

2016 UNDP Human Development Report

THINK PIECE



# The Capability Approach and Human Development: Some Reflections

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#### ABSTRACT

The human development discourse is conceptually underpinned by the capability approach. As such, a number of doubts and misgivings that have emerged over time regarding the capability approach has also caused a renewed soul-searching over the conceptual foundations of human development. The present note is an attempt to clarify some of the issues that have emerged in the course of this soul-searching. The first part deals with the issue of whether the capability approach concedes too much ground to the demands of individualism to the relative neglect of society. The second part seeks to clarify a number of inter-related issues concerning choice and freedom – the two most fundamental concepts in the capability approach. Finally, it makes some concluding observations and offer some suggestions on how the human development discourse might proceed in the future.

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## Capability Approach and Individualism

Because the capability approach lays great stress on the importance of individual choice and freedom, there has been some suggestions that the approach is too individualistic in the sense that it ignores the social milieu which shapes individual lives. As I shall argue below, this view is fundamentally mistaken. Some of the critics who wish to retain the spirit of the capability approach while emphasising the social dimension of life, have sought to strike a compromise by invoking concepts such as collective capability. I would argue that this line of thinking too is fraught with serious conceptual difficulties.

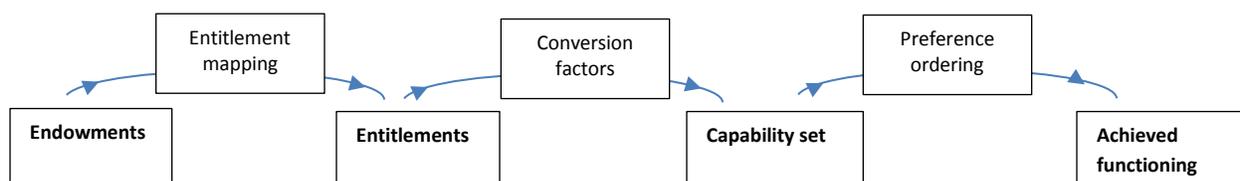
The capability approach can be applied at two distinct levels of evaluation – namely, (a) assessment of an *individual's* wellbeing or more generally her advantage (encompassing both wellbeing and agency) and (b) assessment of the goodness of a *social action* or a *social arrangement* – in terms of its attributes such as justice at any point in time or progress over time (i.e., development in the broadest sense). The first, by construction, is an inherently individual level exercise. The second, by contrast, constitutes social-level evaluation but the building block of this exercise is the set of individual capabilities. That is, the elementary data that we use in order to make social evaluation is the set of capabilities of the individuals that constitute the society in question. In this particular sense, the capability approach can be justifiably described as individualistic.

However, a couple of points are worth emphasizing here. First, all well-known ethically grounded approaches to social evaluation – such as utilitarian, Rawlsian, republican (à la Pettit,

1997), and even Marxian<sup>1</sup> – use data on individuals as the basis of social evaluation. The difference lies only in their choice of the relevant attributes of the individuals and the method of aggregating them. Second, just because individual capabilities are used as the building block of social evaluation, it does not mean that the social milieu in which an individual lives is being ignored. Capability is indeed an individual's attribute, but the process through which this attribute comes into being is inescapably social. In this sense, capability is very much a socially-embedded concept.

To see why this is so, consider the following schematic representation of how an individual acquires her capability and functioning (Figure 1).<sup>2</sup> The starting point is a person's endowment set, from which emerges an entitlement set via an entitlement mapping. The entitlement set is the set of all possible commodity bundles which an individual can conceivably enjoy given her initial endowments and the possibilities of converting endowments into commodities that exist in her entitlement mapping. At the next step, the commodity bundles in the entitlement set are converted into a set of possible functioning vectors via certain conversion factors, with each commodity bundle being mapped into a corresponding functioning vector. This set of all possible functioning vectors constitutes a person's capability set. Finally, from the capability set, an individual chooses one particular functioning vector, based on her preference ordering, which results in her achieved functioning.

**Figure 1. A schematic representation of how an individual acquires capability and functioning**



Society intervenes at every stage of this process of acquiring functionings. In the very first step, the endowment set contains some elements that may be taken as her own individual attributes, but there are other elements that are invariably socially mediated. For instance, her raw labour power may be taken as her own attribute, but both her human capital and physical capital depend on her social interactions. The amount of land she owns depends in the first instance on how much land her

<sup>1</sup> As noted by Sen (1988, p. 271): “Karl Marx’s philosophical focus includes giving a foundational role to bringing ‘the conditions for the free development and activity of individuals under their own control’,...” (The quotation here is from Marx and Engels, 1845-46).

<sup>2</sup> See Robeyns (2005) for a slightly different but essentially similar schematization.

parents owned and on the social norms of inheritance and subsequently on how much of it she was able to retain (or expand), which depends in turn on societal factors such as power relations, market condition, etc.

In the next step, endowments are converted into entitlements (over commodity bundles) via the entitlement mapping. A part of the entitlement mapping is within a person's realm of control – for example, how hard she works to grow crops on her land; the harder she works the greater the amount of entitlement she would be able to extract from her endowments, other things remaining the same. However, most of those other things – that together with her own effort constitute her entitlement mapping – are not within her control. These other things include (a) 'exchange entitlement mapping', which refer to the rates at which endowments can be converted into command over commodities through exchange in the market place, (b) 'production entitlement mapping', which include the technologies that a person can access in order to convert endowments into commodities through the production process, and (c) 'transfer entitlement mapping', which refer to the laws, customs, etc. that determine the transfer mechanisms through which a part of the social output accrues to an individual as 'unearned' income. It is obvious that each of these components of the entitlement mapping is socially determined. An individual may of course take part in the social processes that create these mappings, but the point is that she alone cannot determine them; it is only through interactions with the rest of the society that she can contribute to the making of these mappings. Since both endowments and entitlement mapping are thus largely socially determined, so must be the entitlement set that emerges from them.

