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<u>RESEARCH TOPIC:</u> "HUMAN DEVELOPMENT: WHY THE CAPABILITY APPROACH MATTERS MORE THAN EVER AND HOW IT CAN MAKE A DIFFERENCE".

By

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Dissertation submitted in partial fulfilment of the requirements for the degree of Master of Arts in Political Studies at the University of the Witwatersrand.

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AUTHOR'S DECLARATION.

I, Ramakwe Nicholus Pule understands the university's policy on plagiarism and I certify that this dissertation submitted for the degree of Master of Arts in Political Studies has:

- been written entirely by myself;
- been solely the result of my own work, except where I have indicated by citation and referencing; and
- not been submitted for any other degree at any institution of higher learning.

Signature: RNPule .....

17 JULY 2018.

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ABSTRACT.

Aristotle, Amartya Sen and Martha Nussbaum, amongst others argue that political philosophy has its inception in ethics. These political theorists get to the heart of political philosophy, tackling questions such as: what kind of life is the good life for human beings? What kind of life is proper for a person amongst people? This research paper has a similar interest in analyzing the conceptual 'glue' between political philosophy and ethics, but its goal is not to seek to examine the aforementioned questions in great detail. The question this research paper focuses on is this: what should we look at, when evaluating whether a person's state of affairs is more or less just compared to another? Political theorists, economists, and philosophers have in the diverse periods in history debated what proper metric of ethical judgements must be used to evaluate whether a person's state of affairs is more or less just compared to another? In other words, political theorists, economists, and philosophers have sought to answer the aforementioned question by providing comprehensive approaches for making ethical judgements to measure human development and human well-being.

This research paper will therefore distinguish various approaches in order to decide which, if any, of these approaches provide an attractive political ideal, through which a proper systematic study of ethical judgements in the measurement of human development and human well-being can be conducted. To cope with this diversity, there is a clear need to study three approaches concerned with dimensions of understanding human development and human well-being. To take a few examples: the welfarist approach asserts that the good of individuals must almost invariably be judged by their preference (an expression of utility), leaving aside the ethical judgements of the individual preferences of the people who constitute a society; the resourcist approach asserts that we should compare the holding of resources, omitting what individuals, possessed of diverse abilities, and preferences, can do with these resources; and the capability approach asserts that instead of looking at people's holding of resources and prospects for preference, we should look at what kinds of functionings and capabilities they are able to achieve.

Therefore, the question becomes: should we evaluate individual preferences, holdings of resources, or functionings and capabilities? This research paper seeks to compare and contrast

these approaches, by confronting the views of political and economics theorists – some more supportive of the individual preferences metric, some more supportive of the holding of the resources metric, and some more supportive of functionings and capabilities metric. Notwithstanding that these approaches have serious limitations, and that while they fail in rather different and contrasting ways, the concern of this research paper is not about which approach is superior, but rather about which approach can deliver the most plausible conditions for making ethical judgements to measure human development and human well-being. Therefore, this research paper will defend the capability approach as an alternative for, and improvement on, the welfarist and resourcist approaches.

CHAPTER ONE: THE CONCEPTUAL FRAMEWORK.

1.1 INTRODUCTION.

How does one evaluate the freedom to achieve an actual lifestyle that one can have reason to value, or to phrase it another way, substantive freedoms – the capabilities to choose a life one has reason to value? How can one make value judgements on the rightness of a social arrangement, norms and conventions that affect the lives of the people? Amartya Sen's wide body of literature – motivated by the enhancement of social justice, the maximization of freedom, the promotion of equality and agency, and the respect of human rights as distinct aspects of our lives in which ethical judgements are critical – is concerned with seeking far-sighted answers to these foundational questions. Having been motivated by, most notably, Aristotle, Karl Marx, Immanuel Kant, John Stuart Mill, Henry Sidgwick, Jeremy Bentham, Francis Edgeworth, Lionel Robbins, Kenneth Arrow, John Rawls, Isaiah Berlin, and George Stigler, Sen's panoply of ideas will be the focal point of this research paper.

The grounding of this research paper is an attempt to examine Sen's system of social evaluation which is commonly known as the capability approach. However, to benefit from what Sen's capability approach can offer, this research paper will compare and contrast it with the welfarist approach – the idea that by and large accepted the provisions of utilitarianism – and the resourcist approach, the idea which Sen built upon in defending the capability approach, but never endorsed it in its entirety. Sen's capability approach is, of course,

progressive in the sense that it aims to reformulate the foundations of human nature by shifting 'from goods to what goods do to human beings' (Hamilton, 1999: 517) and 'from using utility as a sole criterion by which well-being is judged' to evaluating the concept of well-being by a combination of measures (Osmani, 2009: 15-24). The capability approach comprehends human life as a set of 'doings and beings' – Sen calls them functionings – and it relates the evaluation of the quality of life to the assessment of the capability to function. Functionings denote a person's actual achievements, but Sen acknowledges the importance of re-conceptualizing the idea of functionings in the sense that functionings may not invariably represent the real extent of a person's development and well-being. Sen argues that we may have to look at the overall opportunities in terms of capabilities rather than functionings.

Given that the capability approach helps us to reinforce our understanding of human development and human well-being, this research paper argues that there is a need to renounce unhelpful preconceptions of human development and human well-being. In this research paper, it will be shown that unlike the welfarist and resourcist approaches, the capability approach has much broader relevance as its measurement of human development and human well-being is not one-dimensional. Some contemporary political theorists, such as Lawrence Hamilton, define the capability approach as a theory of true interests, denoting how the theory, if understood in these terms, could become a good ally for the struggles and interests of the people (Hamilton, 1997). However, without stepping outside the boundaries of the real, this research paper will primarily concentrate on the capability approach as a theory of ethics of human development which emphasizes the importance of ethical judgements in measuring human development and human well-being. The intent of this research paper is not to introduce new permutations to the capability approach. Rather it seeks not to limit its scope to how the capability approach has gained widespread support at the expense of the competing welfarist and resourcist approaches. Most importantly, it presents Sen's general critique concerning how he saw utilities as an unworkable idea and the inflexibility of primary social goods and/or resources as metrics of social justice, freedom, equality, agency and human rights. The capability approach as a theory of ethics of human development thus emerges as an *apposite* tool for the purpose of measuring a person's development and well-being.

This research paper will proceed in four stages. The first part outlines the background of the capability approach; it delineates the characteristics of the approach that make it a good metric for ethical judgements to measure human development and human well-being; and it dissects at length the capability approach's breakaway from the limited confines of the welfarist and resourcist approaches, which attach moral significance to skewed utilities and primary goods. The second part focuses on the welfarist approach and the irrationality of preferences of individuals. In other words, the second part stresses how individual preferences are not necessarily in themselves instances of better judgements about human development and human well-being, given that people are not always the best judges of what is good for them, and that preferences may be the consequence of manipulation and power relations that rest on domination; at the very least, given what we know about preferences, any approach to development needs to be able to assess the provenance and effects of preferences. Additionally, the second part presents critical arguments on why the welfarist approach is an 'unworkable idea' and how the capability approach is a flexible approach, for the comparative evaluation of 'good life' or 'good lives'. In doing so, the second part shall explicate the harm which the assumptions of 'self-interest' and 'economic' behavior, as the moral compass of the welfarist approach, have done to the quality of human development and human well-being analyses.

The third part elucidates how the resourcist theorists assert, while the capability approach theorists deny, that equal allocation of 'primary social goods' constitutes a universal base for a good human life. To make this research paper more plausible, this part pays much attention to how Amartya Sen takes issue with John Rawls's idea of 'primary social goods' and Ronald Dworkin's idea of 'equality of resources' as means to a life with reason to value. Moreover, the third part attempts to bring into sharp focus the poor expressions of primary social goods and resources, by showcasing the dangers committed by Rawls and Dworkins in using primary goods or resources as 'means' rather than as 'ends' to a life with reason to value. The fourth part analyzes the criticisms of the capability approach. It serves as an attempt to avoid reducing this research paper into a narrow study of theoretical assumptions and generalizations.

1.2 BACKGROUND OF THE STUDY.

In the *Nicomachean Ethics*, Aristotle asserts that the problem the ancient philosophers thought deeply about is this: what makes a human life good – what makes it worth living and what must we do, not just merely to live, but to live well? This problem suggests that people take political action because they want goodness to happen, or more simply, from love of the good, that is for moral reasons. Furthermore, Aristotle stresses that the main objective of governments and states is to help every man in his effort to lead a good life – that is to say, a worthwhile and humanly satisfying life (Aristotle, 1906: 1-8). In order to overcome the problem posed by Aristotle, this research paper develops and defends an approach to theorizing and practicing politics that is based on a political understanding and conception of human development and human well-being through capabilities. The capability approach as a theory of ethics of human development employs Aristotle's 'ethics-related' view of human ends to measuring human development and human well-being. It also takes a broader and open-minded view to 'what does it take for the individual to live the life they have reason to value' more than its competing approaches (Sen, 1987: 4).

The focus on the welfarist and resourcist approaches provide little scope for understanding visions of the good life since these approaches reduce politics to the aggregation of individual preferences and the evaluation of individual happiness (Hamilton, 2003: 1). The importance of the capability approach is that it delivers a means for overcoming individual happiness and individual preferences as two relevant variables in politics (Ibid). Immanuel Kant and Karl Marx were also concerned with 'what makes human life good?' In the *Groundwork of the Metaphysics of Morals*, Kant argues that it is necessary to see human beings as ends in themselves, rather than as means to other ends (Kant, 1785). To make progress in comprehending this doctrine, "seeing human beings as ends in themselves, rather than as means to other ends" should be the ultimate goal; an objective, rationally necessary, and unconditional principle which offers grounds for treating each human being as possessed of equal worth and deserving of equal respect (Kant, 1785). Kant's work activates a *prima facie* concern regarding the resourcist approach's presupposition of focusing on resources or primary social goods as 'means' rather than as 'ends', and the welfarist approach's way of thinking

about human wants and preferences: that human wants are inherently atomistic; that is, they all stand on the same level as each other, only differing from one another in intensity and with respect to a particular object in the external world (Hamilton, 2014: 68). The importance of Kant's doctrine is committed to the view that the pursuit of enriching human lives should be an end in itself.

Furthermore, Marx in *The German Ideology* approached the problem in a similar vein as Aristotle and Immanuel Kant. Marx's approach to the problem gave strict priority over the importance of functionings and the capability to function as determinants of well-being. The circumstances of giving strict priority over functionings and capabilities present human beings as beings in need of a totality of human-life activities, and human beings are regarded as autonomous or free to realize their needs as inner necessity (Marx, 1932). However, for Marx, there is an obvious connection between functionings and capabilities. Karl Marx and Amartya Sen have something of a common motivation: that of enriching human lives. Therefore, the capability approach is an animated theory which offers a plausible basis for understanding any larger fragments of ethical issues at play in politics. Additionally, the capability approach is persuasive in the sense that it offers mechanisms and tools within which the better planning to human development and human well-being can be traced.

This research paper will not provide any thematic approach to discuss the work of the abovementioned canonical thinkers, for their ideas have clearly been analyzed in Amartya Sen's work. Although Aristotle, Marx and Kant have had the greatest influence on the study of ethics, in particular associating political philosophy and economics with ethics, the work of Amartya Sen provides distinct ways for overcoming the now predominant ideas that 'happiness as a consequence' and 'holding of resources' are two valuable basic goals of human motivation and behavior, and yet, this research paper argues, none captures the full nature of human motivation and behavior by disassociating politics and economics from ethics in any form. What this research paper seeks to do is to demonstrate that the capability approach provides a finer analysis which can bring us closer to the definitive solution of the celebrated question: what should we look at, when evaluating whether a person's state of affairs is more or less just compared to another? This research paper asserts that the capability approach is the powerful

political and economic solvent for it – the capability approach entails concepts central in political theory that give human development and human well-being a peculiar status. This idea renders the capability approach as a workable framework for measuring human development and human well-being, and this framework can provide far-sighted answers to human motivation and behavior compared to its competing approaches. The fact that Sen proposes that the capability approach is an 'incomplete theory' is important. As an incomplete theory, the capability approach does not provide an account of a list of capabilities that are important to human development and human well-being. Obviously, Sen's proposition begs the question. Hamilton (1999: 530) asserts that the idea of an 'incomplete theory' does not work to the detriment of the capability approach – the idea of an 'incomplete theory' presents the capability approach as flexible in the sense that it does not stifle new prospects of human development and human well-being. Furthermore, the idea of an 'incomplete theory' complements the capability approach as it fosters freedom by leaving each and every person to define their own set of capabilities (Clark, 2005:1346). Therefore, the capability approach offers renewed efforts to rethink human nature, and the new place of value judgements for understanding human development and human well-being.

In his Tanner lecture entitled "Equality of What?" Amartya Sen argued that it is imperative to give ethical considerations a much greater role in the analysis of human behaviour. According to Sen (1987: 4), the welfarist and resourcist approaches are not concerned with ethical views of politics and ultimate ends which foster 'the good of man' or 'how one should live'. Of course, this does not suggests that the welfarist and resourcist approaches have not been able to provide a better understanding of human motivation and behavior, despite their narrowly constructed non-ethical views of human motivation and behaviour (Sen, 1987: 8-9). In fact, quite aside from the weakening and the neglect of ethical considerations, there are some extremely important issues that the welfarist and resourcist approaches address about human motivation and behavior even when ethical variables are not involved: i.e. the resourcist approach's framework of respecting plurality of values as the only cogent way for evaluating social arrangements can be of substantial importance to measuring human development and human well-being, but the focus of the framework should be on 'freedom' instead of

'achievements' – that is to say, the distribution of primary goods or holding of resources does not provide enough information on human development and human well-being; and the welfarist approach's framework of valuing the goodness of the consequences of an action is also important, but the feature of consequences that matters the most cannot be adequately captured by the welfarist approach (Osmani, 2009: 17-23).

However, this is to say that happiness, desire-satisfaction, and individual preferences are not the only consequences that people might have reason to value (Osmani, 2009: 18-19). Furthermore, the idea of distributing primary goods or holding resources will always be marred by elements of arbitrariness, leading to sources of unjustified inequality and unfairness, in the sense that the idea excludes the 'interpersonal variability in the conversion of primary goods into capabilities' (Brighouse & Robeyns, 2010: 4). Therefore, in this research paper, the capability approach as a theory of ethics of human development will emerge as an alternative for, and an improvement on, the welfarist and resourcist approaches as its pays greater and more attention to the ethical considerations that shape human behaviour and judgement (Sen, 1987: 9).

1.3 RESEARCH QUESTIONS.

Primary Question:

- How, if at all, is the capability approach dissimilar to the welfarist and resourcist approaches?

The nature of this problem informs the qualitative approach to this study. This question is not the first attempt to uncover the differences in phenomena between the three competing approaches, and will certainly not be the last. The importance of this question is that it facilitates an understanding that leads to comparisons of the three approaches and subsequently provides far sighted arguments on why the welfarist and resourcist approaches are inadequate in addressing the question: what should we look at, when evaluating whether a person's state of affairs is more or less just compared to another? Most importantly, this question seeks to provide a realistic view of the life experiences of the people that cannot be comprehended through the use of the welfarist and resourcist approaches.

Secondary questions:

- In what sense does the capability approach shape the study of politics, concerned with ethics? That is, how does the capability approach offer a plausible basis for understanding the foundations of human motivation and behaviour?
- Why, then, is it that capabilities – as opposed to individual-preferences and holding of resources – provide a better framework for measuring human development and human well-being?

1.4 LITERATURE REVIEW.

Sen's related criticism of the welfarist approach focuses on the fact that to value individual utility, defined in terms of some characteristics, such as pleasure, happiness, or desire-satisfaction, does not tell us anything about a person's development and well-being. But true though this is, the criticism does not necessarily put a prohibition on the importance of happiness, desire-satisfaction and pleasure for measuring human development and human well-being, but merely holds that these outcomes cannot be justified as the sole criterion, which makes the welfarist approach a very inadequate system for the purposes of making ethical judgements for measuring human development and human well-being. This is a central issue for Sen.

The welfarist approach is the application of utilitarianism to welfare economics, with its origins in the writings of Jeremy Bentham and John Stuart Mill. Sen's penetrating and intriguing work asks this thought-provoking question: what matters the most in the context of evaluation – the rightness or goodness of an act in itself, or the goodness of the consequences that follow from it? In utilitarian terms, it is widely held, although undoubtedly falsifiable, that the morally right action is the action that produces the most good; and that this action should be grounded on what Jeremy Bentham calls the 'Principle of Utility'. Bentham himself does concede that morally appropriate behaviour will not harm others; but instead will increase happiness or 'utility'. This appears to present utilitarianism as consequentialist. Sen objects to the kind of consequentialism found in utilitarianism, exemplified in the work of Jeremy Bentham for two reasons. First, Sen argues that the consequence-based evaluation of utilitarianism disregards

individual autonomy. The consequence-based evaluation of utilitarianism is primarily based on 'culmination outcome' instead of 'comprehensive outcome' – that is to say, the consequence-based evaluation of utilitarianism focuses on outcome and overlooks the process through which the outcome is achieved. Second, the consequence-based evaluation of utilitarianism is limited given that it fails to encapsulate the deontological considerations – the idea that utilitarianism does not incorporate both the consequence and the non-consequence information – and the agent relative values, the idea that utilitarianism fails to make a distinction between agent and non-agent evaluations (Osmani, 2009: 24-31).

However, Sen's objection to the consequence-based evaluation of utilitarianism does not present the capability approach as non-consequentialist in nature. The capability approach overcomes the pitfalls of utilitarianism in three ways: (i) it addresses the issue of deontological considerations by attaching moral significance to individual rights and liberties in its framework; (ii) its focus on 'comprehensive outcome' respects individual autonomy as it reflects the freedom people have to choose the kind of life they have reason to value on the one hand, and the level of individual participation in decision-making processes regarding the life they have reason to value on the other hand; and (iii) it recognizes the significance of agent-relative values by paying much attention to *positional objectivity* – the capability approach evaluates an individual's state of affairs from internal and external points of view because what is observed can vary from position to position (Sen, 2004: 480-483; Hamilton, 1999: 518-519; Osmani, 2009: 24-31). In other words, Sen's capability approach while critical of utilitarianism remains consequentialist. That is say the goodness or badness of an act or policy is dependent on the consequence of the act or policy on human well-being understood in terms of the capability approach.

Another question that crops up frequently from Sen's criticism of utilitarianism is this: if the focus of evaluation is to be on the consequences, which particular features of the consequent state of affairs should count towards valuation? According to Pareth (1993:54), Bentham asserts that human beings are subject to two predominant drives: desire for pleasure and aversion from pain. What this assertion is suggesting is that actions are approved when they promote happiness, or pleasure, and disapproved of when they have a tendency to cause

unhappiness, or pain (Ibid). Mill asserts that it is important to concede that there are some kinds of pleasures that are more desirable and more valuable than others (Skorupski, 1998: 262). According to Mill (1833: 211), the most valuable pleasures are those which employ the 'highest faculties' such as: (i) the pleasures of intellect; (ii) the pleasures of feelings and imagination; and (iii) the pleasures of moral sentiments. What is central to these pleasures is that they require highly developed capacities like judgement and empathy (Ibid). This suggests that the best human life is the one in which the highest faculties play a sufficient role (Mill, 1833: 211-212). Perhaps the best way to give shape to Mill's philosophy is to draw a logical conclusion that the consequent state of affairs that matters for moral or social evaluation is that the well-being of individuals should be measured by the level of utility they enjoy (Osmani, 2009: 16).

It is evident that the welfarist approach has accepted without any serious questioning, the provisions of utilitarianism, exemplified in the work of John Stuart Mill. According to Osmani (2009: 18-19), Sen rejects these provisions on the following basis: (i) the metric of utility is likely to give a distorted account of an individual's advantages in many circumstances, and (ii) there are other aspects of outcome than utility that people might value, and yet the welfarist approach must exclude those considerations because the respect for them is inconsistent with exclusive focus on utilities. According to Sen (1979: 202), the welfarist approach is 'egalitarianism by serendipity' in the sense that it promotes justice, freedom, equality, agency and respect of human rights by chance. This problem is prompted by the welfarist approach's 'veil of ignorance' towards the recognition of the fundamental diversity of human beings (Ibid). The capability approach as an alternative for, and an improvement on the welfarist approach, overcomes the trap of giving a distorted account of an individual's advantages by giving advantages and disadvantages an equal weight in the process of individual evaluation. Given that the observed people may lack necessary knowledge about the kind of life they have reason to value, the extra information the observer(s) may have can form part of the process for understanding the individual's advantages and disadvantages (Hamilton, 1999: 519-520). Therefore, the capability approach helps to absorb informational diversity about human beings in its framework.

Furthermore, Alexander contends that equalizing people's welfare in terms of pleasure, happiness or preference-satisfaction would equalize too much because people do not possess the same tastes – this does not suggest that a person's development and well-being are independent of tastes, but rather that the index of development and well-being must take into account objective factors, not only subjective features (Alexander, 2008: 54; Sen, 1979: 212). To put it in a more persuasive manner, Sen holds that if human beings are identical then the form of 'giving equal weight to the equal interest of all parties' simplifies matters enormously – that is, if human beings were not diverse, then the welfarist approach would be an adequate metric to measure human development and human well-being (Sen, 1979: 202).

