartya Sen e Martha Nussbaum*, *Filosofia politica*, 3, pp. 497-506

¹⁰⁹ Sen A. and Williams B. (1982), *Utilitarianism and Beyond*, Cambridge University Press, 1st edition

Sen indeed outlines a normative approach where consequential reasoning, fundamental rights and freedom coexist. According to Sen, the notion of consequences must be intended in a broad sense, in order to include the respect for certain rights. These rights would then be considered goals - or part of the goals - of the action. Thus there would be a consequential system which might be seen as a “goal-rights system”. A mixed normative theory is outlined as it includes deontological aspects within a consequentialist system.¹¹⁰ The capability approach makes it possible because the notion on individuals’ capabilities itself is based on the perspective of freedom.

II.V Capabilities as abilities and opportunities

Individual capabilities reflect the individual freedom to choose among different kinds of life. Considering the well-known essay of the British philosopher Isaiah Berlin, there is a distinction between two conceptions of freedom:

- 1) “Freedom from” focuses on lack of constraints and external impediments (negative or formal freedom);
- 2) “Freedom of” focuses on what a person can choose to do or to achieve (positive or substantial freedom).

According to Baglieri, Sen's freedom might seem to be close to positive freedom, as understood by Kant and analysed by Berlin in his Two Concepts of Liberty.¹¹¹ Indeed - in the capability approach - capabilities refer to the real opportunities someone has regarding the life they can lead. In details, Sen seems to distinguish between two conceptions of positive freedom. In the first case, positive freedom is intended as ownership of resources. Explicitly, an individual is free when she/he has the necessary resources to achieve what is considered worthy to be achieved. But the mere ownership of resources or primary goods seems to be too limited and cannot be considered the most relevant element when discussing about distributive justice. This is the main criticism to Rawls. In the second

¹¹⁰ Magni S. F.(2003), *Capacità, libertà e diritti: Amartya Sen e Martha Nussbaum, Filosofia politica*, 3, pp. 497-506

¹¹¹ Baglieri M. (2019), *Amartya Sen. Welfare, educazione, capacità per il pensiero politico contemporaneo*, Carocci

case, an individual is free to achieve something when she/he has the ability to do it. This conception of positive freedom is preferred, because it includes the first case. Being able to do something implies having the necessary resources to realize it. But we cannot assume that the mere ownership of resources implies having the ability to realize something. There is a great difference between individuals regarding their needs and their physical and cultural features. For example, an individual with a large body size may need more food to reach the same nutritional level than another individual with a smaller body size.¹¹²

However, within the notion of capability, Sen includes both capability as ability (narrow sense) and capability as opportunity (broad sense).¹¹³ Capability refers to opportunities or possible functionings - related to both external enabling conditions and internal powers or other personal traits abilities. I may have the physical and intellectual ability to cast a ballot but be unable to vote because I live in a repressive dictatorship that holds no elections. I may live in a country with fair and free elections but be incapable of voting because I am an infant or have Alzheimer's Disease. To have the (actual and not potential) capability to be healthy is to have both access to health care and the internal ability to make use of it.¹¹⁴ The notion of capability connects therefore the two visions - positive and negative - of freedom. The capability approach does not need to privilege only one aspect of freedom, inevitably having to neglect the other.

Rather than clearly distinguishing between positive and negative freedoms - this is what Berlin, Oppenheim and Bobbio do - Sen claims for a connection between positive and negative freedom. As previously stated, the negative conception of freedom refers to freedom in its "narrow" sense, focusing only on the absence of impediments. Positive freedom is a "broad" or general concept, identifying freedom with the person's possibility to act. There is a close correlation between the two conceptions of freedom because positive freedom necessarily implies negative freedom. It is true that a violation of positive freedom does not imply that of negative freedom. A person's lack of ability

¹¹² Magni S. F.(2003), *Capacità, libertà e diritti: Amartya Sen e Martha Nussbaum, Filosofia politica*, 3, pp. 497-506

¹¹³ Magni S. F. (2009), *Etica delle capacità. La filosofia pratica di Sen e Nussbaum*, il Mulino

¹¹⁴ Crocker D. A., *Sen and deliberative democracy*, published in Alexander Kaufman (2006), *Capabilities Equality: basic issues and problems*, Routledge, pp. 155-97 [online] Available at: <http://terpconnect.umd.edu/~dcrocker/courses/docs/crocker-sen%20and%20deliberative%20democracy.pdf> [Accessed 25 Jun. 2020]

does not reduce her sphere of non-interference. If I am not able to walk freely in the park because I am invalid, I would lack positive freedom, but there is no violation of my negative freedom. However, a violation of negative freedom necessarily implies a violation of positive freedom. If I am a physically healthy person and I cannot walk in the park because criminals would attack me, there is a violation of both freedoms, negative and positive.¹¹⁵

The capability approach is able to include the notion of negative freedom and individual rights, since rights are understood as rights to certain capabilities. For example, the right to have an adequate nutrition reflects the right to the capability of maintaining a physical and mental well-being that benefits from an adequate nutrition. In this perspective, all rights concern positive freedom, without any distinction between rights related to positive freedoms and rights related to negative freedoms. To conclude, the notion of capabilities corresponds to that of freedom. Since both well-being freedom and agency freedom are normatively important, Sen is right to refer to his overall perspective as a freedom centered approach.

¹¹⁵ Magni S. F.(2003), *Capacità, libertà e diritti: Amartya Sen e Martha Nussbaum*, *Filosofia politica*, 3, pp. 497-506

III. Sen and his critics

III.I The communitarian critique

The capability approach and its emphasis on individual effective freedom has been criticized as excessively individualistic. There are several components to this family of criticisms. Some communitarians see Sen's account as lacking interest in, and even sometimes overtly hostile to, communal values and ways of life because of an excessive focus on individuals. According to a communitarian perspective, Sen's approach considers states of affairs and social arrangements in terms of how good or bad they are for an individual's well-being and freedom.¹¹⁶ Sen's account is said to have a poor grasp, for example, of the centrality and complexity of personal growth and development. Sen's approach seems to advocate individual capabilities going back to particular liberal conceptions of human rights and freedom, and might be insufficiently critical of the quotidian realities of human interdependence and the social constraints on people's choices as determined by the logic of power.^{117;118} Renouard notes that the capability approach favors a "somewhat atomistic anthropology" that does not pay due attention to the social structures according to which individuals frame their value judgments.¹¹⁹ Although Sen does not deny the social dimension of human beings, he seems to have scarcely explored the social structures that are constitutive of the frameworks of meaning by which various capabilities are valued.^{120;121}

Let us explore the claims of communitarians in detail. Social structures, or "structures of living together" (as the French philosopher Paul Ricoeur calls them) give existence and value to freedom

¹¹⁶ C. Gore, *Irreducibly Social Goods and the Informational Basis of Amartya Sen's Capability Approach*, *Journal of International Development* 9 (2), 1997, pp. 235-250

¹¹⁷ M. Hill, *Development As Empowerment. Feminist Economics*, 9(2-3), 2003, pp.117-135

¹¹⁸ C. Koggel, *Globalization And Women's Paid Work: Expanding Freedom?*. *Feminist Economics*, 9(2-3), 2003, pp.163-184

¹¹⁹ C. Renouard, *Corporate Social Responsibility, Utilitarianism, and the Capabilities Approach*. *Journal of Business Ethics*, 98(1), 2010, pp.85-97

¹²⁰ S. Deneulin & F. Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen's capability approach. St Edmunds College, Cambridge, 2010

¹²¹ I. Robeyns, *The Capability Approach: a theoretical survey*. *Journal of Human Development*, 6(1), 2005, pp. 93-117

because they capture the interconnection between individual actions or choices and irreducibly social goods. These goods are “irreducibly social” because they cannot be reduced to properties of individuals, such as a shared language, set of moral norms, or political structure. They are endorsed by individuals but cannot be reduced to individual acts or choices.¹²² For example, political freedom is a good which has an existence well beyond individual actions and choices: its locus is society itself. Beyond the exercise of political freedom, it is the existence of certain structures of living together which explain the capability to influence the decisions that affect the life of the community. Hence sufficient attention needs to be paid to social structures in the building and expansion of human capabilities, whose evaluative space should be extended to the individual and the collectivity.^{123;124} Explicitly, the assessment of individual well-being needs to consider the role of social structures, which are constitutive of functionings and capabilities that help individuals to flourish.

Communitarians advise that the kind of development Sen aspires for cannot be fully reached as long as his approach remains within a individualistic-liberal framework.^{125;126} In order to extend the informational basis of the capability approach, there is a need to foreground relational inequalities linked to social structures, and the extent to which collective action may be required to significantly improve well-being and human development, with groups not just individuals being the basis for transformative social action. For those already sufficiently privileged to enjoy a full range of capabilities, collective action may seem superfluous to capability, but for the less privileged, the attaining of development as freedom requires collective action. A way to establish a counterweight to social structures of power and inequality is – according to communitarians - through promotion of

¹²² F. Comim, M. Qizilbash and S. Alkire, *The capability approach*. 1st ed. Cambridge, UK: Cambridge University Press, 2008

¹²³ J. Davis, *Agency and the Process Aspect of Capability Development: Individual Capabilities, Collective Capabilities, and Collective Intentions*, 2015 [online] Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2625673 [Accessed 17 October 2018]

¹²⁴ J. Davis, S. and Ibrahim, *Collectivity in the Capability Approach*. Maitreyee E-Bulletin of the Human Development & Capability Association, 2013 [online] Available at: https://www.ufz.de/export/data/408/52182_MaitreyeeJune2013.pdf [Accessed 25 September 2018]

¹²⁵ M. Carpenter, *The capabilities approach and critical social policy: Lessons from the majority world?*. *Critical Social Policy*, 29(3), 2009, pp. 351-373

¹²⁶ R. Wanda, *How useful are the epistemic structures of “capabilities” and “afrikology” in addressing social justice in Africa?*. *Journal of Transdisciplinary Studies*, 8(3), 2015, pp.147-164

a vibrant associational life that provides an arena for the less privileged, for formulating their values and preferences as well as the instruments for pursuing them, even in the face of powerful opposition. As Comiling and Sanchez argue, it is unrealistic to expect the less advantaged to develop when their common experiences of deprivation are not duly recognized and their collective action with the intention to re-build their own lives is not encouraged.¹²⁷ Let us think, for example, about collective action carried out by labour and other social groups, such as those of ethnic minorities, disabled people, or Lesbian, Gay, Bisexual and Transgender (LGBT) to sustain a collective cultural integrity and resources in the face of a hostile society. The role of old and new social movements in bringing about collective transformation results in an extended capability set and therefore a higher level of well-being. Actually, individuals' commitments to social groups bring empowerment and enhance agency, allowing people to achieve functionings in groups not possible when acting as unorganized collections of individuals.¹²⁸ In practice, my ability to develop my own distinctive preferences and values and to develop shared strategies for pursuing them, often hangs on the possibility of my acting together with others who have reason to value similar things. Individual preferences are interpreted in the light of cultural values and since these are always components of an intersubjectively shared tradition, the revision of preferences interpreting values cannot be a matter over which the individual monologically disposes. It emerges that organized collectivities - unions, political parties, village councils, women's groups, etc.- are fundamental to people's ability to choose and pursue what they value based on shared economic positions and life circumstances. As Sen's own formulations about the importance of public reasoning and open discussion imply, people's capability of choosing and pursuing the life they have reason to value may be, in essence, a collective rather than an individual capability.¹²⁹ Indeed, without the possibilities for collective action, political freedom expressed through democratic processes too easily becomes a hollow farce.

According to communitarians, well-being requires the promotion of people's capabilities both in their individual and community capacity. It cannot be assessed only in terms of whether the freedoms of

¹²⁷ K. Comiling and R. Sanchez, *A Postcolonial Critique of Amartya Sen's Capability Framework*. *Perspectives in the Arts and Humanities Asia*, 4(1), 2014, pp.1-26

¹²⁸ C. Gore, *Irreducibly Social Goods and the Informational Basis of Amartya Sen's Capability Approach*, *Journal of International Development* 9 (2), 1997, pp. 235-250

¹²⁹ A. Sen, *UN Human Development Report 2004: Chapter 1 Cultural Liberty and Human Development*, UN Human Development Reports. United Nations Development Programme, 2004 (Available from the UNDP website)

the individual members of a social group have been enhanced, but has also to be assessed in terms of whether the collective freedoms of that social group to promote individual freedoms have been enhanced.¹³⁰ For instance, the capability of eradicating child mortality is crucial for the exercise of individual freedom and, according to Sen's capability approach, individual freedom is remarkably central in overcoming human deprivations.¹³¹ As a process of continuous expansion of capabilities to function, well-being should be re-conceived in a more inclusive perspective that emphasizes community participation and community empowerment.¹³² Since Sen chooses not to explore the above implications, further opportunities for explaining capability development have gone unexploited. Sen's capability approach provides an invaluable analytical and philosophical foundation for those interested in pursuing development as freedom but, if its entire potential is to be realized, it needs to acknowledge the valuable intrinsic and instrumental role that collectivities can play in promoting and generating human capabilities.

Another issue emphasized by communitarians is that related to the problem of adaptive preferences. Communitarians consider the implications that "adaptive preferences" have for the capability approach and development studies generally speaking. The problem of adaption is that our own preferences and values are not shaped and developed in a vacuum, but within the context of our communities in which we have lived and grown in.¹³³ Communities influence preferences and values which subsequently occupy a large space in the specific histories of our individual lives. For instance, families, schools, ethnic groups, the media, political leaders, social networks, all influence the extent to which individuals choose to pursue valuable capabilities for themselves and for others.¹³⁴ Hence

¹³⁰ F. Comim, M. Qizilbash and S. Alkire, *The capability approach*. 1st ed. Cambridge, UK: Cambridge University Press, 2008

¹³¹ S. Deneulin & F. Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen's capability approach. St Edmunds College, Cambridge, 2010

¹³² J. Davis, *Agency and the Process Aspect of Capability Development: Individual Capabilities, Collective Capabilities, and Collective Intentions*, 2005 [online] Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2625673 [Accessed 17 October 2018]

¹³³ A. Gurri, *How are we to live? A critique of the capabilities approach*, 2015 [online] Available at: <https://sweettalkconversation.com/2015/05/17/how-are-we-to-live-a-critique-of-the-capabilities-approach/>. [Accessed 3 March 2018]

¹³⁴ C. Audard, *The Idea of "Free Public Reason"*. *Ratio Juris: An International Journal of Jurisprudence and Philosophy of Law*, 8(1), 1995, pp. 15-29

what is chosen – whether defined in terms of utility or functionings – depends not only on the individual but additionally on the nature of these communities and the influences they exercise.^{135;136} Since people's capabilities can be vulnerable to adaptation, Sen's approach may ironically turn out to be just as susceptible as utility to the problem of adaptive preferences.

Communitarians also take as an example the choice for paid (labour market) or unpaid (care and household) work by gender, with men that generally do much more paid work and women who definitely tend to do more care and household work. Although both kinds of work can generate a number of different functionings, Robeyns argues that the labour market seems to enable more (and more important) functionings than care work, such as increased self-esteem (psychological functionings), having a social network (social functionings), and being financially independent and securing financial needs for one's old age or in the event of divorce (material functionings).¹³⁷ A narrow interpretation of the capability approach may find this gender division of labour as ethically unproblematic, in the sense that it might be a result of men's and women's free choices, reflecting their preferences.¹³⁸ However, this way of explaining and evaluating such a division does not open up a space for discussions on gender-related constraints on choices. That is, gender-related societal mechanisms and expectations convert certain choices from individual choices under perfect information into collective decisions under socially constructed constraints with imperfect information and asymmetrical risks.¹³⁹

¹³⁵ D. Clark, *Adaptation, poverty and well-being*. 1st ed. [Oxford]: Economic and social research council (ESRC). Global poverty research group (GPRG), 2007

¹³⁶ M. Teschl and F. Comim, *Adaptive Preferences and Capabilities: Some Preliminary Conceptual Explorations*. *Review of Social Economy*, 63(2), 2005, pp. 229-247

¹³⁷ I. Robeyns, *The capability approach: an interdisciplinary introduction*. [online] Researchgate, 2011. Available at: https://www.researchgate.net/publication/228867656_The_capability_approach_an_interdisciplinary_introduction [Accessed 16 May 2017].

¹³⁸ I. Robeyns, *The Capability Approach: a theoretical survey*. *Journal of Human Development*, 6(1), 2005

¹³⁹ I. Robeyns, *The capability approach: an interdisciplinary introduction*. [online] Researchgate, 2011. Available at: https://www.researchgate.net/publication/228867656_The_capability_approach_an_interdisciplinary_introduction [Accessed 16 May 2017].

As communitarians argue, the capability approach does not adequately explore the ways in which the concentration of economic power over the means of producing and diffusing culture might compromise the ability of people to choose the kinds of lives they have reason to value.^{140;141} Sen lays great emphasis on public discussion in shaping social values, but he does not pursue the question of how distribution of economic power over cultural processes in the global political economy might undermine the processes he advocates.¹⁴² Even highly rational citizenry, fully capable of assessing what it has reason to value, still depends on access to information in order to form preferences that are essential to the expansion of capabilities.¹⁴³ Contemporary communication technology concentrates and extends the power to disseminate such information, and promote preferences different from those that would arise from individuals autonomously deciding what they want to be and undertaking the activities that they want to engage in. Indeed, modern market economy promotes homogeneous tastes and needs across the widest possible range of countries, and this obviously enhances the returns of global producers. From the perspective of the citizens of the poor countries of the South (Sen's principal concern), this process is particularly disenfranchising.¹⁴⁴ While global producers succeed in diffusing what are essentially rich country consumption standards throughout the globe, Southern citizens are unlikely to see their preferences – as would emerge out of their own experiences and resources – be reflected in global messages indicating what goods, services, and practices are valuable. As Evans explains, centralization of power over the cultural flows that shape preferences is a more subtle form of “unfreedom” than the grinding poverty and ugly oppression on which Sen rightly concentrates.¹⁴⁵ Yet, it does have real consequences for people's lives, and is likely to increase rather than decrease with the passing of time. Communitarian maintains that Sen refrains

¹⁴⁰ K. Comiling and R. Sanchez, *A Postcolonial Critique of Amartya Sen's Capability Framework*. *Perspectives in the Arts and Humanities Asia*, 4(1), 2014, pp. 1-26

¹⁴¹ D. Clark, *Adaptation, poverty and well-being*. 1st ed. [Oxford]: Economic and social research council (ESRC). Global poverty research group (GPRG), 2007

¹⁴² B. Chimni, *The Sen Conception of Development and Contemporary International Law Discourse: Some Parallels*. *The Law and Development Review*, 1(1), 2008

¹⁴³ D. Gasper, *Is Sen's Capability Approach an Adequate Basis for Considering Human Development?*, *Review of Political Economy* 14 (4), 2002, pp. 435-461

¹⁴⁴ C. Parra, *Quality of Life Markets: Capabilities and Corporate Social Responsibility*. *Journal of Human Development*, 9(2), 2008, pp. 207-227

¹⁴⁵ P. Evans, *Collective capabilities, culture, and Amartya Sen's Development as Freedom*. *Studies in Comparative International Development*, 37(2), 2002, pp.54-60

from exploring the ways in which those with greater economic and cultural clout might subvert people's ability to choose the kinds of lives they want to live. With his genuine affection for the positive effects of markets and generous quotations of Adam Smith, Sen treats the market as an undersocialized domain. As the key agent of capability development and social changes, the individual is objectively distanced from the economic relations within which her values and preferences must be constituted.¹⁴⁶ This line of critique takes issue with Sen's "thin" agency based picture of persons as too abstract and rationalistic.¹⁴⁷ The epistemological absences that mark Sen's approach prevent him from exploring the structural constraints of the world market, crucial to devising and articulating a corresponding strategy towards the goal of development as freedom.¹⁴⁸ Communitarians wonder how his approach can offer a relevant framework for evaluating whether people have really been given the opportunities to exercise the capabilities they have reason to value.¹⁴⁹

Not only do social structures and power inequalities influence the reasoning processes people engage with, when choosing their capabilities, but they can also constrain people's capability to participate in the political life of their community. According to communitarians, Sen's deliberative democracy may seem excessively abstract and descriptively inadequate, in the sense of being naive about the Hobbesian nature of real world politics. Even in "democracies", politics appears to be mainly about power relationships as well as conflicting interests, and not about idealised concepts such as public reasoning. In fact, the reasons advanced through democratic processes are likely to privilege the interests of the powerful - who possess more cultural, economic and political resources - and may validate structures of oppression and exclusion embedded in social and cultural practices.¹⁵⁰ As Dean asserts, societies are composed of many groups, with competing interests. The