The next step involves conversion of commodity bundles (that exist in the entitlement set) into functioning vectors that constitute the capability set. This part of the process depends on the nature of 'conversion factors' that translate commodities into functionings. As in the case of entitlement mappings, so in the case of 'conversion factors' some are within the realm of an individual, but others are not. For example, the metabolic rate that converts food into calories which are needed to achieve the functioning of being well-nourished is an individual's own attribute. However, the conversion of food available to a household into the nourishment of individual family members depends, *inter alia*, on social norms about intra-household allocations of resources (for example, the norm in many patriarchal societies that women will eat last after providing for men and children). To take yet another example, for a disabled person the conversion of 'having a wheelchair' into the functioning of 'being able to move about freely' depends a lot on what kind of arrangements the society has made to provide wheelchair access to various places of interest (such as schools, offices, markets, etc.). Thus, while the entitlement set is itself largely socially determined, its conversion into capability brings in further social determinants.

There is yet another, somewhat subtle, way in which social factors enter into an individual's capability set. It is important to note that in the capability approach one does not necessarily consider all possible functionings that can be derived from the entitlement set; only those functionings are considered that an individual has 'reason to value'. This idea is sometimes captured by the qualified statement that the capability set consists of all *valuable* functionings that an individual can conceivably enjoy. For instance, it may be possible for a person to achieve the functioning of being able to enslave those she does not like, but she may consider upon reflection that there is no reason to value this functioning. In that case, this functioning will not be part of her capability set. Thus, a screening process has to be involved while considering the conversion of entitlements into functionings that a person has 'reason to value'. This screening is to be done on the basis of the values held by an individual, but only those values are relevant here that can stand the scrutiny of reason, and not the whims and caprices of a person. The scrutiny of reason can be based on an individual's reflection as well as on public deliberations among fellow social beings. Either way, social norms about which functionings are deemed to be valuable and which are not in a particular socio-cultural context will inevitably play a role in shaping the values that a person will use in the screening process, and thus in determining her capability set.

In the final step, a person chooses a particular functioning vector from the capability set. One might think that here is finally the stage where the capability approach becomes truly individualistic because it is after all an individual person that makes the choice. But it will be a mistake to think so because social factors impinge at this point too. It is not just that the objects of choice – i.e., the possible functioning vectors – are largely socially determined as we have discussed, even the act of choice itself is not immune from social influence. An individual will make the choice on the basis of her preference ordering, but in the context of the capability approach, unlike in much of mainstream economics, preferences are not interpreted narrowly as those reflecting a person's pure self-interest. Instead, preferences are supposed to be based on the values a person holds, which may go well beyond satisfying one's own interest to care for goals that do not necessarily enhance one's self-interest.<sup>3</sup> But an individual does not form values in a vacuum; she does so only through interactions with the rest of the society. Therefore, the process of choosing a functioning vector from the capability set is inescapably socially-embedded even though it is an individual that makes the choice.

The society thus intervenes at every stage of an individual's acquisition of functioning. It is, therefore, hard to sustain the view that the capability approach veers far too much towards

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<sup>3</sup> "The basis of capability analysis is intended to be a person's reflected *valuation*, rather than just preferences in the purely psychological sense, ..." (Sen 2001, p.55; italics in original) On this point, the capability approach draws explicitly upon Arrow's (1951) seminal contribution in social choice theory in which social choice is based on individual preferences but preferences are meant to reflect values rather than self-interest, as the title of his path-breaking book (*Social Choice and Individual Values*) clearly implies.

individualism to the relative neglect of social influences. From this vantage point, we may now ask the question: what precisely can we hope to gain – either conceptually or in terms of practical policy – by embracing ideas such as ‘community’ or ‘collective’ capability? The principal rationale behind the promotion of these concepts has been the suspicion that the capability approach as originally developed is excessively individualistic. Since we have argued that there is hardly any basis for this suspicion, the basic rationale of these concepts would appear to be fundamentally flawed.

However, we may still enquire whether there is some other, independent, reason for recognising the existence and importance of collective capability. By way of motivating this enquiry, it is useful to begin by noting a distinction that philosophers tend to make between two kinds of individualism – viz., methodological individualism and ethical (or, normative) individualism. Methodological individualism is the view that in order to explain the causes and consequences of any social phenomenon, it is enough to focus on the choices and actions of individuals – the society can be left out of the explanatory framework. In this view, society has no independent epistemic role. When critics suggest that the capability approach is too individualistic, it is the idea of methodological individualism that they specifically associate with it. But, as we have seen, this association has no basis. While the capability approach does focus on the choices, doings and beings of individuals, all these are mediated by the society in a multitude of ways; the question of being wedded to the doctrine of methodological individualism simply does not arise.<sup>4</sup>

Ethical individualism, however, is an altogether different matter. While methodological individualism is concerned with *explanation*, ethical individualism is concerned with *evaluation*. The doctrine of ethical individualism holds that when it comes to ethical or normative evaluation of the goodness or badness of a social arrangement, individuals should be treated as the unit of analysis, and social evaluation should be made by aggregating across individuals. The force of this doctrine stems from the premise that every individual has a moral worth; therefore, it is individual advantage (in terms of wellbeing, agency, etc.) that should be the informational basis for social evaluation, and not the attributes of any higher-level aggregates such as clans, communities, nation-states, etc. Of course, individual advantage may be formed through social intermediation, not by the actions of the individual alone, but in the end, it is individual advantage that should count towards ethical evaluation of any social arrangement. Thus, the adoption of ethical individualism is perfectly