According to Sen (1990: 325), the welfarist approach imposes the requirement of internal consistency of observed choices in which our love for variety makes it illegitimate to consider individual acts of choice as the proper units. Furthermore, peoples' choices are regarded as rational if these choices are consistent with revealed preferences – that is, the ability of the people to choose the most preferred alternatives with respect to proposed alternatives (Sen, 1990: 323). Here, the welfarist approach equates internal consistency of choice with the rationality to maximize self-interests – that is to say, internal consistency of choices is itself an adequate condition of rationality (Sen, 1987: 12-13). Like the negative freedom doctrine, the welfarist approach assumes that 'everyone knows her own interests best' and that no one should decide her ends and purposes. According to Alexander (2008: 53), the problem with the welfarist approach is the possibility of using the consistency requirement because a person's subjective perceptions of well-being are susceptible to circumstances. To substantiate Alexander's argument, Sen provides a clear analysis by arguing that peoples' choices may reflect a compromise among a diversity of considerations of which personal welfare may just be one (Sen, 1999: 323-324). Or, even worse, under conditions of 'false consciousness' and 'adaptive preferences', the welfarist approach may distort the reflective powers of a person in such a way that she may feel happy even in a state of utter deprivation because she is not aware that a better alternative exists in principle (Osmani, 2009: 19). This is what Hamilton calls 'valuation neglect' in the sense that the welfarist approach fails to take into consideration the possible evaluation of states and conditions (Hamilton, 1999: 521). Therefore, internal

consistency of choice must demand something at least about the correspondence between what one tries to achieve and how one goes about it.

The capability approach reflects the correspondence between what one tries to achieve and how one goes about it in the following ways: (a) internal consistency of choice under the capability approach provides a necessary correspondence between negative and positive freedoms; and (b) it disintegrates rational behavior with the maximization of self-interests. Proposition (b) seeks to differentiate between the 'well-being aspect' and the 'agency aspect' of a person. According to Sen (1987: 58-59), the 'well-being aspect' entails a person's achievements and opportunities, whereas the 'agency aspect' examines achievements and opportunities beyond the well-being aspect. Under the welfarist approach, this dichotomy is enclosed by the integration between rational behaviour and the maximization of self-interests, in which a person's agency is geared to her own well-being (Sen, 1987: 41). This integration stigmatizes the important role to what people actually do value and their ability to get those things (Ibid).

However, Sen argues that the dichotomy between the 'well-being aspect' and 'agency aspect' is less valuable if it does not take into thorough consideration the importance of freedom. This supposes that internal consistency of choice is better represented by the freedom that a person has, not by her achievement – either in respect of the 'well-being aspect' or the 'agency aspect' (Sen, 1987: 47). According to Hamilton (1999: 524), the incorporation of freedom in the 'well-being aspect' and the 'agency aspect' cements the importance of choice – that is acting freely and being able to choose. Therefore, the capability approach serves to assist in assessing whether a person would or would not have made certain choices given different conditions and knowledge (Hamilton, 1999: 525). Proposition (a) objects to the welfarist approach's basic assumption that attaches moral significance to negative freedom, denoting that internal consistency of choices must be independent of features external to choice. Sen's freedom-based system of evaluation asserts that the internal consistency of choice must take into thorough consideration the extent to which both negative and positive freedoms are realized – that is to say, consistency must not be a constraint to a person's preferences, aims, values and motivations (Osmani, 2009: 25-26; Sen, 1987: 14).

As an alternative to the welfarist approach, John Rawls gave primacy to the need to measure one's state of affairs in terms of the possession of what he calls 'primary social goods'. According to Rawls (1971: 62), primary social goods are 'things that every rational man is presumed to want, including rights, liberties and opportunities, income and wealth, and the social bases of self-respect'. Supposedly, as Rawls argues, the resourcist approach is genuinely distinct from the welfarist approach in the sense that it demands efficiency and equality, judging advantage in terms of an index of primary social goods – this is what Rawls calls the 'difference principle' (Ibid). Furthermore, Rawls peddles a view that given their possession of primary social goods, individuals are free to decide what goals to pursue in accordance with their respective values – this is what Rawls calls the 'comprehensive doctrine of the good' (Osmani, 2009: 22-23).

Sen employs the notion of 'case implication' and 'plural efficiency' to encapsulate his forays on the resourcist approach. The first critique is that, for Sen, the real opportunities or possibilities that a person has to pursue in his own life plan are not only influenced by the primary social goods he has at his disposal, but also by a range of factors that determine to what extent he can use these primary social goods to generate valuable states of being and doing (Robeyns & Brighouse, 2010: 4-5). Sen argues that the resourcist approach suffices to solve the problem of plurality of values (in which individuals pursue different ends in keeping with their respective value systems) with its primary concentration on primary social goods – but it stigmatizes the problem of plural efficiency (in which individuals convert primary social goods into freedoms) (Osmani, 2009: 22-23).

Another recurrent critique is the 'case implication' argument in which Sen takes up particular cases and employs the resourcist approach to see how the approach holds ground in a rather stark way, and then examines these implications against our intuitions (Robeyns &Brighouse, 2010: 9). This critique stems from the resourcist approach's proposition that 'everyone has physical needs and psychological capacities within the normal range' which suggests that the scope of the approach applies to normal cases – that is to say, the resourcist approach does not adequately address claims of people whose abilities fall outside the normal range. Hamilton accuses the resourcist approach of 'physical neglect', invoking Sen's

provocative idea of how disabled people would fare under the metric of primary social goods (Hamilton, 1999: 520-521). Hamilton's recognition of 'physical-neglect' places a greater emphasis on how the resourcist approach fails to take into account the freedom a person had in reaching their states and their objective condition is not considered separate from any reference to how they feel about their states (Hamilton, 1999: 521). Therefore, the capability approach's focus on freedom deals with both kinds of plurality in a way that accomplishes desired aim or result. Moreover, the capability approach is under-specific, in so far as stipulating how a particular case fares under its metric, but compared to both the welfarist and resourcist approaches, the capability approach provides a satisfying guide to overall individual opportunities.

Ronald Dworkin, a staunch doubter who does not appreciate Sen's capability approach, begins his criticism by asking whether or not the capability approach provides an alternative satisfactory framework to the welfarist and resourcist approaches. At the center of Dworkin's work is an abstract theory of 'equality of resources' which he explores to attack the capability approach as being an inadequate justification for the life with reason to value. Dworkin tries to persuade without sufficient convincing that the capability approach is ambiguous, and depending on how the ambiguity is solved it either collapses into equality of welfare or equality of resources (Pierik & Robeyns, 2007: 133). However, Dworkin was not interested in the welfarist approach, but rather in the false dichotomy (as he argues) between the capability and resourcist approaches. In order to analyze the similarities between the capability and resourcist approaches, Dworkin argues that we should read equality of capabilities as a form of equality of resources (Ibid). He does this by contrasting between two kinds of resources: personal and impersonal. Personal resources, for instance, are physical and mental health and ability, portraying a person's fitness and capacities, counting their wealth and talent; and impersonal resources offer the prospect of complete human satisfaction – these are resources that can be reassigned from one person to another (Dworkin, 2000: 322-323; Pierik & Robeyns, 2007: 134-135).

In *Sovereign Virtue*, Dworkin posits that the resourcist approach advocates for access to equal amounts of personal resources, and that the unequal quantity of personal resources can

be compensated for by a redistribution of impersonal resources (Dworkin, 2000). In *The idea of Justice*, Sen developed a powerful critique of Dworkin's idea of 'equality of resources'. In Sen's view, Dworkin focuses exclusively on 'means' instead of 'ends' and he substantiates his argument with an allegory of a bicycle:

> 'For Sen, it is not the bicycle itself that is valuable – as an impersonal resource – but the fact that the bicycle facilitates the capability to be mobile. In that sense, a person who has a broken leg, or who lives in a flooded area, or who is hampered by religious law or social custom from riding their bicycle, may possess one, but does not enjoy the capabilities that could be generated by this commodity' (Pierik & Robeyns, 2007: 135).

Therefore, personal resources and impersonal resources are only 'means' to achieve Sen's valuable 'ends' in the form of people's capabilities, or to phrase it in another way, people's overall opportunities.

1.5 RESEARCH METHODOLOGY AND DESIGN.

This is an ethical issue-raising paper which is primarily concentrated on a good deal of discontent about the welfarist and resourcist approaches in contemporary political theory. This research paper acknowledges the welfarist and resourcist approaches as 'not yet' well-grounded approaches in the sense that they seem to overlook human diversity; and they take an insufficient or rather a narrow approach to measuring human development and human well-being, leading to the ignorance of critical human motivation and behaviour. The intention is to propose a broad-based critique of the abovementioned approaches using Amartya Sen's capability framework. In order to achieve this, Sen's capability approach will be adopted vis-à-vis the welfarist and resourcist approaches – that is to say, the capability approach will be separated from the two approaches which take insufficient note of a proper metric to measuring human development and human well-being.

The capability approach is distinctive because (1) it does not give epistemic priority to individual preferences as a proper metric for measuring human development and human well-being; (2) it satisfies the preference-satisfaction theory of human development and human

well-being as it evaluates individual-preferences with both internal and external perspectives, unlike other approaches that frequently evaluate individual preferences from an internal perspective alone; (3) it is not a 'means' but an 'end' approach to human development and human well-being; and (4) what makes the capability approach normatively novel is that it does not offer a reductionist approach to evaluating justice, freedom, agency, equality and human rights. Therefore, the capability approach's account of human development and human well-being is potentially better than other accounts of human development and human well-being. This research paper will use primary and secondary sources to support its stance that: the capability approach matters more than ever and how it can make a difference?

- **Primary sources:** primary sources will include the existing literature on human development, human well-being, social justice, freedom, etc. These sources will range from books to journal articles and so on.
- **Secondary sources:** Secondary sources will include statistical data from the leading global research institutes on human development and human well-being. These research institutes include amongst others: the Global Poverty Research Group (GPRG) and the Oxford Poverty & Human Development Initiative (OPHI).

The proposed structure of this research paper is as follows:

Chapter one: The conceptual framework.

Chapter two: A theory of ethics of human development.

Chapter three: Why is 'utility' an unworkable idea?

Chapter four: Two cheers for capabilities or resources?

Chapter five: A re-examination of the capability approach.

Chapter six: Conclusion.

CHAPTER TWO: A THEORY OF ETHICS OF HUMAN DEVELOPMENT.

2.1 AN INTRODUCTORY REMARK.

Criteria for measuring human development and human well-being are legion. Three sets, divided into objective and subjective metrics, recur continuously in this research paper. One metric – focusing on functionings and capabilities – can perhaps at best be recapitulated as a theory of ethics of human development. As a theory of ethics of human development, the capability approach has been defined by Sen and Nussbaum in two different ways. This chapter, however, does not track down how Sen and Nussbaum's accounts vary greatly or are related. Instead, this chapter pays most attention to Sen's account, with a few exceptions, in particular how his account of the capability approach is both pertinent and relevant to the issue of human development and human well-being. The critical motivation for using Sen's account lies in the fact that the general characterization of his approach is objective. It is objective since it does not limit its scope on the holding of primary social goods and/or resources and happiness as a self-evident objective for the definite purpose of measuring a person's development and well-being.

Unlike the welfarist and resourcist approaches, the capability approach permits comparative analysis of a person's development and well-being. At the extreme, the capability approach does not assume primary social goods and/or resources and happiness as the ultimate goals of human development and human well-being, but rather as qualities which are useful for particular ends. This is so, because an objective metric for measuring human development and human well-being must (a) be sensitive to human heterogeneity, (b) constitute proper generality of application to variations in both mental and physical states and (c) accord freedom a predominate role in its framework. At best, the welfarist and resourcist approaches downplay one or more of these vital points. What the capability approach does, as it will be apparent in this chapter, is incorporate these vital points when measuring a person's development and well-being. In addition to this, the capability approach casts light on the ways in which these vital points enter into ethical judgements of human development and human well-being.

2.2 ELEMENTS OF A THEORY OF HUMAN DEVELOPMENT.

A distinction can be drawn within political theory between transcendental and comparative approaches which identify the nature of a perfect societal arrangements on the one hand, and the ranking of alternative social arrangements on the other hand (Sen, 1995: 243-244). This distinction is important for studying ethical approaches to human development and human well-being. Since all evaluations of human development and human well-being are about comparisons (at least in the case of this research paper), any relevant approach must adequately respond to one or more of the following questions. Questions regarding how far life can and how far it should be self-sufficient, what role reason and desire play in the search for self-realization, and what the appropriate kind of self-realization is for rational human life – these lucid questions are part and parcel of the celebrated question: what should we look at, when evaluating whether a person's state of affairs is more or less just compared to another? This question serves to direct the attention of this research paper to study in detail a group of ethical approaches and where necessary endorse the one that is salient and representative of the aforementioned question.

However, the detailed study might be complicated by the fact that normative ethics contain within themselves more than one position regarding the question at hand. Within normative ethics, there are approaches that work from wants and preferences (welfarist approach), there are approaches that use resources to satisfy people's needs (resourcist approach), and those that use people's functionings and capabilities (capability approach). This research paper calls the first approach a subservient end, the second approach a subordinate end, and the third approach an ultimate end. In the light of these remarks, characterizing these approaches as subservient, subordinate and ultimate ends is an attempt to bridge the gap between subjective and objective metrics for measuring human development and human well-being. The capability approach as an objective measure throws light on the kind of things that are meant as self-realization (Warnock, 1960: 4). Moreover, in the case of issues that are thought to be of ethical concern, the capability approach goes beyond even more sophisticated ethical approaches to human development and human well-being (Hamilton, 1999: 516).

As a theory of ethics of human development, the capability approach specifies two central features which permit the approach a label of 'theory': a metric and a rule. Anderson provides an illuminating analysis that with regards to a rule a theory must explain how a good should be distributed (that is whether a good must be distributed through unconstrained, constrained or patterned rule), and with regards to a metric a theory must explain: (a) why an objective or subjective metric is preferred; and (b) what types of goods are subject to demands (in this case which goods are salient for human development and human well-being) (Anderson, 2010: 82-85). It follows that the capability approach as a theory of ethics of human development advocates that (a) the metric must be objective given that subjective metrics are not viable indicators of the quality of life; (b) the goods subject to demand for human development and human well-being are functionings, capabilities and freedoms; and (c) the rule must be pattern-sensitive to permit a space for interpersonal comparisons of the diversity of human beings (Anderson, 2010: 82-85).

Besides the capability approach encompassing and subsequently satisfying merits of a theory, there is another important feature that is worth commenting on – the problem of human motivation and human behaviour. The assessment of this problem takes a fully ethical approach, focused and concerned with, 'How should one live?'(Sen, 1987: 3-4) In Sen's view, a subjective metric does not grant ethical considerations much role in the explication of human motivation and human behaviour – this is an idea that a subjective metric does not suffice to offer any useful purpose for understanding human development and human well-being (Sen, 1987: 8-9).

It must, in fact, be clearly expressed that the welfarist and resourcist approaches obliterate a diversity of concerns, significant for measuring human development and human well-being. This research paper rejects the welfarist approach's widely used but narrowly views that are considered credible for measuring human development and human well-being. Consider, for example: (i) it is certainly bizarre to think that the monist view that happiness as an object of value could itself be adequate enough for guaranteeing a person's development and well-being; and (ii) that issues of human development and human well-being must follow a set of priori in which rationality is defined in terms of 'axioms of maximization of self-interests' and

'conditions of internal consistency of observed choices' is not only incoherent but also misses the target of a person's development and well-being (Sen, 2004: 4-13; Sen, 1987: 61-62). Sen argues in rebuttal that 'axioms of maximization of self-interests' and 'conditions of internal consistency of observed choices' serve to exclude the diversity of reasons that may practically motivate a person's choices (Sen, 2004: 5). These suppose that 'axioms of maximization of self-interests' and 'conditions of internal consistency of observed choices' create a bounded rationality or a cognitive injustice in which a person's decisions and choices are susceptible to objective illusion (Sen, 2004: 469).

Furthermore, the view that happiness is the intrinsic object of value is unconvincing given that happiness is choice worthy. The welfarist approach does not accommodate the diversity or plurality of individual choices and for this reason happiness becomes meaningless as an adequate reflection of a person's development and well-being. Moreover, in the *Nicomachean Ethics*, Aristotle asserts that what is choice worthy is what we choose neither on account of anything else nor for the sake of anything else (Sachs, 2002: 181). Therefore, the welfarist approach's view that there is a symbiotic relationship between rationality and the maximization of self-interests compromises happiness as an object of value in two ways: (i) it implies that individuals pursue happiness as a self-interest goal to the exclusion of everything else, including the advancement of non-self-interested goals; and (ii), as a consequence, happiness as an object of value is not a freedom-oriented perspective – this is to say, rationality does not accommodate freedom (for the purpose of understanding other individual objectives, values, choices, judgements, reasons, etc. that may not conform to the idea of the maximization of self-interests) and this stumbling block presents individuals as 'rational fools'.

This research paper also rejects the resourcist approach as it does not reach the core issues of human development and human well-being. The assertion that an index of social primary goods or resources is appropriate for measuring human development and human well-being is narrow in the following ways: (i) the index is grounded on the 'natural order of things' in which the individual ought to receive the benefits or the evils of her own nature and consequent conduct – due to this, the resourcist approach is insensitive to internal individual differences, and environmental features and social norms that are reciprocal with these differences; and (ii)

the distribution of social primary goods or resources through the 'standardized package' mechanism ignores the variability among people – people have different tastes and preferences that may reduce them to less efficient converters of social primary goods or resources into the satisfaction of human development and human well-being (Daniels, 1990: 274-285; Anderson, 2010: 86-87). Therefore, the underlying assumption that people are equally moral agents – with vested powers to develop and shape the conception of their 'good' – presents the resourcist approach as a hyperbolic approach for measuring human development and human well-being (Anderson, 1999: 312).

It is evident that the welfarist and resourcist approaches are not good candidates for measuring human development and human well-being. To remedy the inadequacy and the insufficiency of these approaches, this research paper provides three reasons for adopting the capability approach as a theory of ethics of human development: authentic preferences, the publicity condition and the basic structure as the foundations of human development and human well-being (Anderson, 2010: 85). There is a deep motivation for appealing to authentic preferences rather than hypothetical preferences. Authentic preferences are workable procedures that satisfy reasonable requirements for measuring human development and human well-being, whereas hypothetical preferences are discriminatory axioms which do not accommodate every conceivable cluster of individual preferences (Sen, 2004: 74-75). The welfarist approach's idea of leaving ethical judgements about a person's development and well-being to the individual preferences of the people who make up the society is irrational. It is irrational because a person's preferences do not invariably tell us what is good for her given that people are not invariably the best judges of their own development and well-being (Broome, 2009: 10). Furthermore, Rawls's proposition that people actually choose to have preferences they have and that they can always, at least over time and with some cost or effort revise them, presents the resourcist approach as a metric which takes no interest in the fact that peoples' preferences come in many shapes and sizes (Sen, 2004: 76; Daniels, 1990: 286).

Rawls and Anderson propound that the publicity condition requires that an acceptable principle of public justice be capable of being known by all, as a matter of common knowledge, to be satisfied in a society (Rawls, 1971: 133; Anderson, 2010: 85). The capability approach

satisfies the publicity condition in two ways. First, within its capacious body, the capability approach fosters freedom that can be valued in terms of 'opportunity aspect' – the opportunity it gives to the pursuit of peoples' objectives and goals – and the 'process aspect', the ability of the people to 'choose freely the things they have reason to value' (Anderson, 2010: 85-86). Second, the internal and external points of valuation present the capability approach as a metric that is transparent – the capability approach uses this experimental knowledge to reach an understanding of a person's development and well-being (Anderson, 2010: 85-86). According to Gasper (2002: 7), the capability approach's publicity condition emphasizes public discussion and decision procedures for prioritizing which and whose capabilities matters.

This research paper turns attention to the concept of a basic structure and why the capability approach as an objective metric is a perfect starting point for organizing a society. According to Anderson (2010: 86), a basic structure stipulates a fair mechanism for judging a person's development and well-being in terms of what the people need to satisfy their objective and true interests as citizens. In that case, the capability approach serves to provide a basic structure which absorbs informational diversity about human beings and, the basic structure of the capability approach does not seek to act as a constraint to a person's preferences, aims, values and motivations (Osmani, 2009: 25-26; Sen, 1974: 14).