¹⁴⁶ R. Wanda, *How useful are the epistemic structures of "capabilities" and "afrikology" in addressing social justice in africa?*. *Journal of Transdisciplinary Studies*, 8(3), 2005, pp.147-164

¹⁴⁷ D. Gasper, *Is Sen's Capability Approach an Adequate Basis for Considering Human Development?*, *Review of Political Economy* 14 (4), 2002, pp. 435-461

¹⁴⁸ B. Chimni, *The Sen Conception of Development and Contemporary International Law Discourse: Some Parallels*. *The Law and Development Review*, 1(1), 2008

¹⁴⁹ S. Deneulin, *Perfectionism, Paternalism and Liberalism in Sen and Nussbaum's Capability Approach*. *Review of Political Economy*, 14(4), 2002, pp. 497-518

¹⁵⁰ S. Deneulin, *Promoting Human Freedoms under Conditions of Inequalities: a procedural framework*. *Journal of Human Development*, 6(1), 2005, pp. 75-95

interests of the privileged groups may be advanced in the name of defending the common interests, while the interests of subordinate groups are ignored.¹⁵¹ Privileged groups can be the political Elite, the dominant race or ethnic group in societies organised along racial lines, or the dominant gender in most societies.¹⁵² For example, the political Elite may control, at the same time, the growth process of the economy, the evolution of the distribution of income and that of the structure of political power.¹⁵³ This reifies existing inequalities and affirm the agenda of elites and other powerful actors working to the detriment of subaltern classes. More generally, a multiple domination of certain power holders can wield societal influence in order to gain most of the profit in a system that is conducive to domination.¹⁵⁴ Thus, democratic processes – such as participative poverty assessments and citizens' juries or focus groups - may ignore the critical role of political, economic and social power in shaping public discourse and the framing of solutions to social problems according to their interests.¹⁵⁵ Hence the tyranny of participation, as it is possible that participatory methodologies may do nothing more than reflect prevailing hegemonic assumptions and elide the relative powerlessness of the most oppressed.¹⁵⁶

In particular, Navarro argues that power relations and systemic inequalities are under-theorized by Sen. According to Navarro, Sen does not seriously address the extent and implications of social fractures (class, race, gender) and is reluctant to focus on the sources of power in a society and how that power is reproduced.¹⁵⁷ For example, he seems to dismiss collective agents, such as social

¹⁵¹ H. Dean, *Critiquing capabilities: The distractions of a beguiling concept*. *Critical Social Policy*, 29(2), 2009, pp. 261-278

¹⁵² F. Stewart, *Groups and Capabilities*. *Journal of Human Development*, 6(2), 2005 pp. 185-204

¹⁵³ F. Bourguignon and T. Verdier, *Oligarchy, democracy, inequality and growth*. *Journal of Development Economics*, 62(2), 2000

¹⁵⁴ R. Forst, *Justice, Morality, and Power in the Global Context* in *Real World Justice: Ground Principles, Human Rights, and Social Institutions*, ed. Andrea Follesdal and Thomas Pogge, 2005, Dordrecht: Springer, p. 33

¹⁵⁵ B. Chimni, *The Sen Conception of Development and Contemporary International Law Discourse: Some Parallels*. *The Law and Development Review*, 1(1), 2008

¹⁵⁶ H. Dean, *Critiquing capabilities: The distractions of a beguiling concept*. *Critical Social Policy*, 29(2), 2009, pp. 261-278

¹⁵⁷ V. Navarro, *Development and Quality of Life: A Critique of Amartya Sen's Development as Freedom*. *International Journal of Health Services*, 30(4), 2000, pp. 661-674

classes, as an irrelevant category of power, thus precluding debate about the nature of class oppression, inequalities and injustices.¹⁵⁸ The absence of an analysis of the power relations that cause and reproduce underdevelopment is problematic. As Navarro argues, Sen's notion of political freedom - although promising in theory - contains the danger that public reasoning and democratic processes might be flawed by existing power inequalities leading to exploitation or domination.¹⁵⁹ Since there are no necessary positive links between the exercise of political freedom and the enhancement of other freedoms, a pure freedom-proceduralism is not sufficient to assess and guide development praxis towards the removal of unfreedoms.¹⁶⁰ As a consequence, the choice of capabilities for social justice and development purposes cannot be left to ordinary democratic political processes that overlook social structures. There is, therefore, a need to integrate an ontology that does account for human interdependence and the constraints and opportunities of social structures on individuals within the capability approach.

III.II Sen's reply to the Communitarian critique

Let us explore how Sen defends his approach against the Communitarian critique. The capability approach has often been criticized for its alleged ethical and methodological individualism. Just to recall it, ethical individualism is a normative approach according to which social systems should be based on individual preferences. Methodological individualism instead implies that individual choices are independent from the economic-social context in which they are carried out. Although the capability approach might be somehow related to ethical individualism, it is completely detached from methodological individualism. Sen indeed recognizes the influence of society on the formation of personal values and individual decisions, being aware that individuals might belong to different groups within their society (different sex, social class, language group, religion, nationality, race, etc.). As Sen maintains, "between the claims of oneself and the claims of all lie the claims of a variety of groups-for example, families, friends, local communities, peer groups, and economic and social classes [...] The concepts of family responsibility, business ethics, class consciousness, and so on,

¹⁵⁸ V. Navarro, *A Critique of Social Capital*. International Journal of Health Services, 32(3), 2002, pp.423-432

¹⁵⁹ V. Navarro, *Development and Quality of Life: A Critique of Amartya Sen's Development as Freedom*. International Journal of Health Services, 30(4), 2000, pp. 661-674

¹⁶⁰ K. Comiling and R. Sanchez, *A Postcolonial Critique of Amartya Sen's Capability Framework*. Perspectives in the Arts and Humanities Asia, 4(1), 2014

relate to these intermediate areas of concern”.¹⁶¹ In particular, with regard to “irreducibly social goods” like culture, Sen argues that they not only enter into the analysis instrumentally (such as in the requirements for appearing in public without shame) but also as part of the lives people have reason to value. Nevertheless Sen is clear in his view that the value of social goods is only derivative upon the reflective choices of those concerned. So if people on reflection don’t value such social goods as the traditional religious institutions of their society or continuing to speak a minority language then that should trump the “right” of those institutions to continue.¹⁶²

With regard to “adaptive preferences”, Sen’s Capability Approach is concerned with people’s ability to live a life they have reason to value. Sen is particularly concerned with grasping the dimensions of human well-being and advantage missing from standard approaches. This relates to his concern with tracing the causal pathways of specific deprivations, with how exactly different people are able or unable to convert resources into valuable functionings. Although this remains somewhat abstractly presented in the formal structure of the Capability Approach, Sen’s analysis of, for example, adaptive preferences and intra-household distribution do go at least some way to a situated and sociological analysis.

With regard to “collective actions”, Sen maintains that in many cases negative freedom cannot be achieved without the active intervention of someone who defends it and without concrete conditions of its realization. In particular, Sen claims that an unrestrained media is especially important to the functioning of democratic societies for a variety of reasons. Indeed a well-functioning free press 1) enables the free expression of ideas, which is intrinsically valuable; 2) spreads information and subjects it to critical scrutiny; 3) protects the weak by subjecting the strong to the gaze of the public eye; 4) facilitates the formation of common values by the public; and 5) contributes to the pursuit of justice.¹⁶³ In summary, a free press contributes to human security by giving a voice to the vulnerable and disadvantaged and by subjecting the government to criticism.

¹⁶¹ Sen A. (1977), *Rational Fools: A Critique of the Behavioral Foundations of Economic Theory*. *Philosophy & Public Affairs*, 6(4)

¹⁶² T. Brooks, *The Capabilities Approach and Political Liberalism*, 2014 [online] Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2198841 [Accessed 28 May 2018]

¹⁶³ F. Bourguignon and T. Verdier, *Oligarchy, democracy, inequality and growth*. *Journal of Development Economics*, 62(2), 2000

III.III Sen's idea of democracy

Sen's liberalism might be identified as individualist liberalism. Sen is strongly critical of communitarians such as Charles Taylor and Kymlicka who argue that group rights should have priority over individual rights.¹⁶⁴ Sen understands communitarianism as a philosophical conception that challenges the theoretical framework of democratic individualism.¹⁶⁵ In his view, social progress mainly derives by the commitment of governments to promote individual well-being and capabilities, in a dialogue that can connect, rather than divide, the world's cultural traditions. This reflects Sen's polyphonic - but not multiculturalist, at least in a strong sense - idea of the concept of culture and identity.¹⁶⁶ According to Sen, the idea that people can be classified only on the basis of their religion or culture is a dangerous source of potential conflict. This contrasts with the fact that all individuals are at the same time equal and different. People's identities are connected not only to their religion or culture, but also to their social class, gender, profession, language, political affiliations, eating habits, sports interests, musical tastes... Sen's vision might be useful to start a dialogue between different cultural traditions. The capability approach is proposed as a contemporary political doctrine that respects and promotes human rights and cross-cultural dialogue.

According to Sen, the political ideals of Western civilizations might also be found in other cultures and traditions.¹⁶⁷ Sen defends the idea that democracy is a universal value and argues that democracy can flourish outside the West. Sen distinguishes between the "institutional structure of the contemporary practice of democracy," which is "largely the product of European and American

¹⁶⁴ Baglieri M. (2019), *Amartya Sen. Welfare, educazione, capacità per il pensiero politico contemporaneo*, Carocci

¹⁶⁵ Casalini B., Universalismo e diritti delle donne: il contributo di Martha Nussbaum, *Jura Gentium. Rivista di filosofia del diritto internazionale e della politica globale* [online] Available at: <https://www.juragentium.org/topics/women/it/nussbaum.htm#>
[Accessed 6 may 2020]

¹⁶⁶ Baglieri M. (2019), *Amartya Sen. Welfare, educazione, capacità per il pensiero politico contemporaneo*, Carocci

¹⁶⁷ Casalini B., Universalismo e diritti delle donne: il contributo di Martha Nussbaum, *Jura Gentium. Rivista di filosofia del diritto internazionale e della politica globale* [online] Available at: <https://www.juragentium.org/topics/women/it/nussbaum.htm#>
[Accessed 6 may 2020]

experience over the last few centuries” and the political ideals that underlie it.¹⁶⁸ By the former, Sen seems to have in mind the institutions of electoral conflict (competitive elections, secret ballots, political parties, etc.). But these institutions, Sen argues, are simply the latest effort to institutionalize certain fundamental ideals, ideals of “political participation, dialogue and public interaction”.¹⁶⁹ These ideals, Sen suggests, are well-nigh universal in their appeal. However Sen warns that we should not assume that a satisfactory level of democracy has been achieved merely because a certain type of institutional structure is up and running (i.e. there are secret elections, votes are properly counted, etc.). This is what many comparativists, such as Sam Huntington, have assumed. Democracy is not merely the presence of elections and ballots, but also government by discussion, which includes political participation, dialogue and public interaction. Sen argues that an overly-institutional focus on democracy has caused particular trouble at a global level. Although Sen might agree with John Rawls and Thomas Nagel that democratic global institutions would be problematic (or cannot exist...), this does not mean that there is no way to realize democratic ideals such as public discussion at an international level. There, already exist some practices of global deliberation, and they are worthy of support and encouragement. Globalized public deliberation is only conceivable if the ideal of public dialogue has universal appeal.¹⁷⁰ Sen believes that this ideal does have deep roots all around the world, including in areas that have little experience with popular elections. For example, India was inspired by ancient Greece to experience formal democratic institutions (at least at a local level) long before the barbarian tribes of Northern Europe. Societies have undeniably assigned value to public reason – the ideal underlying democratic institutions – for a very long time, and virtually everywhere.

Sen asserts that people’s capabilities emerge through a process of public reasoning that includes the views of those concerned and at the same time expresses the status of equal citizenship shared by all members of society.¹⁷¹ According to Sen, public reason is important for people’s conceptualisation

¹⁶⁸ A. Sen, *The idea of Justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, 2011, pp. 322-323

¹⁶⁹ A. Sen, *The idea of Justice*, Cambridge, Mass.: Belknap Press of Harvard University Press, 2011, pp. 326

¹⁷⁰ B. Chimni, *The Sen Conception of Development and Contemporary International Law Discourse: Some Parallels*. *The Law and Development Review*, 1(1), 2008

¹⁷¹ A. Sen, *UN Human Development Report 2004: Chapter 1 Cultural Liberty and Human Development*, UN Human Development Reports. United Nations Development Programme, 2004 (Available from the UNDP website)

and comprehension of both their own individual needs and social standards, so that people can have a better understanding of the role, the reach and the significance of particular capabilities. Sen gives the impression to rely on some idea of deliberative democratic politics while using the concept of capabilities in thinking about social justice. He insists on the constructive value of democracy that should ideally allow different voices from diverse sections of people to be heard.¹⁷² In this perspective, public reasoning and democratic processes can bring about social changes and reforms within a society; hence their importance to the realization of the goal of development as freedom.¹⁷³

Since public reasoning and democratic processes are necessary for selecting capabilities and weighing them against each other in every context, Sen himself has been reluctant to provide a fixed list of capabilities to go with his general capability approach. Sen acknowledges that judgments about what people come to understand and value are necessarily contingent and relative. It would be a mistake to have a fixed list of capabilities, usable for any purpose and unaffected by the understanding of the social role and importance of different capabilities and functionings.^{174;175} To insist on a single list of capabilities, which would be absolutely complete (nothing could be added to it) and totally fixed (it could fail to respond to the formation of social values), would be incompatible with Sen's concern to the centrality of participatory decision-making in influencing the self-determination of life choices.¹⁷⁶ It would go against the productive role of reasoning and discussion and it would also deny the possibility of progress in social understanding. Even when there are some traditional values which are either discovered to be unjust or are instrumentally incompatible with achieving other capabilities considered more valuable – Sen continues - it is neither for theorists, nor for local elites (political or religious) or even cultural experts (domestic or foreign) to give any definitive answer. Sen argued

¹⁷² A. Sen, *Development as freedom*, 1st ed. OUP, 1999

¹⁷³ B..Chimni, *The Sen Conception of Development and Contemporary International Law Discourse: Some Parallels*, *The Law and Development Review*, De Gruyter, vol. 1(1), 1999, pp. 3-22

¹⁷⁴ A. Sen, *UN Human Development Report 2004: Chapter 1 Cultural Liberty and Human Development*, UN Human Development Reports. United Nations Development Programme, 2004 (Available from the UNDP website)

¹⁷⁵ A. Sen, *Capabilities, Lists, and Public Reason: Continuing the Conversation*, *Feminist Economics* 10, no. 3, 2004, pp. 77-80

¹⁷⁶ N. Cornelius and J. Wallace, *View on the Ground: CSR from a Capabilities Approach*[online] springer, 2017. Available at: https://link.springer.com/referenceworkentry/10.1007%2F978-3-642-28036-8_640 [Accessed 16 May 2017]

forcefully that the legitimacy and epistemic relevance of capability lists require open participation of formally free and equal citizens in the life of the community.¹⁷⁷ The decision whether to reject or retain access to the traditional values would be rather dependent on an exercise of “critical valuation” for the people concerned to decide together through a democratic process of public deliberation.^{178;179} Such a valuation should be understood as determining what counts as development in this case.

¹⁷⁷ A. Sen, *Capabilities, Lists, and Public Reason: Continuing the Conversation*, *Feminist Economics* 10, no. 3, 2004, pp. 60-73

¹⁷⁸ A. Sen, *Development as freedom*, Oxford: OUP Oxford, 1999, pp.31-33

¹⁷⁹ T. R. Wells, *Theoretical and Practical Reason in Economics: Capacities and Capabilities*, *Journal of Economic Methodology* 21 (2), 2014, pp. 202-207

IV. Different versions of the capability approach

IV.I Nussbaum's version of the capability approach

The capability approach is a theoretical framework that entails two core normative claims: first, the claim that the freedom to achieve well-being is of primary moral importance, and second, that freedom to achieve well-being is to be understood in terms of people's capabilities, that is, their real opportunities to do and be what they have reason to value. The capability approach has been developed in a variety of more specific normative theories, such as (partial) theories of social justice or accounts of development ethics. Inspired by the Aristotelian ethics, Martha Nussbaum proposed one of the most famous interpretations of Sen's approach. According to Nussbaum, a virtuous life is made of three components:¹⁸⁰

- internal capacities that are developed by education;
- external conditions (social status and economic availability);
- the basic skills of which a person is naturally endowed.

Nussbaum suggests a list of capabilities and functionings that might be universally accepted and might help individuals to live a good life.^{181;182} Her list of capabilities refers to ten dimensions:

1. life;
2. physical health;
3. integrity and personal security;
4. sensations, imagination and thought;
5. emotions;
6. practical reasons;
7. association;

¹⁸⁰ M. Nussbaum, *Creating Capabilities: The Human Development Approach*, Harvard University Press, 2011

¹⁸¹ M. Nussbaum, *Nature, Function and Capability: Aristotle on a Political Distribution*, Oxford Studies in Ancient Philosophy, 1988, p. 146

¹⁸² M. Nussbaum, *Capabilities as fundamental entitlements*, *feminist Economics*, forthcoming, 2003

8. bio-diversity;
9. entertainment;
10. possibility to control the environment.¹⁸³

“Life” is the possibility to avoid premature death. “Physical health” refers to the possibility of being able to stay healthy and bring children into the world, to have the opportunity to be well fed and to live in a sheltered place. “Integrity and personal safety” means to be able to move freely from one place to another; to be able to self-manage a private living space; to have the opportunity to benefit from sexual satisfactions; and to have the possibility of living safe from aggression, including sexual harassment, abuse on minors and domestic violence. “Sensations, imagination and thought” refers to the possibility of being able to use one's senses, to imagine, to think and to reason; to have the opportunity to be well informed, and to enjoy a good education in literature, mathematics and science. It also includes being able to use imagination, making reflections and relating them to individual experiences. This must be done in an autonomous way that guarantees freedom of expression with full respect for one's own political, artistic and religious mentality. “Emotions” refers to the ability to love those who love us and those who take care of us, to suffer from their absence; in general, to love, to suffer, to experience desire, gratitude and to justify anger. This implies supporting forms of association that can be crucial for the development of the human being. “Practical reasons” is to be able to put into practice a conception of the good and engage in critical reflection on life planning. “Association” is being able to live with others, to recognize and give attention to other human beings in order to undertake various forms of social interactions; to be able to imagine other people's situation and having a sense of justice and friendship. It implies supporting the institutions that constitute and nurture these forms of association and also protect the freedoms of assembly and political discussion. Association also means having the social bases of personal respect, non-humiliation and dignity. It is supposed to be a protection against discrimination based on race, sex, sexual orientation, religion, etc. “Bio-diversity” refers to the possibility of being able to live in a respectful way taking into consideration the flora, fauna and the environment in general. “Leisure” means being able to laugh, to play, to play hobbies and to appreciate the recreational activities. “Possibility to control the environment” refers to certain fundamental aspects such as being able to actively participate in social life by making political choices; to have guaranteed freedoms of expression and association; to be

¹⁸³ M. Nussbaum, *Women and human development: the capabilities approach*, Cambridge : University Press, 2000

capable of having a property (land and other real estate); to enjoy the same rights and to seek employment.¹⁸⁴

Nussbaum uses the notion of capability in a very broad sense- including protection against sexual assault, racial or religious discrimination, and defense of free speech, association, political participation, and property rights. Nussbaum uses the expression “combined capabilities”, which are internal capabilities combined with favorable external circumstances. She makes the example of a woman who is not mutilated, but who has been a widow from her childhood and who has been forbidden to remarry. This woman has the internal capability - but not the combined capability - of sexual expression.¹⁸⁵ Having guaranteed internal capabilities, it is at least equally necessary to guarantee the external and institutional circumstances that allow individuals to be actually capable of functioning. According to Nussbaum, rights should be considered as combined capabilities. The rights of political participation or free religious practice might be conceived as capabilities to function when favorable external conditions are guaranteed.