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<sup>4</sup> The point is made most eloquently by Sen (2002a, p.81) in the following way: “When someone - let us say, Ayesha - thinks and chooses and does something, it is, for sure, Ayesha - and not someone else - who is doing these things. But it would be hard to understand why and how Ayesha is undertaking these activities without some comprehension of her societal interactions. The presence of individuals who think, choose, and act does not make an approach methodologically individualist; rather, the postulation that the individuals are separated and detached from each other would do that.”

consistent with the rejection of methodological individualism. And its ethical individualism, and not methodological individualism, that is the characteristic feature of the capability approach.<sup>5</sup>

Going back to the concept of collective capability, one might now ask: even though the justification of this concept cannot be grounded on the rejection of methodological individualism, can it instead be grounded on the rejection of ethical individualism? In other words, can it be argued that at least for some ethical enquiries the unit of analysis should be the collective rather than the individual?

This question can only be answered when the actual contents of collective capabilities are identified. It seems to me that the contents, whatever they are, must satisfy at least two conditions if collective capability is to be used as the unit of analysis (either instead of or in addition to using individual capability). First, the collective capabilities in question must have some substance of their own that cannot be captured by corresponding individual capabilities. Second, the capabilities must have some ethical claim to be taken into consideration when we are making normative assessment of a social arrangement, i.e., the capabilities must be such that we have ‘reason to value’ them.

An example of a collective capability that satisfies the first condition is the ability of one country to subjugate another by force – this capability has an independent substance at the collective level because no single individual can conceivably have this capability (even Genghis Khan needed his army!). However, it is implausible to argue that this is a kind of capability one has ‘reason to value’ – the second condition will most certainly not be satisfied. By contrast, the capability of a society to achieve freedom from hunger may seem to be one that we have ‘reason to value’, thus satisfying the second condition, but it is not clear that it satisfies the first. There is some ambiguity here stemming from the fact that the capability in question can be interpreted in two different ways.

On one interpretation, the statement that a society has the capability to achieve freedom from hunger simply entails that every individual has the freedom from hunger. In this case, the collective capability is clearly one that we have ‘reason to value’; as such, it satisfies the second condition mentioned above. However, when interpreted in this way collective capability has no independent substance beyond aggregation of individual capabilities, and thus fails to satisfy the first condition.

An alternative interpretation is that the society has the resources, technology, knowhow, etc. with which it can in principle make every individual free from hunger although in practice many

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<sup>5</sup> There is a third concept known as ontological individualism, which holds that only individuals and their properties exist, and that all social entities and properties are reducible to individuals and their properties. Ontological individualism is thus close in spirit to methodological individualism, the difference being that while the former disregards society on existential grounds the latter does so on explanatory grounds. On these distinctions and their relevance to the capability approach, see Robeyns (2005).

people may still remain hungry – possibly because of some weakness in institutional arrangements. On this interpretation, collective capability does have a substance independent of individual capabilities, but at the same time it has a dubious ethical claim – why should we value a capability that does not fulfil its potential by giving every individual the freedom from hunger? We may, of course, still value such an ‘unfulfilled’ capability ‘instrumentally’ because it does contain the prospect of being translated into freedom from hunger for all provided necessary steps are taken to use the existing resources, etc. in the right way. But what matters for ethical evaluation is intrinsic, not instrumental, value, and an unfulfilled potential cannot claim an intrinsic ethical value. The collective capability in question thus fails the second condition even though it satisfies the first.

In general, it is hard to think of collective capabilities that satisfy the two conditions at the same time. But if the proponents of collective capability wish to make their case, this is the line they will have to pursue. They will have to base their case on the ground of some identifiable inadequacy of ethical individualism, and this can only be done if they can identify some collective capabilities that satisfy both the conditions mentioned above.

## Choice and Freedom

The ideas of freedom and choice are central to the capability approach, but the exact role these concepts play in both conceptualization and application of the approach has been subject to some misgivings. I shall argue that these misgivings arise essentially from a lack of well-rounded understanding of what this approach entails.

One strand of criticism sees the emphasis on choice and freedom as yielding too much ground to individualism to the relative neglect of the social constraints within which individuals operate. This type of criticism is sometimes heard, for example, when the Human Development Reports define human development as ‘expansion of choices available to the individuals’, or when Amartya Sen in his book *Development as Freedom* defines development as ‘expansion of valuable freedoms enjoyed by individuals’ of a society (Sen, 1999). I have already discussed why it is a mistake to worry about individualism in relation to the capability approach: (a) firstly, if the worry arises because of a distaste for methodological individualism, then the worry is completely without any basis because the capability approach has no rely on methodological individualism, its emphasis on individual choice notwithstanding, and (b) secondly, the capability approach does adopt ethical or normative individualism, but this is eminently justifiable.

There still remain, however, certain concerns relating to the emphasis on choice and freedom that need further clarification. I address these concerns under three headings: (a) why choice, (b) what kind of freedom, and (c) the role of values in choice and freedom.

## WHY CHOICE?

Because of close theoretical connection between individual choice and neoclassical economics (and neoliberal thinking in general), the emphasis on choice in the capability approach sometimes rattles the ‘progressives’ who wish to promote human development (and capability) as an alternative paradigm to neoliberal thinking. They tend to worry whether by emphasising choice one is not allowing neoliberal ghosts to enter through the backdoor and eventually to usurp and derail the human development approach. I shall argue that this fear is misplaced.

Let’s begin by trying to understand why the capability approach lays so much store on choice. There are two distinct ways in which choice appears in the capability approach: the act of choice and the scope of choice. We may describe these two aspects as the agency aspect and the opportunity aspect of choice respectively.