2.3 SEN'S SYSTEM OF SOCIAL EVALUATION.

This research paper endorses the capability approach as an enabling conception of human development and human well-being. Given that a society consists of what Iris Marion Young terms 'group difference', human life is too complex in the sense that there can be as many preferences, priorities, values, interests and views as there are people (Young, 2011). Therefore, it would be quite eccentric to give happiness and social primary goods moral primacy as adequate measurements of human development and human well-being. Human development and human well-being require plural explication in order to capture insights of peoples' preferences, priorities, values, interests and views. These suppose that the welfarist and resourcist approaches remain thin conceptions, which cannot address issues of human development and human well-being that are more broadly adequate and can appeal to broader

audiences (Gasper, 2007: 3). The capability approach is not only premised on the nature of human beings, the nature of societies, and the nature of reason; it also connects issues of human development and human well-being to ethics and political philosophy (Young, 2011:3; Sen, 2017).

In his Tanner Lecture entitled "Equality of What?" Sen presented the capability approach as an attractive approach for the pressing and more challenging cases, such as human development and human well-being (Anderson, 2010: 4). Sen's critique of the welfarist and resourcist approaches concerned what he observed as commitment to a homogenous public: this commitment tends to overlook the widespread and real differences of the people (Anderson, 2010: 3). Therefore, the welfarist and resourcist approaches are inconsistent and implausible, and for these reasons, they provide a partial reality concerning human development and human well-being.

2.3.1 THE LOGIC OF THE CAPABILITY APPROACH: CAPABILITIES AND FUNCTIONINGS.

Sen rightly asks: can we construct an adequate normative approach for measuring human development and human well-being on the combined grounds of the welfarist and resourcist approaches? In Sen's discourse, the welfarist and resourcist approaches prove to be informationally short for the purpose of measuring human development and human well-being (Sen, 1979: 217). Sen argues briefly why this is the case. For him, human development and human well-being require the use of information that is not sufficiently captured either by the welfarist approach or the resourcist approach (Ibid). Robeyns and Brighouse assert that Sen's line of thought is that instead of looking at people's holding of resources and the consequence(s) of resources on people's mental states, we should somewhat look at what kinds of functionings and capabilities they are able to achieve (Robeyns & Brighouse, 2010: 1-2). According to this argument, as David Clark writes, it follows that the apt space for measuring human development and human well-being is neither that of the welfarist approach (discerned as happiness, desire-satisfaction or individual preferences) nor that of the resourcist approach (understood in terms of resource command) but that of the capability to achieve valuable functionings (Clark, 2005: 1343).

According to Cohen (1990: 358-369), Sen's work is extolled for two intrinsic reasons: (a) Sen called for attention from actual condition to opportunity; and (b) he also motivated the shift from goods to what goods do to (or for) individuals. In the course of clarifying the reasons endorsed by Cohen above, Sen – in keeping with the original thesis of the capability approach – found two characteristics of the welfarist and resourcist approaches repugnant. First, although the welfarist approach is concerned with what goods do to individuals, its usage of a metric that focuses on mental states and not individuals' capabilities renders it subjective. Second, even though the resourcist approach is specified in a broad and inclusive way (comprising rights, liberties, opportunities, wealth, and so on), it is concerned with resources rather than what these resources do to individuals (Sen, 1979: 218). In Sen's exposition, the welfarist approach examines a person's development and well-being at the end meanwhile the resourcist approach interrogates a person's development and well-being at the beginning (Cohen, 1990: 369).

It is due to these reasons that Hamilton argues that Sen's capability approach seeds the middle ground between the welfarist and resourcist approaches (Hamilton, 1990: 522). However, this does not imply that both these approaches do not attract human development and human well-being interest, but none of them meet the felicitous phrase 'capability' (Cohen, 1990: 367-368). Therefore, it is defensible that what is missing between the welfarist and resourcist approaches is some notion of basic capabilities which represent parts of the condition of a person: a person being able to do certain things (Sen, 1979: 218; Hamilton, 1999: 522).

The basic notion in Sen's capability approach points to two powerful motivations: capabilities and functionings. What motivates Sen's capability approach is the belief that a person should be free to choose whichever life they wish, and the state should ensure that this choice can be made (Hamilton, 1999: 522). Sen defines a person's functionings as the reflection of the collection of beings and doings he achieves and a person's capabilities as the alternative combinations of functionings that are noticeable for him to achieve (Clark, 2005: 1343-1344). Why are capabilities and functionings important? According to Robeyns and Brighouse (2010: 2), functionings and capabilities reflect a person's freedom to choose a life he has reason to

value. Both are regarded as important and objective metrics for measuring human development and human well-being, therefore, any measurement of a person's development and well-being must take the form of an evaluation of functionings and capabilities (Ibid). However, Sen emphasized the fact that the idea of functionings and capabilities are, of course, conditional among other things on (a) the nature of social conventions in force in the society and (b) the position of the person in the family or society (Sen, 1979: 219; Clark, 2005: 1345). This supposes that the welfarist and resourcist approaches do not provide adequate information regarding proposition (a) and proposition (b). On closer inspection it becomes patent that human development and human well-being are subject to a wide range of personal and social factors that are mostly absent in the welfarist and resourcist approaches (Clark, 2005: 1345).

2.3.2 THE CAPABILITY APPROACH EXPANSION: THE PLACE OF FREEDOM, OBJECTIVITY AND AUTHENTIC PREFERENCES.

Sen's basic notion of the capability approach stresses the important role that freedom plays in ensuring that evaluative judgements on human development and human well-being are better informed and less parochial. Sen's capability approach is prefigured in *The German Ideology* and this comes into sharp focus when Sen quotes Karl Marx and Frederick Engels to explain – not to mention motivate – the notion of the capability approach. Marx and Engels assert that the underlying motivation of capability is the focus on freedom (Marx & Engels, 1845-46, 1970: 1). In advancing this idea, Sen articulates Marx's assertion that what we require is 'replacing the domination of circumstances and chance over individuals by the domination of individuals over chance and circumstances' (Sen, 1990: 44). This provides a strong assertion that the capability approach reflects a person's freedom and subsequently expands that freedom. One reason for this is that contrary to the welfarist approach which view a person as being capable of well-being achievements without having had much freedom, Sen argues that there is more to an assessment of well-being, especially in relation to human development and human well-being, than the achievement of well-being (Hamilton, 1999: 523).

To this degree, it becomes very clear how and why we should distinguish between four conceptual categories in the capability set that reflect a person's ability to choose from possible lives (Hamilton, 1999: 522-523). These four conceptual categories are: well-being achievement, well-being freedom, agency achievement and agency freedom (Hamilton, 1999: 523). This dichotomy is necessary for two distinct reasons. First, there is a need to address the concern whether human development and human well-being should be intellectually affixed on ideas of well-being or rather on ideas of freedom. Second, it is a forthcoming question to ask whether or not the idea of freedom can favour the considerations that make well-being an outwardly credible basis for social assessment and evaluation (Sen, 2004: 9). These reasons concerned Sen because of the possible 'basket of problems' that may hinder a person's ability to choose from possible lives. Consider, for example: (a) to attach moral significance to the agency and well-being achievements of each individual does not necessitate accepting whatsoever the individual happens to value as being valuable, be it unconditionally or as intensely as it is valued by the individual; and (b) respecting the agency achievement of each individual is appropriate as it reflects not only the well-being achievement(s), but also the individual's commitments and valuations; however, the agency achievement is not clear as to how that agency is to be evaluated and appraised (Sen, 1987: 42).

Sen asserts that emphasizing agency freedom and well-being freedom assigns exceptional influence to a person. This is primarily because a person's advantage may be better represented by his freedom – in respect of well-being or agency – not by his achievements (Sen, 1987: 47). The capability approach presents the importance of freedom in two complementary ways: (i) opportunity aspect and (ii) process aspect. According to Sen (2004: 10-11), the 'opportunity aspect' pays attention on the opportunities or substantive freedoms that a person has at their disposal and the 'process aspect' looks at the process itself, taking into account thorough considerations the procedural concerns surrounding rights and justice. To attach importance to these aspects of freedom presents the capability approach as an objectively founded theory of human development and human well-being. The issue of objectivity is prominent within the capability approach's careful assessment of human development and human well-being (Sen, 1987: 42). In this context, the 'opportunity aspect' and the 'process

aspect' go beyond the individual's achievements by concentrating on what the individual is permitted to do (Sen, 2004: 596-597).

In *Rationality and Freedom*, Sen attacks the Revealed Preference Theory which has reduced rationality to internal consistency of choice. Here, Sen disputes the preference-centered way of assessing individual advantage by introducing the idea of 'counter-preferential choice' through the notion of 'commitment' (Sen, 2004: 306). In utilizing the idea of 'counter-preferential choice', Sen uses the nomenclature 'Weak Axiom of Revealed Preference' to offer a powerful critique of the interpretation of individual preferences. One of the thought provoking questions that may be asked is this: what causes weaker axioms of revealed preference? Sen offers the following cluster of reasons engendering the weaker axioms of preference, denoting how the internal consistency of choice violates a person's rationality. The first reason is *positional choice* – this indicates the fact that a choice may depend on the preferences conditional of the position of 'the thing' chosen in the set of available items; the second reason is *epistemic value of menu* – this explicitly reveals cases where a person is uncertain about the proper content of the set of available alternatives; the third reason is *freedom to reject* – this highlights in detail how the availability of an alternative may affect a person's ordering in contrast to the case in which it is not since the fact that a person is free to choose this very alternative makes one of the other options less attractive; and the fourth reason is *chooser dependence* – this points out the fact that a person's preference ordering is invariably, directly or indirectly, dependent on the identity of who is really making the choice (Hedoin, 2013: 5).

According to Hedoin (2013: 5), all these reasons build what Sen calls 'menu dependence'. Sen uses 'menu dependence' to denounce rationality as internal consistency of choice. This is precisely because rationality as consistency falls victim to acknowledge that the choice of a person and the way she ranks the alternatives available to her is dependent on a set of circumstances that are not diminishable to the act of choice itself (Hedoin, 2013: 5-6). In particular, Sen's 'commitment' and 'counter-preferential choice' showcase the possibility that a person acting in a position of 'commitment' may choose opposite to her personal preferences. One advantage of using the capability approach for measuring human development and human well-being is that it goes a step over a large gap separating choice and preference for the

purpose of understanding external factors that may influence a person's preferences (Hedoin, 2013: 5). According to Hamilton (1999: 519), the capability approach understands the true preferences of a person by connecting preferences to rational reflection in two ways: it captures a person's true preferences by reflecting on an internal perspective – a person's own account – and an external perspective, the external person's point of view. It is due to these reasons that the capability approach gives epistemic priority to authentic preferences (Ibid).

2.3.3 THE CAPABILITY APPROACH AS A RELEVANT ALTERNATIVE: SEN'S PERSPECTIVE ON SOCIAL CHOICE, POSITIONAL OBJECTIVITY AND INCOMPLETENESS.

The capability approach recommends, at the very least, a need to separate choice and preference. The mistaken attempt to conflate choice and preference (even when these two concepts are not identical) does not seem to reflect rudimentary demands for measuring human development and human well-being. According to Sen (2004: 596), what does social choice theory have to offer to the analysis of human development and human well-being? In attempting to answer this question, there is a clear need to define what social choice is, first. Among the many definitions of social choice theory, one used by Sen is that social choice is interpreted as representing what a person values (Sen, 2004: 590). Crucially, this definition calls for the separation of individual values and preferences as an intrinsic basis of social choice (Sen, 2004: 301). This presents social choice as accommodating individual freedom, individual liberty and individual valuations. A follow up question for this definition would be to ask this: do procedures for social decision-making exist that respect individual values and preferences reasonably? Quite the contrary, within the welfarist approach, and to some extent the resourcist approach, the concentration has been on accepting individual preferences over individual private spheres in social decisions (Sen, 2004: 306). It is due to these facts that the welfarist and resourcist approaches make a gross assumption that individual preferences are given, whereas it is common knowledge that individuals do not have patently defined preferences (Hamilton, 1999: 533).

How do we overcome this difficulty or problem? Sen argues that we need to distinguish three kinds of 'privateness' that have a bearing on the individual's social choice: (a) *self-centred*

welfare – denotes that the individual's welfare is only a function of her own consumption and of other features adding to the richness of her life; (b) *self-welfare goal* – insists that the individual's aim is to maximize her own welfare as represented by her personal preferences; and (c) *self-goal choice* – this indicates that the individual's choices are exclusively based on the pursuit of her own goals (Hedoin, 2013: 306-307). According to Hedoin (2013: 306-307), these are three kinds of 'privateness' which take on the significant task of characterizing what constitutes the appositeness of individuals' advantages for social decisions. This is to say individual advantages for social decisions must not be preference-independent to the exclusion of individual choices (Ibid).

According to Hamilton (1999: 533), this is where Sen clarifies the important role of practical reason in public discourse. The incorporation of these three kinds of 'privateness' reduce the dubious procedures, evident in the welfarist and resourcist approaches, that guess what individual preferences and individual values are, omitting individuals to express them (Sen, 2009: 309). Rather, social choice must grant individuals a reason: this implies that the individual is committed to something during the act of choice (Hedoin, 2013: 8). Here, some consistent findings, as Hamilton writes, emerge to suggest that Sen cultivates a contrast between Hume and Kant on the role of reason in the realization of the individual's goals. According to Hamilton (1999: 518), Hume peddles the controversial belief established by Shaftesbury and Hutcheson, which suggests that 'reason is, and only ought to be the slave to passions', denoting that morally permissible ends are expressed by feelings, confining reason to the role of figuring out a way to discover these ends. Meanwhile, Kant argues contrarily, by suggesting that the ground of moral obligation is pure reason, similar in many respects to showing that if something is rational it will give me a reason to do it and having a reason will make me want it (Ibid).

However, Hamilton's distinction is very clear but the distinction between the Humean line of thought and the Kantian faith in reason in Sen's capability approach is not as simple as Lawrence Hamilton thought. Hume and Kant provide more useful ways of modelling Sen's capability approach, especially how these two philosophers connect reason with freedom, than it appears in Hamilton's writings. Both Hume and Kant reach a common ground that the paramount aim of morality is freedom, but Hume's freedom is motivated by a passion for

freedom in the sense of negative freedom from domination by demanding desires, whereas Kant's interpretation of freedom is that our passion must be strengthened by reason (Guyer, 3). It appears that Sen is a Kantian-minded scholar because his freedom-based approach expects individuals to have reason to act. What is the importance of reason in measuring human development and human well-being? According to Sen (2004: 591), reason provides the individual with a 'voice'. The acknowledgement of this 'voice' of the individual in the formation of social choice and the place that this 'voice' is given in influencing social decisions contributes towards empowering the individual in a society (Ibid).

It is under the capability approach framework wherein reason can have practical relevance. This is because the capability approach gives social significance and weight to individual freedom, and it is the role of freedom which brings reason into social choice exercise (Sen, 2004: 591). Hamilton asserts that Sen's social choice perspective offers to clarify the need to incorporate consequences into procedural concerns (Hamilton, 1999: 533). Sen was concerned with the manner in which the welfarist and resourcist approaches determine the individual's state of affairs in terms of preferences and resources at the expense of outcomes (Sen, 2004: 592-593). Why is it important to look at the individual's social state in terms of outcomes? According to Broome (2009: 10-11), choices and preferences require computation – this is to say choices and preferences demand aggregating, comparing and balancing of the individual's benefits and disadvantages. In other words, the individual's social state cannot be judged only in terms of what the individual did, but most importantly, it must reveal what options the individual had (Sen, 2004: 539). This serves to discredit the welfarist approach's reliance on the Pareto Principle to judge the individual's social state.

Sen introduces the distinction between 'culmination process' and 'comprehensive process' to show how the Pareto Principle receives some resistance in his capability approach. This dichotomy employs a richer understanding of the individual's social state to drive the consequential innovation (Broome, 2009: 26-27). According to Sen (2004: 595), this dichotomy is important for the social choice exercise in the following ways: (i) aggregating individual preferences using the 'culmination process' and 'comprehensive process' incorporate choices that the individual may attach moral value to; and (ii) the contrast between these processes

explicitly specify the process through which A was chosen over B and why A happened. Clearly, Sen's capability approach judges the individual's social state in terms of consequences. One thought provoking question that is inevitable regarding this is this: what is the relevance of consequentialism in cases where individual choices are considered to be good in themselves, and not because of their consequences? The capability approach's consequentialism is slightly different than the welfarist approach. In one respect, these approaches judge the goodness of choices, actions, preferences, institutions, etc. in terms of their consequences. However, the capability approach has changed the perspective of consequences – from using utility to using freedom to measure human development and human well-being – but it retains consequentialism (Osmani, 2009: 24).

If that is the case, how does the capability approach attach value to individual autonomy? Moreover, if the capability approach is consequentialist, how does it respect deontological considerations that may render it inadequate? In attempting to answer these definite questions, Sen argues that in his capability approach scheme, there is a need to note the following overriding priorities: (a) acknowledging deontological considerations does not necessarily imply disregarding consequences at all; and (b) the close relationship between freedom and consequences leads to an improvement that respects deontological considerations without obscuring concern for consequences (Osmani, 2009: 24). The improvement involved in the capability approach is the incorporation of both the negative and positive freedoms. However, it is important to provide the distinction between these two forms of freedom. The main issue between negative freedom and positive freedom is the place of value judgements, and in particular, of the individual's social state judgements. In *Two Concepts of Liberty,* Sir Isaiah Berlin stresses that negative freedom seeks to provide a far-sighted answer to this question: what is the area wherein the individual or group of individuals is supposed to be left to do or be what she is able to do or be, without external interference in her affairs by other individuals (Berlin, 1958: 169). Meanwhile, positive freedom springs from the individual's wish to be her own master, identified with reason to achieve what will satisfy her in the long run (Berlin, 1958: 178-179). Although Berlin's *prima facie* concern is that there is no necessary

connection between these two forms of freedom, Sen's capability approach seeks to provide a useful way to see the necessary correspondence between these two forms of freedom.

What is the deontological importance of the correspondence of the negative and positive freedoms on the individual's consequent state of affairs? Sen argues that the welfarist approach and its conformity with the Nozickian rights as 'just procedures' imposes a grave deontological limitation on what information could be used for judging the individual's state of affairs (Osmani, 2009: 25). This is because the desire to judge the individual's state of affairs on the premise whether the Nozickian rights were recognized or not is no better than injustice as this approach points to the peril of less considerations of consequences (Osmani, 2009: 25). Sen uses the analogy of poor peasants and rich landlords to make this point clear:

> 'if poor peasants are found to be starving while rich landlords are wallowing in luxury but both peasants and landlords are known to have acquired their land through 'just procedures'…….the Nozickian system would be quite unconcerned about the peasants' bad state of affairs, so long as nobody has violated the peasants' negative freedom to use whatever land she has' (Osmani, 2009: 25).

This analogy invokes this inevitable question: is the overriding priority of negative freedom over positive freedom justified? As Sen puts it: according overriding priority to negative freedom leads to terrible consequences for human lives (Osmani, 2009: 25). Therefore, this overriding priority cannot be justified. How do we overcome this? According to Hamilton (1999: 533), Sen's solution is to incorporate both these freedoms into procedural concerns when evaluating a person's state of affairs. These suppose that any evaluation of a person's state of affairs must take note of the extent to which these freedoms are fulfilled (Osmani, 2009: 26). Although Sen does not put it like this, his concern attracts the idea that what matters the most is not only how individual actions bring consequences; rather, which consequences individual actions bring about. This supposes the capability approach and its freedom-oriented consequentialism.

In the welfarist and resourcist approaches, it is often assumed that preferences are given. Although this view is imagined as useful in the former and latter approaches, Sen argues that its usefulness would only hold force in the absence of 'objective illusion'. Sen is concerned with

the refusal to break the yoke of different 'objective illusions' in the welfarist and resourcist approaches (Hamilton, 1999: 534). What is being asserted here is that preferences depend on beliefs, or rather, 'what we believe is determined by what we observe' (Sen, 2004: 464; Broome, 2009: 11). What is central for Sen is that peoples' observations are relative; however, it is possible for different people from similar positions to make much the same observations (Sen, 2004: 464). But considering variations in human beings, it seems like this argument asks too much of human rationality because peoples' observations are invariably conducted or formed in a less commendable way (Broome, 2009: 11). This is what impoverishes belief(s) and weakens objectivity in preferences. For it implies that we need to get one fact out of the way: that the welfarist and resourcist approaches will forever prove useless unless they take note of the pressing issue of 'objective illusion'.

The question that is necessary to ask is this: why is it important to limit or alleviate 'objective illusion'? According to Hamilton (1999: 533-534), it is through public discussion that preferences, choices and interests get changed, refined and decided upon. Hamilton's argument has clear merit in that access to information plays an important role and, as Sen and Hamilton argue, information is the attractive feature for public discussion (Hamilton, 1999: 533; Sen, 2004: 465). However, public discussion can function as one-shot affair – with no observational discussions about preferences, choices and interests – in cases where people lack ancillary knowledge as well as relevant conceptual frameworks (Sen, 2004: 469). It is evident that public discussion can be built on the basis of limited exposure to information; hence 'objective illusion' is unavoidable (Ibid).