Nussbaum claims for the achievement of a minimum threshold of some fundamental individual capabilities - while Sen focuses on equality of capabilities. Her proposal is anchored in a naturalistic, Aristotelian and antirelativistic metaethics, which brings to the formulation of a defined list of fundamental capabilities. This list originates from the Aristotelian idea that an individual has to perform “human functions” in order to be worthy of living in the polis.¹⁸⁶ Nussbaum neglects the idea that the only appropriate criteria concerning the good life are those independently decided by each particular local community. It is useful to take the example of women’s public and family life in India. Nussbaum does not intend to deny that it is important for an Indian woman to be able to choose to remain faithful to the values of female modesty, chastity and obedience to the Hindu tradition. Yet it is always necessary to verify whether there are the conditions for a reasonable and autonomous

¹⁸⁴ M. Nussbaum, *Human Functioning and Social Justice: In Defense of Aristotelian Essentialism*, in Douglas Tallack, ed., *Critical Theory: A Reader*, New York: Harvester Wheatsheaf, 1995, pp. 449-472

¹⁸⁵ Magni S. F. (2003), *Capacità, libertà e diritti: Amartya Sen e Martha Nussbaum*, *Filosofia politica*, 3, pp. 497-506

¹⁸⁶ Martha Nussbaum, *Creating Capabilities: The Human Development Approach*, Harvard University Press, 2011

choice. Nussbaum claims that many Indian women have focused their attention on the suffering caused by a tradition that reduce them to a particular condition of isolation and vulnerability.

It is necessary – Nussbaum maintains - to fix criteria capable of verifying whether certain social and cultural practices might cause suffering and pain. Her universal theory of well-being is applicable to all issues of social justice - poverty, inequalities, women's emancipation, etc. - and all over the world, without any geographical discrimination.¹⁸⁷ This does not imply, according to Nussbaum, that her list is not sensitive to cultural heterogeneity and human diversity. Her list is formulated with a high level of abstraction and can be applied in different countries and in different communities.¹⁸⁸ Nussbaum aims to develop a partial theory of justice, by arguing for the political principles that should underlie each constitution. Thus, Nussbaum enters the capability approach from a perspective of moral-legal political philosophy, with the specific aim of arguing for political principles that a government should guarantee to all its citizens through its constitution.¹⁸⁹

IV.II Comparing Amartya Sen and Martha Nussbaum

Nussbaum argues that Sen's approach does not say what the ultimate goals are and fails to give an ethical sense to human life. In Sen's proposal many issues remain unsolved. On which basis can we choose capabilities and functionings? It is clear that we cannot choose them according to the criterion of capabilities and functionings. This would raise the issue of circular reasoning. Profoundly different ethical theories could adopt the same approach and yet clearly diverge on which capabilities and functionings to consider relevant. For example, a Nazi could adopt this approach, but select capabilities and functionings that we would consider immoral. Sen's theory might appear vague. This is exactly what a normative theory, which claims to set guiding criteria for public policies, should avoid.

Sen's refusal of the Aristotelian ethics is not rooted in the practical acceptability of the list drawn up by Nussbaum, but it is a refusal of the principle of hierarchical teleology, in the name of the

¹⁸⁷ M. Nussbaum, *On Hearing Women's Voices: A Reply to Susan Okin*, *Philosophy and Public Affairs* 32 (2), 2004, pp. 193-205

¹⁸⁸ M. Nussbaum, *Women and human development : the capabilities approach*, Cambridge : University Press; 2000

¹⁸⁹ N. Menon, *Universalism without Foundations?*, *Economy and Society* 31 (1), 2002

universality of the ways of being free. Sen's approach, understood as a methodological structure, seems to be extremely versatile. This characteristic derives from a precise determination of the field of analysis, the individuals and their abilities, without considering any specific capability more important than another.¹⁹⁰ For the intrinsic nature of non-specification approach, there may not be a defined list of capabilities. The definition of a precise set of capabilities would reduce the democratic nature of the approach itself. Moreover, an exact list and weights would be too difficult to define. It would require specifying the context of use of capabilities, which could vary because every situation requires its own context-dependent list. Also, Sen argues that part of the richness of the capabilities approach is its focus on the need for open evaluation within the social judgments making process. He strongly emphasizes the domain of reasoning in the public sphere. Sen argues that the task of weighing various capabilities should be left to the ethical and political considerations of each society based on public reasoning. So Sen's and Nussbaum's conceptions of capabilities are very different from each other. Nussbaum's list is, according to Sabina Alkire's definition, "a list of things to do (or to be) with a highly prescriptive character and with a strong universalistic claim", strongly emphasizing the political role of governments in ensuring the realization of this normative list.¹⁹¹ Sen's capabilities approach, on the other hand, has some less specific regulatory claims; it is worth repeating that Sen's is a theoretical structure and not a theory. Sen's capability approach is a "broad normative framework", that is, a paradigm in which it is possible to conceptualize a phenomenon.¹⁹² This means that it is not a theory that can be used to explain a phenomenon, but it is only a framework with a certain conceptual foundation, which can be useful in providing a whole set of tools for its "evaluation and assessment".¹⁹³ Sen's and Nussbaum's understanding of the "evaluative space" diverges. Their ideas of "opportunity" differ as well, although pluralism is one of the arguments both bring forward in favor of capability as opposed to other

¹⁹⁰ S. Deneulin, *Perfectionism, Paternalism and Liberalism in Sen and Nussbaum's Capability Approach*. *Review of Political Economy*, 14(4), 2002, pp. 497-518

¹⁹¹ S. Alkire, *Valuing Freedoms: Sen's Capability Approach and Poverty Reduction*, Oxford University Press, Oxford, 2002; p. 54

¹⁹² I. Robeyns, *The Capability Approach: A Theoretical Survey*. *Journal of Human Development*, 6, 2005, pp. 93-114. Available at: <https://doi.org/10.1080/146498805200034266> [Accessed 14 April 2018]

¹⁹³ I. Robeyns, *Sen's Capability Approach and Gender Inequality: selecting relevant capabilities*, *Feminist Economics* 9 (2), 2003, pp. 61-92

evaluative variables.¹⁹⁴ By acknowledging the difference between Sen's and Nussbaum's conceptions of capability, it is possible to shed a new light on the debates on freedom, plurality and human rights.

IV.III Robeyns' version of The Capability Approach

Another scholar, Ingrid Robeyns, was driven by the need to identify a methodology or some criteria for selecting a set of useful capabilities. Robeyns identifies five criteria:¹⁹⁵

1. The criterion of explicit formulation

This is the most basic criterion. According to it, the list must be drafted in the most explicit way. It must be discussed and well defended.

2. The criterion of methodological justification

When drawing up a list of capabilities, it must be clarified how it is prepared. In other words, the methodology should be made explicit as well as the way according to which a specific set of capabilities has been chosen.

3. The criterion of sensitivity to the context

This criterion presumes a pragmatic attitude in the formulation of a set of capabilities. For example, if the analysis takes place in a philosophical context, there will be a high level of abstraction and consequently the list will have to be very theoretical. On the other hand, if the analysis has a social, economic or political nature, we will move into contexts with a lower degree of abstraction.

4. The criterion of the different levels of generality

In the case of an empirical application, the list should be written at least in two stages. Each stage will generate a list with a certain level of abstraction, from a theoretic to a pragmatic approach.

5. The criterion of completeness and non-traceability

¹⁹⁴ M. Nussbaum and A. [Sen](#), *The quality of life*. Oxford England New York: Clarendon Press Oxford University Press, 1993

¹⁹⁵ I. Robeyns, *Sen's Capability Approach and Gender Inequality: selecting relevant capabilities*, *Feminist Economics* 9 (2), 2003, pp. 61-92

The capabilities in the list must include all aspects that are considered important for research. For example, personal functionings cannot be neglected if they are relevant for measuring the well-being of an individual. Moreover, every capability must refer to a single dimension of well-being, thus avoiding any conceptual ambiguity.

In compliance with these five criteria, Robeyns has developed the following list, useful to analyse inequality in Western societies.¹⁹⁶ With a high degree of abstraction, the list is the following:

- life and physical well-being: it refers to the possibility of being able to enjoy physical health and enjoy life;
- mental well-being, that is, having the ability to enjoy mental health;
- integrity and physical security, that is, freedom to not be exposed to physical violence of any kind;
- social relationships, explicitly, being able to take part in social relations and to give and receive social support;
- political accessibility, that is, having freedom of political participation and the possibility to influence political decisions;
- education and knowledge, that is, freedom of education and freedom to increase knowledge;
- social reproduction and social care, that is, being able to take care of someone;
- paid work and other activities, that is, having the possibility to enter the labour market and to be able to carry out activities such as art, music, theater, etc .;
- shelter and environment, that is, having the possibility to live in a healthy environment;
- mobility, that is, having freedom of movement;
- leisure activities, that is, having the freedom to engage in leisure activities, hobbies and sport;
- autonomy, that is, freedom to organize one's time;
- respect, that is, being able to live with dignity and to enjoy respect from others;
- religion and spirituality, that is, having the possibility to enjoy freedom of confession and lead a life according to one's spiritual principles.¹⁹⁷

¹⁹⁶ I. Robeyns, *Equality and Justice*, in S. Deneulin (ed), *An Introduction to the Human Development and Capability Approach*, London: Earthscan, 2009

¹⁹⁷ I. Robeyns, *Sen's Capability Approach and Gender Inequality: selecting relevant capabilities*, *Feminist Economics* 9 (2), 2003, pp. 61-92

IV.IV Comparing Ingrid Robeyns with Martha Nussbaum and Amartya Sen

It is extremely interesting to compare Robeyns's capability list with Nussbaum's list, because these represent two distinct ways of understanding the approach of capabilities. Martha Nussbaum's list differs from Ingrid Robeyns's list in its basic assumptions. Nussbaum's list of capabilities is therefore prescriptive, while Robeyns's list is merely descriptive. Nussbaum proposes an universal list of 10 categories: (1) life; (2) bodily health; (3) bodily integrity; (4) senses, imagination and thought; (5) emotions; (6) practical reason; (7) affiliation; (8) other species; (9) play; and (10) control over one's environment. Her well-defined but general list of "central human capabilities" should be incorporated in all constitutions. As such, her work on the capability approach is universalistic, as she argues all governments should endorse these capabilities. With her capability list, Nussbaum intends to assign to each government the task of guaranteeing a minimum level of capabilities to citizens.¹⁹⁸ This faith in the role of government sharply contrasts with several theories that regard governments as part of the social problems related to inequality. Nussbaum has indeed been criticized for her belief in a benevolent government, especially from authors who are more situated in the traditions of poststructuralism, post-colonialism, post-modernism and critical theory.^{199;200} While Nussbaum explains her work on capabilities as providing citizens with a justification and arguments for constitutional principles that citizens have a right to demand from their government, Robeyns only aims to answer the question "if and to what extent inequality exists". Robeyns does not make any implications regarding government policies. This attitude is clearly closer to Sen's approach. Indeed they discuss inequality in capabilities without focusing on how these inequalities can be rectified, or without assuming that all redistribution, rectification or social change have to be done by the government. Their capability approach need not be so focused on claims on the government, due to its wider scope.

Ingrid Robeyns' view describes the capability approach in the following terms: "The capability approach is a broad normative framework for the evaluation and assessment of individual well-being

¹⁹⁸ A. Sen, *Il tenore di vita*, Marsilio, Venezia; 1998, p. 109

¹⁹⁹ S. M. Okin, *Poverty, Well-Being, and Gender: What Counts, Who's Heard?*, *Philosophy and Public Affairs* 31 (3), 2003, pp. 280-316

²⁰⁰ N. Menon, *Universalism without Foundations?*, *Economy and Society* 31 (1), 2002, p. 152

and social arrangements”.²⁰¹ She describes the capability approach as a “broad normative framework”, that is, a paradigm in which it is possible to conceptualize a phenomenon. This means that it is not a theory that can be used to explain a phenomenon, but it is only a framework with a certain conceptual foundation, which can be useful in providing a whole set of tools for its “evaluation and assessment”.²⁰² On the other hand, Nussbaum aims to develop a partial theory of justice, by arguing for the the political principles that should underlie each constitution. Thus, Nussbaum enters the capability approach from a moral-legal political philosophy perspective, with the purpose of arguing for the political principles that a government should guarantee to all its citizens through its constitution.²⁰³ So Nussbaum, Sen and Robeyns have different goals with their work on capabilities.

²⁰¹ I. Robeyns, *The Capability Approach: A Theoretical Survey*. *Journal of Human Development*, 6, 2005, pp. 93-114. Available at: <https://doi.org/10.1080/146498805200034266> [Accessed 14 April 2018]

²⁰² I. Robeyns, *Sen's Capability Approach and Gender Inequality: selecting relevant capabilities*, *Feminist Economics* 9 (2), 2003, pp. 61-92

²⁰³ N. Menon, *Universalism without Foundations?*, *Economy and Society* 31 (1), 2002

V. Application of the Capability Approach to the study of social phenomena: inequality and poverty

V.I The need to focus on human diversity

As Sen states, it is very important to distinguish between income inequality and income distribution. Ensuring a greater share of income to a needy person can be considered a violation of the principle of equal income, but not of the principle of economic equality.²⁰⁴ The latter, in fact, must take into account the different needs connected to individual situations, in order to aspire to an equality of results achievable through economic means. In this context it is necessary to consider the heterogeneity of individuals and their respective conditions, so as to go beyond the economic approach.

Sen highlights the following sources of difference that influence and determine the process of converting resources into lives that people can actually lead.²⁰⁵ These are: personal heterogeneity, environmental diversity, variations in the social climate, differences in relational perspectives and distribution within the family. Personal heterogeneity concerns physical features related to age, sex, disability or illness. Environmental diversities refer to variations in environmental conditions, due to climatic phenomena (rainfall, drought, floods, temperatures, etc.) that can influence the conversion capacity of incomes. Variations in the social climate refer to social structural differences - for example, the availability of publicly funded health care, education, fight against crime, etc. - and to the nature of community relationships that play an important role in capacity building and individual functionings. Sen, for example, places particular emphasis on the interrelationship between disability and opportunities. He cites familiar data about the interrelationship between disability and poverty, and notes that much disability is preventable (e.g. disabilities that result from preventable infectious diseases such as polio or measles) and that this is a particularly important matter for social justice.²⁰⁶ Finally, differences in “relational perspectives” refer to differences in social norms that may affect the need for resource expenditure to achieve desired goals; for example, in some societies, clothes

²⁰⁴ A. Sen, *Equality of What?* Stanford University: Tanner Lectures on Human Values, 1979 (Available from the Tanner Lectures website)

²⁰⁵ A. Sen, *Development as freedom*, 1st ed. OUP, 1999

²⁰⁶ A. Sen, *Commodities and Capabilities*, North-Holland, 1985

required to enjoy social respect may be far more expensive than in others. The differences in the relational perspectives are substantially related to the variations between different societies. This calls into question the conventions and customs of the society to which the individual belongs.²⁰⁷

The capability approach is presented as a multidimensional approach, in the sense that it focuses on the plurality of personal factors and on the diversity of social, environmental, economic, institutional, and cultural contexts. This becomes a central element in explaining the existence of different rates of conversion of resources into well-being. People who are hypothetically identical in terms of their physical characteristics and potentialities can indeed achieve different levels of well-being depending on the family environment in which they grew up, the institutional context in which they live, the opportunities that the economic system reserves them or the cultural norms or social rules they have. Therefore, for Sen, human diversity is the basis according to which the analysis of society should be carried out.

V.II The inadequacy of traditional approaches

According to Sen, all approaches to the ethics of social phenomena have tried to achieve equality of “something”, such as income, well-being, utilities, rights and freedoms. All these approaches are somehow essentially egalitarian.²⁰⁸ Considering two of the most well-known approaches, utilitarianism and the theory of primary goods, Sen concludes that both theories fail to consider capabilities. The utilitarian formula claims for the maximization of the sum of the total utilities enjoyed by individuals.²⁰⁹ The utilitarian analysis can be employed in the study of the inequality phenomenon. In some contexts, in fact, we could be interested in the relative positions of the various individuals in terms of income, for example, in order to highlight the effects that an inequality of income can have in cases of criminality or social hardship.²¹⁰ Although such a distribution gives us

²⁰⁷ F. Comim, M. Qizilbash and S. Alkire, *The capability approach*. 1st ed. Cambridge, UK: Cambridge University Press, 2008

²⁰⁸ A. Sen, *Equality of What?* Stanford University: Tanner Lectures on Human Values, 1979 (Available from the Tanner Lectures website)

²⁰⁹ A. Sen: 1993: *Capability and well-being*, in *The quality of life*, edito da M.Nussbaum e A. Sen, Oxford, Clarendon press.

²¹⁰ A. Sen, *Utilitarianism and welfarism*, *The Journal of Philosophy*. JSTOR. 76 (9), 1979, pp. 463–489

little information on inequality relating to well-being as such, it does not follow that this space must be completely disregarded. However, the limitation of utilitarian, or more generally economic, theories remains that of having neglected the component of human diversity in the study of individual and social well-being.²¹¹

We shall now recall the theory of Rawls, who proposed to focus on the means for acquisitions.²¹² Instead of the subjective utility or preferences, Rawls proposes a new approach through which to tackle problems of redistribution and justice: the so-called “primary social goods”. These kinds of goods have a general character, so they are necessary regardless of the life plans and specific preferences of each individual. In particular, these are basic goods such as fundamental freedoms, power, income, and the social bases of self-respect.²¹³ Primary goods constitute “keys of access” to other goods. Income, for example, allows an individual to buy the things that she needs; the right to vote allows her to choose her own representatives, etc..^{214;215} Therefore, equality based on this principle does not imply ensuring that all citizens’ preferences are met, but ensuring that basic needs are appropriately distributed. In this regard, Rawls proposes the application of the difference principle, according to which social and economic differences must be combined in order to offer the greatest benefit to those who are the most disadvantaged. According to Sen, the Rawlsian theory moves in the right direction: evaluating the inequality in this space means taking into account the multidimensionality of the phenomenon. Rawlsian concepts of social justice seeks to combine meritocratic notions of equal opportunity and positive rights to primary goods with negative principles of liberty.²¹⁶ Rawlsian primary goods or, more generally, resources give us a more

²¹¹ E. Anderson, “*What Is the Point of Equality?*” *Ethics* 109 (2), 1999, pp. 287-337

²¹² J. Rawls, *A Theory of Justice*, in: *What do we deserve?* Editors Pojman, McLeod -New York; Oxford University Press, 1999

²¹³ R. Forst, *Justice, Morality, and Power in the Global Context* in *Real World Justice: Ground Principles, Human Rights, and Social Institutions*, ed. Andrea Follesdal and Thomas Pogge, 2005, Dordrecht: Springer

²¹⁴ A. Sen: 1999: *Development as freedom*. 1st ed. Oxford: OUP Oxford

²¹⁵ H. Brighouse, and I. Robeyns (eds.), *Measuring Justice: Primary Goods and Capabilities*, 2010, Cambridge: Cambridge University Press

²¹⁶ H. Dean, *Critiquing capabilities: The distractions of a beguiling concept*. *Critical Social Policy*, 29(2), 2009

objective metric than utility and, being means to many alternative ends, they seem to guarantee their owners a certain degree of freedom for the construction of any particular good life. When the relevant metric of distributive justice or inequality assessment is Rawlsian primary goods, there is indeed a strong commitment to neutrality about what constitutes the good life - i.e. what resources may be used for.^{217;218}

Sen has often recognized his debt to the philosopher John Rawls, but he also criticises Rawls's failure to take account, more directly, of those factors that really affect the quality of a person's life, that is, the valuable functionings that resources help us to achieve. Sen claims that even the choice of the primary goods variable is not completely valid because it remains insensitive to the differences that play a major role in the transformation of primary social goods into freedom of choice and realization of people's life plans.²¹⁹ Having or enjoying the same primary goods does not exactly mean enjoying the same substantive freedoms, due to personal variations in the capability to convert resources and goods.²²⁰ While resources are a necessary means to achieve certain functionings, the exclusive focus on resources dismisses considerations about substantial heterogeneity in people's ability to convert resources into valuable functionings.²²¹ Sen highlights that functionings are converted at different rates in different people, given interpersonal differences in terms of internal and environmental factors, including an individual's characteristics, the society she may belong to, as well as the environment she happens to be in.²²² In other words, two people with the same conception of the good life and the same bundle of resources might well have quite different real opportunities to achieve

²¹⁷ T. R. Wells, *Reasoning about Development: Essays on Amartya Sen's Capability Approach*. Erasmus University Rotterdam, 2013 [online] researchgate. Available at: <http://hdl.handle.net/1765/40509> [Accessed 6 May 2017]

²¹⁸ I. Carter, *Is The Capability Approach Paternalist?*. *Economics and Philosophy*, 30(01), 2014, pp. 75-98

²¹⁹ A. Sen, *Equality of What?* Stanford University: Tanner Lectures on Human Values, 1979 (Available from the Tanner Lectures website)

²²⁰ A. Sen, *Development as Freedom*, Oxford University Press, 1999

²²¹ E. Anderson, "What Is the Point of Equality?" *Ethics* 109 (2), 1999, pp. 287-337

²²² H. Brighouse, and I. Robeyns (eds.), *Measuring Justice: Primary Goods and Capabilities*, 2010, Cambridge: Cambridge University Press

that life.²²³ For example, if physically disabled people need wheelchairs in order to move around adequately, they convert resources into the functioning “moving around adequately” less efficiently than do normally able people. As long as there is heterogeneity in individuals’ actual abilities to convert resources into functionings, Rawls’s neutrality cannot be presumed to enhance fairness in the sense of giving everyone an equal opportunity to live a life according to their conception of the good. Resources should not be the exclusive focus of a fairness-based theory of justice, even if, like Rawls’s primary goods, they are deliberately chosen for their general usefulness to lead a good life.²²⁴ Sen’s criticism of John Rawls’s influential account of the fair distribution of primary goods stands in for a criticism of resourcist approaches in general. As Sen argues, we should focus on the relationship between resources and people, rather than “fetishizing” resources as the only means for the achievement of the goal of living a flourishing life.²²⁵ Sen therefore appears to be more eligible than Rawls to accommodate the diversity of human beings and the complexity of their circumstances.