To see the distinction and their respective importance, consider how one goes from capability to achieved functioning. Capability reflects the full range of possible levels of functioning that an individual can enjoy considering all the constraints and opportunities of acquiring commodities and then converting them into functionings. Among these possible levels of functioning, one will actually be achieved. A relevant question is: who decides what that achieved level is going to be? There are two possibilities: either the person chooses herself or someone else chooses it for her.

Consider, for example, the functioning of being able to control reproductive outcomes. The desired control may be achieved in two ways. A person may voluntarily choose a method of controlling fertility, say sterilization, or, the state may give her the desired control through forced sterilization. Both these routes may in principle yield exactly the same level of functioning – in terms of being able to control reproductive outcomes – but the capability approach says that the first route is to be preferred. The fact that the person has chosen her own level of functioning has a value independently of the level of functioning achieved. This is because ‘being able to choose’ is itself a valuable functioning. The two routes described above may yield the same level of reproductive functioning, but the first has the additional advantage that it also includes the functioning of being able to choose, which the second route does not. From the capability perspective, whose aim is to promote all valuable functionings, the first route is clearly superior. This is the ‘agency’ reason for emphasising the role of choice in the capability approach. After all, the whole point of the capability approach is to find ways of enabling people to lead the kind of life they have reason to value, and one dimension of the kind of life they have reason to value is the ability to act as an agent in changing one’s life, as opposed to others forcing the change on her, and one cannot act as an agent of change unless one can choose.

It should be noted, however, that unlike in much of neoliberal thinking, the value that the capability approach attaches to 'being able to choose' is not a paramount value that trumps everything else. Being able to choose is but one valuable functioning among many, and if promotion of this functioning conflicts with the achievement of other valuable functionings, one will have to weigh up the pros and cons carefully before deciding on a course of action. Take, for example, the case of compulsory schooling. If the state initiates a regime of compulsory schooling so as to override the decision of parents who would not send their daughters to school out of prejudice or whatever other reason, the parents' ability to choose whether or not to educate their daughters would certainly be curtailed. The capability approach would not, however, insist that the parents' choice is of paramount importance and therefore compulsory schooling should not be imposed. Instead, it would say that while the parents' functioning of being able to choose is important, so is the children's functioning of being educated. Since the two functionings are in conflict in this case, the society at large would have to decide, through some kind of a deliberative process, which one outweighs the other.<sup>6</sup> Thus, while the capability approach does attach value to the act of choice, there is no question of putting it at a pedestal of such supremacy that all other functionings become subservient to it.

Turning now to the opportunity aspect of choice, the issue of interest here is not the act of choice (the agency aspect), which we have already discussed, but the domain of choice i.e., the quality and quantity of alternative outcomes from which a choice can be made. The richer the domain – in terms of both quantity and quality – the greater is said to be the opportunity of choice. One reason why the capability approach attaches so much importance to choice is that it regards the opportunities of choice – i.e., the richness of the domain of choice – to be of some importance, quite apart from the importance of the act of choice itself. We can distinguish three different, though inter-connected, reasons why this opportunity aspect of choice is so important for the capability approach; these can be described as instrumental, intrinsic and diagnostic reasons respectively.

The instrumental reason for preferring greater opportunities of choice is conceptually quite simple. The point is that if you have a richer menu to choose from you are more likely to achieve a

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<sup>6</sup> This argument suggests that the capability approach does not attach paramount value to the functioning of being educated either, which would automatically trump the parents' functioning of being able to choose. That would be the case, however, if one were to take a rights-based approach. One might then argue that the girls' right to education is such an inalienable right that the parents' choice must be disregarded - there's no room for deliberating over the pros and cons here. Does this mean there is a tension here between the capability approach and the human rights approach? Not really. As is well-known, the idea of capability can be seen as providing a conceptual underpinning of human rights but the two approaches are not identical. The capability approach proposes a particular informational basis for making social decisions - namely, individual's capabilities and functionings, but it does not by itself prescribe anything about how to give relative weights to different functionings and how to reconcile possible conflicts between the functionings of different individuals. For this, additional decision mechanisms are needed; the human rights approach provides one of them. In this sense, the human rights approach complements the capability approach rather than contradicting it.

better outcome. Expansion of the opportunities of choice is thus likely to lead to better observed outcomes as well. In the present context, this means that if you have a richer opportunity set of possible functionings, your actual functioning is also likely to be better.

The intrinsic reason for valuing opportunities is that regardless of what outcome is actually chosen, having richer opportunities is a thing of value in itself. Consider the case where, from the menu of options open to me, I have chosen a particular option which I consider to be the best based on my conception of a good life. Now suppose some of the other options, or even all the other options, are taken away from me, keeping the one I regard the best still available. After the purging of options, my actual functioning will still remain exactly the same as before; yet in a fundamental sense I would be right to feel that something valuable has been lost. The loss consists in the fact that I am now constrained to choose from a smaller set of options. Conversely, there is something to be gained if I have the opportunity to choose from a richer set of options, even if I were to end up choosing up the same option that I would have chosen from a smaller set.<sup>7</sup>

The diagnostic reason is slightly more subtle. It relates to the argument that we might end up making quite misleading judgements about a person's well-being if we focus simply on what he has chosen disregarding the opportunities of choice that were open to him. The classic example is Amartya Sen's fasting saint vis-à-vis the starving peasant. If we focus simply on the chosen functioning, the saint and the peasant may appear to have the same level of well-being in terms of being well-nourished, but this would surely be a wrong diagnosis because the fasting saint has the opportunity to avoid hunger in a way that the poor peasant does not. The two men cannot surely be ranked at the same level of well-being even though they can be ranked equal in terms of being well-nourished.