Let us consider why Sen thinks *trans-positional scrutiny* is largely seen as adequate for interpreting 'objective illusion' and 'subjectivism'. Sen provides two convincing reasons why trans-positional scrutiny can deal with the former and latter issues. First, Sen seems to hold that 'objective illusion' and 'subjectivism' are the direct consequences of lack of *trans-positional scrutiny* – a view that 'objective illusion' and 'subjectivism' are derived in the absence of access to other positional scrutiny (Hamilton, 1999: 529). Second, lack of exposure to extra information renders beliefs as erroneous – a view that limited information is in some tension with objectivity and some features of pure reasoning (Sen, 2004: 464-468). Trans-positional

scrutiny deals with the first issue in the following ways: (a) given that illusion and subjectivism are positional objective beliefs which are deemed mistaken, trans-positional scrutiny ensures that peoples' beliefs get tested beyond locational positional parameters to incorporate any possible conditions, be it physical, mental or otherwise, that might influence peoples' beliefs; and (b) trans-positional scrutiny, as properly conceived, addresses deontological concerns and agent-centred reference values in whatever a person decides to or has reason to belief – this is where internal and external valuations are given the dominant place to avoid illusion and subjectivism (Hamilton, 1999: 464-465).

Trans-positional scrutiny addresses the second reason in the following way: (c) in order for people to overcome the binary sense of what is 'objective' and 'false', trans-positional scrutiny plays an educative role (Hamilton, 1999: 528). The thrust here is that trans-positional scrutiny plays an intrinsic role in obtaining scientific knowledge and through this process it facilitates conditions for reducing illusion and subjectivism (Sen, 2004: 465; Anderson, 2010: 91). It is due to these reasons that the capability approach provides a strong case for measuring human development and human well-being vis-à-vis that of its main rivals (Clark, 2005: 1345). This strong case can be attributed to the fact that the capability approach accords top priority to broad information and different positions when evaluating peoples' preferences, interests, aims, and so on (Hamilton, 1999: 527).

But the penultimate argument does not offer to suggest that the capability approach – as it is largely seen as adequate for interpreting 'objective illusion' and 'subjectivism' – is a complete approach for measuring human development and human well-being. It would be perverse, as Sen cautions, to forge a view that 'completeness' must emerge out of his approach (Sen, 2017: 457). Sen is careful not to foreclose sufficientarian aspects, all of which involve articulating a comprehensive account of human development and human well-being or impose *premature fixity* and rigidity by grounding the capability approach on less extended ways that cannot accommodate divergent views of the 'good' that people want to achieve (Hamilton, 1999: 531; Clark, 2005: 134). Consider, for example, on the one hand, the welfarist approach's assertion that individual preferences are given, hence the use of internal consistency of observed choice is justified and, on the other hand, the resourcist approach claims that Rawls's hypothetical

'original position' and Dworkin's primordial 'auction insurance market' incorporate answers to both a just and equal society (Hamilton, 1999: 530). These assumptions prove nothing useful for any worthwhile human development and human well-being project (Arneson, 2010: 110). Here, Sen introduces 'assertive incompleteness' at the (i) level of theory and at the (ii) level of practical political decision-making; and 'tentative incompleteness' at the (iii) level of individual preference orderings to defend his argument that neither the welfarist nor resourcist approaches can be complete.

At level (i) and (ii), Sen argues that the resourcist approach has minimized the importance of unanimity requirement because to regard agreements in Rawls's 'original position' and Dworkin's 'auction insurance market' as unanimous does not essentially imply that all people who make-up a society prefers them over other alternatives (Sen, 1970: 25-27). Sen's argument carries evidence that seems to suggest that Rawls's 'original position' and Dworkin's 'auction insurance market' may provide satisfactory basis for organizing a society, but in the case of prolonged conflicts, the former and latter agreements could not be the likely outcome of the people (Sen, 2017: 461). Sen also disapproves the congruence in Rawls's 'original position' and Dworkin's 'auction insurance market' because the existence of prolonged conflicts does not hinder unanimity, especially in events of effective practice of 'logrolling process' and 'process of compromises' (Sen, 1970: 26). *Prima facie* evidence seems to suggest that agreements remain a 'hangman paradox'. To substantiate this view, Hamilton argues that people may appear to be vested with interests to come to reasoned agreement but the assumption that they will reach the reasoned agreement is too strong an assumption (Hamilton, 1999: 531).

At level (iii), Sen argues that the welfarist approach's assertion that individual preference orderings are given and complete is a narrow position to take. This is because social choice and public discussion require deliberate individual preference orderings (Sen, 1970: 5). According to Sen (2017: 460), complete ordering of individual preferences requires the bridge of the informational and judgemental hiatuses as precondition. In the midst of 'objective illusion' and 'subjectivism', individual preference orderings become tentative because of peoples' lack of exposure to broad information to make ethical judgements, authentic preferences and social choices (Sen, 2017: 460-461). According to Sen (2017: 460-461), 'tentative incompleteness' is

not only peculiar to information deficit, but it also reflects a situation where people are characterized by a failure to comprehend the truth.

Martha Nussbaum urged Sen to introduce an objective normative account of human functioning (Nussbaum, 1988: 179). Nussbaum is concerned with the fact that there are too many capabilities and functionings – some utterly trivial and some significant (Nussbaum, 1988: 179; Arneson, 2010: 108). Obviously, Nussbaum's concern has the potential to eliminate the incompleteness of the capability approach (Hamilton, 1999: 531). Sen responds to Nussbaum's concern in this following manner: a fairly substantial taxonomy of capabilities and functionings has to capture agreement between different cultures and societies concerning the primary components of the 'good' people want to achieve (Clark, 2005: 1346). The danger of such taxonomy is that it either (a) imposes ethnocentric and paternalistic beliefs in a society or (b) overlooks cultural and historical differences (Clark, 2005: 1346). If this is the case, is it sensible to vindicate Sen since his open-ended response presents the capability approach as fine-tuning the error of working from means rather than ends? Sen defends his response by introducing what he refers to as 'deliberate incompleteness' (Hamilton, 1999: 531). Deliberate incompleteness presents the capability approach as broad enough to address the required type of agreement and, sophisticated enough to shed some light on individual preference orderings. The type of agreement that runs deep in the capability approach is the agreement on what constitutes the evaluative space. The evaluative space approach invites two questions: (1) what are the capability approach's objects of value? (2) How significant are these objects of value? Hamilton answers question (1) in this following manner. According to Hamilton (1999: 532), what constitutes the evaluative space is esteemed functionings, capabilities to function, and the different freedoms to achieve the full human potential. However, Sen does not answer question (2) because of capabilities and functionings are broad – as some are either (a) quite trivial and negligible or (b) of little interest or importance – of which it would be a major theoretical blunder of the capability approach to call for a complete ordering of either (Sen, 1995: 43-49). It is due to these facts that the capability approach does not undermine peoples' powers by imposing capabilities and functionings as potentially valuable and intrinsically important (Sen, 1995: 43).

2.4 A CONCLUDING REMARK.

The capability approach is clearly an objective metric for measuring human development and human well-being. As discussed in this chapter, focusing on functionings and capabilities is not a reverse of the roles that social primary goods and/or resources and happiness play in enhancing life. In other words, this chapter does not advocate for their reversibility. Or to phrase it in another way, there is no loss (of the importance of either social primary goods or happiness) in looking at functionings and capabilities. Functionings and capabilities constitute the ultimate end for evaluating a person's development and well-being. Moreover, shifting from primary social goods and/or resources and happiness inaugurates an important extension of the reach of the evaluative task. However, these arguments would make sense in the following chapters when this research paper describes and simultaneously analyzes reasons that encourage the welfarist and resourcist approaches as means rather than ends to a satisfactory life.

CHAPTER THREE: WHY IS 'UTILITY' AN UNWORKABLE IDEA?

3.1 AN INTRODUCTORY REMARK.

The aim of this chapter is to present a detailed study of the treatment of individual preferences and happiness in utilitarianism in general and the subjective welfarist approach in particular. Utilitarian theorists such as Jeremy Bentham and John Stuart Mill assert that measuring human development and human well-being in terms of 'utility', typically defined as mental states (happiness, pleasure, or desire satisfaction) is attractive. The concern of this chapter, then, is that the welfarist approach appeals to this assertion as a ground for measuring a person's development and well-being. The appraisal of this assertion can be best summed up in two ways. First, the welfarist approach visibly allows the sovereignty of individual preferences in its framework. Second, the welfarist approach is result-oriented – that is to say, happiness is the ultimate good that every person pursues. If this approach is attractive, then there is a need to provide strong positive evidence to support this claim. Sen and Dworkin argue that the attractiveness of the welfarist approach remains an area of doubt, particularly in the presence of entrenched forms of unfreedom and inequalities. It is an area of doubt, as Sen and Dworkin argue, because there is a gap between theory and reality in the welfarist approach. This is because the overriding significance of happiness lowers the importance of everything else, including other things that people may have reason to value. Given how diverse individual preferences are, the use of internal consistency of choice as an optimal approximation to them is inefficient, if not arbitrary. Moreover, the welfarist approach takes individual preferences at face value since there is no priority given to interpersonal comparisons of utility in its framework. This chapter will discuss these defects, which reduce the welfarist approach into a subjective metric.

3.2 ON THE RATIONALE OF 'UTILITY': THE UTILITARIAN PERSPECTIVES OF JEREMY BENTHAM AND JOHN STUART MILL.

This research paper will discuss the three discursive features of utilitarianism: consequentialism, welfarism and sum ranking. The welfarist approach springs to a great extent from these features with regards to measuring human development and human well-being.

According to Bentham (1948: 128), the composition of human framework compels men to embrace the principle of utilitarianism. In this sense, the persuasiveness of Bentham's argument is that the principle of utilitarianism is unobjectionable for a man to pursue (Bentham, 1948: 130). What, therefore, is utilitarianism? According to West (2007: 1), utilitarianism is a position in philosophy which claims that actions, laws and social policies are justified by their utility – that is, to be evaluated by their consequences. Utilitarianism can be understood in two ways: (i) one part is the consequentialist view, concerned with laws, actions and policies that are to be justified or not justified on grounds of their consequences; and (ii) the other part asserts that only pleasure and pain are ultimately valuable as ends – one way to express this is to say, pleasurable and painful experiences are what constitute welfare, and their intrinsic value for subject of them remains in their being painful or pleasurable (West, 2007: 10-11; Crisp, 1997:35). These lend to support utilitarianism as a framework for measuring human development and human well-being and for explicating social arrangements from an ethical point of view.

If utilitarianism is consequentialist, what are the most valuable consequences? Bentham and Mill adumbrate that the primary concentration of utilitarianism is that actions and institutions must increase the all-embracing amount of happiness (Crisp, 1997: 7). This is to say utilitarianism asserts that human motivation and human behavior are influenced by sources of pleasure and freedom from pain. It is a fact that pleasure is desirable and pain is undesirable. Therefore, happiness or pleasure as both the valuable consequence and a form of psychological hedonism is the motivational force shaping actions (West, 2007: 20). There is little doubt that this is the view of utilitarianism that Sen had in mind when he argued that utilitarianism uses mental states to measure a person's development and well-being.

Utilitarianism presents happiness or pleasure as welfare – happiness makes a person's life worth living. According to Crisp (1997: 20-21), the essential component of welfare in utilitarianism is a *maximizing principle*. This supposes that the overriding goal of every individual is to maximize happiness. What is the maximization of happiness good for? Mill asserts that welfare must be concerned with prudence – that is furthering your own welfare – and beneficence, that is furthering the welfare of other people (Crisp, 1997: 20). In Bentham's

view, self-interests will invariably predominate over social concern because a thing is said to encourage the interest, to be for the interest of a person, when it tends to add to the sum total of her pleasures; or, what comes to the same thing, to decrease the sum total of her pains (Crisp, 1997: 12; West, 2007: 18-19). Although Mill tries to distance himself from Bentham's view as he was more concerned with happiness as an end for the aggregate individuals, his assertion that 'every human being's happiness is a good to every other human being' is virtually the same as the 'sum of all individual happiness's' (Crisp, 1997: 78). Both Bentham and Mill place self-interests as the driving force for the maximization of happiness, but in two contrasting ways. However, what is common between Bentham and Mill is that they both deduce that the greatest happiness is an ultimate end for reasonable or rational actions (Crisp, 1997: 77).

Furthermore, Bentham argues that happiness and pains vary in quality and quantity, and that the quality or quantity of happiness or pains shapes its intrinsic value. Mill suggests that pleasures and pains have to be subjected through what he calls the 'informed preference test'. The informed preference test strives to spell out a criterion for understanding the difference between pleasures that are desirable and more valuable than others (Crisp, 1997: 28-29). So, how is the informed preference test conducted? Bentham developed a far-sighted answer for this question by suggesting that the anticipated disvalue of pains must be deducted from the anticipated value of pleasures to give a total net anticipated value (West, 2007: 18-21). This is what is commonly known as the *principle of sum ranking*. With regards to measuring human development and human well-being, utilitarianism would take the sum of pleasures enjoyed by members of a society – the higher the sum of pleasures, the better the state of affairs of a person's development and well-being (Osmani, 2009: 17).

One of the interesting questions that might be asked is this: how authentic is the informed preference test? Mill makes the assumption that people should be competent judges – this is because living entails what Bentham and Mill call 'making choices' and what the welfarist theorists call 'individual preferences'. Given that utilitarianism as a guide to how to live suggests that people should be competent judges, pleasures are more desirable and valuable than others when all 'or almost all' competent judges favor them (Crisp, 1997: 37). Moreover,

Mill argues that competent judges must have possessed some degree of understanding and intellectual interest (Ibid). Bentham is of the view that understanding and intellectual interest are human qualities; therefore, competent judges require the rarest human quality, which is consistency.

3.3 THE LOGIC OF THE WELFARIST APPROACH: INDIVIDUAL PREFERENCES, DESIRE–SATISFACTION AND HAPPINESS.

The welfarist approach wields the principle of utilitarianism as an essential element of its creed. As a reflection of this apparent fact, this research paper uses consequentialism, welfarism and sum ranking to trace back the welfarist approach all the way to the principle of utilitarianism. So far as this goes, the welfarist approach revitalizes what George Edward Moore terms the 'naturalistic fallacy' of the Benthamite tradition and Mill's line of thought, which asserts that pleasure is the universal end for all human activity (Moore, 1929: 68-69). For it implies that the welfarist approach asserts that pleasure or rather happiness suffice to be a proper metric for measuring human development and human well-being, paying much attention to the consequences emanating from individual preferences.

Broome (2009: 10-11) asserts that individual preferences are intrinsic in the welfarist approach framework for two main reasons: (i) from the welfarist approach's point of view, there is a need to know what is good for the individual – that is to say, what determines a person's development and well-being; and (ii) there is also a need to put together a person's development and well-being, to arrive at the comprehensive assessment of the goodness of a society. These reasons are, of course, an impetus to the idea of leaving it to the people to decide what is good for them through their preferences (Ibid). How then does the welfarist approach attempt to use individual preferences as good indicators of a person's development and well-being? According to Broome (2009: 11), the preference-satisfaction theory of human development and human well-being requires people to derive their preferences from their beliefs. This supposes that people have to heavily depend on their beliefs. In the welfarist approach framework, rationality is defined as internal consistency of choice – it guarantees a person's rationality – and maximization of self-interests, which drives human beings (Sen,

1987). As utilitarianism stipulates, happiness or pleasure is the object of desire or the motive of action, the welfarist approach peddles the same assumption that the value of life should be dictated by people's preparedness to pay or avoid exposing their lives to danger (Moore, 1929: 70-71). That means for all people, our preferences about increasing happiness and avoiding pain are formed in the rational way, denoting that our preferences universally indicate what is actually better for us (Broome, 2009: 8-11).

If, at all, our preferences indicate what is actually better for us, what are the consequent state of preferences that matter for human development and human well-being? Kelly (2010: 61-62) suggests that every individual needs material resources, liberties and basic rights to fulfil what Iris Marion Young calls 'two ideals of social justice' which are self-development and self-determination (Young, 1990). However, the realization of these ideals of social justice will depend not only on the basic rights, liberties and material resources available to individuals, but on individual preferences because of what the individual prefers is always regarded as valuable under the welfarist approach framework (Sen, 1987: 42; Daniels, 1990: 277-278). As Lionel Robbins puts it: 'the choice of a rational agent is purposive and the preference of a rational agent invariably satisfies the logical requirement of transivity' (Suzumura, 1983: 18-19).

Furthermore, the welfarist approach gives priority to individual preferences over basic rights and liberties because the former and the latter are instrumental to achieving other goods, emanating from the preferences of individuals who make up a society (Sen, 1987: 49; Broome, 2009: 10). According to Osmani (2009: 24-25), the welfarist approach seems to be ingrained in the deontology-based notions of rights and liberties developed by Robert Nozick within which the legitimacy of these rights and liberties is derived from compliance with 'just procedures' and, not from their consequences. For it implies that the welfarist approach expresses these rights and liberties as influencing individual actions and a society. The welfarist approach utilizes the Nozickian system to denote that individual preferences relate to the idea of freedom from interference – this is the imposition of the negative conception of freedom in the welfarist approach framework (Ibid). Individual preferences act as 'just procedures' if they are not violated – not violated in the sense that a person has the negative right to make her preferences without constraints. It is fair to say this line of thought is influenced by the principle

of utilitarianism wherein Bentham and Mill asserted that people are competent judges, hence the welfarist approach solely judges what is good for individuals by referring back to people's preferences (Broome, 2009: 10). Attaching moral significance to individual preferences strengthens a person's agency. This, however, means the welfarist approach recognizes a person's ability to form goals, commitments, values, and so on (Sen, 1987: 41). Therefore, a person's preferences must be independent to fulfil the 'agency aspect' of the welfarist approach (Sen, 1987: 43).

Interestingly, there is a need to agree on how to compare and score the fulfilment of individual preferences (Kelly, 2010: 62). According to Sen (1987: 30), the principle of utilitarianism judged individual success or achievement by the size of the sum total of utility created – this is what is commonly known as the *sum ranking principle*. Since the welfarist approach carries the logic of the principle of utilitarianism as far forward as possible, it does not use the sum ranking criterion to identify individual success or achievement; it uses the Pareto optimality to judge social achievements or rather the overall social optimality (Sen, 1987: 30-39). There is one consideration in which the importance of sum ranking and Pareto optimality needs some clarification. Pareto optimality and sum ranking are aligned to the principle of utilitarianism, but they differ in one pivotal aspect: they both endorse consequentialism and welfarism, but Pareto optimality does not necessitate interpersonal comparisons of utility. This means that choice of actions, individual preferences, laws, policies, institutions, and so on generate Pareto improvement if they make individuals in a society better off without making anyone worse off (Sen, 1987: 38). Hence, interpersonal comparisons of utility are dropped (Ibid).

3.4 SEN ON THE PROBLEMS OF AGGREGATION AND ADAPTATION.

One of Sen's condemnations of the principle of utilitarianism, and the welfarist approach views, involve the fundamental role that individual preferences play in facilitating the measurement of human development and human well-being. Sen was concerned with the problem of adaptive preferences – the idea that people may adapt to live with their living conditions in multiple ways (Qizilbash, 2009: 50). The objective of individual preferences is to understand and explain

different features of the individual (Sen, 2004: 304). In as much as the welfarist approach attempts to study different features of the individual, its individual preferences approach seems to have dubious empirical support. This is because it is a misleading guide for measuring a person's development and well-being.

Jon Elster asks this: why should the choice between feasible options only take account of individual preferences, if people, tend to adjust their aspirations to their possibilities (Elster, 1983: 109, cited in, Qizilbash, 2009: 52)? This question marks Sen's point of departure in criticizing the welfarist approach and its intellectual inheritance of the principle of utilitarianism, which conceptualizes welfare in terms of the satisfaction of preferences. So far as the welfarist approach is concerned, the individual is the decider on how to feel, think, value, or act and those individual preferences are given – given in the sense that they are unchanged or unalterable as they are a reflection of the individual's rationality (Sen, 2004: 300-310). For Sen, these assumptions are hard to sustain and defend because of the following reasons: (a) interpretation ambiguity of preferences, and (b) importance of preference formation (Sen, 2004: 302).

Proposition (a) suggests that individual preferences may yield inadequate informational basis. According to Anderson (2010: 85-86), people adapt to their deprivations – either by suppressing suffering, giving up on their ambitions and desires or finding pleasure in minimal mercies. In the fundamental sense, individual preferences may not be the perfect reflection of a person's development and well-being (Ibid). Given the inevitability of adaptive preferences in which some people may lack the courage to desire much, and their deprivations are muted or they may not think of making certain complaints, individual preferences would be the insufficient criterion for assessing human development and human well-being (Sen, 1987: 40-46). To the extent that the welfarist approach pays most of its attention on individual preferences for the purposes of measuring human development and human well-being, happiness and desire-satisfaction become reductionist reflections of the value of a person's development and well-being (Ibid). Therefore, the welfarist approach obliterates a diversity of concerns, significant for measuring human development and human well-being as it accepts individual preferences without a thorough assessment of adaptive preferences.