In any case, Sen’s perspective has some resemblances to Rawls’s. When endorsing a democratic approach to questions of social justice in general and of which capabilities matter in particular, Sen makes many references to John Rawls’s idea of “public reasoning”.²²⁶ Both Sen’s and Rawls’s approaches undeniably stress the importance of going from the space of utility to the space of people’s freedoms to choose their own conception of the good life through a democratic process of public reason. Therefore, both approaches seem to situate themselves within a liberal individualistic framework. Such a framework claims for a liberal and pluralist notion of the state (i.e. non-commitment to a conception of the good in the name of universalism). This framework conceives the person as a rational bearer of rights and freedoms (and capabilities, in Sen’s case), and also views regulated capitalism as a system in which opportunities are generated and human agency thrives.²²⁷

²²³ T. R. Wells, *Reasoning about Development: Essays on Amartya Sen's Capability Approach*, Erasmus University Rotterdam, 2013 [online] researchgate. Available at: <http://hdl.handle.net/1765/40509> [Accessed 6 May 2017]

²²⁴ S. Maffettone, *Sen's Idea of Justice versus Rawls' Theory of Justice*. *Indian Journal of Human Development*, 5(1), 2011, pp. 119-132

²²⁵ A. Sen, *Commodities and Capabilities*, North-Holland, 1985

²²⁶ A. Sen, *UN Human Development Report 2004: Chapter 1 Cultural Liberty and Human Development*, UN Human Development Reports. United Nations Development Programme, 2004 (Available from the UNDP website)

²²⁷ T. Brooks, *The Capabilities Approach and Political Liberalism*, 2014 [online] Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2198841 [Accessed 28 May 2018]

Specifically, Robeyns suggests that Sen's approach is a form of liberal egalitarianism, for it is concerned with equality, and (in)equality is to be assessed in the space of the substantive freedom of the individual to do or to be that which she values.²²⁸

Sen lays the foundations for an alternative proposal, starting from the assumption that a person's position within a social structure can be judged from two different perspectives: actual functionings and freedoms to function in a certain way (that is, capabilities). The former concerns what an individual manages to do or to be, the latter considers the concrete opportunities she has to put into practice what she wants to do or to be. The two perspectives are not always connected: a person can have inequality of functionings and inequality of freedoms, without the two necessarily coinciding. The adequate distribution of goods does not always lead to a situation of social equality, because the use that can be made of these goods varies from individual to individual. Therefore, it could be said that an adequate distribution of goods would be valued only when it can be transformed into effective functionings enjoyed by individuals.

V.III Equality of what?

Relevant functionings can be related to relatively simple needs, such as being well-fed or in good health, or more complex needs, like being happy or having a good self-esteem. The basic thesis is that functionings are constitutive of a person's being. Capability is a set of vectors of functionings, and reflects a person's freedom to choose. Unlike the theory of primary goods, functionings directly reveal what is actually enjoyed by individuals at different levels (that of health, of longevity...). This means that the focus is not on goods or resources, but on what individuals manage to do or to be through these goods.²²⁹ Furthermore, if compared to utilitarianism variables, functionings have a greater objectivity: they reveal what is actually enjoyed by individuals while utility might depend on subjective mental conditions.²³⁰

²²⁸ I. Robeyns, "Equality and Justice", in S. Deneulin (ed), *An Introduction to the Human Development and Capability Approach*, London: Earthscan, 2009

²²⁹ S. Deneulin and F Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen's capability approach. St Edmunds College, Cambridge, 2000

²³⁰ E. Anderson, *What Is the Point of Equality?* *Ethics* 109 (2), 1999, pp. 287-337

For this reason, Sen's approach allows us to make inter-personal comparisons using Sen's framework. The two categories, that of equality and that of freedom, are not on the same logical plane. It is not possible to consider equality as an alternative to freedom, and viceversa. Freedom is one of the possible fields of application of equality, and equality is one of the possible ways to distribute freedom. Thus, on the one hand, there are needs for equal rights to freedom, and on the other hand, there are a number of other instances of equality in relation to the same number of aspects concerning individual lives.

Sen tries to find ways to think afresh the issue of inequality in order to build a new definition of equality. Starting from the question "Equality of what?", he rethinks the issue of inequality within a defined space because the defense of equality, whether of income or opportunity, is always against the expense of another space. Opposing to Rawls' conception of equality, Sen argues that equality must focus on the difficulties faced by individuals to achieve primary goods. These difficulties are both external and personal.²³¹ As previously stated, external characteristics might be represented by geographic location and social classes; while personal criteria refer to gender, age, or individual mental and physical abilities. It is this dual characterization of human diversity that determines the capacity of individuals to realize their life plans. It is clear that an individual with a congenital disability who enjoys the same income than another, will have less opportunities to act on his desires because of his handicap. By showing the limit of the traditional criterion used to determine the level of equality, Sen tries to "reformulate" the notions of Rawlsian "primary goods" (i.e. resources) and that of utility (i.e. outcomes). Sen's tries to find a tool that can be used to overcome the limitations of traditional equality assessments, which only measure resources and outcomes. He reviews the different areas of equality such as income or welfare using the concept of "capability". According to Sen, the distribution of fundamental capabilities is the best and most extensive area in which to assess inequality²³². It is a morally relevant dimension that goes beyond utility and primary goods. This concept has renewed the approach of inequality, including that of poverty, both in rich countries and in developing countries. Within this approach, freedoms are extended in order to allow everyone to

²³¹ A. Sen, *Equality of What?* Stanford University: Tanner Lectures on Human Values, 1979 (Available from the Tanner Lectures website)

²³² H. Dean, *Critiquing capabilities: The distractions of a beguiling concept*. Critical Social Policy, 29(2), 2009

determine her sovereign life project. The capability approach - focused on ensuring equality and developing human potential - can thus offer new insights into the vision of equality.

V.IV Analysis of inequality: class, family and the role of women

Analysis of inequality are very often focused on groups of people, and not on the single individual. Addressing the issue of inequality in relation to that of human diversity leads us to assume that there are various kinds of differences. As a consequence, the need for practicality requires neglecting some of these differences, in order to focus our attention on the most relevant ones.²³³

In the literature on inequality, the most widely used classification has been that focused on economic classes, defined in the Marxian sense. According to Marx, classes are defined essentially in relation to the ownership of the means of production, which means that in every historical period there are always two fundamental classes (free and slaves, barons and serfs, capitalists and wage earners..).²³⁴ This conception of class certainly has ideological and political connotations, but Marx proposed in his arguments a fundamental distinction between class “in itself” and class “for itself”. On the one hand, there is a group of individuals that find themselves in very similar economic and social situations; on the other hand, this “class” is understood as a self-conscious unit that fights in solidarity for the same purposes. This is the Marxist revolutionary subject. The kind of inequality that can be analyzed according to this approach refers to the variables of wealth and income. Although this classification has produced numerous and substantial results in terms of political, social and economic analysis, it has not always proved to be suitable for analyzing particular relationships, such as what Sen considers being the most important: the relationship between economic opportunities and freedom. Even if inequalities deriving from private property were eliminated, there would remain a series of inequalities relating to personal variables, such as abilities and needs.²³⁵

Sen also criticizes classical economy that tends to consider the individual as independent and autonomous in her choices, overlooking the constraints that the family system can impose. According

²³³ A. Sen, *Equality of What?* Stanford University: Tanner Lectures on Human Values, 1979 (Available from the Tanner Lectures website)

²³⁴ K. Marx, *Capital*, Penguin UK, 2006

²³⁵ S. Deneulin, *Promoting Human Freedoms under Conditions of Inequalities: a procedural framework*. *Journal of Human Development*, 6(1), 2005, pp. 75-95

to Sen, the most realistic way of thinking about family relationships is to consider them as “cooperative conflicts”. That is, within the family there would be a relation of both cooperation and conflict. In addition to the outcomes that bring benefits to all parties we must also consider that the parties often have opposing interests. In order to be able to grasp these differences it is appropriate to refer to the positions of power that usually characterise the family context. There are members who enjoy a better position in terms of well-being. For example, the members that receive the salary will have greater power in spending choices.²³⁶

Sen has spent many years analysing, through empirical studies, the great discrimination existing within the family. In this context disparities are spread in various sectors: from food distribution to different levels of education and incidence of diseases. If most of the author's studies have been carried out in poor countries, it does not mean that the phenomenon does not exist in the industrialized West, where family inequality mainly affects women. Family, or household, has always been one of the most important elements of a social fabric. Families tend to reproduce certain patterns of inequality and redistribution. Some data can help us to outline the situation. A study concerning the state of malnutrition of the inhabitants of rural areas of West Bengal following the flooding of 1978 and 1979, shows that among children the female sex presented a greater degree of malnutrition calculated on the basis of weight with respect to age.^{237;238} West Bengal typifies many south-eastern countries where female children experience lower healthcare levels and uncertain survival, especially after the neonatal period. A further investigation into the distribution of diseases in Calcutta between 1976 and 1978 still shows a situation clearly to the detriment of women, with an index of diseases, in most areas and in all age groups (except in that of young up to 14 years), superior in the female sex.²³⁹

²³⁶ C. Koggel, *Globalization And Women's Paid Work: Expanding Freedom?*, *Feminist Economics*, 9(2-3), 2003, pp.163-184

²³⁷ A. Sen and S. Sengupta, *Malnutrition of Rural Children and the Sex Bias*, *Economic and Political Weekly EPW*, Vol. 18, Issue No. 19-20-21, 1983. Available at: <https://www.epw.in/journal/1983/19-20-21/annual-number-specials/malnutrition-rural-children-and-sex-bias.html>. [Accessed 17 February 2019]

²³⁸ S. S. Yadav, S. T. Yadav, P. Mishra, A. Mittal, R. Kumar, and J. Singh, *An Epidemiological Study of Malnutrition Among Under Five Children of Rural and Urban Haryana*, *Journal of Clinical and Diagnostic Research*, 2016 [online]. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4800552/> [Accessed 5 July 2019]

²³⁹ A. Sen and S. Sengupta, *Malnutrition of Rural Children and the Sex Bias*, *Economic and Political Weekly EPW*, Vol. 18, Issue No. 19-20-21, 1983. Available at: <https://www.epw.in/journal/1983/19-20-21/annual-number-specials/malnutrition-rural-children-and-sex-bias.html>

This figure is undoubtedly linked to the degree of malnutrition and to the lesser health care given to women.

Despite such worrying data, various types of economic analysis persist in considering the family, in terms of work and consumption, as a decision-making unit, without considering the internal differences and the peculiarity of distributional outcomes within the family. In order to assess the standard of living of socially disadvantaged people, it is important to be able to take individual differences into account. Sociology has always highlighted the role of the power of ideas in maintaining social inequalities, in whatever context they occur.²⁴⁰ Unfortunately, members of the “dominant” group and those of the “subordinate” group tend to uncritically accept ideologies, such as those sets of ideas that justify inequalities making them appear “natural” and even just.²⁴¹

In this perspective, we can consider the phenomenon of “adaptive preferences”, deriving from the fatalistic acceptance of living conditions by the most disadvantaged individuals of society. This is a phenomenon that typically manifests itself in women from countries that have traditionally relegated them to tasks and secondary roles. These women do not have the desire to rebel against well-established conventions, and they are not able to express dissatisfaction and suffering. But the real change must go through the action of women themselves.²⁴² Within this perspective, women should not be considered as passive beneficiaries of aid, but as active protagonists of their change. The capability approach, based on a list of basic skills, would be able to guarantee weak groups particular attention to substantive justice rather than formal justice, and to rely on the need to carry out positive actions to enjoy it.²⁴³ The capability approach cannot be considered a Western approach because it is

20-21/annual-number-specials/malnutrition-rural-children-and-sex-bias.html. [Accessed 17 February 2019]

²⁴⁰ D. Clark, *Adaptation, poverty and well-being*. 1st ed. [Oxford]: Economic and social research council (ESRC). Global poverty research group (GPRG), 2007

²⁴¹ S. Deneulin, *Promoting Human Freedoms under Conditions of Inequalities: a procedural framework*. Journal of Human Development, 6(1), 2005, pp.75-95

²⁴² C. Koggel, *Globalization And Women's Paid Work: Expanding Freedom?*, Feminist Economics, 9(2-3), 2003, pp.163-184

²⁴³ M. Nussbaum, *Human Functioning and Social Justice: In Defense of Aristotelian Essentialism*, in Douglas Tallack, ed., *Critical Theory: A Reader*, New York: Harvester Wheatsheaf, 1995

not tied to a particular culture or a certain historical tradition. If we talk about what people are actually able to do, we do not give any privileges to a Western idea, because ideas of freedoms and capabilities are found in any culture. This approach safeguards the value of diversity of customs without maintaining the brutality of some practices, such as domestic violence, female marginalization or genital mutilation.

V.V Poverty and Famines

Sen refuses to adopt a traditional economic approach that relates the phenomenon of famine to a lack of available food. According to Sen, the phenomenon of famines is much more complex. Economic policy choices, institutional relations and market structures can provide a more adequate reading key to the study of the phenomenon. Hunger is not merely related to food production and agriculture, but especially to the functioning of the entire economic system and, in an even wider sense, to those political and social arrangements that can act directly or indirectly, on the population's ability to get food and to stay healthy and well fed. It is important that political actions are complemented by the efficient functioning of other economic and social institutions, such as trade and market exchanges, political parties, non-governmental organizations and institutions (including well-functioning media) that promote public discussion.^{244;245}

Classical economic theories still tend to refer to the Malthusian perspective of the simplistic relationship between food resources and population. From this perspective, hunger is seen as a problem of overcrowding and famines as a direct effect of population growth: production fails to meet demand. Therefore the attention of most studies on famine is focused on the national production of food, since the triggering cause of the phenomenon is to be found in the prolonged lack of food. As a consequence, famines are considered as a direct consequence of the decline in food availability. On the contrary, Sen argues that in an economic system food is not distributed for charity or on the basis of automatic distribution mechanisms. Therefore, the core of the phenomenon is not the total supply

²⁴⁴ S. Alkire, *Valuing Freedoms: Sen's Capability Approach and Poverty Reduction*, Oxford University Press, Oxford, 2002

²⁴⁵ N. Cornelius and J. Wallace, *View on the Ground: CSR from a Capabilities Approach*. [online] springer, 2017 Available at: https://link.springer.com/referenceworkentry/10.1007%2F978-3-642-28036-8_640 [Accessed 16 May 2017]

of food, but the possibility that people may or may not have to use such assets. Sen focuses his attention on the rights that individuals have over a certain basket of goods, including food.

In such a context, death by starvation has a different connotation: it is the result of the lack of the possibility to consume a basket with a sufficient amount of food. This possibility generally depends on juridical, political, economic and social structures. Sen specifically refers to three determining factors: endowment, productive possibilities and exchange conditions. Endowment refers to the possession of productive resources that have a price on the market. In general, the basket of means available to individuals includes work, land and other resources. But many people only have their own workforce. They therefore do not directly produce foodstuffs that are necessary for their own needs. Their purchasing capacity depends on the salary obtained through work, thus indirectly from the production of other goods or services. Production possibilities are instead related to technological innovations and the individual ability to use them. Finally, exchange conditions refer to the possibility to sell and buy goods and determine their relative prices.

V.VI Poverty as deprivation of freedom: some empirical evidence from the analysis of famines

In the study of famines, it is of fundamental importance to analyze the network of interdependencies created between different productive sectors. During economic emergencies, the terms of trade can change substantially, causing very rapid and disastrous results. Some famines have been accompanied by abrupt changes in the relative prices of products or wages due to different causes, usually climatic phenomena.²⁴⁶ From these observations, it is clear that famine and starvation are a much more complex phenomenon than simple local food shortage or food-population relationship.

Sen analyzes four major famines: that of Bengal (1943-1944); that of Ethiopia (1972-1974); that of the Sahel (1968-1973); that of Bangladesh (1974).²⁴⁷ Bengal has had its fair share of famines in the past including 1770, 1783 and 1897, but the most recent one, of which often British Raj is accused of was in 1943. The famine led to the death of around 3 to 4 million Indians, either due to starvation or due to famine related diseases. The Bengal famine of 1943 was characterized by a critical period

²⁴⁶ O. Rubin, *Contemporary Famine Analysis*, Springer, 2015, pp. 39-45

²⁴⁷ A. Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, OUP Oxford, 1982

between May and October during which there was a high number of deaths from starvation. Mortality rates remained high for some years due to epidemics caused by famine. Statistics show that the rice harvest (which constitutes the basic food of the Bengali population) of 1943 had to some extent fallen, in relation to the previous year's harvest, but it was much more than the 1941 harvest, which had not been a year of famine. This study shows that relatively small changes in food availability can be accompanied by dramatic growth in the number of starvation deaths.²⁴⁸ If we analyse the social groups affected by the tragedy, the picture confirms the fact that famine is very often a problem of loss of purchasing power in certain sectors. In the Bengali famine the areas affected by hunger were almost exclusively rural ones. The triggering cause of the phenomenon can be traced to the economic crisis following the war against Japan.²⁴⁹ This war caused the government's military spending to increase, producing an improvement in the economic situation of the urban population that worked in the war industries. When rice prices began to grow, the panic and manipulations of speculators caused them to skyrocket, so, although there was no significant drop in the overall supply, rural population was not able to survive. It was precisely the increased prosperity of a group that caused a disadvantage for another group.²⁵⁰

Even when a famine is actually related to a decline in food production, there are always some groups that are not affected by it. Between 1972 and 1975, nearly 200,000 people died of starvation in Ethiopia during a years-long drought in the northern provinces of Wollo and Tigre. The Ethiopian famine particularly affected the province of Wollo and was apparently caused by a drop in food production due to a violent drought.²⁵¹ As a consequence, local agricultural workers did not have the means to buy what they needed, as they had nothing to sell. On the contrary, at the national level, food was not scarce and there was not any increase in food prices. The Ethiopian famine undoubtedly appears, unlike the Bengali one, as a recession famine, and yet even in this case the FAD (food availability decline) approach is not an adequate approach to analyze the phenomenon. The province of Wollo was the most affected by famine because there was no possibility to obtain food,

²⁴⁸ M. Schwartz, H. Harris, *Ethics in the Global South*, Emerald Group Publishing, 2017

²⁴⁹ A. Maharatna, *The demography of famines: an Indian historical perspective*, Oxford University Press, 1996

²⁵⁰ A. Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, OUP Oxford, 1982, pp.55-78

²⁵¹ A. Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, OUP Oxford, 1982, pp.86-90

that is, because the means to do so were not available. Sen points out that, on the contrary, there were even exports of foodstuffs from the province of Wollo to certain richer areas of Ethiopia where the demand was greater and the population's purchasing power was greater. The market, in this case, far from favoring a solution or mitigation of the problem, contributes to aggravate it, as it favors food movements in a direction contrary to the real need, responding to the law of purchasing power and certainly not to that of actual need. The famine was not simply a result of the drought. The Haile Selassie's government ignored and suppressed information about starvation in Wollo and Tigre,²⁵² and international aid organizations, wanting to preserve good relations with a friendly government, ignored troubling information about starvation.²⁵³

The Irish famine of 1845 is another valid example. The Great Famine was a disaster that hit Ireland between 1845 and about 1851, causing the deaths of about 1 million people and the flight or emigration of up to 2.5 million more over the course of about six years.^{254;255} The short-term cause of the Great Famine was the failure of the potato crop, especially in 1845 and 1846, as a result of the attack of the fungus known as the potato blight. The potato was the staple food of the Irish rural poor in the mid nineteenth century and its failure left millions exposed to starvation and death from sickness and malnutrition.²⁵⁶ Following the collapse of the economy caused by the "potato disease", most of the Irish population was vulnerable and unable to provide for their livelihood.²⁵⁷ The British government opted for an export policy. Instead of importing into the country affected by the crisis, the goods were exported from Ireland, by virtue of the market rule by which the goods move towards who can afford to pay more. The crisis was greatly compounded by the social and political structure in Ireland in the 1840s. Most poor farmers and agricultural labourers or "cottiers" lived at a