The general point here is that different people have different conceptions of a good life. When they choose a particular option from the domain of choice, they do so on the basis of their respective conceptions of a good life. But these varied conceptions of a good life are incommensurable; none of them may be claimed to be morally either superior or inferior to the others. Therefore, the actual choices people make, on the basis of their respective conceptions of a good life, are also incommensurable; i.e., it may not be possible to make valid inter-personal comparison of welfare on the basis of actual choices made. Valid comparisons can only be made by looking at the richness of

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<sup>7</sup> The intrinsic importance having a richer menu of opportunities was well recognised by Marx, when he described his vision of a liberated society as one that 'makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticize after dinner, just as I have in mind, without ever becoming hunter, fisherman, shepherd or critic' (Marx and Engels, 1845-46). The last part of the sentence clearly suggests that Marx never expected any one person to do and to be all those things at the same time; what he was nevertheless longing for was the opportunity of doing and being all those things, even if most people would end up doing only a small subset of them.

the opportunities of choice that are open to different individuals; those with richer opportunities should be considered to be better off regardless of what they actually choose to do with those opportunities.<sup>8</sup> The opportunity aspect of choice is thus crucial from the point of view of the capability approach – for instrumental, intrinsic and diagnostic reasons.

Despite the evident cogency of the idea of choice for the capability approach, a concern is sometimes expressed on the ground of inter-dependence of choices. Since my choices may have an effect on the choices open to others, it is asked, how can any ethical judgement be made looking simply at the expansion of choices for an individual, ignoring its effects on the choices open to others through the inter-dependencies of choice? This is part of the general apprehension that the capability approach may be unduly individualistic, an issue we have addressed before. However, the issue of inter-dependencies of choice needs to be addressed on its own.

The answer to the question posed above is simply that inter-dependencies of choice are indeed important, but when we look at the choices open to an individual we do take the inter-dependencies into account. Consider again the schematic representation of the capability approach given in Figure 1. The choices open to a person, as represented by the capability set, emerge through a process in which an individual has already interacted with others at various stages – including the stage of entitlement mapping where market exchanges occur at prices that reflect the consequence of combined choices of all individuals. To use economic jargon, the choices available in a person's capability set are the general equilibrium outcomes of the interactions of choices exercised by all individuals. Inter-dependencies of choice are thus integral to the capability approach.

## WHAT KIND OF FREEDOM

Like the use of the language of choice, the language of freedom employed in the capability literature also causes discomfort to many who would like to promote human development as an alternative paradigm to neoliberal thinking. They are concerned that by endorsing neoliberal ideas of freedom such as freedom to own property, freedom of employers to hire and fire, and in general the freedoms that underpin the workings of a so-called free market, the capability approach might undermine the progressive agenda.

Even someone like Martha Nussbaum, who along with Amartya Sen, can be said to have founded the capability approach, feels distinctly uncomfortable with Sen's emphasis on the 'perspective of freedom' as advanced, for example, in the book *Development as Freedom*. She

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<sup>8</sup> This line of reasoning is very much in the Rawlsian tradition (Rawls, 1971), the only difference being that while Rawls defines the range of opportunities in terms of what he calls 'primary goods' possessed by individuals, the capability approach does so in terms of alternative functioning vectors available to a person.

suspects “...whether the idea of promoting freedom is even a coherent political project.” Her apprehension is based on the proposition that “Some freedoms limit others.” As she explains, “The freedom of rich people to make large donations to political campaigns limits the equal worth of the right to vote. The freedom of businesses to pollute the environment limits the freedom of citizens to enjoy an unpolluted environment. The freedom of landowners to keep their land limits projects of land reform that might be argued to be central to many freedoms for the poor. And so on. ... Indeed, we can go further: any particular freedom involves the idea of constraint: for person P is only free to do action A if other people are constrained from interfering with A.” (Nussbaum 2003, p.44)

To understand where these concerns come from and also to realize why these concerns should not really arise, we need first of all to note a distinction between two kinds of freedom: negative and positive freedoms.<sup>9</sup> As Sen (1988, p.272) explains: “One approach sees freedom in ‘positive’ terms, concentrating on what a person can choose to do or achieve, rather than on the absence of any particular type of restraint that prevents him or her from doing one thing or another. In contrast, the ‘negative’ view of freedom focuses precisely on the absence of a class of restraints that one person may exercise over another, or indeed the state may exercise over individuals.” For example, the stipulation that no one should forcibly take away the land of a peasant he legally owns is an example of ‘negative freedom’ to be enjoyed by the peasant; the crucial issue here is the restraint that is imposed on others (including the state) from interfering with the peasant owning the land and using it in any (legally approved) way he likes. If this restraint is respected by all concerned, the peasant can be said to enjoy the negative freedom of pursuing any goals that can be furthered by his ownership of the land, including the goal of feeding his family. However, even as the peasant enjoys an unencumbered negative freedom with his land, he still may not be able to produce enough food to feed himself and his family. In that case, we shall say that he does not enjoy the positive freedom of being able to avoid hunger, even though he enjoys the negative freedom to do so. Nobody is stopping him from using the land to feed his family (so he enjoys negative freedom) but he cannot actually enjoy the freedom from hunger even if he uses the land without any restraint (so he does not enjoy positive freedom).