A more foundational problem arises concerning the welfarist approach. The welfarist approach is jettisoned by the dropping of interpersonal comparisons of utility and endorsing a more general claim of Pareto optimality. Notwithstanding its general importance, Sen argues that a state of affairs can be Pareto optimal even when some people live in squalid conditions and others living in opulence (Sen, 1987: 31-32). From this it follows that it would seem improper to refer to such state of affairs as optimum. In *Justice*, Alan Ryan recognizes that Pareto optimality has its own weaknesses (Ryan, 1993: 73-79). Ryan exposes the weaknesses of Pareto optimality by using the Humean line of thought as his prism. According to Ryan (1993: 77-78), David Hume posits that 'everyone is better off in contrast with some historically relevant benchmark'. A critical feature of this is to hold that people are invariably better off in contrast with the condition of men in the state of nature (Ryan, 1993: 78). Ryan is hard-pressed to endorse Hume's interpretation. This is because Hume's interpretation is irrelevant for the purposes of measuring human development and human well-being (Ryan, 1993: 78-79). Consider, for example, slaves can be regarded as made better off by a system of slavery than they would be under the condition of the state of nature, but it is not true that slavery makes everyone better off (Ryan, 1993: 78). Hume's interpretation appears to lose its appeal here because we cannot say slaves are better off in a system of slavery than in the condition of the state of nature because in real life, the distinction between slavery and state of nature is less clear given that inequalities in both these conditions often interact and overlap; it is only fair to say the system of slavery is superior because it dominates the condition of the state of nature (Ryan, 1993: 78). To evaluate how superior a person's state of affair in the former condition is compared to the latter condition, however, resists Pareto optimality. This is because the evaluation of a person's state of affairs using Pareto optimality could be historically descriptive and such evaluation could hardly provide any tolerably efficient results (Buchanan, 2000: 46-72). An additional basis for rejecting Pareto optimality is that it tends to generalize and what we are looking for is interpersonal comparison of utility or what Sen calls interpersonal comparison of capability about a person in question (Buchanan, 2000: 46-72).

Proposition (b) suggests that the welfarist approach does not include in its framework the formation of preferences, especially how social processes and social interactions play in

constructing individual preferences (Sen, 2004: 310). Here, individual preferences are skeptical because they are regarded as the pursuit of self-interests. According to Young (1990), individual preferences may stem from self-interests, altruism and fair play. This is a remarkable correspondence between Sen and Young. Sen suggests that individual preferences must be differentiated between two separate concepts: (i) *sympathy* – sympathy is when a person's maximization of welfare directly affects other people's welfare; and (ii) *commitment* – commitment is when a person acts out of moral duty, excluding choices that go against self-interests (Sen, 1990: 326-327). These arguments reveal the absurdity of the welfarist approach in suggesting that self-interest is a requirement of rationality and a driving force of individual preferences. As in the case of adaptive preferences, individual preferences are not necessarily a reflection of self-interests because preferences "are induced by the choice situation rather than given independently of it" (Qizilbash, 2009: 53). This serves to undermine the welfarist approach's confidence in individual preferences as unobjectionable measurement of human development and human well-being (Qizilbash, 2009: 53-54).

Furthermore, the welfarist approach is jettisoned by the use of internal consistency of choice as a reliable way for forming individual preferences. According to Sen (2004: 121), the idea of internal consistency of choice is confused in two ways: (a) its strong dependence on the 'internal' without any reference to something 'external' to choice is meaningless; and (b) in dealing with choices under uncertainty of human beings, the idea of internal consistency of choice becomes complex in the sense that it is not guaranteed that some internal correspondences should be evaluated as consistent or non-consistent (Sen, 2004: 124-125). According to Sen (1990: 323), the rationale of individual consistency of choice approach is based on the premise that the viable way of apprehending a person's real preferences is to examine her actual choices, and that there is no choice-independent way of apprehending someone's attitudes towards alternatives. According to Anderson (2010: 85), internal consistency of choice may reflect unjustly and unworthy individual preferences if the deprived people are not aware that a remedy is available for their conditions.

This is what compelled Sen to argue that internal consistency of choice speculates both too little and too much: it speculates too little in the sense that it is exclusive of non-choice sources

of information on preferences, and it speculates too much in the sense that it is ignorant of choice reflecting a compromise among the variety of considerations of which personal welfare may just be one (Sen, 1990: 324). This argument sounds the death knell to internal consistency of choice because, in the case of false consciousness, individual preferences may distort the reflective powers of a person (Osmani, 2009: 19). Qizilbash substantiates Sen's argument by asserting that 'someone reared in the country may prefer a country lifestyle to an urban one, while someone with experience of only an urban lifestyle might then prefer that to country life. On the other hand, some who has experience of both lifestyles may be better informed and have learnt from experience' (Qizilbash, 2009: 52).

Having proved that individual preferences are not proper indicators of the good that people desire, Sen considers another set of reasons for his criticism of the welfarist approach: (c) evaluative insufficiency of the informational base of individual preferences; and (d) the priority of procedures and processes in proper arrangements for social decision-making. Proposition (c) suggests that individual preferences do not tell us much about individual privileges and advantages. This confusion is a consequence of lack of reciprocal relationship between rationality and freedom in the welfarist approach framework (Sen, 2004: 5). Sen employs the *interest-based notion* and the *freedom-based notion* to provide a clear analysis of this criticism. In this context, the *interest-based notion* presents individual preferences as favoring mechanical axioms of internal consistency of choice and canonical selection of maximizing self-interests in the welfarist approach framework, and the *freedom-based notion* purports that the former and the latter reject other concerns that could be of intrinsic value to individuals, including a basic rejection of freedom of thought (Sen, 2004: 5). In assessing individual preferences, the *freedom-based notion* calls for attention to be geared to the actual ability of a person to achieve things that he has reason to value. For it implies that freedom grants people with the substantive opportunity to pursue their objectives and goals (Sen, 2004: 10). As Hamilton contributes to a fuller understanding of this argument, the incorporation of freedom cements the importance of choice – that is acting freely and being able to choose (Hamilton, 1999: 524). To phrase it in another way, Sen propounds that peoples' motives are to

choose, but unrestrained by the authoritarianism of internal consistency of choice and maximization of self-interests (Sen, 2004: 5-6).

Proposition (d) suggests that the welfarist approach's assumption that individual preferences are given endangers throwing the baby out with the bath water. A central finding is that this assumption confirms (i) Bentham's theoretical prediction of conceiving rights in purely instrumental terms judged entirely by their ability to promote utilities; and (ii) the Millian liberty of judging the choices that individuals make to pursue their objectives as being fairly straightforward (Sen, 2004: 312-315). This two-pronged approach has come under attack as it yields many insights that lead to 'catastrophic moral horrors'. According to Sen (2004: 312-318), the welfarist approach's assumption – embodying the Benthamite and the Millian utilitarian perspectives – faces extreme difficulty for not giving priority to processes and procedures in its individual preferences framework. Of course, Sen's postulation is based on the premise that the choice interpretation of preferences, in the presence of uncertainty, under the welfarist approach metric, frustrates rather than facilitates a proper measurement of human development and human well-being (Sen, 2004: 316). The choice interpretation of preferences can be marred by bad experiences. The intrinsic anguish that the welfarist approach suffers from is 'choice inhibition' and 'choice of strategies' – these are the immediate consequences of the approach's limitation towards the importance of ascertaining whether some predicament of an individual has come about through that person's own choice and in particular, whether that person's own actions could have prevented it.

When considering 'choice inhibition' Sen argues that under the desire-satisfaction of preferences, social choices may be inhibited, resulting in the non-realization of the desire-satisfaction of preferences. The reason is quite simple. The welfarist approach imposes the requirement of internal consistency of choice to build individual preferences, in which our love for variety of things make it illegitimate to consider individual acts of choice as sufficient metric for measuring human development and human well-being (Sen, 1990: 325). According to Sen (1990: 325), in its systematic attempt at testing the consistency of people's day to day behavior, the welfarist approach fails to distinguish between adaptive and addictive preferences – this is to say that the welfarist approach does not constitute a room for wide variety of preferences

and tastes. As Elster puts it: 'under the welfarist approach, people are either subject to adaptive preferences or are enslaved to addictive preferences' (Elster, 1982: 233).

A frequent finding is that there are problems emerging in the use of 'choice of strategies' in the welfarist approach, in particular, how the approach builds its indexes on the concept of individual preferences. Sen's ultimate charge against the welfarist approach is on its dependence on Mill's concept of liberty, defined as protections against interpersonal harm. In other words, individuals' actions remain within the terrain of liberty for as long as they do not harm others. This research paper will approach the Millian liberty directly by asking what Mill's concept concerning liberty implies. In *On Liberty,* Mill defines liberty by distinguishing paternalistic and moralistic restrictions of liberty from restrictions of liberty based upon the *harm principle*. According to Brink (2001: 121), Mill's definition of liberty asserts that A's restriction of B's liberty is paternalistic if it is accepted for B's sole benefit; and it is moralistic if it is accepted to ensure that B acts morally or not immorally. Mill's definition of liberty suggests that a restriction on someone's liberty is legitimate if and only if it satisfies the *harm principle* – in this case, A's restriction of B's liberty is an application of the *harm principle* (Ibid). In Mill's parlance, 'the only purpose for which power can be rightfully exercised over any person who constitute a society, against her will, is to prevent harm to others', outlining both a paternalistic obligation on the part of the people who constitute a society not to harm other people and, a corresponding moral obligation that no person is to be harmed (Sharp-Wasserman, 4).

However, Mill's definition is not adequate, and Sen exposes the inadequacy of this definition. According to Sen (2004: 315), Mill characterized his liberty with the question of eating or not eating pork. In this characterizing, Mill's liberty asserts that everyone is able to eat what one would prefer, and the first step is to include the eating of anything one chooses within the set of permitted strategies (Ibid). Thus essential for understanding Mill's liberty is that if individuals are to eat what they would like to eat and not eat what they would like to avoid, other individual's strategy choices would have to be restricted, especially in cases where individuals lack knowledge of what they are eating (Sen, 2004: 316). In Mill's terms, this does not satisfy the application of the *harm principle*. How so? Interestingly, Sen points out that the use of 'choice of strategies' in the welfarist approach does not permit individuals their rights

and be able to exercise those rights (Sen, 2004: 316). This is to say Mill's imposition of the *harm principle* does not allow trial-and-error process in which people could contribute both their failures and successes to improve their ways of life and the society as a whole (Sharp-Wasserman, 5). In order to overcome these limitations of the welfarist approach, Sen argues that it is inevitable to give priority to procedures and processes in proper arrangements for social decision-making. Paying attention to procedures and processes enable the interpretational variability of preferences (Sen, 2004: 317). According to Sen (1987: 13), procedures and processes explain anomalous findings between what an individual tries to achieve and how one goes about it.

3.5 DWORKIN ON THE MISSING ISSUE OF 'EQUALITY' IN THE WELFARIST APPROACH.

The welfarist approach asserts that a person's essential development and well-being is a matter of success in fulfilling her preferences, achieving desire-satisfaction and reaching happiness or pleasure in fullness. If this assertion is sound, then the immediate appeal in the welfarist approach is that equality of welfare is important – welfare measured or defined in terms of preferences, desire-satisfaction and happiness (Dworkin, 2000: 14-17). According to Dworkin (2000: 18-19), equality of welfare, so conceived, requires (a) testing and comparing of the welfare of different people and (b) that people be made equal in achieving their plans of life – that is equality in success. Proposition (a) seeks to notice that the dropping of interpersonal comparisons of utility in the welfarist approach framework raises practical problems, and that the interpretation of equality through the general claim of Pareto optimality, so far as it is evident, is either useless or incoherent. This is a cardinal weakness of the welfarist approach, because its use of Pareto optimality perpetuates inequality as means to efficiency (Dworkin, 1977).

In what sense does it perpetuates inequality? According to Dworkin (1977: 232-233), there are two intrinsic senses in which a society may be regarded to be better off as a whole, despite some of its constituents are worse off. First, a society may be better off when the average or collective welfare of its members is improved even though the welfare of certain members falls (Ibid). Second, a society may be better off in the ideal sense – this is when a society is just,

whether or not average welfare is improved (Ibid). The first sense is the welfarist approach argument. In this welfarist approach argument, policies make a society better off if they satisfy individual preferences better than alternative policies would, even when these policies put many members of a society at a disadvantage (Dworkin, 1977: 232-233). This argument invites a much more serious difficulty, in particular when we take into consideration the fact that a society has to be equal and therefore more just. Dworkin, who believed that equal concern is the sovereign virtue of political community, asks this: how can the welfare of a person be measured, even in principle, and how can gains in the welfare of different persons be added and then compared with losses, so as to justify the claim that gains outweigh overall losses?

In the welfarist approach framework, the decent way to measure a person's welfare is through the criterion of social improvement, which is Pareto efficiency. Pareto efficiency is likely to give a generous answer to the question posed. This criterion, has of course, been challenged. According to Sen (2004: 265), Pareto efficiency is not an adequate criterion as it is insensitive to a society's inequalities, especially inequalities of happiness and dissatisfaction. In a society where racism and discrimination are rife, Pareto efficiency would not tell us much about the welfare judgements. What invites this disapproval is the absence of two sorts of rights which cannot be recovered by the criterion of Pareto efficiency in the welfarist approach framework. Dworkin provides two sorts of rights which negate Pareto efficiency (Dworkin, 1977: 227). First, there is an absence of the *right to equal treatment* which supposes that the distribution of opportunities and resources must be equal among the members of a society (Dworkin, 1977: 227). Second, there is an absence of the *right to treatment as equal* which supposes that every member of a society must be treated with equal respect (Dworkin, 1977: 227). Dworkin's concern received recognition in Scanlon's work. According to Scanlon (2003: 26), it is necessary, so to speak, to delineate what the absence of these rights rule out and what they allow. Scanlon (2003: 28-29) argues that any theory of right must concern itself with two things: (i) the latitude it grants people to satisfy their moral requirements; and (ii) the protection it affords people by placing restrictions on the actions of other people. These things help us to delineate what the absence of rights rule out and what they allow. First, the absence of the *right to equal treatment* posits that equality of distributions and fairness processes are

ruled out in the welfarist approach (Scanlon, 2003: 31). Second, the absence of the *right to treatment as equal* posits that people in the welfarist approach are not protected from interference by others, particularly in cases of inequalities in wealth because those who are wealthy tend to exert the degrees of power and control over the lives of the least advantaged members of a society (Scanlon, 2003: 28-31). The absence of these rights does not enable people to lead a useful life; or rather, it does not contribute towards a person's development and well-being. This supposes that Pareto efficiency cannot function with universal domain, satisfying these rights. That is to say, Pareto efficiency is inadequate to account for the importance that equality, individual rights and fairness have for human development and human well-being.

Proposition (b) suggests that internal consistency of choice renders a person's plans of life indeterminate: it does this as it denies people what they wish to have or to do (Dworkin, 1977). According to Dworkin (2000: 17), equality of success holds that people are equal in the degree to which all their various preferences are fulfilled. Dworkin takes up three different sorts of preferences often neglected in the welfarist approach: first, people have *political preferences*, which includes preferences about how the resources, goods and opportunities are to be distributed; second, people have *impersonal preferences* – these are the so-called preferences about things other than their own or other people's lives or situations; third, people have *personal preferences*, based on people's own experiences and situations (Dworkin, 2000: 17-18). What is noteworthy is that these preferences often overlap and they can be changed at every person's accord. It is therefore instrumental for the welfarist approach to satisfy these preferences so far this is possible. This argument is, in Dworkin's views, spurious if not deceptive (Dworkin, 1977: 234). Why is that the case? It seems like the welfarist approach lacks strict impartiality. It is not invariably possible, for each person's preferences to succeed due to the intensity of internal consistency of choice. This analysis jeopardizes the welfarist approach's popularity to the assertion that it embodies the right metric for measuring a person's essential development and well-being (Dworkin, 1977: 236).

The welfarist approach attempts to justify the use of internal consistency of choice argument by imposing the Arrowian logic of the 'impossibility theorem'. The 'impossibility

theorem' is Kenneth Arrow's desire to attempt to offer a framework for rational and democratic decisions for a group. According to Sen (2004: 68-69), this framework pays much attention to individual preferences and interests of the members of a society. The underlying intuition in the 'impossibility theorem' is that social preference must work for every possible set of individual preferences (Sen, 2004: 72). However, considering every possible set of individual preferences is an arduous process which may lead to difficulties of group decisions and inconsistencies. Therefore, the mistaken logic behind the 'impossibility theorem' is that it seems impossible to satisfy diverse individual preferences (Sen, 2004: 262-263). So, what is the perfect axiom to use for determining constructive social preference? Arrow suggests that internal consistency of choice satisfies reasonable demands in the sense that it limits the inconsistencies and incoherence that diverse individual preferences may yield. This enterprise is inescapably doomed. How, is it doomed?

Dworkin uses a parable to illustrate how internal consistency of choice is doomed. Let us suppose that 'a society consists of majority of the citizens who are not sick, but racist in their political preferences……..and therefore they prefer that scarce medicine be given to white people who are in need of it than black people who need it more' (Dworkin, 1977: 235). In this case, internal consistency of choice becomes arbitrary and despotic as it is evident that it would require consistency of white peoples' racist political preferences. Moreover, Arrow's 'impossibility theorem' would satisfy racist political preferences and disapproves two other sorts of preferences. Under such circumstances, black peoples' preferences will not be counted as equals to those of white people. These offer to suggest that the welfarist approach does not strive to struck a balance between the three sorts of preferences. To substantiate this assertion, Sen argues that the welfarist approach has a gross inability to be sensitive to the heterogeneous preferences of a diverse population (Sen, 2004: 69).

Moreover, the welfarist approach asserts that desire-satisfaction and happiness are the most valuable consequences. These suppose that desire-satisfaction and happiness are the ultimate human ends. This idea has, of course, received a lot of scrutiny. According to Dworkin (2000: 18), people either gain enjoyment or suffer dissatisfaction through the fulfillment or defeat of their preferences. Given that the welfarist approach does not adequately fulfil all

conceivable preferences, desire-satisfaction and happiness become suspicious entities for measuring a person's development and well-being.

3.6 A CONCLUDING REMARK.

Sen and Dworkin's refutations of the welfarist approach are powerful. A powerful adequate outline of these refutations would be this. There is a need to go beyond happiness as a sufficient way for measuring a person's development and well-being. As Sen rightly puts it, 'utility in terms of mental states is an unsuitable guide for assessing human development and human well-being'. In other words, the happiness-pain calculus is narrow and misleading. This is because, as reflected in Sen's writings, people employ survival strategies to cope with adversity and multiple deprivations and due to these; they may not necessarily appear to be worse-off in terms of the mental metric of happiness. Besides this, the absence of interpersonal comparisons of utility reduces happiness to an illusion. It is an illusion since the welfarist approach theorists have the mistaken confidence that it is impossible to compare peoples' levels of happiness. If this the case, why is happiness considered as an ultimate good towards which every person is in pursuit, if it does not permit ways of comparisons? Dworkin's refutation was concerned with the malleability of individual preferences in the welfarist approach. Given how internal consistency of choice is applied in the welfarist approach, individual preferences do not always reflect a person's interests, aims, values, desires, and so on. It is Sen who puts it quite succinctly in the following way. We cannot determine what individual preferences represent as internal consistency of choice limits the freedom to choose freely.

CHAPTER FOUR: TWO CHEERS FOR CAPABILITIES OR RESOURCES?

4.1 AN INTRODUCTORY REMARK.

Contractualism is not a point of departure, but rather an area of study in this chapter. John Rawls proposes contractualism as an alternative to both utilitarianism and the welfarist approach. This is a view which is most held by social justice theorists, to name a few, Ronald Dworkin and Thomas Pogge. Rawls and to some extent Dworkin were concerned with the aggregate character of Pareto optimality which masks inequalities in the welfarist approach. In addition to this, Rawls objected to the welfarist approach's assumption that welfare is the facet of a person's condition, commonly defined as happiness. In his proposal, Rawls replaces happiness and Pareto optimality with equality and social primary goods in measuring a person's development and well-being. However, Sen is not convinced with such replacements as they are not cogent. This is because Rawls's proposal invokes the danger of fetishism – that is judging advantage in terms of the command of social primary goods and/or resources, not on what the former and the latter do to (or for) people. This chapter will discuss in detail Sen's objections to Rawls's proposal. Furthermore, this chapter provides reasons why the capability approach can serve better than the resourcist approach in measuring a person's development and well-being.

4. 2 MOVING TO A MATURE ALTERNATIVE: JOHN RAWL'S CONCEPT OF PRIMARY SOCIAL GOODS.

Societies are vulnerable to problems that may threaten their long-term viability. One of the key problems that affect their long-term viability is the problem of collective cooperation. Ostrom propounds that in a world in which the temptation to free-ride is inevitable, the idea that people can converge to enforce the rules so as to gain benefits of cooperation is naught (Ostrom, 2000: 138). Rawls agrees with Ostrom that distrust and resentment deteriorate cooperation, and pleonexia and egotism tempt people to act in ways they would otherwise abstain (Rawls, 1971: 6). Without social systems and institutional mechanisms to enforce the cascade of cooperation, the basic structure of a society would never embody the main ideas of equality and justice. Thus, a pivotal question is this: how do people design systems and

institutions that bolster rather than destroy cooperation? Rawls's theory of 'justice as fairness', which uses the traditional concept of social contract as its prism, offers far-sighted answers to the aforementioned question.