²⁵² D. Endale, *The Ethiopian Famines, Entitlements and Governance*, World Institute for Development Economics Research of the United Nations University, 1993

²⁵³ S. Devereux, *The New Famines: Why Famines Persist in an Era of Globalization*, Routledge, 2006

²⁵⁴ J. Thornton, *The Irish Potato Famine: Irish Immigrants Come to America (1845-1850)*, The Rosen Publishing Group, 2004

²⁵⁵ M. M. Mulrooney, *Fleeing the Famine: North America and Irish Refugees 1845-1851*, Greenwood Publishing Group, 2003

²⁵⁶ S. Campbell Bartoletti, *Black Potatoes: The Story of the Great Irish Famine 1845-1850*, Houghton Mifflin Harcourt, 2014

²⁵⁷ E. Delaney, *The Great Irish Famine – A History in Four Lives: Personal accounts of the Great Irish Potato Famine*, Gill & Macmillan Ltd, 2014

subsistence level and had little to no money to buy food, which was widely available for purchase in Ireland throughout the famine years. This is another case of close causal link between certain forms of government and food crises.²⁵⁸

Regarding the case of Bangladesh, a lot of people in Bangladesh still vividly recall the 1974 famine with great sadness and often with despair. It brought untold miseries to millions and resulted in deaths of many. In terms of total mortality, though figures vary, some scholars estimate 1.5 million deaths as a reasonable estimate. This number includes the post-famine mortality.²⁵⁹ Starvation was not the only factor; a significant number of deaths were attributable to cholera, malaria and diarrheic diseases. As with most famines, weakened, disease-susceptible conditions resulted in high post-famine mortalities of over 450,000. The poor, labourers and non-landowners were especially susceptible. The famine that occurred in Bangladesh was also attributed to the lack of food availability following the flood of 1974.²⁶⁰ However, Sen argues that the famine occurred well before the real effects of crop damage could be suffered by the population. In this specific case, the scarcity of the crops had an immediate impact on wage employment, which was obviously reduced, but the forecast of a future shortage of rice crops also stimulated speculation on prices, which had already started an inflationary path. Alongside the floods, other forces of macroeconomic nature must therefore be taken into consideration. As with most famines, the causes of the Bangladesh famine were multiple. These included flooding, rapid population growth, government mismanagement of foodgrain stocks, legislation restricting movement of foodgrains between districts, foodgrain smuggling to neighbouring countries and the so-called distributional failures.²⁶¹ The famine did not occur among all areas and populations but was concentrated in specific areas; particularly those hit by flooding.²⁶²

²⁵⁸ A. Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, OUP Oxford, 1982, pp.155-161

²⁵⁹ Bangladesh Institute of Development Studies, *Famine, 1974: Political Economy of Mass Starvation in Bangladesh : a Statistical Annexe, Parte I*, Bangladesh Institute of Development Studies, 1977

²⁶⁰ O. Rubin, *Democracy and Famine*, Routledge, 2012, pp. 56-60

²⁶¹ N. Ahmed, *Public Policy and Governance in Bangladesh: Forty Years of Experience*, Routledge, 2016

²⁶² A. Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, OUP Oxford, 1982, pp. 132-140

Also the last case considered – the case of Sahel - illustrates the validity of Sen's approach. Starting in 1968, a series of droughts hit the Sahel region from West Africa to Ethiopia. Between the late 1960s and the the early 1980s, approximately 100,000 people died due to food shortages and disease.²⁶³ The droughts led to fears that the Sahel was turning into a permanent desert due to mismanagement of natural resources, overgrazing, and overpopulation.²⁶⁴ In this region the survival of a rather large sector of population, the farmers, is linked to a precarious balance based on the possibility of exchanging animal meats and products leather with poorer but indispensable foodstuffs for living. The drought that occurred in the years 1968 to 1973 brought down the prices of animal products, as a result of the fact that many farmers, in a state of need, replaced animal products with cheaper foodstuffs. The collapse of prices made it impossible for pastors to buy what was necessary to survive. The Sahel famine seems to be the most suitable to defend a FAD (food availability decline) approach, since the continuing drought actually led to a decrease in the availability of food. However, Sen maintains that even in this case the approach is incomplete. It gives no explanation of the differences in the distribution of hunger between groups. Not all areas were equally affected by drought and the victims of the famine were almost exclusively nomadic shepherds and the sedentary population of the Sahel region. In order to analyse the famine, it is necessary to focus on the economic conditions of these groups and the collapse of their possibilities.²⁶⁵

There is a need to analyse the problem of hunger as related to the relationship between people and food in terms of a network of relations sometimes complex and intertwined. This involves market mechanisms, public policy, macroeconomic developments, natural disasters and also speculative activities. Famines are therefore closely related to the economic conditions of a country, but even more to its political and social structures. Another example is represented by the Chinese case (1958-61). One of the greatest famines in history occurred in the country precisely in the midst of the project of an extraordinary economic development. The lack of free elections and a press without censorship prevented the Chinese population and the central power from becoming aware of the fact that some regions had remained without food. This means that political freedom – such as freedom to criticize

²⁶³ O. Rubin, *Contemporary Famine Analysis*, Springer, 2015, pp. 33-40

²⁶⁴ B. Currey, G. Hugo, *Famine: As a Geographical Phenomenon*, Springer Science & Business Media, 6 dic 2012, pp. 16-17

²⁶⁵ A. Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, OUP Oxford, 1982, pp.11-120

and vote - is connected to other kinds of freedom, including that of escaping death by starvation and famine.

Sen claims that a political system attentive to the needs of the most vulnerable individuals can be more decisive than purely economic growth to contrast famines. Effective public intervention and a more equitable distribution of food would have prevented people from suffering hunger in the past. A strategy of protection, prevention and promotion is therefore preferred to “emergency intervention”, which is often reduced to humanitarian aid. In Sen’s perspective, the best way to implement a more equitable distribution of food supply is to create jobs, which also encourages trade and business. In this view, the victims are not treated as passive beneficiaries of governmental relief, but as agents of a renewal process. By placing the generic “ability to be and do” at the center of the analysis, Sen examined the phenomena of poverty, inequality and famine from a new point of view in the field of economic analysis: the human being.

In conclusion, Sen infers from the observed correlation that democracy prevents famine. He offers two reasons in support of this inference. First, democratic governments are accountable to their citizens and subject to uncensored criticism from the media. Democratic governments have therefore a strong incentive to eradicate famines in order to maintain power. Sen indeed argues that the famine case is really an instance of a broader phenomenon whereby democracy advances human security by giving political incentive to rulers to respond to vulnerable citizens. Second, because of the informational role of the free press, democratic governments are likely to know about the plight of citizens and therefore about the need for amelioration. A free press, Sen tells us, contributes to human security by giving a voice to the vulnerable and disadvantaged and by subjecting the government to criticism. Sen thus views democracy as not merely the presence of elections and ballots, but as government by discussion, which includes political participation, dialogue and public interaction.²⁶⁶ By contrast, authoritarian regimes, which suppress public discussion, may be simply uninformed about the severity or extent of a famine and fail to provide assistance for that reason. It emerges that Sen emphasizes two empirical issues relating to democracy: 1) the connection between democracy (or public reasoning - Sen seems to use these terms interchangeably) and famine, 2) the connection between democracy and economic development.²⁶⁷

²⁶⁶ A. Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, OUP Oxford, 1982

²⁶⁷ A. Sen, *UN Human Development Report 2004: Chapter 1 Cultural Liberty and Human Development*, UN Human Development Reports. United Nations Development Programme, 2004 (Available from the UNDP website)

VI. Development as the process of expansion of freedoms

VI.I Social development or economic growth?

Poverty has traditionally been measured as a function of income, using the so-called “poverty line index”. As Sen maintains, the approach according to which poverty coincides with low income fails to capture the true essence of poverty, both in quantitative and in qualitative terms. Let us examine Sen’s approach to poverty, already mentioned in the previous chapters. Sen claims that poverty should rather be considered as a vicious circle characterized by the lack of fundamental capabilities. Low income undoubtedly compromises the possibility of living with dignity, since income is instrumental in achieving a good quality of life.²⁶⁸ But poverty is a complex phenomenon and its multidimensionality cannot certainly be expressed through a single indicator. As previously explained, family income might not always be used to promote the interests of all members of a family. In many countries of Asia and Africa, girls are constantly discriminated in the field of medical care and education. Even in industrialized countries, women are likely to undergo unequal treatment at school and at work. Moreover, high unemployment rate - even when unemployment benefits are given - can lead to social exclusion, loss of self-esteem, physical and mental health.²⁶⁹ Employment is indeed seen as an opportunity to contribute to the supply of goods and services within a society.^{270;271} Following these considerations, Sen underlines the problematic nature of choosing between an exclusively absolute or poverty-related approach when formulating development policies. According to Sen, it would be more appropriate to adopt a mixed approach that considers poverty in terms of capabilities, deriving from a relative deprivation in the space of income and resources.

Sen relates the idea of development to that of freedom, stressing that such correspondence requires

²⁶⁸ R. G. Wilkinson, K. Pickett, *La misura dell'anima. Perché le diseguaglianze rendono le società più infelici*, Feltrinelli, 2012

²⁶⁹ S. Deneulin & F. Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen’s capability approach. St Edmunds College, Cambridge, 2010

²⁷⁰ N. Cornelius and J. Wallace, *View on the Ground: CSR from a Capabilities Approach*. [online] springer, 2017 Available at: https://link.springer.com/referenceworkentry/10.1007%2F978-3-642-28036-8_640 [Accessed 16 May 2017]

²⁷¹ S. Deneulin, *Promoting Human Freedoms under Conditions of Inequalities: a procedural framework*. Journal of Human Development, 6(1), 2005, pp. 75-95

a much broader vision of the development concept.²⁷² Development cannot merely be evaluated in relation to the quantitative increase of, for example, GDP. Sen questions the widespread belief that the increase of a country's overall GDP would sooner or later have positive effects on the entire population in the form of new jobs, higher living standards and reduction of poverty and inequality. Sen considers this approach absolutely misleading with respect to the true nature of the problem, since development must be related to what individuals can or cannot do. Specifically, Sen claims that economic growth is only a means to achieve other ends. According to him, income is not the only suitable indicator for assessing poverty and development because it tends to exclude very important aspects. In a similar perspective, an approach that is only based on income is limited, because it tells us nothing about the quality of life that people in a given country can lead. Development has instead a real impact only when it allows individuals to register substantial improvements in their (cap)abilities.^{273;274} The need to reconsider the meaning of development is particularly relevant especially when considering developing countries.

Development, conceived as good social change, provides a variety of social arrangements in which human beings express their agency, or become freer to do so. The ethically-sensitive analyst evaluates development policies and practices in the light of the extent to which they protect, promote, and restore human agency rather than merely the good or bad things that happen to people. Social arrangements, involving many institutions (the state, the market, the legal system, political parties, the media, public interest groups, and public discussion forums, among others) are investigated in terms of their contribution to enhancing and guaranteeing the substantive freedoms of individuals, seen as active agents of change, rather than passive recipients of dispensed benefits.²⁷⁵ In terms of the medieval distinction between 'the patient' and 'the agent,' this freedom-centered understanding of economics and of the process of development is very much an agent-oriented view. With adequate social opportunities, individuals can effectively shape their own destiny and help each other.

²⁷² A. Sen, *Development as Freedom*, Oxford University Press, 1999

²⁷³ A. Sen, *Risorse, valori e sviluppo*, Bollati Boringhieri, 1992

²⁷⁴ S. Deneulin & F. Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen's capability approach. St Edmunds College, Cambridge, 2010

²⁷⁵ Crocker D. A., *Sen and deliberative democracy*, published in Alexander Kaufman (2006), *Capabilities Equality: basic issues and problems*, Routledge, pp. 155-97 [online] Available at: <http://terpconnect.umd.edu/~dcrocker/courses/docs/crocker-sen%20and%20deliberative%20democracy.pdf> [Accessed 25 Jun. 2020]

Let us briefly consider some data, taken from a variety of empirical researches. According to the data concerning the level of development in terms of GNP per capita of countries such as China, Sri Lanka, Brazil and Mexico, it seems that the two Asian countries are less developed than Brazil and Mexico.²⁷⁶ However, life expectancy in China and Sri Lanka is similar to that in Brazil and Mexico. Prominent among economists who have argued that – in particular - the Sri Lankan experience illustrates how a poor country could achieve a high level of human development is indeed Amartya Sen, who observed that Sri Lanka was able to achieve levels of life expectancy and mortality rates that are much better than even those of countries with higher levels of per capita income.^{277;278} The significance of the Sri Lankan experience has been succinctly captured by Sen, who cites the Sri Lankan case as illustrative of the possibility of achieving human development even at relatively low levels of per capita incomes. Sri Lanka's strategic experience as a pioneer in overcoming the major penalties of low income remains one of great significance for understanding the prospects for support-led security in poor countries.

VI.II Human freedom and development

For Nobel Prize winner Amartya Sen, development consists in a process of expansion of real freedoms enjoyed by individuals. Sen does not refer to an abstract idea of freedom, but rather to different kinds of freedom: political freedoms, economic freedoms, social opportunities, guarantees of transparency, and protective security.²⁷⁹ These are defined as instrumental freedoms, in the sense that they contribute to a person's general ability to live more freely.²⁸⁰ Sen claims that freedom plays a key role in the development process. Regarding political freedoms, Sen refers to all those kinds of

²⁷⁶ World Bank Publications, *World Development Report 1982*, 1982

²⁷⁷ L. Hamilton, *Amartya Sen*, John Wiley & Sons, 2019, pp.13-20

²⁷⁸ L. Jayasuriya, *Taking Social Development Seriously: The Experience of Sri Lanka*, SAGE Publishing India, 2010

²⁷⁹ S. Alkire, *Valuing Freedoms: Sen's Capability Approach and Poverty Reduction*, Oxford University Press, 2005, p.31

²⁸⁰ S. Deneulin, *Capability approach and the praxis of development*. 1st ed. Palgrave Macmillan UK, 2014

freedoms, including civil rights, which concern the possibilities for people to choose the form of government they prefer and their own representatives; to have a press that is not subject to censorship; to choose between several political parties, to express dissent and to participate in the political decisions of the country. Economic freedoms represent the possibilities that people have to consume, produce and exchange economic resources. Economic freedoms depend on the resources a person can have, as well as the terms and conditions of exchange, such as relative prices and regulations of the markets. It basically indicates the extent and accessibility of a country's economic resources. Social opportunities concern the possibility of using certain services, in the field of education, health care and others. These opportunities substantially affect an individual's freedom to live in a better way, and also allow the individual to be able to participate in the political and economic activities of the society. The guarantees of transparency are understood as laws aimed at stopping arbitrariness and corruption. Protective security is finally necessary to protect individuals from potentially negative situations. This area of freedom includes unemployment benefits, public emergency policies, and all other measures to safeguard the lives of citizens.²⁸¹

In light of these considerations, Sen claims for the need to substitute classic economic indicators with measurements concerning human freedoms. It is human freedom the ultimate goal that has to be achieved. Gross domestic product, individual income, industrialization, technological progress and modernization are all considered useful indexes in the study of development. The reason is that they might help to expand the freedoms enjoyed by members of society. But these freedoms mainly depend on other factors that traditional economic approaches have neglected: social and economic structures, as well as political and civil rights.²⁸² There are valid arguments to conclude that political freedoms and economic freedoms are mutually reinforcing. Similarly, social opportunities in the field of services, education and health care are complementary to individual opportunities to participate in the political and social life of their society. When analysing development processes, we must therefore adopt an overall approach, which considers economic, social and political aspects. This overall approach to development also takes into account the institutions that can contribute to improve individual substantial freedoms: markets and organizations, governments, local authorities, political parties, school facilities, and other places of public dialogue.²⁸³ Sen also warns that, when analysing

²⁸¹ A. Sen, *Development as Freedom*, Oxford University Press, 1999

²⁸² T. Brooks, *The Capabilities Approach and Political Liberalism*, 2014 [online] Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2198841 [Accessed 28 May 2018]

²⁸³ A. Sen, *Development as Freedom*, Oxford University Press, 1999

development, we must consider the main forms of “unfreedoms” such as, for example, misery, tyranny, lack of public services, intolerance and state repression, which limit individuals in making choices and taking decisions.²⁸⁴ In this perspective, the expansion of freedom is seen both as the primary means and as the ultimate goal of development. Sen indeed explains freedom as a function of development and development as a function of freedom, always taking into account the heterogeneity of different kinds of freedom and the diversity of human beings and their needs. As illustrated in the previous chapters, Sen asserts that freedom is related to people’s capabilities and the latter emerge through a process of public reasoning that includes the views of those concerned and at the same time expresses the status of equal citizenship shared by all members of society.²⁸⁵ According to Sen, public reason is important for people’s conceptualisation and comprehension of both their own individual needs and social standards, so that people can have a better understanding of the role, the reach and the significance of particular capabilities. Sen gives the impression to rely on some idea of deliberative democratic politics while using the concept of capabilities in thinking about social justice. He insists on the constructive value of democracy that should ideally allow different voices from diverse sections of people to be heard.²⁸⁶ In this perspective, public reasoning and democratic processes can bring about social changes and reforms within a society; hence their importance to the realization of the goal of development as freedom.²⁸⁷

VI.III Human development: development as expansion of capabilities

The indicators used in classical analysis had failed to understand the reality of developing countries and their inadequacy had translated into discrepant results between data in terms of GNP and effective living conditions of the populations considered. The limitations in analyzing the effective degree of development through economic surveys have questioned the alleged identification between economic

²⁸⁴ M. Hill, *Development As Empowerment*. *Feminist Economics*, 9(2-3), 2003, pp.117-135

²⁸⁵ Amartya Sen, *UN Human Development Report 2004: Chapter 1 Cultural Liberty and Human Development*, UN Human Development Reports. United Nations Development Programme, 2004 (Available from the UNDP website)

²⁸⁶ A. Sen, *Development as Freedom*, Oxford University Press, 1999

²⁸⁷ B. Chimni, *The Sen Conception of Development and Contemporary International Law Discourse: Some Parallels*. *The Law and Development Review*, 1(1), 2008

development and social development and the validity of the paradigm used by economists so far. Poor people, according to Sen, do not need material help but opportunities of social growth.^{288;289} The ideas developed by the Indian philosopher-economist Amartya Sen in the 1980s and the related studies concerning social phenomena of global importance have contributed to review the concept of human development carried out by the United Nations Agency. The capability approach developed by Sen has emerged as an important new paradigm in thinking about development and conceptualising the nature of social inequality and relative poverty.²⁹⁰ A growing literature in economics, philosophy and social science attests that the influence and stature of Sen's theory have also increased in the recent years. Over the last two decades, Sen's approach has particularly had some ostensible influence on the United Nations Development Programme and has provided the conceptual foundations for the Human Development Movement.

The most authoritative attempt to realize the capability approach is represented by the drafting of development reports on human rights, published by the United Nations Development Program since 1990. The influence of Sen's perspective is evident from the initial lines of the first report (1990) in which development is defined as “a process of enlarging people's choices”.

A person's access to income may be one of the choices, but it is not the sum total of human endeavour. Human development is a process of enlarging people's choices. The most critical of these wide-ranging choices are to live long and healthy life, to be educated and to have access to resources needed for a decent standard of living. Additional choices include political freedom, guaranteed human rights and personal self-respect. Development enables people to have these choices.

(Human Development Report – 1990, p.10

http://hdr.undp.org/sites/default/files/reports/219/hdr_1990_en_complete_nostats.pdf)

²⁸⁸ A. Sen, *Development as Freedom*, Oxford University Press, 1999

²⁸⁹ A. Sen, *Development as Capability Expansion*, *Journal of Development Planning*, 1989, pp. 41–58

²⁹⁰ S. Deneulin, *Capability approach and the praxis of development*. 1st ed. Palgrave Macmillan UK, 2014

Since 1990, the United Nations Human Development Reports started to measure a country's development by analyzing people's life expectancy at birth, education, and adjusted real GDP per capita taken as a proxy for a number of functionings with material preconditions, such as being sheltered and well-fed. Rather than concentrating on only a few traditional indicators of economic progress (such as gross national product per capita), "human development" accounting proposes a systematic examination of a wealth of information about how human beings in each society live and what substantive freedoms they enjoy. The Human Development Reports had a profound impact on the way policy-makers, public officials and the news media, as well as economists and other social scientists, view societal advancement around the world.