It is fair to say that while the neoliberal discourse focuses mainly on negative freedom, the capability approach is concerned primarily with positive freedom. When the neoliberals champion the cause of market freedom they are essentially asking for absence of restraints on what market participants can choose to do (so long as some basic tenets of legal behaviour are observed, such as

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<sup>9</sup> The distinction between these two types of freedom has a long history in philosophical discussions, and there are also some subtle differences in the way the distinction has been made by different philosophers. For an illuminating discussion of an influential version of the distinction, see Berlin (1969). Sen has also discussed the two views of freedom extensively; see, among others, Sen (1981; 1985; 1988; 2002b).

compliance with contracts, etc.). In so doing, they are trying to protect people's negative freedom. By contrast, the very concept of capability embodies a quintessentially positive conception of freedom. For instance, when we ask 'does a person have the capability to be well-nourished', what we mean is that, taking into account all the opportunities and constraints she faces in converting her endowments into the functionings she values, is she able to choose a functioning vector that gives her enough food to be well-nourished? If the answer is yes, then she does have that capability; in that case, she can also be said to enjoy the positive freedom to choose to be well-nourished.<sup>10</sup>

Being alive to this distinction between two types of freedom immediately makes it clear that just because the capability approach uses the language of freedom, it does not necessarily have to endorse the neoliberal conception of freedom. But the question still remains: what exactly is the position of the capability approach vis-à-vis negative freedoms? While placing positive freedoms at the centre of analysis, what does it do with negative freedoms? Does it ignore them, reject them, or try to incorporate them in some way?

The answer depends on the precise characterization of negative freedoms. There is one case where respect for negative freedom is inherently incompatible with the capability approach's emphasis on positive freedom. There is a philosophical tradition, due to Robert Nozick (1974), in which certain negative freedoms are held as 'entitlements' that every individual must be granted and cannot be compromised with under (almost) any circumstances. A deontological restraint is thus imposed on the rest of the society to respect the negative freedom embodied in the 'entitlements', regardless of the consequences of respecting those restraints, including the consequence for people's positive freedoms. In brief, Nozick postulates that a person is entitled to own the fruits of his labour applied on any resources he may have legitimately obtained through bequest, transfer or market exchange, and also entitled to own and transfer any assets that he may subsequently acquire by exchanging such fruits of labour (and to any assets he may subsequently acquire by exchanging those assets, and so on). So long as the conditions stipulated in the sentence above are satisfied, Nozick's entitlement theory says that a person's right to 'ownership and transfer' must not be interfered with, no matter what.

And it is this deontological stipulation of 'no matter what' that renders the Nozickian view of negative freedoms incompatible with the capability approach. When Nussbaum worries that "The freedom of landowners to keep their land limits projects of land reform that might be argued to be central to many freedoms for the poor", she is correctly pointing out that the landowner's negative freedom to own land might be incompatible with the poor people's positive freedom to be free from

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<sup>10</sup> Of course, she may not choose to be well-nourished if she has the 'saintly' inclination to fast day in and day out, but she would still have the positive freedom to be well-nourished if she chooses to.

hunger, etc. But this is not a problem for the capability approach because if the right of the landlord to own land is seen as a Nozickian entitlement that must not be interfered with regardless of its consequences for the positive freedoms of the poor, then the capability approach would categorically reject this kind of negative freedom.

However, negative freedoms do not have to be characterised as a deontological constraint à la Nozick. If they are valued in a consequence-sensitive way, it should be possible to reconcile them with the capability approach while maintaining the latter's primary focus on positive freedoms. The reconciliation can occur in several ways.

First, negative freedom may be valued instrumentally if it promotes some positive freedom. For instance, the negative freedom of a peasant to own his land without interference may be valued because it will help the peasant to pursue the goal of achieving the positive freedom from hunger for his family. Or, to take a different example, respect for the negative freedom to be able to express one's opinions freely may enhance the positive freedom to be able to take part in social affairs effectively. Thus, many of the negative freedoms that the neoliberals might value may also be valued by the capability approach albeit instrumentally.

Second, the capability approach may be able to accord even intrinsic importance to negative freedom in some cases without any internal contradiction. The simplest such case is where two persons achieve the same level of positive freedom, but one of them has to suffer a violation of some negative freedom while the other does not. For example, two women may earn enough income to attain the same level of positive freedom in terms of being well-nourished, etc., but one of them has to face sexual harassment in the workplace. This woman must be seen as faring worse from the perspective of freedom. To quote Sen (1998, p.275): "It can indeed be argued that the deliberate violation of one person's freedom by another is something that is especially obnoxious, and this special disvalue may call for particular attention being paid to violations of negative freedom even when the overall positive freedoms are much the same."

Finally, we consider the case where negative and positive freedoms are in conflict with each other but the negative freedoms in question are not taken as deontological constraints à la Nozick. It is this conflictual situation that the critics usually have in mind when they feel uncomfortable with the capability approach's preoccupation with the perspective of freedom; this is case, for example, when Nussbaum worries that "The freedom of businesses to pollute the environment limits the freedom of citizens to enjoy an unpolluted environment." However, respect for negative freedom in this case is not a problem for the capability approach so long as negative freedom is valued in a consequence-sensitive manner rather than as a deontological constraint. Faced with the conflict, the logical response is simply to weigh the negative freedom of the businesses to pollute against the positive freedom of the citizens to enjoy an unpolluted environment. This valuational exercise may

by no means be simple in many cases; for one thing, some social choice mechanism must be instituted to resolve such conflicts for practical policy-making. But it should be noted that this type of valuational exercise, where one has to weigh one kind of freedom against another, is by no means a special feature of weighing negative against positive freedoms. Even if one were to focus exclusively on positive freedoms, similar valuation may still be needed when the society finds that in view of scarce resources it is unable to advance all kinds of positive freedoms or everyone's positive freedoms equally and simultaneously. The society will then have to weigh up one kind of positive freedom against another or one group's positive freedoms against another's. Relative valuation of competing claims of freedoms is thus an inherent feature of social evaluation from the perspective of freedoms; allowing intrinsic value to negative freedoms makes no difference in this regard.<sup>11</sup>

It is thus evident that the apprehensions that the language of freedom sometimes evokes in the minds of some people who otherwise value the progressive intent of the capability approach are on the whole unfounded. By advancing the perspective of freedom, the capability approach is not obliged to be subservient to the neoliberal preoccupation with negative freedoms. In the first place, the primary focus of the capability approach is on positive freedoms and not negative freedoms. Moreover, so long as one is not tied down by the ontological constraint view of negative freedoms and instead evaluates them in a consequence-sensitive way, it is possible (as well as desirable) to accommodate negative freedoms into the capability approach's general perspective of freedom, on both instrumental and intrinsic grounds.