'Justice as fairness' is primarily concentrated on three basic ideas which Rawls terms the 'fundamental intuitive ideas' (Brighouse, 2004: 33). According to Brighouse (2004: 33), the three 'fundamental intuitive ideas' are inherent in the fabric of modern democratic societies and their rudimentary role is to dictate widespread public agreement. These ideas are: (i) society as a fair system of cooperation; (ii) a well-ordered society; and (iii) citizens as free and equal moral persons (Brighouse, 2004: 33-35). The first idea expresses the three intuitive convictions: first, it cements the idea that a society is a collaborative process for mutual advantage and therefore conditional cooperators must collaborate in accordance with the rules and procedures as correct; second, it initiates reciprocity to ensure that the level of trust is high; third, it identifies cooperation as the only viable way to achieve a better life for all or rather the only possible way for the cooperators to foster their own good (Rawls, 1971: 3-6; Ostrom, 2000: 142; Brighouse, 2004: 33-34).

The second idea provides three effective means to regulate a society: first, it specifies that a society is well-ordered if and only if it meets the public condition whereby everyone accepts the generally known principles governing a society when they estimate that others involved will accept them; second, it presumes that in arriving at the best-liked willing cooperation, the basic structure of a society must be promulgated; third, in order for the standpoint of justice to be less innocuous or trivial, this idea makes vivid the point that everyone has to grasp the effective meaning of justice (Rawls, 1980: 49-62; Brighouse, 2004: 33-34). The third idea pins down two ways in which equal citizenship makes a just society possible: first, it considers citizens as standing on positions of equality when they have an effective sense of justice because justice provides guidance where guidance is needed; second, the effective sense of justice enables citizens to have a better conception of the 'good', so this idea removes any doubts by affording every citizen a space to hold and reverse their judgements about what makes life good – this is what Rawls refers to as *reflective equilibrium* (Rawls, 1980: 55-56; Brighouse, 2004: 33-34).

These intuitive ideas encourage the assumption that a person's development and well-being depends upon a scheme of cooperation, so as to have a satisfactory life (Rawls, 1971: 15). However, Rawls argues that the imperative subject of 'justice as fairness' is the 'Basic Structure' of a society (Brighouse, 2004: 36). Here, Rawls propagates John Locke's assertion that agreement unravels the problems of life which characterize the state of nature, or to put it in another way, agreement is necessary for the purpose of creating a civil society and removing men from their natural condition (Simmons, 1992: 102). Undoubtedly, this assertion demands clarification. It is worth noting that Locke uses the idea of agreement to introduce the concept of a 'common judge with authority'. In order to nail down this assertion with great precision, Locke asserts 'wherever no one is entitled to settle controversies between two persons, wherever there is no authorized umpire to judge between them, those persons are in the state of nature' (Simmons, 1992: 102). Rawls works out 'justice as fairness' in the light of this assertion. According to Brighouse (2004: 36), Rawls is committed to the 'Basic Structure' for two reasons. First, considering that modern democratic societies are marked by conflict, the 'Basic Structure' would act as a public coercive institution which functions in accordance with rules (Rawls, 1971: 4; Brighouse, 2004: 36). Second, modern democratic societies are constituted by different people who have different identities of interests; therefore, the 'Basic Structure' has profound effects on people's life prospects – that is to say, people's initial chances in life are determined, in part, by their place in the 'Basic Structure' (Rawls, 1971: 7; Brighouse, 2004: 37).

If this is correct, there is a need for design principles to set out social arrangements that depend on the context of 'agreement'. Rawls acknowledges this, and he offers a set of principles of social justice, that he believes are the only prerequisite for regulating the choice of: the structure of the economy, a political constitution, the design of the parliament, economic opportunities, assigning rights and duties, social conditions, the judiciary, the forms of property, and so on (Rawls, 1971: 7; Brighouse, 2004: 36-37). Rawls proposes two principles that constitute 'justice as fairness'. These principles are: (a) the first principle is that people must be accorded a full adequate measure of basic liberties which are consistent with the same measure of liberties for all; and (b) the second principle is that social and economic inequalities

are to be organized in order to (i) be to the greatest benefit of the least advantaged, and (ii) be open to all offices and positions in a state of fair equality of opportunity (Rawls, 1980: 57). These principles complement each other, but it is worth mentioning that what makes them different is what Rawls calls *lexical priority*. The idea of *lexical priority* is that it is possible but not preferable to put into effect the second principle which compromises the first principle (Brighouse, 2004: 47). Here, Rawls expresses his faith in the moral mandate of the 'difference principle'. This account requires to be put quite succinctly.

According to Roemer (1996: 172), Rawls sets forth two unobjectionable arguments (at least according to most Rawlsian scholars) for his faith in the moral mandate of the 'difference principle'. The first argument explicitly states that social and economic inequalities are only acceptable as long as they benefit the least advantaged group (Brighouse, 2004: 47). The second argument attempts to put into practice the first argument by invoking the lynchpin ideas of 'justice as fairness', which are the 'veil of ignorance' and 'the original position' (Roemer, 1996: 172). In *History and Illusion in Politics*, Raymond Geuss claims that in societies which are concerned with democracy there has been continued disagreement about how the relevant ideals are precisely to be specified, but also about how these ideals are to be implemented, that is about whether or not concrete political devices actually foster or embody the ideals (Geuss, 2001: 112). In *The Quest for Certainty: A study of the relation of knowledge and action*, John Dewey proposes to think of a society as a group involved in a similar dual activity of trying, on the one side, to discover how to attain or realize the life that is desirable and, on the other side, to determine what is, or could be, meant by 'desirable' (Dewey, 1929, cited in, Geuss, 2001: 112-113). It would be a slight understatement to suggest that Rawls is not fully concerned with the abovementioned assertions. If this is the case, how does the 'Basic Structure' implement the ideal principles of social justice? Moreover, if the principles are desirable as Rawls asserts, what evaluative approach are we going to use to determine what is meant by desirable? In responding to these questions, Rawls introduces the 'original position' as an initial status quo which is used to ensure that the consequences of the fundamental agreements reached within it are fair – that is to say agreements are to be ranked only when they are worthy to be accepted by people so circumstanced (Rawls, 1971: 17).

The ‘original position’ is a hypothetical position in the sense that it follows the logic of ‘social contract’ which conveys the idea that principles would be agreed to in a well-defined initial situation. It seems sensible to suppose that the ‘original position’ seeks to constitute equality between human beings (Rawls, 1980: 55). This idea permits ‘justice as fairness’ as part and parcel of the theory of rational choice. Rawls illustrates this in the following way: principles of social justice would be chosen by rational agents because within the ‘Basic Structure’, each person is assumed to have the necessary ability to understand and subsequently act upon every principle(s) adopted (Rawls, 1971: 16-17). Therefore, the ‘original position’ ensures that all members of a society are sovereign individuals morally bound by specific conditions of agreements (Brighouse, 2004: 39). For it is clear that Rawls’s two principles of social justice conform to the established maxim of rationality, and it would be rational to adopt his proposed principles within the ‘original position’ (Rawls, 1971: 17). Rawls’s two principles of social justice are not only rational, but also less arbitrary (than the welfarist approach’s assertions) as they get to be chosen by sovereign individuals who act as masters of accepting or rejecting these principles.

In *Book I of The Social Contract*, Jean-Jacques Rousseau asks this: can the civil order incorporate some legitimate and sure rule of administration, taking men as they are, and the laws as they can be? For Rawls, the answer to Rousseau’s question is best understood in terms of what he calls the ‘veil of ignorance’. The ‘veil of ignorance’ acts as a heuristic device to the question posed by Rousseau. However, it does this by serving as a guide in the solution of the three assumptions, as Thomas Hobbes writes, that prove that the state of nature is a state of war (Kavka, 1999: 2-3). These assumptions are: first, people are approximately equal in their mental and physical abilities; second, people have conflicting desires and due to this people are invariably at odds; third, people are constantly concerned with their life prospects – that is, long-term well-being, satisfaction of their future, and so on (Kavka, 1999: 2-3). To renounce these assumptions in modern democratic societies, the ‘veil of ignorance’ deprives people all knowledge about the aspects of their lives, including knowledge of their social class background, natural endowments and specific notion of the good (Brighouse, 2004: 40). According to Rawls (1971: 17-22), such a renunciation seeks to constraint all ‘morally arbitrary

bargaining advantages' from swaying the choice of the principles of social justice. Since the aim is to achieve a well-ordered society, the 'veil of ignorance' presupposes: (a) that the principles of social justice must be impartial so as to prevent the well-born, the talented and the physically attractive from formulating the principles to favour their interests; (b) that the outcomes of the principles must have equal advantage/disadvantage for all people; and (c) that the principles must be neutral to avoid endorsing one particular notion of the good severely over others (Brighouse, 2004: 40-41).

So far so good: it seems plausible to assert that Rawls's two principles of justice, the 'Basic Structure', the original position, and the veil of ignorance would advance the good of all people with the full common force. However, what are the goods that are being pursued by people and by which means are they going to be distributed? It is imperative that this research paper must not lose sight of its primary focus on human development and human well-being. Given that the 'veil of ignorance' does not permit the members of a society in the original position to have a conception of the good, Rawls's 'justice as fairness' has to provide them with the conception of the good (Brighouse, 2004: 44). In doing this, Rawls introduces what he terms a 'thin theory of the good' – this theory sets the benchmark for understanding human development and human well-being, as it is fairly evident that, in general, a person's development and well-being are measured by the 'good' the individual has at his disposal (Brighouse, 2004: 44-65). The purpose of the 'thin theory of the good' is to yield the premises about the 'good' required to arrive at a sufficient cardinal measurement of human development and human well-being (Rawls, 1971: 396-397).

The 'good' falls into two categories: (a) natural primary goods – these goods are the natural endowments; and (b) social primary goods – these are the goods that every rational human being would want to realize his rational life plan (Brighouse, 2004: 44). What differentiates these goods is the Kantian interpretation of justice (Rawls, 1971: 251). According to Rawls (1971: 252-253), Kant asserts that any individual, acting in his nature as a free and equal rational being, would not choose to act according to the natural primary goods because to act in accordance with these goods is to act heteronomously. This supposes that every rational being has the adequate intellectual powers to participate in a society, and that no rational

being is agonized with abnormal needs that are difficult to fulfil (Brighouse, 2004: 45). It turns out that 'justice as fairness' is concerned with normal cases whereby rational beings are equal in physical and mental states. Therefore, there is no need to distribute natural primary goods, let alone to consider the fundamental problems that may arise from unequal natural primary goods. The justification of this assertion is that every rational being must have the effective understanding of justice which is to conform to everything that justice assigns them. It seems clear enough that 'justice as fairness' assigns rational beings the social primary goods as these goods are essential for every rational being to carry out their plans of life (Rawls, 1971: 396). According to Roemer (1996: 165), Rawls lists five categories of social primary goods: (i) basic liberties, comprising freedom of thought and conscience as they are necessary for the exercise of individual autonomy to decide upon the notion of the good; (b) freedom of movement to and choice of occupation are imposed to invoke deliberative rationality so as to ensure that decisions are correctly assessed; (c) powers and prerogatives of offices and positions of responsibility; (d) income and wealth as they are necessary to achieve valuable ends, whatever they happen to be; and (e) the social bases of respect to ensure that people have sense of their own worth and subsequently realize their ends with self-confidence (Roemer, 1996: 165).

At this point Rawls declares that the equalization of good (a) and good (b) must follow the logic of *lexical priority* to ensure that (a) and (b) goods can be allocated to all citizens on an equal basis (Roemer, 1996: 165). Furthermore, the distribution of good (c), (d) and (e) must embody the 'difference principle' for the purposes of maximizing an index of social primary goods accorded to the least disadvantaged group (Roemer, 1996: 165). Therefore, it is the 'Basic Structure' that would fortify these goods in its institutions. One thought provoking question may be this: what is the major place of these social primary goods to plans of life? Here, Rawls seeks to develop the 'thin theory of the good' into a full theory to explain the overarching account of goodness. The central idea of this development can be put, most crudely, as a way of giving the 'thin theory of the good' a firmer foundation (Rawls, 1971: 395). The reason for doing this, as this research paper has argued earlier on, is that the 'thin theory of the good' is used to secure 'assumptions about the citizens' motives in the original position' in the sense that it yields the premises about the 'good' required to arrive at a sufficient cardinal

measurement of human development and human well-being (Rawls, 1971: 396-397). Therefore, there is a need for a full theory to take into account the two principles of justice and social primary goods as already secured (Rawls, 1971: 398).

One of the selling points of the full theory is that it considers the two principles of justice and social primary goods as human goods. This, however, serves to suggest that the two principles of justice and social primary goods have the properties that it is rational for a person with a rational plan of life to want them (Rawls, 1971: 399). It seems best to dissect the importance of the two principles of justice and social primary goods in a person's rational plan of life and how the full theory incorporates this. According to Rawls (1971: 408-409), the rational plan for a person determines her good in the following ways: first, it ensures that a person's interests and aims are incorporated into one scheme of conduct; second, it reflects a person's rational choices in all her situations. What is missing within this rational plan are the two principles of justice and social primary goods, otherwise the rational plan will not succeed (Rawls, 1971: 410). The full theory, then, is made up of broad information that helps to understand (i) a person's aims and interests with greater accuracy and (ii) the necessary goods that a person needs in order to carry out her plan and her final ends (Rawls, 1971: 410-411).

4.3 IRRELEVANT ALTERNATIVE: SEN'S CRITIQUE OF THE CONCEPT OF SOCIAL PRIMARY GOODS.

Rawls's 'justice as fairness' can be summarized as a theory which strives to make sense of an objective moral reality (Dworkin, 1977: 160). The objective moral reality observed by 'justice as fairness' is a moral faculty possessed by human beings which yields concrete intuitions of political morality. 'Justice as fairness' follows the logic of the three fundamental intuitive ideas which are (i) society as a fair system of cooperation, (ii) a well-ordered society and (iii) citizens as free and equal moral persons (Brighouse, 2004: 33-35). According to Dworkin (1977: 160-161), these intuitive ideas are treated as stipulated features of the nature and existence of more abstract and fundamental moral principles. This serves, as Dworkin asserts, to suggest that Rawls's 'justice as fairness' is a natural model of theories of justice (Dworkin, 1977: 160-168). The natural model of theories of justice requires that moral intuitions are accurate

observations – that is to say, accurate observations which represent moral reality (Dworkin, 1977: 163).

It seems reasonable to argue that Rawls's 'justice as fairness' signals a right-based theory. This is because 'justice as fairness' gives liberty an essential and dominant place in its framework. In what way(s) does 'justice as fairness' offer liberty an essential and dominant place in its framework? The assertion that Rawls makes that the idea of the social contract is a powerful argument which best explains the role and prominence of liberty in 'justice as fairness'. Dworkin (1977: 169) argues that the social contract takes rights as sacrosanct so as to make them valuable in political morality. It follows that the social contract provides every individual in the 'original position' with a veto. According to Dworkin (1977: 173), this serves to suggest that a veto is so important a feature as it is evident that without it, no contract can be formed. An inevitable question that may stem from these arguments is this: can the ideas of the natural model and right-based theory contribute to a harmony that the social contract is trying to establish? Although this question is accordingly dense, Rawls tries to show, in some detail, how the former and the latter ideas improve the social contract as the engine of 'justice as fairness'. Here, Rawls tries to defend his own assumption that the 'original position' is an interpretation of the social contract. All this suggests that the 'original position' is a schematic representation of 'principles governing our moral powers, or more specifically, our sense of justice' (Rawls, 1971: 51). The profound interpretation of this doubtful hypothesis is that (a) Rawls's two principles of justice mirror the natural model in the sense that they are constitutive of morality common to all human beings and (b) the social primary goods act as the basic right to lead a successful life in accordance with a specific notion of the good (Dworkin, 1977: 158-178). Therefore, it makes perfect sense to assume that the right to equal concern and respect are fundamental in Rawls's 'justice as fairness' design.

How does 'justice as fairness' rest on the assumption of the right to equal concern and respect? Rawls argues that the condition of the veil of ignorance in the original position ensures that political arrangements and institutions (this is what Rawls refers to as the 'Basic Structure') are impartial (Brighouse, 2004: 40). According to Dworkin (1977: 181), Rawls makes this bold claim because he is convinced that political arrangements and institutions that have little

regard for the right to equal concern and respect are those that are established by powerful members of a society who favour their notion of the good over others'. The 'veil of ignorance', on the other hand, deprives the powerful members of a society of unequal threat and advantage (Brighouse, 2004: 40-41). However, this research paper argues that Rawls's 'justice as fairness' is misplaced, and it would be best to provide reasons why this paper prefers the capability approach over the resourcist approach. According to Sen (2009: 260), it is hard to sustain Rawls's two principles of justice, which focus on social primary goods as a better metric for measuring human development and human well-being. Sen provides reasons for criticizing the blindness of the idea of social primary goods in Rawls's 'justice as fairness' (Sen, 2009: 261).

Now we have to consider the reasons in clearer detail. First, Sen puts forward the objection that the thesis of social primary goods is inadequate, merely useful, and is too vague and impractical way to judge advantage or be a sufficient indicator of what kind of good lives we can achieve (Sen, 2009: 253). Anderson asserts that Sen's objection indicates the slippage between judging advantage in terms of 'means' rather than 'ends' (Anderson, 2010: 89). To substantiate this objection, Dworkin argues that Rawls's 'justice as fairness' loses a great deal of its appeal as it subordinates equality in social primary goods, when this is necessary, to liberty of political activity, by cementing the demands of the first principle prior to those of the second principle (Dworkin, 1977: 180). According to Anderson (2010: 89), there are certain kinds of injustices that cannot be adequately addressed by the distribution of social primary goods to individuals. The basic liberties of the first principle of justice contribute to a person's exercise and development of her capacities for the notion of the good and the sense of justice (Brighouse, 2004: 62-63). Consider, for example, oppressive discursive norms that shun gays and lesbians in a society (Anderson, 2010: 89). In as much as the first principle of justice guarantees the most basic liberties, the issue of oppressive discursive norms cannot be discarded by redistributions of social primary goods. To put this argument in a stark way, Anderson propounds that no matter how rich gays and lesbians are, and how richly they are positioned in the hierarchy of offices, they would still face the threat of oppressive discursive norms of a society (Anderson, 2010: 89-90).

According to Sen (2009: 255-256), this criticism is the consequence of the absence of *differences in relational perspectives* in Rawlsian principles of justice. The *difference in relational perspectives* suggests that the established patterns of behavior in a society may vary in many contexts, even as to fulfil the elementary requirements of self-respect (Ibid). Gays and lesbians may have all the necessary social primary goods, since Rawls measures value by the goods available to people with which to make use of their basic liberties, but the contempt that gays and lesbians are exposed to is not a matter of either (a) lack of basic liberties or (b) lack of social primary goods. This contempt has more to do with the society as a distinct entity, than what Rawlsian principles of justice are suggesting. Anderson insists that the contempt is a manifestation of unjust social stereotypes and norms which prevent gays and lesbians from effectively standing as equals in a society (Anderson, 2010: 89-90).

What makes Rawls's 'justice as fairness' unbecoming is the *lexical priority* which governs the application of Rawlsian principles of justice. According to Brighouse (2004: 63-64), the *lexical priority* imposes a strict priority that nothing can be done to either infringe or compromise basic liberties. The *lexical priority* probably suggests that (i) inequalities that are the consequence(s) of a person's legitimate exercise of her basic liberties must be permitted even if they would not be to the greatest benefit of the least advantaged member of a society and (ii) inequalities that are to be to the greatest benefit of the least advantaged members of a society would be disapproved if they infringe on the basic liberty of a society (Brighouse, 2004: 64). The logic of the *lexical priority* is problematic when applied to the case of gays and lesbians. Does the *lexical priority* hold ground when applied to the case of gays and lesbians? Anderson suggests that the *lexical priority* is not sensitive to informal social interactions (Anderson, 2010: 90). This is because the wrongful inequalities take various forms, and the *lexical priority* does not respond adequately to or notice such differences (Young, 1990: 81). Consider for example, any direct regulation of oppressive discursive norms of a society that gays and lesbians are exposed to would violate the basic liberties, in particular the liberty of freedom of association (Anderson, 2010: 90). Insofar as the *lexical priority* is concerned, it would violate the basic liberty of freedom of association in the sense that inequalities of oppressive discursive norms of a society are the direct consequences of peoples' legitimate exercise of their basic liberties.