In light of this new paradigm, the Human Development Index was also developed in order to record the improvement of living conditions and to express human capabilities related to individual welfare. The Human Development Index was created by the Pakistani economist Mahbub ul Haq in 1990, and is regarded as a complex but synthetic index that measures the average results achieved by a country in terms of life expectancy at birth, adult literacy rates and school attendance, and economic growth (UNDP, 1990). Precisely, the Human Development Index (HDI) is a composite statistic (index) that measures key dimensions of human development:

- having a long and healthy life
- being knowledgeable
- having a decent standard of living

As an example, the Human Development Index for 2011 was calculated for 187 countries, divided into four categories depending on whether their human development was very high, high, medium or low.²⁹¹ Norway confirmed its first place in the ranking (as in 2010) with a score of 0.943, followed by Australia (0.929), Netherlands (0.910), States United (0.910), New Zealand (0.908), Canada (0.908), Ireland (0.908), Liechtenstein (0.905), Germany (0.905) and Sweden (0.904). At the bottom of the ranking we find countries in sub-Saharan Africa, with the exception of Haiti and Afghanistan.

²⁹¹ United Nations Development Programme, *National Human Development Report*, Oxford University Press, 2011

Burundi (0.316), Niger (0.295) and the Democratic Republic of the Congo (0.286) are in the last three places.^{292;293}

Leaving aside the Human development Index, the Human Development approach has also resulted in the construction of a number of other indexes that provide a broader measure of development than GDP. They are particularly helpful for policy purposes. More specifically, these indexes are the following: the human freedom index (1991); the gender-disparity-adjusted HDI (1993); the income-distribution-adjusted HDI (1993); the gender related development index (1995), the gender empowerment measure (1995) and the human poverty index (1997). Expanding from the restricted focus of consumption and income, these indexes tackle development challenges ranging from consumption and poverty to human rights, gender equality, and democracy. They have received wide media coverage, becoming the “Millennium Development Goals”, agreed by nation states at United Nations conferences during the 1990s.

Joseph Stiglitz, Amartya Sen and Jean Paul Fitoussi created in 2008 a Commission on the Measurement of Economic Performance and Social Progress in order to identify the limits of GDP as an indicator of economic performance and social progress, and to assess the feasibility of alternative measurement tools. As Stiglitz, Sen and Fitoussi observe, the time is ripe to shift emphasis from measuring economic production to measuring people’s well-being in a context of sustainability. It is true that GDP continues to provide answers to many important questions such as monitoring economic activity, market production and employment. But well-being is important because there appears to be an increasing gap between the information contained in aggregate GDP data and what counts for common people’s well-being. Moreover, Stiglitz, Sen and Fitoussi distinguish between an assessment of current well-being and an assessment of sustainability. As they state, current well-being is related to both economic resources, such as income, and to non-economic aspects of peoples’ life (what they do and what they can do, how they feel, and the natural environment they live in). Whether these levels of well-being can be sustained over time depends on whether stocks of capital that matter for our lives (natural, physical, human, social) are passed on to future generations. Therefore, Stiglitz, Sen and Fitoussi suggest to work towards the development of a statistical system that complements measures of market activity by measures centred on people’s well-being and by

²⁹² International Monetary Fund, *Pakistan: Staff Report for the 2011 Article IV Consultation and Proposal for Post-Program Monitoring*, International Monetary Fund, 2012

²⁹³ T. Lansford, *Political Handbook of the World 2018-2019*, CQ Press, 2019

measures that capture sustainability. According to them, such a system must, of necessity, be plural and encompass a range of different measures, because no single measure can summarize something as complex as the well-being of the members of society. It must document the diversity of peoples' experiences and the linkages across various dimensions of people's life. These dimensions - Stiglitz, Sen and Fitoussi propose – might be the following:

- I. Material living standards (income, consumption and wealth);
- II. Health;
- III. Education;
- IV. Personal activities including work
- V. Political voice and governance;
- VI. Social connections and relationships;
- VII. Environment (present and future conditions);
- VIII. Insecurity, of an economic as well as a physical nature

As Stiglitz, Sen and Fitoussi recommend, steps should be taken to improve measures of people's health, education, personal activities and environmental conditions. In particular, substantial effort should be devoted to developing and implementing robust, reliable measures of social connections, political voice, and insecurity that can be shown to predict life satisfaction. Stiglitz, Sen and Fitoussi conclude that the information relevant to valuing quality of life goes beyond people's self-reports and perceptions to include measures of their "functionings" and freedoms (i.e. capabilities). In effect, what really matters are people's objective conditions and capabilities, that is, the extent of their opportunity set and of their freedom to choose, among this set, the life they value.²⁹⁴

To sum up, the capability approach has been recognized for its contribution to the broader field of development studies, and has prompted important debates on issues such as measurement of inequality, capital, and savings, and also the role of nonmarket institutions. It has helped in evaluating the impact of small-scale development projects, in measuring poverty, in political analysis, in questioning certain social norms and practices and in assessing the well-being of particularly

²⁹⁴ Stiglitz J., Sen A. & Fitoussi J. P. (2009), Report by the Commission on the Measurement of Economic Performance and Social Progress, [online] Available at: <https://ec.europa.eu/eurostat/documents/118025/118123/Fitoussi+Commission+report> [Accessed 29 August 2018]

disadvantaged individuals such as disabled people, women and children.²⁹⁵ As already observed, Sen's ideas have introduced a new approach for advancing human wellbeing. This approach focuses on people and their opportunities and choices, thus expanding the richness of human life, rather than simply the richness of the economy in which human beings live. In other words, this approach focuses on improving the lives people lead rather than assuming that economic growth will lead, automatically, to greater well-being for all. Income growth is seen as a means to development, rather than an end in itself. More important than income, it is developing people's abilities and giving them a chance to use them. For example, educating a girl would build her skills, but it is of little use if she is denied access to jobs, or does not have the right skills for the local labour market. Once the basics of human development are achieved, it is important that they open up opportunities for progress in other aspects of life. Human development thus gives opportunities to people, individually and collectively, to develop their full potential so as they have a reasonable chance of leading productive and creative lives that they value. As the international community moves toward implementing and monitoring the 2030 agenda, the human development approach remains useful to articulating the objectives of development and improving people's well-being by ensuring an equitable, sustainable and stable planet.

²⁹⁵ I. Robeyns, *Equality and Justice*, in S. Deneulin (ed), *An Introduction to the Human Development and Capability Approach*, London: Earthscan, 2009

VII. The capability approach in the context of international development policies

VII.I The plight of the poor

Let us explore the Capability Approach – and the idea of agent-oriented development - in the context of international development policies. As mentioned above, the emerging view of development promoted by Sen, as an expansion of people’s capabilities, dismantles the conventional wisdom in human development studies that the best way for a country to develop is to increase its rate of economic growth. There are vast numbers of people affected by poverty in many different contexts. Their poverty is apparent in many different ways, from poor health to disabilities to lack of opportunities or aspirations. The causes of poverty are likewise numerous and include the interaction of physiological, environmental, economic, social, and political factors. Remediable deprivation exists not only in faraway places with small economies, armed conflicts, or government repression, but also within the rich world, with its homeless, jobless, sick, and socially excluded or stigmatised. Deprivation can co-exist with great opulence. For instance, even in a relatively wealthy country with an effective welfare state, where urgent and straightforward human physiological needs are largely met, there may be a great deal of absolutely real ‘relative poverty’, such as deprivation in the “social bases of selfrespect”. The rich world too seems to be in need of development.

However, it is true that most of the world is enjoying the best standard of living, the greatest wealth, and the greatest freedom to live valuable and meaningful lives of any time in human history. But at the same time vast numbers of people are living lives of stark deprivation which are made even more appalling by the contrast. Today, almost 3 billion people across the world try to subsist on less than \$2 a day. Some 1.2 billion people live even on less than \$1 a day (adjusted for purchasing power). More than 2 billion lack access to basic sanitation, and 840 million do not have enough to eat, with 163 million children being severely undernourished. Easily preventable diseases and starvation are killing 10 million children under the age of five each year.²⁹⁶ In face of such statistics, it is hardly unreasonable to feel a keen sense of despair and an urgent need to find solutions to the tragedy of the global poor. It is the perspicuous contrast between the quality of life open to some people but not others that both defines and condemns poverty in the contemporary world: poverty is an unnecessary

²⁹⁶ D. Clark, *Adaptation, poverty and well-being*. 1st ed. [Oxford]: Economic and social research council (ESRC). Global poverty research group (GPRG), 2007

state of deprivation that can and should be remedied. The idea that many people in relatively wealthy countries are moved by the plight of the poor – even those in distant lands – to alleviate poverty makes the world a better place than it would be absent this commitment. In the poor world the general term for the removal of entrenched deprivation is “development”.

VII.II Why international assistance is flawed

As is documented by the relevant literature on development, however, the system of international assistance could be seen to be deeply flawed. Many identify the underlying reason as being the adoption of a paternalistic approach to international assistance, which tends to underestimate the ability of autonomous, informed and competent individuals in aid-receiving countries to do anything about their plight without outside help. Explicitly, paternalism refers to “the interference of a state or an individual with another person [...] defended or motivated by a claim that the person interfered with will be better off or protected from harm”.²⁹⁷ Paternalism is to reject choices that are inconsistent with ideal theory of preferences and welfare embedded in a certain conception of the good life.²⁹⁸ Because it second-guesses a person’s choices and prescribes moral behavior, paternalism becomes hardly distinguishable from perfectionism, a theory concerned with what humans ought to desire. There is also a “softer” kind of paternalism – the so-called weak paternalism – that is not concerned that the agent’s self-destructive choices are not tracking genuine values; the concern is that they might not really be the agent’s own choices—due to failure of voluntariness.²⁹⁹ The subjects whose freedom soft paternalism restricts are not really autonomous, demonstrably incompetent or unable to act responsibly in their own self-interests.

According to a common – and patronizing – understanding of the poor’s plight, aid-receivers are seen to have less than full capacities to plan and act. They are therefore dependent on the “paternal” rule of aid-providers to achieve positive development. This view seems to uphold the general superiority of aid-providers in the light of a paternalistic idea that they understand the problems of the global poor better than the poor do themselves.³⁰⁰ As a consequence, aid-providers are likely to impose a

²⁹⁷ F. Buckley, *Fair governance*, Oxford: Oxford University Press, 2009, pp. 3-18

²⁹⁸ G. Dworkin, *Paternalism*, *Monist*, 56(1), 1972, p. 65

²⁹⁹ R. Arneson, *Joel Feinberg and the justification of hard paternalism*, *Legal Theory*, 2005, 11(03)

³⁰⁰ A. Buchanan and D. Brock, (1990), *Deciding for others*, Cambridge [England]: Cambridge University Press

biased vision of what is best supplied to poor countries, without consulting those on the receiving end about what they want and need.

Clearly, the paternalistic assumptions that constitute the narrative of international assistance seem to ignore that local people might understand their contexts more deeply than outsiders might, and might be better able to develop and implement strategies for poverty reduction. The lack of success in engaging with the ideas and opportunities offered by local people seems to negate any genuine relationship-building between aid-providers and aid-receivers, which – most people in poor countries suggest – should be at the heart of the international aid system, and which should make international aid efforts more accountable and effective. The paternalistic aid system could be seen to fall short in these regards because aid-receivers – often depicted as powerless or ignorant in respect to their problems and opportunities for action – have little space, if any, to provide feedback about the overall impact of aid so as to improve future performance.³⁰¹

VII.III A long history of paternalism

Paternalistically driven assistance provided to developing countries by Western states has a long history.³⁰² According to the social theory of evolutionism, which developed in the nineteenth century and fundamentally influenced sociological and anthropological thinking up until the First World War, different societies reflect different eras or stages in the same evolutionary process, from simpler and primitive forms to modern, morally superior and more civilized organizations. Western civilization was presented as the universal terminus of evolution. Its alleged position at the top of the evolutionary ladder legitimized the so-called “White Man’s Burden” to civilize under-developed societies according to Western standards, which those societies were to repeat, copy and internalize.³⁰³

Under-developed societies were conceptualized as blank slates – without any meaningful history or institutions of their own – upon which the West, through the wielding of its authority, could imprint its superior moral codes and ideals: its faith in scientific progress, technological innovation and the

³⁰¹ P. Cserne, *Freedom of contract and paternalism*, New York: Palgrave Macmillan, 2012, pp. 9-28

³⁰² A. Baker, *Race, Paternalism, and Foreign Aid: Evidence from U.S. Public Opinion*, *Am Polit Sci Rev*, 109(01), 2015, pp. 93-109

³⁰³ W. Easterly, *The white man's burden*, New York: Penguin Press, 2006

discovery of rational solutions to human problems, for instance. In the specific case of Africa, the White Man's Burden was a self-aggrandizing belief in the power of the inherently superior Western man to awaken the primitive African people from their passive and indolent disposition in order to "bring light to the dark continent". Africans were seen as inferior, viewed through a racially paternalistic lens that underestimated their ability to do anything about their plight without outside help. The West also portrayed the Africans as childlike: Baker describes how philosopher Georg Hegel referred to Africa as the "land of childhood", Albert Schweitzer wrote of Africans that the "negro is a child", and paternalistic considerations were long used by Europeans to justify colonialism and by Americans to justify slavery.³⁰⁴

The image of an enlightened and rational Western man in contrast to a dependent and irrational Other still operates in contemporary development aid discourses. In the contemporary Western aid regime the aid recipient remains, in the large part, a child-type lacking in human agency, viewed through a paternalistic lens that underestimates his/her ability to do anything about his/her plight without outsider help.³⁰⁵ Accordingly, the West is required to "save" the poor. For instance, in a July 2005 New York Times Op-Ed column, the Cameroonian lawyer and journalist Jean Claude Shanda-Tonme criticized the paternalistic attitude of the Live 8 concert organizers who were willing to propose solutions on the poor's behalf, treating the poor like children they must save.

VII.IV Paternalistic features in international assistance

Aid agencies' marketing efforts to raise private donations also contribute to this view. Their mass-media campaigns to raise awareness and coax the public into donating rehearse the narrative of poor victims oppressed by corrupt governments and "saved" by the agencies' efforts – in other words, aid recipients are depicted as enigmatic others with less than full capacities to plan and act. In this way, Western antipoverty campaigns reinforce troubling stereotypes, downplay the agency of the poor and emphasize the role of outside actors.

Leaving aside the representation of aid-receivers and aid-providers in aid agencies' campaigns, one of the most prevalent recurring elements of paternalism in international assistance is the presence of

³⁰⁴ A. Baker, *Race, Paternalism, and Foreign Aid: Evidence from U.S. Public Opinion*, *Am Polit Sci Rev*, 109(01), 2015

³⁰⁵ A. Baker, *Race, Paternalism, and Foreign Aid: Evidence from U.S. Public Opinion*, *Am Polit Sci Rev*, 109(01), 2015, pp. 93-109

top-down initiatives with little participation of aid-receivers. This is exemplified, for example, by the conditionality of the IMF loans.³⁰⁶ Another recurring element is represented by standardized funding procedures – and also fund-allocation programmes³⁰⁷ – that interfere with local priorities and needs, and negate both accountability and a genuine relationship of equality between aid-providers and aid-receivers.³⁰⁸ The above elements thus provide a platform to discuss the problems with paternalistic development aid.³⁰⁹

What is more, humanitarianism shows little sensitivity to cultural values and displays ignorance of the social fabric of local communities. It is thus oblivious to cultural differences. In fact, local aid-receiving governments are expected to embrace the Western cultural understanding of justice, property rights and market competition. But the agendas of the poor may differ from those of paternalistic aid-providers. Specific aspects of social justice varies across communities in a way that responds to differences in levels of national institutions, laws and policies³¹⁰. Under the universal framework of human rights, social justice does not imply a homogeneous view, applicable to all societies, about the domestic implementation of values such as liberty and equality, freedom and security, private property and distributive justice, etc.³¹¹ For instance, the so-called untouchables in India, who have been the victims of the Hindu caste system for centuries, claim for favorable treatment even at the expense of other citizens³¹². Is favorable treatment for the Untouchables a

³⁰⁶ L. Bergman, *Progress or Regression? How Poverty and Development are Portrayed in Advertising*, 2013 Available at: <https://dspace.mah.se/bitstream/handle/2043/15684/Master%20thesis.pdf?sequence=2> [Accessed 19 Jun. 2016]

³⁰⁷ J. Woodroffe and M. Ellis-Jones, *States of unrest: Resistance to IMF policies in poor countries*, [online] Nadir.org, 2000 Available at: <https://www.nadir.org/nadir/initiativ/agp/free/imf/unrest.htm> [Accessed 26 Jun. 2016]

³⁰⁸ L. Elliott, *Demand for World Bank loans nears crisis levels*, [online] the Guardian, 2016. Available at: <https://www.theguardian.com/business/2016/apr/11/world-bank-lending-reaches-crisis-levels> [Accessed 6 Jul. 2017]

³⁰⁹ M. Baaz, *The paternalism of partnership*, New York: Zed Books, 2005

³¹⁰ C. R. Beitz, *The Idea of Human Rights*, Princeton University Press, 2011, pp. 142-143

³¹¹ J. M. Alexander, *Capabilities and Social Justice*, Ashgate Publishing, 2008

³¹² N. Chandhoke, S. K. Agrawal, *Protecting the Unprotected: A Comparative Study of Social Protection Policies in South Asia*, Routledge India, 2012

violation of the principle of non-discrimination, or is it a means to stop the continual harassment against Untouchables, thereby to implement full equality among members of the Indian society? It seems that there are no comprehensively valid principles to solve the tensions between global justice and a kind of special protection, particularly towards certain religious or cultural groups. The practical realization of social justice is contingent to economic and social circumstances. In the case of ethnic minorities, might they be protected with special rights in order to compensate for the potential disadvantage minorities have in terms of public decisions? Someone claims that differentiated citizenship rights satisfy the sense of justice and fairness³¹³, while others reject special rights to particular categories in the name of universal human rights³¹⁴. The assimilationist idea assumes that social equality means treating everyone according to the same principles, while the politics of difference argues that equality may sometimes require different treatment for oppressed and disadvantaged groups. Social justice - in this case the question of whether the value of effective political participation in a society's affair requires special provisions for the representation of minority groups - is not alien to the cultural, economic and political features of the basic structure of the community.³¹⁵ Other similar questions in liberal-democratic contexts are the following: given the historical gender discrimination women suffered, should women be granted special spaces, quotas and roles exclusively reserved to them at the expense of men? The reason to consider women to be a subject suitable for a differentiated treatment might be the historical fact that injustice against women has been such a pervasive feature of most human societies that special measures are needed to eliminate it. Is this favorable treatment for women pro or against the anti-discrimination principle embedded in the notion of universal human rights? Even more crucially, will special privileges be an advantage for women or will they further emphasize a new kind of female discrimination by producing double-edged weapons in the hands of conservative forces? The contingent structure of social and political life can produce circumstances in which certain important interests of women are subject to gender specific forms of abuse. Women's interests are vulnerable to threats that are not typically faced by men.³¹⁶ The differentiated treatment should always be judged in the light of its purpose. Under the universal framework of human rights, social justice does not imply a

³¹³ W. Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Oxford Political Theory, 2000

³¹⁴ S. M. Okin, *Justice, Gender, and the Family*, Basic Books 2008

³¹⁵ J. M. Alexander, *Capabilities and Social Justice*, Ashgate Publishing, 2008

³¹⁶ C. R. Beitz, *The Idea of Human Rights*, Princeton University Press, 2011, p. 189

homogeneous view, applicable to all societies, about the domestic implementation of values such as liberty and equality, freedom and security, private property and distributive justice, etc. As already stated, social justice – such as, for instance, whether the value of effective political participation in a society's affair requires special provisions for the representation of minority groups - is not alien to the cultural, economic and political features of the basic structure of the community.^{317;318} This results in a disconnection between policy aspirations and assumptions and the reality of local culture and norms. At bottom, humanitarianism imposes a biased vision of what is good for aid recipients, instead of taking into account what aid recipients think is best for themselves given their specific social, economic and political circumstances. This is clearly a form of paternalism.