## THE ROLE OF VALUES IN CHOICE AND FREEDOM

One concern that is sometimes expressed about the capability approach's emphasis on choice and freedom is that it may end up in a 'trivial pursuit' or even a counter-productive one. When the capability approach or the human development approach says that the goal of development is to expand people's choices to live the kind of life they want, is it being assumed that expansion of any kind of choice amounts to development? From the point of view of development, or of social evaluation in general, does it really matter if I have a choice of killing someone by either shooting him or stabbing him, as opposed to having only one of the two options available to me? How can expansion of choices like these be of any ethical relevance in assessing either my own well-being or the goodness or badness of a social arrangement? Thus, having more choices is not necessarily a good thing from a normative point of view. To take a different example, when I am too confused to

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<sup>11</sup> In Nussbaum's version of the capability approach the state is required to guarantee a minimum level of certain core capabilities for every citizen (Nussbaum, 2000). There is thus a range within which there is no scope for weighing up one freedom against another. However, for non-core capabilities, or for achievement of core capabilities beyond the minimum guaranteed level, the state will have to face these choices.

choose from a menu at the dinner table, wouldn't it be much better if someone well-versed in gastronomy makes the choice for me rather than the onus of making the choice being thrust upon me? The general point here is that choices can sometimes be trivial, sometimes annoying and sometimes even lethal. So, the critique goes, the normative appeal of a generalised statement such as well-being or development consists in the expansion of choices does not seem to be altogether convincing.

Something very similar can be said about freedom as well. In fact, Nussbaum (2003, p.45) has said it eloquently: "For example, the freedom of rich people to make large campaign contributions, though defended by many Americans in the name of the general good of freedom, seems to me not among those freedoms that lie at the heart of a set of basic entitlements to which a just society should commit itself. In many circumstances, it is actually a bad thing, and constraint on it a very good thing. Similarly, the freedom of industry to pollute the environment, though cherished by many Americans in the name of the general good of freedom, seems to me not among those freedoms that should enjoy protection; beyond a certain point, the freedom to pollute is bad, and should be constrained by law. And while property rights are certainly a good thing up to a point and in some ways, the freedom of large landowners in India to hold property under gender-discriminatory ceiling laws – laws that some early Supreme Court decisions have held to enjoy constitutional protection – is not part of the account of property rights as central human entitlements that a just society would want to endorse." Her central point is that not all freedoms can demand equal ethical claim and some may not claim it at all: "Some freedoms involve basic social entitlements, and others do not. Some lie at the heart of a view of political justice, and others do not. Among the ones that do not lie at the core, some are simply less important, but others may be positively bad." (p.44)

The general contention that not all choices and not all freedoms are ethically relevant in the assessment of either well-being or development is certainly valid. As such, statements such as development consists in the expansion of choices or expansion of freedoms, if left unqualified, are not defensible. It is important to recognize, however, this does not constitute a problem for the capability approach or the human development approach because this approach does qualify those statements in a significant way. The qualification is that only those choices and freedoms are relevant which we have 'reason to value'. By imposing this qualification, one immediately forecloses the possibility of entertaining flippant, trivial, annoying and potentially harmful choices and freedoms.

There is, however, no pre-determined or exogenously given list of which choices and freedoms we have 'reason to value'. To find out what are the things in life we have 'reason of value', one must engage in a reflective and deliberative process. This process cannot of course be arbitrary; philosophers have tried to identify the parameters of this process under the rubric of 'practical

reason'.<sup>12</sup> So long as the application of capability approach in real life is supported by practical reason, there is in principle no reason to suppose that the emphasis on choice and freedom might be abused in the manner that some critics have feared.

## Concluding Observations

The human development discourse can confidently continue to retain its conceptual roots in the capability approach, without being unduly worried about being perceived to be advancing a neoliberal vision of individualism. If necessary, the future Human Development Reports can try to clarify that methodological individualism, which is what the critics are concerned about, is not the primary feature of its conceptual apparatus. At the same time, the Reports may also boldly defend the claim that the human development discourse rightly adopts the principle of ethical or normative individualism.

Similarly, there is no real basis for the apprehension that by using the language of choice and freedom, the human development discourse might be contaminated by the neoliberal agenda. To avoid any possible misperception in this regard, the HDR might try to clarify that its celebration of choice and freedom is circumscribed by two major qualifications: (1) it does not subscribe to the deontological constraint view of negative freedom, a view that insists that the constraint must be respected regardless of the consequences of doing so, and (2) the particular choices and freedoms it celebrates are only the ones that we have 'reason to value', as determined by the exercise of 'practical reason'.

In addition to engaging in these tasks for clarification, future HDRs would do well to be guided by the following considerations.

First, while in the past HDRs have used mainly the language of choice, I would suggest that in future they would do well to use mainly the language of freedoms (after making clear the qualifications mentioned above). In other words, instead of defining human development as 'expansion of choices', I would prefer to define it as 'expansion of freedoms' (following the lead given by the title of Amartya Sen's famous book *Development as Freedom*). This is not because I think the language of choice involves any internal inconsistencies but because in my view the language of freedom gives something extra going beyond choice.