According to Young (1990: 82-83), issues of justice must attend to the social relations that position people and condition their experiences and opportunities. This helps to correct biased partial perspectives about injustices and inequalities over their possible solutions (Young, 1990: 83). The concrete case of gays and lesbians could be described as unjust lack of social primary goods, in particular the lack of social bases of self-respect, in Rawls's 'justice as fairness'. In other words, Rawls would suggest that the fairer distribution of social primary goods would be a viable way to secure the social bases of self-respect for gays and lesbians (Anderson, 2010: 90). This sounds like a substantial logic. It is a substantial logic to express the hope that all forms of inequalities and injustices can be corrected through formally administrable remedies. There are two unappealing consequences of this substantial logic: (a) even if we are to consider the social primary goods as the solution for the concrete case of gays and lesbians, the *lexical priority* will interfere with any direct correction because it disapproves the distribution of primary social goods that will infringe on the basic liberty of a society; and (b) such a 'lexical interpretation' does not enable us to give equal consideration to the interests of every person who make-up a society (Scanlon, 2003: 30).

Second, Sen puts forward the objection that people may vary in their ability to convert social primary goods into their development and well-being (Daniels, 1990: 276). Sen's objection conveys the sense that Rawlsian principles of justice do not address the circumstances in which people live or rather, the chances available to them (Heywood, 2007: 289). As this research paper argues, the resourcist approach is concerned about life at the beginning in which the application of equality of opportunity is thought to be the starting point of life (Heywood, 2007: 289). Here, the *veil of ignorance* in the original position is potent. It is potent in the sense that it helps to overcome barriers to fair equality of opportunity – that is inequalities arising from talents, resources inherited from parents, physical attractiveness, and so on (Heywood, 2007: 289; Brighouse, 2004: 56-57). In effect, the *veil of ignorance* removes any barriers that might stand in the way of a person's development and well-being.

What we need to focus on is this: can the *veil of ignorance* tell us what the people need to function fully? In the light of this question, Brighouse suggests that this question is appealing to a particular notion of 'deservingness' (Brighouse, 2004: 31). Brighouse (2004: 31-32) remarks

that the *veil of ignorance* makes a mockery of what constitute a person's development and well-being. This is because our talents, resources inherited from parents, physical attractiveness, and so on constitute us as human beings (Brighouse, 2004: 31-32). It is, however, clear that the *veil of ignorance* imposes a restriction on the equality of success since it is an uncontested view that any better space in which to measure human development and human well-being must explain a great deal of a person's success(es) (Dworkin, 2000: 17; Brighouse, 2004: 31; Daniels, 1990: 277). There is no doubt that the *veil of ignorance* leads to a partially blind morality (Sen, 1976). Most importantly, Sen argues that the *veil of ignorance* omits the *diversities in the physical environment* in its framework (Sen, 2009: 255). To substantiate this argument, Brighouse propounds that the *veil of ignorance* takes little note of the environmental factors because it is these factors that determine which individuals' inner or external characteristics are to be rewarded (Brighouse, 2004: 32).

Insofar as the *veil of ignorance* is the source of extraordinary intellectual resilience for Rawl's 'justice as fairness', there remain problems against it, in particular the direction it takes of downplaying natural endowments and placing greater reliance on social primary goods. Consider, for example, in market-based societies, talents and physical attractiveness expand a person's development and well-being (Brighouse, 2004: 31-33). Height is an imperative quality in sporting activities and, people who are tall may decide to trade their talents and skills in the market by playing basketball. If a society does not appreciate basketball or the environment is hostile to basketball, then these people will lack a good productive use of their height (Brighouse, 2004: 33). And this kind of a deprivation cannot be compensated by the distribution of social primary goods. Sen, who endorses this line of thought, suggests that there are two things that we can draw from his criticism: (a) Rawls's imprecise idea of social primary goods creates a fetishistic fascination because these goods are defined as the embodiment of advantage rather than defining advantage in terms of resources connected with the welfare they bear for people; and (b) social primary goods are inflexible because they disregard permissible inequalities (as a result of utilizing talents, resources inherited from parents, physical attractiveness, and so on) which people might have through no fault of their own (Sen, 2009: 255-256). These permissible inequalities, as Rawls writes, are arbitrary and therefore

they undermine the notion of the 'good' necessary about how best people should live their lives. Hence, Sen argues that not all people can convert social primary goods into their development and well-being (Sen, 2009: 255).

Sen's third objection stems out of uneasiness with the *lack of sensitivity to individual variations in physical and mental characteristics* (Sen, 2009: 255; Anderson, 2010: 91). The central issue for Sen is that physical and mental characteristics determine peoples' future prospects or how they are going to fare in life (Sen, 1985: 20-21, cited in, Hamilton, 1999: 521). Here, Sen is far too sophisticated to imagine that Rawls's 'justice as fairness' design is guilty of 'valuation neglect' (Hamilton, 1999: 521). Sen argues, instead, that 'valuation neglect' is a direct consequence of the Kantian tendency inherent in the resourcist approach of measuring human development and human well-being with reference to a biased metric that presupposes that 'every rational being has the intellectual powers to participate in a society, and that no rational being is agonized with abnormal needs that are difficult to fulfil' (Brighouse, 2004: 45). This tendency as Sen specifically notes, seeks to suggest that insofar as individual variations are concerned, rational beings are equal in physical and mental states (Hamilton, 1999: 520). There are two powerful problems generated by this argument.

First, it is far from clear to assert that the standardized package of social primary goods can take full account of peoples' needs, interests and endowments. People with disabilities and prone to illness have extremely diverse needs (Sen, 2009: 255). Second, Rawls's persuasive argument that we should hold 'people responsible for their ends' invites the arrogant assumption that justice does not require that people be compensated for being worse off when it is not their choices that made them worse off (Daniels, 1990: 256). Consider, for example, that people with physical and mental disability are often classified as 'special cases', insinuating the view that they cannot speak for themselves in ordinary social interactions (Anderson, 2010: 89). The idea that people should be held responsible for their ends fails because some disabilities are natural endowments, and for this reason, we cannot hold people responsible for being born with disabilities and illness. Moreover, people with disabilities sometimes require their guardians and caregivers to speak for them, but this argument is morally irrelevant in

Rawls's 'justice as fairness' because people are assumed to be equal in physical and mental states.

These problems combine to support Sen's objection that Rawls's 'justice as fairness' lacks sensitivity to *individual variations in physical and mental characteristics* (Sen, 2009: 255). What makes Sen's objection a pressing issue is that (a) Rawlsian 'Difference principle' can address the case of individual variations adequately, but the overriding idea that 'justice as fairness' is concerned with normal cases directly sets aside individual variations introduced by illness and disease and (b) even if individual variations were given equal consideration, the *lexical priority* would still act as a stumbling block in its process of reaching the cognizance of a person's notion of the 'good' because it does not permit any trade-offs between basic liberties and economic and social gains (Sen, 1979: 214).

4.4 A NEW APPROACH OF EQUALITY OF RESOURCES: IS RONALD DWORKIN A BLINDING REVELATION?

It is evident that Rawls's measurement of human development and human well-being through the index of social primary goods is vague. The index of social primary goods is too vague to allow the necessary comparisons, particularly when we trace peoples' differences in converting social primary goods into valuable ends. Sen's objections raise a practical problem: that Rawlsian social primary goods ignore the conversion variations in peoples' physical and mental powers (Dworkin, 2000: 15-16; Sen, 2009: 264). This is what makes social primary goods unattractive. However, Dworkin uses the social primary goods perspective to introduce his idea of 'equality of resources'. To illustrate that Dworkin does not reject social primary goods perspective, he argues that genuine equal concern requires that people have material resources at their command because it is these resources that people need to make something valuable of their lives (Dworkin, 2000: 3-80).

But Dworkin's 'equality of resources' offers a seismic change as it aims to correct the objections that Sen makes about the Rawlsian social primary goods. According to Sen (2009: 264), 'equality of resources' is a well-thought proposal as it signals a better way for understanding how far the command of material resources must be affected by variations that

exist in people's physical and mental states. Dworkin's 'equality of resources' is consistent with Rawls's logic that we should 'hold people responsible for their ends'. Consider, for example, that Dworkin propounds that 'people should pay the price of the life they have decided to lead, measured in what others give up in order that they can do' (Dworkin, 2000: 74). The price that people must pay figures in two different ways in the Rawlsian and Dworkinian frameworks. First, Rawls suggests that we should 'hold people responsible for their tastes' because people willy-nilly choose to have the tastes and preferences they have (Daniels, 1990: 286). Second, Dworkin argues contrary to Rawls – as his suggestion invites much of Sen's criticism – by suggesting that the government must be fixated on either erasing or mitigating differences between people in their personal resources (Dworkin, 2000: 286). These suppose that 'equality of resources' is aimed at improving personal resources, defined as physical and mental handicaps, rather than improving differences in personality, traceable to tastes and ambitions (Dworkin, 2000: 286-287).

Note that choice is significant here. Choice is imperative because people should be free to choose whichever notion of the 'good life' they wish, and the government must ensure that this choice is realized (Hamilton, 1999: 522). At the heart of this, as Ronald Pierik and Ingrid Robeyns write, is that disproportional distribution of resources stemming from individual choices are permissible, while those stemming from differences in endowments are arbitrary (Pierik &Robeyns, 2007: 144). Dworkin refutes the claim made by Rawls that people can decide what types of lives they want to achieve independently of information necessary to determining whether or not their choices will either reduce or enhance the ability of others to achieve the types of 'good life' they want (Dworkin, 2000: 69). This is because people are presumed to be rational agents under 'justice as fairness'. This assumption harbours an objection. Important as this assumption is in 'justice as fairness', it is necessary to reject it because it misunderstands distributional equality since it embraces the controversial view that if people start with equal social primary goods the prosperity of some people does no damage to the prosperity of others (Dworkin, 2000: 87). Dworkin's 'equality of resources' seeks to overturn this assumption. The absence of information in the Rawlsian framework is incorporated in 'equality of resources' to ensure that people can decide the types of lives they

want to pursue, having in the back of their minds the actual cost their choices impose on other people (Dworkin, 2000: 69). It is at this point that the principles of *authenticity* and *independence* seem more important. These two principles ensure (a) that people who constitute a society have authentic preferences and (b) that they do not engage in choices that are influenced by prejudice, discrimination, gender bias, and so on (Pierik &Robeyns, 2007: 141). This is the goal of 'equality of resources'.

However, this goal requires a metric that could prove useful in fulfilling the ideal of 'equality of resources'. According to Dworkin (2000: 84-85), effective 'equality of resources' can use the 'envy-test' or the 'auction insurance market' as a device for measuring equal share of resources. The latter metric asserts that the envy-test is complete when a person does not prefer other's bundles of resources. This assertion is best clarified in this way. According to Dworkin (2000: 67), no distribution of resources is an equal distribution if, once the distribution is complete, any person would prefer someone else's bundle of resources. Dworkin succinctly expresses the following difficulties with taking the envy-test metric: (i) the idea that people must not envy one another's bundle of resources is arbitrary because people always envy each other for different reasons; (ii) it is quite impossible to aim at an outcome in which all envy can be eliminated by distributing resources; and (iii) it is an unrealistic view to remove envy entirely because this view masks the differences that people might have (Dworkin, 2000: 86-87). There is no doubt that there is a need to escape these three distinct focal points of possible unfairness. To do this is to shift swiftly from the 'envy-test' to the 'auction insurance market'. In other words, the auction insurance market as a device is a necessary condition of any unobjectionable development of 'equality of resources' (Dworkin, 2000: 66).

Dworkin (2000: 76-84) assumes that the former device warrants more than condemns peoples' differences, that the 'auction insurance market' is the perfect way to measure the value of resources in lives that people hope to lead. Given how the 'auction insurance market' takes note of peoples' differences, it becomes an efficient and fair metric to alleviate differences in physical and mental states in accordance with the concept of 'equality of resources'. According to Sen (2009: 264), the 'auction insurance market' uses Rawls's 'veil of ignorance' in the 'original position' as its prism. In this hypothetical position, the auction

insurance market sells insurance to people as a viable way for compensating physical and mental handicaps (Dworkin, 2000: 80; Sen, 2009: 264). The auction insurance market mirrors the 'veil of ignorance' and the 'original position' in the following ways: (i) it reflects the 'original position' in the sense that it strives to ensure that people enter the market on equal terms and (ii) it reflects the 'veil of ignorance' in the sense that it demands that people must dissociate themselves from their personalities rather than be defined by them (Dworkin, 2000: 84-290). If that is the case, who decide(s) whether or not the share of resources is a generous gain? According to Dworkin (2000: 68-78), it is the divider who gets to decide the generous distribution of resources. In the same way as the Rawls-like 'impartial spectator', the divider is tasked with the role of limiting peoples' propensities to injustice and injurious actions (Rawls, 1971: 26-27). The divider must (a) ascertain the intensity of differences in physical and mental states and (b) assign these states their appropriate weight, by determining how far additional resources would alleviate conversion variations through the auction insurance market (Dworkin, 2000: 78; Sen, 2009: 264). The perfect divider fit for the ideal of 'equality of resources' is descriptive in this way.

4.5 EQUAL RESOURCES AND UNEQUAL CAPABILITY: HOW SEN REBUKES DWORKIN'S EQUALITY OF RESOURCES.

Dworkin's seemingly stringent assertion that 'equality of resources' is a crucial theory of what gives value to people's lives, required by human development and human well-being, is more than a bit deceptive. 'Equality of resources' fails to provide a comprehensive metric for measuring human development and human well-being; rather, it provides a way of achieving valuable ends. To begin with, 'equality of resources' as a theory about the idea of essential human development and human well-being assigns proper value to resources (Sen, 2009: 264-267). It seems reasonable to ask this following question: in what space are material resources considered achievements, that is, achievement of what? This question cannot be answered through the vantage point of 'equality of resources' since material resources serve as means to achieve other ends (Sen, 2009: 265-266). In other words, 'equality of resources' is merely useful for determining desirable human ends. According to Anderson (2010: 87-88), it makes perfect

sense to measure human development and human well-being in terms of capabilities rather than resources. This is because Dworkin's 'equality of resources' aims to grant people effective access to the means to satisfy their authentic interests, defined in terms of functionings and capabilities (Ibid). Therefore, resources are instrumentally sufficient to permit people to achieve their objective interests (Sen, 2009: 265-266). What we are looking for is a metric for measuring human development and human well-being in terms of ends. This is best captured by the capability approach.

In as much as 'equality of resources' is sharply critical of peoples' differences in converting resources into valuable ends, it seems difficult if not problematic to defend the idea of the auction insurance market as an attractive metric for evaluating peoples' capacities in conversion variations. The idea of the auction insurance market falls prey to facts in its claim as the viable metric. This is because the auction insurance market loses a great deal of its appeal because its primary concentration is to compensate handicaps from personal features, leaving open deprivations from environmental and social interaction features (Sen, 2009: 266). Dworkin (2000: 78) holds that there is a need to comprehend the lives people had planned without handicaps before we decide how much compensation they need. This argument seems plausible but its assessment of handicaps is hard to sustain. This line of reasoning suggests that it is hard to sustain Dworkin's argument on the basis that the auction insurance market does not accommodate handicaps from non-personal features (Sen, 2009: 266-267). As an alternative for, and an improvement of 'equality of resources', the capability approach addresses the concrete case of handicaps from non-personal features through *positional objectivity*. Positional objectivity, as Sen writes, incorporates different positional views to arrive at what is objective in any given society (Sen, 2004: 477). Here, positional objectivity is used to scrutinize the dubious assumption that handicaps stem from personal features only. It is obvious that handicaps are not peculiar to personal features as Dworkin suggests. Unlike 'equality of resources', the capability approach allows multiple positional features – be it personal, environmental, social or otherwise – as the necessity for analyzing handicaps, social prejudices, and so on (Sen, 2004: 475-476).

Furthermore, the idea of the auction insurance market is open to severe questioning in terms of accepting the role of the divider. According to Sen (2004: 512), it is often the case that the market mechanism has to protect 'autonomy of decisions' and 'immunity from encroachment'. However – we may notice in advance – that the role of the divider in the auction insurance market raises obvious problems about protecting 'autonomy of decisions' as well as 'immunity from encroachment'. One of the problems is that the comparison and assessment of peoples' differences in handicaps, so far as is possible, are left in the hands of the divider (Sen, 2004: 512; Sen, 2009: 266). Sen's stance here, as Buchanan writes, amounts to saying that the divider holds anything that may be called 'rights' and due to that, any distribution of resources is subject at all times to arbitrary redefinition by the divider (Buchanan, 2000: 66-67). In other words, powers to decide are in the hands of the divider and it is the divider who gets to decide what is best on behalf of the people. It is an obvious fact that the role of the divider steadily opposes 'autonomy of decisions' as well as 'immunity from encroachment'. It is due to these reasons that the auction insurance market does not enable people to make their own decisions without any external influences (Sen, 2004: 512).

The capability approach tends to do well as compared to 'equality of resources'. The capability approach rejects the auction insurance market in any form and advances its alternative by emphasizing the aspects of freedom in the market (Sen, 2004: 501-512). According to Sen (2004: 501-512), the capability approach can recover the cardinal weaknesses of the auction insurance market (defined as the absence of 'autonomy of decisions' as well as 'immunity from encroachment') through the process aspect of freedom. The prospect aspect of the capability approach suggests that markets are defendable only when they leave open proper domains of immunity from interference by others and autonomous decisions (Sen, 2004: 508). In cases of human uncertainty, could we still maintain Sen's objection that the role of the divider raises obvious problems? Sen's position on the posed question is that the process aspect does not necessarily discard the role of the divider, especially in cases of human uncertainty. Sen's point is that the role of the divider must incorporate the use of external and internal valuation (Hamilton, 1999: 533). The use of both valuations does not ignore 'autonomy of decisions' as well as 'immunity from encroachment'. This supposes that the comparison and

assessment of peoples' differences in conversion variations must be a people-centred approach or have agent-relative reference as it demands public reasoning and interactive discussion (Sen, 2009: 266). Here, Sen seems to suggest that the auction insurance market must follow the logic of his social choice perspective. Sen's social choice incorporates the importance of public reasoning and interactive discussion in measuring human development and human well-being. This is because public reasoning and interactive discussion provide individuals with a 'voice' to influence social decisions within a society (Sen, 2004: 591). The capability approach can handle these issues better than 'equality of resources'.

4.6 A CONCLUDING REMARK.

This chapter has proved with critical reasons why it is important for people to be resourced. However, Rawls and Dworkin's concentration on the holding of primary social goods and/or resources as the optimal way for measuring a person's development and well-being is futile. This is so because interpersonal comparisons of primary social goods and/or resources do not capture the advantages and disadvantages of human diversity. It is due to this consequence that people differ in the conversion of social primary goods and/or resources into valuable goods, or rather into freedoms. Besides this, social primary goods and/or resources are means to other ends. If we are interested in understanding a person's development and well-being, there is a need to make a safe shift from the resourcist approach's evaluative space to an evaluative space which emphasizes what a person can, or in fact, do or be.

CHAPTER FIVE: A RE-EXAMINATION OF THE CAPABILITY APPROACH.

5.1 AN INTRODUCTORY REMARK.

One obvious point is that the capability approach is not free of criticisms. The purpose of this chapter is to evaluate the moral force of these criticisms. In particular, this chapter dissects the tension between the resourcist approach and the capability approach theorists, and then explains the nature of the idea that the capability approach is a different way of representing the resourcist approach. It is Dworkin and Pogge who infer this assertion. In as much as the capability approach claims the attention of this research paper, Cohen and Clark are convinced that the approach is narrowed by Sen's functioning and capability language. This argument questions the ground of the capability approach's privilege in this research paper. As a response to these criticisms, this chapter argues that these criticisms do not contain harms that can make the justification of the capability approach's privilege irrational. This is because the account of these criticisms does not outweigh the objectivity of the capability approach. For it implies that these criticisms are misplaced; or, rather they run short of what the capability approach stands for.

5.2 DWORKIN AND POGGE'S REPLY TO SEN.

It is imperative to keep in mind that the question 'what should we look at when evaluating whether a person's state of affairs is more or less just compared to another?' has been answered from three points of view. However, two types of metric to the question posed – the welfarist and resourcist approaches – do not provide us with sufficient answers that could reveal the improvement of a person's development and well-being as socially, ethically, morally, economically and politically important. This supposes that we should shift to the capability approach as an objective metric which consists of sufficient answers to the question posed. From this, a question that might be asked is this: how far can the capability approach be justified as superior to its rival approaches (Pogge, 2010: 17)? Thomas Pogge and Ronald Dworkin reject the case this research paper has made in favor of the capability approach. Pogge and Dworkin are convinced that the capability approach is neither an alternative nor an improvement to either Rawls's 'primary social goods' or Dworkin's 'equality of resources'

(Dworkin, 2000: 299-303; Pogge, 2010: 17-31). For it implies that (a) Sen has overstated the distinction between the capability and resourcist approaches and (b) the capability approach is not helpful as its framework mirrors the same ideal as the resourcist approach, but set out in a different vocabulary (Dworkin, 2000: 303).