However many fail to recognize the paternalistic assumptions that constitute the narrative of international aid, given that care for others never occurs between equals. For instance, Singer's growing movement "effective altruism" demands targeted, evidenced-based giving that does the most good to alleviate poverty and suffering, but as Kuper and Wenar suggest, Singer does not capture the correct factual relationship between affluent and poor individuals.³¹⁹ Just to recall, effective altruism is a philosophy and social movement that uses evidence and reasoning to determine the most effective ways to benefit others.³²⁰ As part of the larger movement towards evidence-based practices, effective altruism encourages individuals to consider all causes and actions and to act in the way that brings about the greatest positive impact, based upon their values.^{321;322} In particular, in his 2009 book "The Life You Can Save", Singer presented the thought experiment of a child drowning in a pond before

³¹⁷ Maffettone, S. (2012). *Global justification and local legitimation*. Critical Review of International Social and Political Philosophy, p. 239-257. [online] Available at: <https://doi.org/10.1080/13698230.2012.651021> [Accessed 13 October 2017]

³¹⁸ N. Peters, *International Aid: Western Paternalism or a Moral Imperative?*, [online] Critical Investigations into Humanitarianism in Africa, 2014. Available at: <http://www.cihablog.com/international-aid-western-paternalism-or-a-moral-imperative/> [Accessed 3 Oct. 2018]

³¹⁹ A. Kuper, *More Than Charity: Cosmopolitan Alternatives to the "Singer Solution"*, Ethics & International Affairs, 16(01), 2002, pp. 107-120

³²⁰ W. MacAskill, *Effective Altruism: Introduction*. Essays in Philosophy, 2017

³²¹ D. Matthews, *You have \$8 billion. You want to do as much good as possible. What do you do?*. Vox. Retrieved April 27, 2015

³²² N. Bennett; A. Carter; R. Resney; W. Woods. *How Tech Entrepreneurs Are Disrupting Philanthropy*. BCG Perspectives. Boston Consulting Group. Retrieved March 11, 2017

our eyes, something we would all readily intervene to prevent, even if it meant ruining an expensive pair of shoes we were wearing.³²³ Singer's "child in the pond" analogy is inadequate in its theoretical framework and the assumptions on which this is based, because Singer equates aid recipients with children – the quintessential object of paternalistic attitudes. This type of aid reinforces the images of the donor as benefactor of the world and the recipient as inferior, consequently weakening the recipient's self-reliance and dignity.³²⁴ To bolster their legitimacy, donor states are increasingly attempting to "indigenize" their agencies by creating local branches, although the local branches still remain in control of the West. This seeming reform of top-down humanitarianism, therefore, is simply an illusion.

VII.V The moral problems of paternalism

Let us explore moral problems of paternalism in the light of the values that are at the heart of modern individualism, namely, autonomy and freedom. From a libertarian perspective, being autonomy/freedom an absolute and foundational good, all other goods "are of instrumental value: are not good in themselves except insofar as they promote freedom".³²⁵ A deontological view - committed to autonomy and neutral as between different conceptions of the good life - demands prima facie equal respect for all choices, "except those stemming from wrongful harm and offense to nonconsenting others and nonvoluntary harm to self".³²⁶ According to a consequentialist approach, paternalism curbs the development of the capacity for making competent and responsible choices in the future.³²⁷ By inhibiting the making of voluntary choices, including occasionally wrong ones, the paternalist indeed impedes the agents' development into fully rational and autonomous decision-maker. A certain kind of perfectionism also opposes to paternalism. In the first place, paternalism does not allow people to learn from their mistakes, impeding therefore the development of the

³²³ P. Singer, *The Life You Can Save*, Random House, 2009

³²⁴ A. Kuper, *More Than Charity: Cosmopolitan Alternatives to the "Singer Solution"*, *Ethics & International Affairs*, 16(01), 2002

³²⁵ F. Buckley, *Fair governance*, Oxford: Oxford University Press, 2009

³²⁶ R. Arneson, *Joel Feinberg and the justification of hard paternalism*, *Legal Theory*, 2005, 11(03)

³²⁷ R. Riddell, *Does foreign aid really work?*, Oxford: Oxford University Press, 2007

capacity for making better choices in the future.³²⁸ Secondly, freedom of choice is valuable as a means to promote the goal of individuals, at the maturity of their faculties, to lead autonomous and flourishing lives.³²⁹ Finally, in many cases the choosing individual – who knows those facts which cannot be practically known by the paternalist and on which the right choice depends – is the best judge of how to attain the good end state. The good end sometimes is by its nature such that it cannot be forced, therefore a paternalist cannot promote the genuine good end by command and control.

However, when the subject consents to a private or public action (omission) that limits his/her autonomy, such action (omission) is not paternalistic, therefore hardly objectionable at all (*volenti non fit iniuria*). Since the consent of the subject makes the intervention non-paternalistic, it follows that paternalistic interventions that limit individual choices and stand therefore in need of justification, might be defended with reference to some kind of consent. This is the hypothetical consent that someone would give to a certain restriction (interference) if they knew all the facts, and could consider these facts rationally in order to carry out their own decisions. Reference to the mentally disabled, children, weak-willed people and those whose decisions are based on extreme psychological and sociological pressures, cognitive error or mistaken reasoning, who might eventually come to see the correctness of the intervention, recognizing therefore the wisdom of the restrictions. The remaining problem is that hypothetical consent to paternalism does not “live up to justifying a rule on its own, in a content-independent way, referring to the procedure in which it has been decided over a rule”.³³⁰ Aid recipients are not child-type lacking in human agency to be saved in need of the “paternal” rule of the West.

Another reason to think that paternalism might be justified relies on the normative principle of freedom maximization. According to the normative principle of freedom maximization, an individual’s freedom of choice may or even should be restricted in the present if freedom is to increase across the whole of his life, promoting his overall responsibility, which plays a crucial role in achieving genuine autonomy and independence.³³¹ Nonetheless, in consideration of the principle of

³²⁸ M. Anderson, D. Brown, and I. Jean, *Time to listen*, Cambridge, MA: CDA Collaborative Learning Projects, 2012

³²⁹ P. Illingworth, T. Pogge, and L. Wenar, *Giving well*. Oxford: Oxford University Press, 2011, pp. 93-94

³³⁰ P. Cserne, *Freedom of contract and paternalism*, New York: Palgrave Macmillan, 2012

³³¹ M. Risse, *What We Owe to the Global Poor*, *J. Ethics*, 9(1-2), 2005, pp. 81-117

freedom maximization, if paternalistic interference would frustrate the individual's set of values and life plan - thus hampering the individual's interest in self-determining and in leading autonomous, flourishing, lives - one should in these circumstances oppose to paternalist interference. The shortcomings of aid do not lie not in the concept of foreign aid, but with agencies acting according to a traditional model that protracts paternalistically driven humanitarian support. In fact, when aid is trapped in its own logic of paternalism and top-down decision-making, it underestimates the poor's own capabilities, and further excludes and disenfranchises the poor. As a consequence, international aid is found wanting in both deontological and consequentialist perspectives.

The deontological perspective views paternalistic aspects of international aid as morally problematic. In fact, paternalistically driven aid might suggest that the poor are powerless individuals incapable of taking responsibility to manage their own lives and pursue the changes they seek.³³² This seems to show little respect and consideration for poor people's dignity, and to depict them as passive beneficiaries of projects designed and managed by benevolent outsiders.

In a consequentialist perspective, paternalistic aid has only a limited chance of success. Not being engaged in the development and implementation of aid projects, the poor might be left with questions, suspicions and disappointed expectations.³³³ They might also resent the fact that these projects were not shaped according to their own capacities, value systems and outlook on life. As a consequence, little or no sense of ownership and responsibility over the future of aid projects exists on the part of the poor. This might engender passivity and prolongs the dependency of the poor on outside interventions for the continuation of the aid programmes.

It emerges that humanitarian assistance has become a subject of considerable normative debate. There has been much critique within the literature acknowledging that anthropological theories have portrayed developing countries' populations as inferior, childlike and in need of the "paternal" rule of the West. It has increasingly been agreed that what development should instead convey is something about the capacity of local communities to provide the circumstances for their own well-being on a sustainable and long-term basis. Indeed, providing a person with a bednet or a water pump

³³² J. Madeley and M. Robinson, *When aid is no help*, London: Intermediate Technology Publications, 1991, pp. 122-134

³³³ P. de Marneffe, *Avoiding Paternalism*, *Philosophy & Public Affairs*, 34(1), 2006, pp. 68-94

can be an excellent, cost-effective way to improve her well-being, but if the improvement goes away when we stop providing the bednet or pump, we would not normally describe that as development. Unfortunately, in many cases, emergency humanitarian aid extends into protracted humanitarian support rather than long-term development assistance.³³⁴ For instance, Haiti still requires basic essential services alongside major reconstruction and infrastructure development, while Darfur remains insecure and unstable with millions reliant on foreign assistance for their basic survival. Clearly, such failure to bridge the gap between emergency assistance and development assistance has prevented people from rebuilding their lives. International aid – as it is now given – is likely to be an inadequate mechanism for responding to the tragedy of the global poor and promoting long-lasting development and self-determination.

VII.VI A new paradigm in international assistance

Without a reconsideration of forms of aid, it is likely that the donors would continue to provide substantial support without seeing the hoped-for results. The aid enterprise therefore needs a new international paradigm that can be an effective force for positive change. It is time for a new international paradigm that redefines the inadequate aid system in a way that supports more effective, accountable and sustainable change. Thus, the challenge now is to dismantle the counterproductive international aid system of top-down delivery of resources, which might distort the relationships between aid agencies and the poor, and to find ways to develop a non-paternalistic approach to international aid that, driven by local priorities, reflects the agency of the poor.

From a philosophical perspective, the distinction between the concept of justification and that of legitimation can offer a normative standard for global justice and international aid compatible with cultural pluralism. According to this distinction, justification is presented as an idealized and top-down enterprise rooted in the moral and metaphysical substrate of a specific culture. On the other hand, legitimation is a bottom-up process that derives its strength from the success of some historically situated practice. This way, popular consent transforms moral ideals in political

³³⁴ D. Brock and D. Wikler, *Ethical Issues in Resource Allocation, Research, and New Product Development*, The International Bank for Reconstruction and Development / The World Bank, 2006. Available at: <http://www.ncbi.nlm.nih.gov/books/NBK11739/> [Accessed 12 Jul. 2018]

legitimated goals.³³⁵ Building on this distinction, justification and legitimation should be made complementary for the sake of cross-cultural dialogue within the paradigm of international aid.³³⁶

Specifically, funding and accounting approaches carried out by the aid community should genuinely correspond to local realities and rely on existing cultural contexts that force and maintain accountability. The aim of many people in poor countries is not only to reduce material deprivation and to respond to emergency, but to foreground the participation and input of the poor in both devising and directing strategies for poverty reduction.³³⁷ This encourages a gradual recognition of the prospective agency of the poor, without which genuine empowerment is not possible. Such recognition may indeed be connected to an expanded view of anti-poverty strategies, one that includes social, economic and political empowerment of those living in poverty.³³⁸ It might be suggested that, when the very process of development is empowering, the poor are no longer dependent on a paternalistic delivery system. The goal is in fact that of increasing the poor's ability to provide for their own needs and priorities independently and without the continued need to rely on outside help.

VII.VII Freedom as the goal of development

Sen regards development as a way to remove unfreedoms – the domination of circumstances and chance over individuals- and to respect and support individual agency to lead the life people have reason to value.³³⁹ Freedom should be the goal of development (what Sen calls the constitutive role of freedom) and also the means through which development can be achieved (the instrumental role

³³⁵ Maffettone, S. (2018), Universal Duty of Justice. *Quadranti - Rivista Internazionale di Filosofia Contemporanea*, VI(2)

³³⁶ Maffettone, S. (2012). *Global justification and local legitimation*. *Critical Review of International Social and Political Philosophy*, p. 239-257. [online] Available at: <https://doi.org/10.1080/13698230.2012.651021> [Accessed 13 October 2017]

³³⁷ A. Bebbington, S. Hickey, and D. Mitlin, *Can NGOs make a difference?*, London: Zed Books, 2008

³³⁸ J. Walovitch, *Hearing People on the Receiving End of International Aid – CDA*, [online] CDA Collaborative, 2012. Available at: <http://cdacollaborative.org/publication/time-to-listen-hearing-people-on-the-receiving-end-of-international-aid/> [Accessed 15 Jun. 2016]

³³⁹ T. R. Wells, *Reasoning about Development: Essays on Amartya Sen's Capability Approach*, Erasmus University Rotterdam, 2013 [online] researchgate. Available at: <http://hdl.handle.net/1765/40509> [Accessed 6 May 2017]

of freedom).³⁴⁰ Thus, Sen's approach treats people as autonomous agents and seems to refuse to take any position regarding the ends that are to be promoted for a flourishing life.³⁴¹ This understanding seems to limit the scope for paternalist intervention supposedly embedded in the idea of development, and links the anti-paternalist argument to the capability approach's democratic view of policy and society.^{342;343} Sen replaces the traditional and paternalistic model of humanitarian aid with a development model where the political autonomy of the target is respected. By doing so, Sen promotes a major break with the dominant approach adopted by most national and international development agencies. Sen indeed presents innovative solutions to respond to the poor's plight in a more effective, accountable and sustainable way. He investigates why paternalistic assistance is morally unacceptable, and develops a new normative conception of the assistance relationship that shifts away from paternalism towards partnership. His approach to development includes the poor in a scalable way so that real development – formulated as the freedom of opportunity and capability, freedom from dire need, and freedom from social exploitation and exclusion – is achieved.

According to the successful argument advanced by Amartya Sen, the goal of development should be the self-reliance of aid recipients over the long term.³⁴⁴ This is not paternalistic, because with self-reliance comes some measure of political autonomy. The real scope of aid is development, which must be understood as a process of expanding human freedoms in both the private and the public sphere.³⁴⁵ Consequently, the development challenge is to remove the “unfreedoms” that stop people living in a way they might otherwise choose: hunger and misery, illiteracy, lack of health care, bad governance, intolerance and repression. Development might be described as a process which enables human beings to build self-confidence, and lead lives of dignity and fulfillment, without political,

³⁴⁰ A. Sen, *Development as Freedom*, Oxford University Press, 1999

³⁴¹ S. Deneulin and F. Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen's capability approach. St Edmunds College, Cambridge, 2010

³⁴² Maffettone, P. and Muldoon R. (2017). *Two views of assistance*. [online] Available at: <https://doi.org/10.1177/0191453717692646> [Accessed 2 May 2018]

³⁴³ T. R. Wells, *Reasoning about Development: Essays on Amartya Sen's Capability Approach*, Erasmus University Rotterdam, 2013 [online] researchgate. Available at: <http://hdl.handle.net/1765/40509> [Accessed 6 May 2017]

³⁴⁴ Amartya Sen, *Development as Capability Expansion*, *Journal of Development Planning*, 1989, pp. 41–58

³⁴⁵ A. Sen, *Development as Freedom*, Oxford University Press, 1999

economic, or social oppression. Through development, political independence actually acquires its true significance.³⁴⁶ In this perspective, development realizes the potential for self-support and self-determination of people, who participate in the decisions that affect their lives without imperial influence from outside.³⁴⁷ It follows that aid relations should be based on empowerment and autonomy, and respond to priorities set through local democratic participatory processes and institutions. Empowerment, autonomy and participation in all aspects of the development process are prerequisites for substantive democratic ownership, according to which the partner country government exercises leadership over its development policies and strategies, rather than primarily aid providers. By invoking democratic ownership, governments are held to account by their people rather than by external agents.

Sen's approach focuses on social and political aspects that perpetuate poverty, namely, poverty as structural failing. It therefore differs from theories on poverty that focus on cultural characteristics as a retardant of further development. The perceptions of the poor, that is, the way poverty is approached, defined, and thus thought about, clearly have a significant impact on the design and execution of programs to alleviate poverty.³⁴⁸ Perceptions of poverty as cultural characteristics might promote some sort of outside, paternalistic help in order to promote cultural change and reduce poverty. Theories of poverty as cultural characteristics might overlook the importance of the political context in economic analyses.³⁴⁹ On the other hand, Sen's approach to poverty as structural failure holds that economic prosperity depends above all on the inclusiveness of economic and political institutions. His perception of poverty as structural failing is more likely to structure foreign aid so that its use and administration empower a broad segment of the population.³⁵⁰ It brings groups and leaders otherwise

³⁴⁶ B. Chimni, *The Sen Conception of Development and Contemporary International Law Discourse: Some Parallels*. *The Law and Development Review*, 1(1), 2008

³⁴⁷ T. Brooks, *The Capabilities Approach and Political Liberalism*, 2014 [online] Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2198841 [Accessed 28 May 2018]

³⁴⁸ A. Shah, *Structural Adjustment—a Major Cause of Poverty — Global Issues*, [online] Globalissues.org, 2016 Available at: <http://www.globalissues.org/article/3/structural-adjustment-a-major-cause-of-poverty> [Accessed 2 Jul. 2016]

³⁴⁹ J. Hearn, *African NGOs: The New Compradors?*, *Development and Change*, 38(6), 2007, pp. 1095-1110

³⁵⁰ A. Sen, *Development as Capability Expansion*, *Journal of Development Planning*, 1989, pp. 41–58

excluded from power into the decision-making process. Sen's approach is not paternalistic as the stability of appropriate institutions persists only with broad domestic support. In order to achieve domestic support, the task of building, or re- building, institutions must evolve from within so that institutions are accepted and "interiorized" by society.

In this perspective, the view according to which there is only one set of "best practice" institutions (which usually mean Anglo-American institutions), which everyone has to adopt, is highly problematic. Therefore, the persuasiveness of an instrumental justification of democratic institutions is likely to depend on empirical contingencies regarding the society at which the justification is directed.³⁵¹ The development of a democratic culture is a product of a larger process of social and institutional change. It is worth nothing that this change will have to address not on democracy alone but on respect for the individual within a community, the entrenchment of a balance of powers, judicial review of executive decisions and enforceable minority rights guarantees.³⁵² Otherwise, democracy without constitutionalism would be simply ethnic majority tyranny.

The new development model developed by Sen is essential to help people survive emergencies and get back on the path to freedom, self-reliance and dignity. This new model would be normatively distinct from the traditional ways of delivering aid: relying on a bottom-up approach, it would treat the poor as autonomous and empowered agents rather than as passive and dependent recipients, and grant them more say over the aid process.³⁵³ By developing local institutional capacity – driven by local priorities in order to protect the basic interests of recipients – developing countries would be less dependent on foreign donors in the long term. In fact, since poverty is a social, economic and political condition, the appropriate institutional context can respond to citizens' needs and allow them to sustain themselves in perpetuity.³⁵⁴ Without a reconsideration of forms of aid, it is likely that the donors would continue to provide substantial support without seeing the hoped-for results.

³⁵¹ C. R. Beitz, *The Idea of Human Rights*, Princeton University Press, 2011, pp. 175-176

³⁵² F. Zakaria, *The Rise of Illiberal Democracy*, Foreign Affairs, 1997, pp. 22-43

³⁵³ M. Nussbaum, *Creating capabilities*, Cambridge, Mass.: Belknap Press of Harvard University Press, 2011, pp. 7-11

³⁵⁴ R. Riddell, *Foreign aid reconsidered*, Baltimore: Johns Hopkins University Press, 1987, pp. 140-256

VII.VIII Sen's empowerment-focused development ethics

Sen outlined the need to develop an empowerment-focused ethics. This may provide ample space for social, economic and political self-determination insofar as the latter is crucial to the individuals' conceptions of the good and to their welfare. For individuals to act in a truly conscious way, it is necessary that a variety of institutions - the state, the market, civil society associations, etc. - actively promote individual freedom.³⁵⁵ In this regard, it is of particular importance to favor access to education at a widespread level and promote democratization, guaranteeing everyone the opportunity to take part in public debates in an informed manner. For instance, non-paternalistic strategies for poverty reduction would focus on improving the poor's health and education so that the poor themselves can raise the payoff to themselves by dint of their own efforts to better their lives. Health facilities, education and other social opportunities facilitate economic participation which, in the form of opportunities to utilize economic resources for the purpose of consumption, production and exchange, can help to generate personal abundance as well as public resources for social facilities.³⁵⁶ Education programmes can also enhance political participation, in the forms of the opportunities people have to determine who should govern and on what principles, and to scrutinize and criticize authorities. Without any formal education, people are cut off from a full understanding of their nation's history and its political and economic structure, and are limited in their ability to promote their economic security and more broadly to pursue issues that interest them.³⁵⁷ Sen's non-paternalistic approach to international aid desired by the poor and their advocates will eventually enable the poor to be counted among those who can reliably serve as agents of justice, as opposed to approaches to global justice that mostly focus on the humanitarian role and duties of powerful external agents. The theory of change that lies behind Sen's non-paternalistic approach to international aid may be clearly stated. International aid should expand the range of potential paths toward positive change that those living in poverty can consider, and helps them to explore these options and to choose the one(s) that will most directly pursue their interests and the changes they seek. International aid – the core values of which ought to be empowerment and self-determination – should engage with

³⁵⁵ M. Hill, *Development As Empowerment. Feminist Economics*, 9(2-3), 2003, pp.117-135

³⁵⁶ F. Bourguignon and T. Verdier, *Oligarchy, democracy, inequality and growth*. *Journal of Development Economics*, 62(2), 2000

³⁵⁷ S. Alkire, *Valuing Freedoms*, Oxford University Press, 2005

the poor in weighing the costs and benefits of each option and, from this, to co-develop and co-implement a joint strategy for pursuing issues that interest the poor.