This is firstly because in some cases expanded freedom may be valued even if choice is heavily circumscribed. For example, a strictly regimented society may ensure a basic ration for everyone so

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<sup>12</sup> For Amartya Sen's own analysis of practical reason, see among others, Sen (2000).

that freedom from hunger is achieved even though the citizens are given no choice as to the amount and kinds of food to consume. The lack of choice here is certainly to be deplored but the fact that freedom from hunger has been achieved still demands to be viewed as a positive outcome. Thus, two opposite effects on freedom have occurred in this case; on the one hand, there has been progress in the freedom to avoid hunger but on the other there has been regress in the freedom to choose. We should take into account both these effects on freedom in evaluating the social state. If we use the language of choice, we might lose sight of one of the freedoms involved here, namely freedom from hunger, whereas if we use the language of freedom, we shall capture both – (gain of) freedom from hunger and (loss of) freedom to choose. The HDI will not of course be able to capture the choice dimension but that is a limitation of HDI not a limitation of the human development approach. The broader narrative on human development should be able to cover both types of freedom.

The more important reason for preferring the language of freedom is that it better expresses the original conception of human development. It is important to recall that human development was originally perceived as having two distinct, though related, aspects – namely, the well-being aspect and the agency aspect. As Amartya Sen put it: “...the twin recognition that human beings can (1) *fare far better*, and (2) *do much more* to bring this about may sensibly be seen as two central theses of the human development approach.” (Sen, 2003, p. vii; emphasis original). The first thesis – faring much better – reflects the well-being aspect, and the second thesis – doing much more – refers to the agency aspect of human development. Corresponding to these two aspects, there are two respective freedoms – namely, well-being freedom and agency freedom. The term capability is used to denote ‘well-being freedom’. Agency can play an instrumental role here by enhancing the prospect of expanding capability or well-being freedom. But agency freedom has an independent and intrinsic worth of its own, quite apart from the worth it derives by affecting well-being. The term freedom, which encompasses both well-being freedom and agency freedom, thus best captures the original motivation behind launching the human development discourse.

Second, even though agency freedom has all along been an integral component of the concept of human development, from the very beginning Human Development Reports have been much more concerned with well-being than with agency. This is certainly true of the Human Development Index (HDI), which has no room for according an intrinsic, as distinct from instrumental, value to agency freedom. The omission is mitigated to some extent by the Gender Empowerment Index and related measures, but agency is not just a gender issue although it does have a greater salience when it comes to female disadvantage. This is largely a measurement problem since agency is inherently much more difficult to measure than well-being. However, HDRs must not, and in many instances do not, remain exclusively focussed on measurement. Surely, a good deal can be said about how agency freedoms are being advanced (or not, as the case may be) around the world without being able to measure it precisely enough.

Third, even with regard to well-being freedom, which HDRs address much more adequately, there may be reasons to do things differently in the future. It is sometimes forgotten that although the human development discourse is founded on the capability approach, what the HDIs actually measure in the first instance is not capability or well-being freedom but functionings or actual well-being achievement. This is true, in particular, of the components related to education and health, which clearly measure functioning and not capability.<sup>13</sup> One justification for doing so is that freedom and achievement would normally tend to move in the same direction when it comes to such basic functionings as living a life without avoidable diseases, etc. In other words, as far as the basic capabilities are concerned, actual achievements (functionings) can be used as good proxies for the richness of the capability set because in these cases people would on the whole choose better functioning if better opportunities became available. This is especially when it relates to the average picture of communities as a whole rather than a particular individual (some of whom may happen to behave in idiosyncratic ways). Functioning in these cases may be seen as a valid proxy for capability.

This may be a good enough argument with regard to the capabilities that are currently being measured. However, as societies develop over time, and find that there are other, less basic, capabilities they have ‘reason to value’, the congruence between freedom and achievement may not always exist. It will then be necessary to measure capability directly, rather than being content with treating functioning as a proxy for capability.

Consider, for example, the following observation by Sen (2004, p.79): “... given the nature of poverty in India as well as the nature of available technology, it was not unreasonable in 1947 (when India became independent) to concentrate on elementary education, basic health, and so on, and not worry too much about whether everyone can effectively communicate across the country and beyond. However, with the development of the Internet and its wide-ranging applications, and the advance made in information technology (not least in India), access to the web and the freedom of general communication are now parts of a very important capability that is of interest and relevance to all Indians.” Here is a case of a capability, which has emerged newly on the agenda and for which actual achievement – as measured, for instance, by how many times a person has accessed the internet – is not what is of fundamental interest. What matters here is whether a person has the freedom to do so i.e., whether she has an adequate and reliable access to internet and other communication technologies, even if she chooses not to use it extensively for whatever reason.

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<sup>13</sup> The income component of HDI does bring in the perspective of freedom to some extent, in so far as higher income helps achieve freedoms in dimensions that are especially contingent on the use of resources. But it does so inadequately as it ignores the fundamental issue of individual diversity in converting resources into capabilities.

Future HDRs would not only need to be alive to a lengthening list of capabilities that societies may come to value over time but also to engage increasingly in the attempt to measure capabilities directly rather than using functionings as proxies. Admittedly, measuring capability is often much more difficult than measuring functioning, and in some cases, it may turn out to be almost impossible to measure it, especially with the kind of data currently available. But, wherever possible, capabilities should be measured, even if imperfectly. And when even imprecise measurement is not possible, at least the narrative of HDRs should try to illuminate the opportunity aspect of freedom as much as possible in addition to quantifying the achievement levels.

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