This more participatory approach to development involves mutual insider/outsider analysis of the existing institutions and the cultural context in which aid is provided, explorations of the options that the poor can consider, and the generation of non-paternalistic development strategies based on people's dynamism and capacities.³⁵⁸ If there is a key to successful development, it lies in the participation of local people in generating the strategies for poverty reduction that ultimately encourage their long-lasting development and self-determination. Development in this perspective is understood in liberationist terms: of removing unfreedoms – “the domination of circumstances and chance over individuals”- and of respecting and supporting individual agency and societal self-determination to decide on and pursue the flourishing life.³⁵⁹ The capability approach, properly understood, respects individual agency in a way that conventional approaches to development do not.³⁶⁰ Sen claims that development can be understood as transformational and in the interests of those concerned only if people are treated as autonomous agents whose own valuation of the life they have reason to value is central to the evaluation of advantage and development. This understanding addresses standard arguments against the paternalism supposedly embedded in the idea of development, and links this response to the capability approach's democratic understanding of policy and society.

It might seem that the very logic of capabilities is in conflict with the logic of political liberalism, due to the fact the political liberalism –and its priority of the right- requires to avoid the interpretation of people's desires and preferences. People's preferences and desires are generally opaque. Therefore, the attempt to realize people's preferences and desires via politics – like Sen wants- implies some form of paternalism and can be taken as anti-liberal.³⁶¹ Sen, via capabilities, might be said to

³⁵⁸ M. Deveaux, *The Global Poor as Agents of Justice*, *Journal of Moral Philosophy*, 12(2), 2015, pp. 125-150

³⁵⁹ A. Sen, *Development as Capability Expansion*, *Journal of Development Planning*, 1989, pp. 41–58

³⁶⁰ S. Alkire, *Valuing Freedoms*, Oxford University Press, 2005

³⁶¹ Maffettone, S. (2018), Universal Duty of Justice. *Quadranti - Rivista Internazionale di Filosofia Contemporanea*, VI(2)

transform politics into a form of applied ethics wherein the good dictates the nature of the right. This is more or less like what the utilitarians do, and that is at odds with liberalism.³⁶²

However, in some cases people's desires and preferences do not appear opaque. In situations of hunger and starvation or severe diseases, people's desires and preferences are usually transparent. It would not need a special ability to understand that those people just want food and to be cured.³⁶³ It would be easy and not paternalistic to guess what starving and disabled people want and consequently to argue that we should try to help them convert their needs into new substantive opportunities. Sometimes, it could even be wrong to try not to interpret people's desires and preferences, that is, their needs.³⁶⁴ Since many human lives are at risk, these extreme cases of hunger and starvation or severe diseases might be collected here under the idea of "urgency". The notion of urgency implies some a priori consensus among those to whom justification is addressed. It also allows us to grasp the meaning of people's conversion handicaps, and consequently accept the idea that for instance disabled and hungry persons that populate the planet should be living with specific "functionings". Substantial legitimacy - given by the special circumstances of urgency - creates natural duties of justice. In this light, it is not surprising that many of the examples of Sen concerning the limits of resourcism come from cases in which we are confronted with persons affected either by severe diseases or extreme poverty. When urgency is at stake, the capability approaches work avoiding the danger of liberal neutrality, refusing at the same time the danger of illiberal paternalism.³⁶⁵ It seems that the notion of urgency is an attractive bridge between the views of Rawls and Sen.³⁶⁶ As Maffettone suggests, "we can draw an imaginary line that separates normally cooperating members of society (Rawls) and the other persons that are not so lucky. Above this line people can well be treated by liberal political theories à la Rawls. [...] People living clearly underneath the line are in

³⁶² Maffettone, S. (2011), Sen's Idea of Justice versus Rawls' Theory of Justice. *Indian Journal of Human Development*, 5(1)

³⁶³ Maletnlema T. N. (1992). *Hunger and malnutrition: the determinant of development*. [online] Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4800552/> [Accessed 25 July 2019]

³⁶⁴ Maffettone, S. (2018), Universal Duty of Justice. *Quadranti - Rivista Internazionale di Filosofia Contemporanea*, VI(2)

³⁶⁵ Beitz C. R. (2001), Human Rights as a Common Concern. *The American Political Science Review*, 95 (2)

³⁶⁶ Maffettone, S. (2011), Sen's Idea of Justice versus Rawls' Theory of Justice. *Indian Journal of Human Development*, 5(1)

conditions of ‘urgency’, therefore deserve special attention and for them liberal neutrality is not enough.”³⁶⁷ Rawls’ theory of justice seems to originate from a wealthy nation. In a wealthy nation such as the US, to protect liberty as individual choice is more important than, for example, in rural India. Therefore, Sen recommends that whenever we expand the original Rawlsian paradigm from the US setting to the globe or to a particular region of it, we should be more careful in redesigning the relation between people and institutions.

Following the Rawlsian idea of reflecting equilibrium, Sen adopts a specific conception of normative justification. According to the latter, general principles and considered convictions about specific cases need to be adjusted to one another. In the case at hand, Sen’s idea of aid is compatible with our understanding of empowerment and participation, and at the same time capable of being reconciled with our intuition that when the human condition is at stake and the possibility for suffering is imminent, a sense of urgency and the need to find solutions becomes an imperative. Given our general moral community and having every human being equal moral worth, such worth deserves to be taken into account regardless of the presence of a real global basic structure.^{368;369} Special circumstances of urgency therefore create natural duties of justice. In the horizon of a far-reaching drama, such as “the genocide of millions of persons who lack basic rights to security and subsistence” - it is reasonable to transform a good into a right, that is, a binding obligation.³⁷⁰ This is not a purely humanitarian duty because the political substance of it corresponds to the content of important human rights.

Sen’s approach offers an interdisciplinary ethical perspective on contemporary global justice and international ethics, particularly in the context of international development policies. Sen advances the current debate in normative political theory and applied international ethics by investigating how many fail to recognize the paternalistic assumptions that constitute the narrative of international aid; and why paternalistic assistance is morally unacceptable from a deontological and consequentialist

³⁶⁷ Maffettone, S. (2018), Universal Duty of Justice. *Quadranti - Rivista Internazionale di Filosofia Contemporanea*, VI(2)

³⁶⁸ Beitz C. R. (2001), Human Rights as a Common Concern. *The American Political Science Review*, 95 (2)

³⁶⁹ Maffettone, P. and Di Paola M. (2016), Cosmopolitanism in a Gridlocked World. *Philosophy and Public Issues* (New Series), 6(3)

³⁷⁰ Maffettone, S. (2018), Universal Duty of Justice. *Quadranti - Rivista Internazionale di Filosofia Contemporanea*, VI(2)

perspective. Sen then develops a new normative conception of the assistance relationship in order to bridge the gap between humanitarian and development assistance. He addresses one of the major challenges faced by contemporary politics – the developments of local institutional capacity for long-term sustainability – and provides ethical guidelines to respond effectively to emergencies and grant non-paternalistic development assistance. He benefits the academic community in the field of political theory and international ethics, and also policy makers and practitioners in the field of development aid.

Conclusion

The dissertation provides a take on Amartya Sen's Capability Approach to contribute to the elaboration of a development approach that can radicalize existing practice of development. This dissertation explains how the Capability Approach seeks to contribute to the elaboration of another development alternative. This means a development alternative that aims at examining the realm of development, without generating universal values but being based on local contexts. It is a development alternative that provides a comprehensive theory that can safeguard notions of participation and empowerment; and that addresses issues of agency but also structural processes. It would be operational, applicable and useful for actors in the development process. Therefore the underlying assumption of this dissertation is that development alternatives are needed to challenge rather than sustain practices. As an Approach to Development, Sen's Capability Approach can contribute to bring agency and empowerment to the crux of contemporary development thinking and practice.

From a philosophical perspective, Sen's Capability Approach is part of the debated field of the theory of distributive justice, which concerns the criteria according to which wealth should be distributed among the various members of society. Specifically, Sen's approach consists in evaluating individual well-being in terms of the individual capabilities a person has, in order to achieve a set of personally chosen functionings. While a functioning represents an achievement, a capability is the ability to achieve and expresses individuals' real opportunities.

The essential characteristic of the capability approach is its focal point on what people are effectively able to be and to do. This focus distinguishes it from other more established approaches to evaluating wellbeing, such as utilitarianism and resourcism (i.e. Rawls' theory of primary goods). These approaches indeed represent critical targets for Sen. First of all, the utilitarian theory in the context of welfare studies is presented by Sen as a consequentialist approach. This means that judgments about goodness and desirability of re-distributive policies are expressed according to a perspective merely based on the gains and losses of utility for the community as a whole, regardless of how utility levels are distributed among individuals. As Amartya Sen maintains, a similar theoretical system has

very serious gaps.^{371;372} First of all, it is hard to make interpersonal comparisons without considering the distributive inequalities within the community and whether or not an individual is satisfied with the results obtained. Another serious problem of the utilitarian approach is that it seems to ignore those values that are non-intrinsically utilitarian, such as rights and freedom. Finally, utility measurement is actually impossible. Indeed, as supporters of utilitarianism maintain, utility is associated with the concept of happiness. But this concept is based on many psychological aspects that make it difficult to measure happiness according to scientific criteria.³⁷³ Happiness is conditioned by too many aspects (social situations and circumstances, individual adaptation, personal history of individuals, etc.) that a utilitarian analysis seems to neglect.³⁷⁴ Overall, the limitation of utilitarian theories is that of having neglected the component of human diversity in the study of individual and social well-being.³⁷⁵

The American philosopher Rawls has attempted to overcome the philosophical doctrine of utilitarianism, that is, the idea according to which a just society must pursue the greatest possible well-being for the greatest number of people.³⁷⁶ Rawls does not analyse well-being in terms of utility, but in relation to an index of goods defined as primary goods, that is, things that every rational individual is supposed to want.^{377;378} According to Sen, Rawlsian primary goods or, more generally, resources give us a more objective metric than utility. They seem to guarantee their owners a certain degree of freedom for the “construction” of any particular “good life”.³⁷⁹ However, Sen has some

³⁷¹ A. Sen, *Il tenore di vita*, Marsilio, Venezia; 1993

³⁷² K. J. Arrow, *Social Choice and Individual Values*, New York, Wiley; 1951; trad. it. Scelte sociali e valori individuali, Etas, Milano, 2003

³⁷³ K. J. Arrow, *Social Choice and Individual Values*, New York, Wiley; 1951; trad. it. Scelte sociali e valori individuali, Etas, Milano, 2003

³⁷⁴ A. Sen, *Commodities and Capabilities*, North-Holland, Amsterdam, 1985

³⁷⁵ E. Anderson, “What Is the Point of Equality?” *Ethics* 109 (2), 1999, pp. 287-337

³⁷⁶ J. Rawls, *A Theory of Justice*, in: What do we deserve? Editors Pojman, McLeod -New York; Oxford University Press, 1999

³⁷⁷ J. Rawls, *A Theory of Justice*, in: What do we deserve? Editors Pojman, McLeod -New York; Oxford University Press, 1999

³⁷⁸ Maffettone, S. (2010). Rawls: an introduction. *Polity*, p. 1-388

³⁷⁹ A. Sen, *Commodities and Capabilities*, North-Holland, Amsterdam, 1985

doubts regarding the feasibility of defining an index of primary goods. For Sen, Rawls fails to consider the intrinsic differences among individuals, who may pursue different goals.^{380;381} In particular, Sen warns that the exclusive focus on resources dismisses consideration about substantial heterogeneity in people's ability to convert resources into valuable functionings.³⁸² Therefore, Sen has tried to combine the need of maximizing social welfare with the need of achieving an equal distribution of primary goods.

Sen's approach has been recognized by the Nobel Committee and fellow scholars for its contribution to the broader field of development studies, and has prompted important debates on issues such as measurement of inequality, capital, and savings, and also the role of nonmarket institutions.³⁸³ When using the concept of capabilities in thinking about social justice, Sen seems to rely on some idea of deliberative democratic politics. Sen asserts that people's capabilities emerge through a process of public reasoning that includes the views of those concerned and at the same time expresses the status of equal citizenship shared by all the members of society and their duty of mutual civility.^{384;385} According to Sen, public reason is important for people's conceptualisation and comprehension of both their own individual needs and social standards, so that people can have a better understanding of the role, the reach and the significance of particular capabilities.³⁸⁶ As Sen affirms, democracy means not only elections and ballots, but also government by discussion, which includes political participation, dialogue and public interaction. Sen claims that an unrestrained media is especially

³⁸⁰ K. J. Arrow, *Social Choice and Individual Values*, New York, Wiley; 1951; trad. it. Scelte sociali e valori individuali, Etas, Milano, 2003

³⁸¹ A. Sen, *Commodities and Capabilities*, North-Holland, Amsterdam, 1985

³⁸² S. Maffettone, *Sen's Idea of Justice versus Rawls' Theory of Justice*. *Indian Journal of Human Development*, 5(1), 2011, pp. 119-132

³⁸³ Y. Zheng, *Different spaces for e-development: What can we learn from the capability approach?*. *Information Technology for Development*, 15(2), 2009, pp. 66-82

³⁸⁴ A. Sen, "Capabilities, Lists, and Public Reason: Continuing the Conversation", *Feminist Economics* 10, no. 3, 2004, pp. 77-80

³⁸⁵ C. Audard, *The Idea of "Free Public Reason"*. *Ratio Juris: An International Journal of Jurisprudence and Philosophy of Law*, 8(1), 1995, pp. 15-29

³⁸⁶ A. Sen, *Development as freedom*, 1st ed. OUP, 1999

important to the functioning of democratic societies for a variety of reasons, from the spread of information to critical scrutiny of authorities, from the protection of the weak to the formation of common values and the pursuit of justice.³⁸⁷ By giving a voice to the vulnerable and disadvantaged and by subjecting the government to criticism, a free press contributes to human security.

Since public reasoning and democratic processes are necessary for selecting capabilities and weighing them against each other in every context, Sen himself has been reluctant to provide a fixed list of capabilities to go with his general capability approach. Sen acknowledges that judgments about what people come to understand and value are necessarily contingent and relative. It would thus be a mistake to have a fixed list of capabilities, usable for any purpose and unaffected by the progress of understanding of the social role and importance of different capabilities and functionings.^{388;389} To insist on a single list of capabilities, which would be absolutely complete (nothing could be added to it) and totally fixed (it could fail to respond to the formation of social values), would be incompatible with Sen's concern to the centrality of participatory decision-making in influencing the self-determination of life choices.³⁹⁰ It would go against the productive role of reasoning and discussion and it would also deny the possibility of progress in social understanding. It emerges that the capability approach can be seen as a "broad normative framework", that is, a paradigm in which it is possible to conceptualize a phenomenon. This means that the capability approach is not a theory that can be used in order to explain a phenomenon. But it is a framework with a certain conceptual foundation, which can be useful in providing a whole set of tools for the "evaluation and assessment" of a phenomenon itself.

³⁸⁷ F. Bourguignon and T. Verdier, *Oligarchy, democracy, inequality and growth*. Journal of Development Economics, 62(2), 2000

³⁸⁸ A. Sen, *UN Human Development Report 2004: Chapter 1 Cultural Liberty and Human Development*, UN Human Development Reports. United Nations Development Programme, 2004 (Available from the UNDP website)

³⁸⁹ A. Sen, *Capabilities, Lists, and Public Reason: Continuing the Conversation*, Feminist Economics 10, no. 3, 2004, pp. 77-80

³⁹⁰ N. Cornelius and J. Wallace, *View on the Ground: CSR from a Capabilities Approach*[online] springer, 2017. Available at: https://link.springer.com/referenceworkentry/10.1007%2F978-3-642-28036-8_640 [Accessed 16 May 2017]

However the capability approach and its emphasis on individual effective freedom have been criticized as excessively individualistic. There are several components to this family of criticisms, from the fact that the capability approach seems to ignore the quotidian realities of human interdependence and communal values, to its alleged neglect of the notion of “adaptive preferences”. But Sen successfully defends his approach against the critique. In particular, Sen recognizes the influence of society on the formation of personal values and individual decisions, being aware that individuals might belong to different groups within their society (different sex, social class, language group, religion, nationality, race, etc.).³⁹¹ with regard to “irreducibly social goods” like culture, Sen argues that they not only enter into his analysis instrumentally (such as in the requirements for appearing in public without shame) but also as part of the lives people have reason to value. Nevertheless, Sen is clear in his view that the value of social goods is only derivative upon the reflective choices of those concerned.

Put the critique aside, the capability approach, formulated by Sen in the 80s and then revisited several times, is particularly suitable for analyzing and measuring people’s quality of life and the sustainability of development processes. Sen's argument is that development should be discussed in terms of people’s capabilities to function, that is, their effective freedom to live the kind of life that they find valuable.³⁹² For Nobel Prize winner Amartya Sen, development consists of a process of expansion of real freedoms enjoyed by individuals. Sen does not refer to an abstract idea of freedom, but rather to different kinds of freedom: political freedoms, economic freedoms, social opportunities, guarantees of transparency, and protective security.³⁹³ These are defined as instrumental freedoms, in the sense that they contribute to a person’s general ability to live more freely.³⁹⁴ Sen thus relates the idea of development to that of freedom, stressing that such correspondence requires a much broader vision of the development concept that the one promoted by classical analysis merely focused on the quantitative increase of GDP. As Sen claims, the indicators used in classical analysis have failed to understand the reality of developing countries. Their inadequacy has translated into discrepant results

³⁹¹ A. Sen, *Development as Capability Expansion*, Journal of Development Planning, 1989

³⁹² A. Sen, *Development as freedom*, 1st ed. OUP, 1999

³⁹³ S. Alkire, *Valuing Freedoms: Sen's Capability Approach and Poverty Reduction*, Oxford University Press, 2005, p.31

³⁹⁴ S. Deneulin, *Capability approach and the praxis of development*. 1st ed. Palgrave Macmillan UK, 2014

between data in terms of GDP and effective living conditions of the populations considered.³⁹⁵ The limitations in analyzing the effective degree of development through economic surveys have questioned the alleged identification between economic development and social development and the validity of the paradigm used by economists so far. Poor people, according to Sen, do not need material help but opportunities of social growth.³⁹⁶

In the context of international development policies, Sen's work (1999) may have a huge influence on the establishment of a new paradigm. As the relevant literature on international development documents, the system of international assistance is seen as deeply flawed.³⁹⁷ Many identify the underlying reason as being the adoption of a paternalistic approach to international assistance, which tends to underestimate the ability of autonomous, informed and competent individuals in aid-receiving countries to do anything about their plight without outside help. Sen's approach would replace the traditional and paternalistic model of humanitarian aid, adopted by most national and international development agencies³⁹⁸, with a development model where the political autonomy of the target is respected. By regarding people as autonomous agents and refusing to take any position about the ends that are to be promoted for a flourishing life, Sen has developed a new normative conception of the assistance relationship that shifts away from paternalism towards partnership and focuses on long-term development of self-sufficiency.^{399;400} By developing local institutional capacity – driven by local priorities in order to protect the basic interests of recipients – developing countries would be less dependent on foreign donors in the long term. In fact, since poverty is a social, economic and political condition, the appropriate institutional context can respond to citizens' needs

³⁹⁵ A. Sen, *Development as Freedom*, Oxford University Press, 1999

³⁹⁶ A. Sen, *Development as Capability Expansion*, *Journal of Development Planning*, 1989, pp. 41–58

³⁹⁷ A. Buchanan and D. Brock, (1990), *Deciding for others*, Cambridge [England]: Cambridge University Press

³⁹⁸ M. Baaz, *The paternalism of partnership*, New York: Zed Books, 2005

³⁹⁹ Maffettone, P. and Muldoon R. (2017). *Two views of assistance*. [online] Available at: <https://doi.org/10.1177/0191453717692646> [Accessed 2 May 2018]

⁴⁰⁰ S. Deneulin & F. Stewart, *A capability approach for people living together*, VHI conference - Justice and Poverty: Examining Sen's capability approach. St Edmunds College, Cambridge, 2010

and allow them to sustain themselves in perpetuity.⁴⁰¹ In conclusion, Sen presents innovative solutions to respond to the poor's plight in a more effective, accountable and sustainable way, so that real development - formulated as a process of social change that is simultaneously rights-based and economically grounded - is achieved.

⁴⁰¹ R. Riddell, *Foreign aid reconsidered*, Baltimore: Johns Hopkins University Press, 1987, pp. 140-256

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