Dworkin's concern slots neatly in Pogge's analysis of the dispute about the approaches in question. According to Pogge (2010: 24), proposition (a) suggests that Sen has overstated the list of inequalities and personal heterogeneities that he falsely accused the resourcist approach not to take into its account. Consider, for example, what Sen adduces to show that the resourcist approach lacks sensitivity to *individual variations in physical and mental characteristics* (Sen, 2009: 255). The underlying effect of this view is that the resourcist approach does not pay due heed to inequalities and personal heterogeneities caused by both social and natural factors (Pierik & Robeyns, 2007: 148). It is wrong, as Pogge postulates, to regard the resourcist approach as not meeting this vital challenge. Pogge argues that the resourcist approach takes into thorough consideration the fact that social factors shape people's mental and physical conditions (Pogge, 2010: 27). The resourcist approach tackles this issue in this way. Interpersonal differences in mental and physical capacities, as far as the resourcist approach is concerned, are co-determined by people's pre-access or post-access to resources in their lives. The idea of pre-access to resources serves to nullify Sen's objection to the resourcist approach, that being its lack of concern with natural disabilities. According to Pogge (2010: 24-28), the disabilities Sen classifies as 'natural' are the consequences of lack of primary social goods and resources pre-birth. This is what motivates Dworkin to argue that Sen bases his understanding on theory rather than practice, in deciding what constitute disabilities (Dworkin, 2000: 301). As a corollary to Dworkin's argument, Pogge argues that the resourcist approach is committed to the idea that people have life-enhancing needs before they are born and it is only the resourcist approach which can ensure that people have these needs to reach the full quality of life (Ibid). The resourcist approach can provide women with essential food, nutrients, immunizations, etc. to mitigate disabilities pre-birth (Ibid). Despite the capability approach's claim to objectivity, the adequate treatment of disabilities does not presuppose it.

The idea of post-access to resources seeks to interrogate Sen's objection that some disabilities, injustices and inequalities cannot be adequately addressed by the distribution of social primary goods and resources. According to Pogge (2010: 28), all people – be the disabled or prejudiced – can reach their full human potential if they do not suffer horrifying resource deprivations. The resourcist approach takes full note of prior deficits in resources as it combines a number of possible factors that may be the causal origins of these disabilities: first, disabilities could be the consequence of metabolic rates or variations in genes; second, disabilities may be self-inflicted, in particular, when people are irresponsible in their lives; and third, disabilities can be caused by an institutional order – this is when people are victims of a recognized system of a society (Pogge, 2010: 30). Dworkin and Pogge agree that it is unfortunate that the resourcist approach cannot straightforwardly address these factors but one possible way for mitigating post access to resource disabilities is through the 'auction insurance market', which compensates disabilities with impersonal resources (Dworkin, 2000: 302-303). This is to say the resourcist approach does not strive to make people equal in their overall capacities to achieve their goals because this is a false goal of human development and human well-being (Dworkin, 2000: 302). Quoting Sen, Pogge continues: 'the possible factors that may be the causal origin of disabilities are not distinguishable in the capability space and due to that the capability approach cannot be entirely adequate to judge these disabilities' (Sen, 1995: 87, cited in, Pogge, 2010: 30).

It is certain that the resourcist approach deals adequately with *difference in relational perspectives,* in contrast to what Sen suggests. Sen claims that established patterns of behavior in a society vary and it is these patterns of behavior which impede people from standing as equals in a society (Sen, 2009: 255-256; Anderson, 2010: 89-90). Anderson's example of gays and lesbians suggests that interpersonal comparisons in terms of resources ignore *difference in relational perspectives*. Anderson's example is powerful because its laudable aim is to alleviate inequalities and prejudices – that is to say, every social order must be judged on how it treats its individuals (Pogge, 2010: 26). According to Pogge (2010: 17-31), the resourcist approach can address this issue as well in a more plausible way than Sen had imagined. The resourcist approach sought to account for how it addresses this issue in two correlative ways: (i)

Dworkin's ideal development of 'equality of resources' is sensitive to the process of designing a society's institutions as its use of the 'auction insurance market' and the principles of *independence* and *authenticity* accommodates *difference in relational perspectives*; and (ii) Rawls's 'fundamental intuitive ideas' dictate widespread public agreement; this also ensures that *difference in relational perspectives* are not ignored (Pierik & Robeyns, 2007: 145-146; Pogge, 2010: 34). Propositions (i) and (ii) justify the incorporation of *difference in relational perspectives* in the resourcist approach as follows: these propositions impose terms of fair cooperation and processes not biased by discrimination, stereotypes and prejudices (Ibid). This is to say these propositions interfere with any social order or institutional order that may yield unwelcome inequalities and prejudices into individuals' lives.

Now let us consider in detail proposition (b) which suggests that the capability approach is not helpful as its framework mirrors the same ideal of the resourcist approach, but set out in a different vocabulary (Dworkin, 2000: 303). According to Sen (2009: 255), the resourcist approach omits the *diversities in the physical environment* in its framework. Pogge's response to Sen is that Rawls's basic liberties afford people the freedom of movement (Pogge, 2010: 23). But considering the lexical interpretation of Rawls's two principles, freedom of movement does not offer a valid defense for the resourcist approach. In fact, this sounds like self-indulgence. To demand freedom of movement as a viable way for addressing variations in environmental conditions is unconvincing. As Pogge puts it: 'it is unconvincing because it can lead to doubtful rankings of socioeconomic positions for the basis of identifying the least advantaged members of a society' (Pogge, 2010: 23). This is because equality of basic liberties is seldom proportioned to equality of socioeconomic conditions. It is due to these reasons that Pogge, without any doubt or hesitation, asserts that the resourcist approach has failed to take environmental diversities in its framework. This is not an Achilles Heel for the resourcist approach because the recourse for the minimal account of environmental diversities is in the ethos of the resourcist approach (Pogge, 2010: 23). More often than not, what makes an environment valuable is the freely available resources at people's disposals. Sen's concerns for 'shifting from goods to what goods do to (or for) people' and 'shifting from peoples' achievements and utilities to what they can have and be' play a dominant role here. These concerns state, as Dworkin postulates, that

'people want resources not simply to have them but to do something with them' (Dworkin, 2000: 303). This supposes that the dichotomy between the capability and resourcist approaches is false, denoting that these approaches are more similar than dissimilar in their efforts to achieve an objective metric for measuring human development and human well-being.

5.3 COHEN AND CLARK ON IMPLICATIONS FOR SEN'S CAPABILITY APPROACH.

What goods do to (or for) individuals is the central feature of the debate between the capability approach and welfarist approach. As Cohen notes, Sen accuses the welfarist approach for its narrowly constructed view that what individuals derive from goods is utility, defined by mental reaction or attitude (in terms of desire, happiness or pleasure) (Cohen, 1990: 366). Central to Sen's equanimity is his innate desire to overcome a natural reaction of misery – evident and most certainly neglected – in the welfarist approach (Cohen, 1990: 367). Even if Sen's innate desire is necessary, the idea that his counter-proposal is an alternative to the welfarist approach is obscure. This obscurity, as Cohen and Clark write, can be traced to (i) the unfortunate duality between 'capability' and 'functionings' and (ii) the conflation of utility and the maximand of happiness or pleasure in Sen's writings (Cohen, 1990: 367; Clark, 2005: 1358). Proposition (ii) suggests that Sen limits utility to a sole mental reaction or attitude (such as happiness or pleasure) at the expense of the heterogeneity of utility (Clark, 2005: 1359). There are two problems that stem out of this. First, Sen declares utility as an object of value insignificant in so far as it strives to achieve happiness or pleasure. Second, Sen seems to split-up utility as a valuable functioning and happiness or pleasure as having less bearing on a person's development and well-being (Clark, 2005: 1358). In consequence, Sen shifts to functionings as an evaluative space for measuring human development and human well-being.

However, this shift does not go without meeting antagonistic views of human development and human well-being (Clark, 2005: 1357). The reason is simple. The distinction between utility and functionings is indistinct. According to Cohen (1990: 372), a function by its unobjectionable definition is an activity, sometimes escalating into something that a person does. On the other hand, utility can be stretched to entail activities or rather the state of being useful (Ibid). Given that this similarity is blurry in Sen's vocabulary and that utility is considered the by-product of

human functionings, there is a need to note the dire consequences of functionings as irreducible to utility. According to Cohen (1990- 372-373), Sen defines functionings as 'beings and doings' – that is to say, functionings tell us what the person is doing or trying to achieve. To substantiate this argument, Sen writes 'the processes and procedures in the capability approach explain anomalous findings between what the individual tries to achieve and how he goes about it' (Sen, 1987: 13).

Cohen argues that the manner in which Sen characterizes functionings in the capability approach present functionings as personal features rather than activities (Cohen, 1990: 372). Consider, for example, Sen refers to 'being free from malaria, being well-nourished, etc.' as examples of functionings (Cohen, 1990: 372). Contrary to what Sen suggests, the all-encompassing schema of functionings does not represent any activities (Cohen, 1990: 373-374). Clark argues that it is not hitting the nail on the head to disregard utility as an object of value to achieve happiness or pleasure. Here, we assume that functionings express activities and the corresponding consequences of these activities are an enhancement of human development and human well-being. According to Clark (2005: 1358), Sen is absent-minded to the fact that functionings as activities can either have positive or negative effects on a person's development and well-being. Consider, for example, Sen uses the acute dilemma, drawing our attention to what an abled-bodied person and a disabled person can make of a bicycle (Sen, 1987, 2004, 2009). Here, the abled-bodied person would be able to utilize a bicycle to achieve what Sen refers to as essential human functioning. According to Clark (2005: 1350), the ability to move around with a bicycle is an object of value. As Clark notes, cycling from one location to another may generate negative functionings due to distance and extreme exhaustion (Clark, 2005: 1351). The danger of such negative functioning is that it decreases more than increases human development and human well-being. Cohen argues that in order to differentiate between positive and negatives functionings, there is a need to incorporate utility as an object of value to achieve happiness or pleasure (Cohen, 1990: 373). Even if functionings do not facilitate happiness or pleasure, they should facilitate other positive mental states. How functionings are going to facilitate such positive mental states remain unknown in the capability approach.

Proposition (i) suggests that Sen has failed to describe 'the true shape and size of one of the dimensions' missing between primary social goods and utility (Cohen, 1990: 368). Quoting Sen, Cohen writes: 'a sufficient metric for measuring human development and human well-being must incorporate something missing between primary social goods and utility – a something which is missing is the notion of basic capabilities' (Cohen, 1990: 368). Sen's point that we must 'shift from goods to what goods do to (or for) individuals' plays a dominant role here. The motivation of this point is that reference must be made to 'what people get out of goods', while 'what people get out of goods' represents a person being able to do certain basic things (Cohen, 1990: 368-371). Therefore, 'capability' is somehow midway between social primary goods and utility. However, to call what people get out of goods 'capability' is dubious. For it implies that 'what people get out of goods' must not be interpreted only in the model of invariance with respect to 'capability'. According to Cohen (1990: 368), Sen's proposal marks a profound contribution to normative understanding of human development and human well-being, but the unfortunate part is that it slides into the fallacy that all goods do to (or for) individuals is confer 'capability'. Consider, for example, that newborn babies do not support themselves physically and mentally through the exercise of capabilities (Cohen, 1990: 371).

This abovementioned example is turning tables on the assertion made by this research paper that the capability approach is an alternative for, and an improvement on, the welfarist and resourcist approaches. Let us ponder the grave weaknesses that this example uncovers about the capability approach. There are two weaknesses to consider here. First, Cohen's example alludes to the idea that Sen is unaware that 'what people get out of goods' differs within people at different phases of their life (Macleod, 2010: 184). In as much as the capability approach is sensitive to human diversity, it fails to express the relevant differences in converting goods into valuable functionings and capabilities between children and adults (Macleod, 2010: 184). Second, Cohen's example impedes Sen's assertion that (a) functionings and capabilities reflect a person's freedom to choose a life he has reason to value and (b) that interpersonal comparisons of capability must incorporate choices made by people (Robeyns &Brighouse, 2010: 2). Given that babies have underdeveloped cognitive capabilities, it is impossible to hold that babies' functionings and capabilities are the reflection of their freedom

and choice (Macleod, 2010: 183-187). If we are to discuss the development and well-being of babies, strictly speaking, we have to desert Sen's capability approach because it seems to lack a mechanism on how to deal with the issue of babies.

5.4 CAN THE CAPABILITY APPROACH BE JUSTIFIED?

The capability approach can overcome the set of criticisms ventilated against it. It is imperative to keep in mind that this research paper will not discuss how convincing these criticism are, instead it will examine the capability approach's evaluative space to indicate how the plausibility of these criticisms do not focus on what the latter approach stands for. The use of the evaluative space is this research paper's attempt to expose the point of view from which these criticisms are articulated that obscures the idea that human development and human well-being are compatible with expanding the real freedom that individuals enjoy (Sen, 1999: 36). It is tempting to present the expansion of freedom as (1) the *primary end* and (2) the *principal means* to a person's development and well-being as an optimal way for exposing why these criticisms do not contain any plausible candidates for rejecting the capability approach. Dworkin and Pogge's forcefully argued resourcist approach advocacy over the capability approach relates to the *principal means* to a person's development and well-being.

It is without any doubt or hesitation that this advocacy is important in the sense that it presents the resourcist approach as advancing human freedom. As Sen puts it: 'the resourcist approach is compatible with advancing human freedom in terms of elementary capabilities such as being able to avoid undernourishment, starvation, etc. as well as freedom associated with full political participation, uncensored speech, free movement, and so on' (Sen, 1999: 36). However, this advocacy misses the target of what the capability approach stands for in two ways. First, as Sen argues, the capability approach is not primarily concentrated on what individuals end up doing or counting the means towards what they end up doing, but the concentration is expanded to include what individuals are able to do (Sen, 2009: 235). This is the reason why the capability approach makes a shift from well-being achievements to well-being freedom (see Chapter 2). According to Sen (2009: 236), freedom does play an instrumental role in the resourcist approach, but opportunity and choice are given minimal

roles or rather no intrinsic relevance. As corollary to Sen's argument, Macleod asserts that opportunity and choice must be sensitive to agency assumption (Macleod, 2010: 185). This is to say acknowledging advantage or disadvantage in terms of opportunity and choice is more promising than paying attention only to achievements (Sen, 2009: 235; Macleod, 2010: 184-185).

Second, the idea that the resourcist approach is complete denies individuals the freedom to choose how to live their lives the way they see fit (Sen, 2009: 258). In as much as the resourcist approach advances human freedom, it is impeded by characteristics of the 'veil of ignorance'. The issue here is that the 'veil of ignorance' promotes political freedom, typically defined in terms of basic liberties (such as full political participation, uncensored speech, free movement, and so on) but disallows the exercise of cultural and economic freedoms. Consider, for example, that the 'veil of ignorance' regards social backgrounds and wealth inherited from parents as arbitrary; therefore, they do not constitute an intrinsic aspect of our interest in human development and human well-being (Sen, 1995). It is due to this reason that Sen concludes that the resourcist approach fails to enhance all-encompassing freedoms we have reason to value (Sen, 1995). The capability approach as a *principal end* to a person's development and well-being attaches multiple priorities in evaluation without putting effective weight only on achieved capabilities and functionings, but also on opportunities and choices (Sen, 1995: 46; Sen, 2009: 236-237). This is to say the capability approach has something different to offer than the resourcist approach as it asserts the need to examine the 'opportunity' and 'process' aspects, rather than focusing on actual achievements of particular lifestyles (Sen, 2009: 237-238).

In so far as the welfarist approach is concerned, happiness is accorded the status of being uniquely significant for measuring human development and human well-being (Sen, 2009: 272). However, Sen is not convinced that happiness is a self-evident good that people have reason to value. As Clark writes, Sen limits utility to a sole mental reaction or attitude (such as happiness or pleasure) at the expense of the heterogeneity of utility (Clark, 2005: 1359). Furthermore, Sen declares utility as an object of value insignificant in so far as it strives to achieve happiness or pleasure (Clark, 2005: 1359). Clark's claims on Sen have been a turning point in this research

paper, but they degrade into implausible rigid formulae since they neglect the point that Sen makes about the welfarist approach. This research paper will employ the 'well-being achievement' and 'well-being freedom' distinction to clarify the implausibility of Clark's claims.

According to Sen (1995: 6), the welfarist approach differs from the capability approach in two ways. First, the welfarist approach pays no attention to freedom but achievements (Ibid). Sen does acknowledge that the capability to be happy plays a crucial role in enhancing human development and human well-being. However, the confidence in declaring happiness as a self-evident objective is mistaken (Sen, 2009: 274). Or to phrase it in another way, happiness as a self-evident objective invokes the danger of paternalism. This is to say the welfarist approach holds happiness as objective because of the states of affairs it promotes even when it does not pay attention to a person's freedom to pursue development and well-being (Sen, 1995: 6-7). In other words, happiness accounts for all the things we have reason to value (Sen, 2009: 276-277). Sen doubts this assertion because human life is diverse and therefore the idea that happiness accounts for all the things we have reason to value is more complex than how the welfarist approach has presumed it. Moreover, Sen's doubt is not only limited to happiness as a self-evident objective, but to overall mental attitudes or reactions.

Second, the welfarist approach provides a minimal account for other individual achievements, in particular those that do not have direct bearing on the mental states. This major blow is a direct consequence of the welfarist approach's 'logical positivist' pretension that 'interpersonal comparisons of utility have no scientific basis and cannot be sensibly made' (Sen, 2009: 277). The fear of non-commensurability obscures the valuation of diverse objects within which a value is reduced to happiness in the welfarist approach (Sen, 2004: 240). If the welfarist approach resists the introduction of the valuation of diverse objects, how does the capability approach recover this resistance in its framework? According to Sen (2009: 240), functionings and capabilities are broad and diverse, which make them non-commensurable. Sen's argument may sound like it welcomes Clark and Cohen's claim that the capability approach does not differentiate between positive and negative functionings (Cohen, 1990: 373). But it is not obvious that this is the case. Sen – without trying to be wholly priggish – argues that the usefulness of the capability approach does not depend on how difficult or easy

it would be to differentiate between positive and negative functionings. Attaching relative weights to different functionings can never reach full agreement, hence the capability is incomplete. However, it is worth mentioning that Clark and Cohen's claim has elements of over-precision because Sen has never endorsed any argument that carries connotations that every functioning is equally significant (Sen, 1995: 46).

Cohen and Macleod's criticisms seem like a conceptual worry to face, or rather a theoretical difficulty in Sen's framework. Carefully examined, none of these criticisms provide a tricky problem that cannot be adequately addressed by the capability approach metric. This research paper argues that Cohen and Macleod are guilty of a double failure. Two qualifications of failure are worth elaborating here. Qualification (a) contends that Cohen and Macleod's main charges against the capability approach downplay the importance of the internal and external points of valuation. Qualification (b) contends that Cohen and Macleod understand the relevance of negative and positive freedoms in the capability approach at face value. As Phillip Petit argues, Cohen and Macleod's oversight amounts to a failure to see what is truly attractive about the internal and external points of valuation, and the inseparable relationship between negative and positive freedoms in the capability approach (Petit, 2001: 16). For Petit, Cohen and Macleod misinterpret the capability approach as entailing decisive choice – that is to say, a person's development and well-being as the result of active choice by oneself (Petit, 2001: 15-16). The internal and external points of valuation and negative and positive freedoms illustrate that 'being free to live the way one would like may be enormously helped by the direct choice of other people' (Sen, 1993: 44; Petit, 2001: 15). Sen does note that choosing is a valuable part of living and the life which contains the option to choose freely is richer. In this sense, the functionings and capabilities of parents have direct bearing on the development and well-being of babies, but with no reflection of the option of babies to choose freely (Sen, 1993: 41). Regardless of the development and well-being of babies as being less dependent on the freedom of choice as such, their capability to function does not presuppose the welfarist and resourcist approaches. This is because it sounds bizarre, in the context of babies, to outshoot the evaluative space in terms of functionings and the capability to function – no matter how the development and well-being of babies are characterized (Sen, 1993: 42-43).

5.5 A CONCLUDING REMARK.

This chapter has pointed out how the capability approach responds to its criticisms. As explicitly shown in this chapter, the capability and resourcist approaches may be expressed as slightly different, but this does not call for the shade of perceptibility in difference. The principal reason for defending the capability approach in this way is this: it is less cumbersome to present the capability and resourcist approaches as compatible or complementary if you only look at what these approaches hope to do. Following this line of thinking can make these approaches look similar. But their difference lies elsewhere and this difference can have far-reaching consequences if misunderstood. Cohen and Macleod's criticisms raise a practical concern about the capability approach's extent of reach. However, these criticisms contain the danger of over precision. This is because Sen has never touched on the issue of babies and children in his approach, but this does not constitute an essential ambiguity. The formulation of the capability approach does capture the issue of babies and children; it is just that Sen has never used this issue to drive his point home.

CHAPTER SIX: CONCLUSION.

6.1 DO FUNCTIONINGS AND CAPABILITIES SERVE BETTER THAN UTILITY AND RESOURCES AS THE BASIS OF A MEASUREMENT OF HUMAN DEVELOPMENT AND HUMAN WELL-BEING?

To conclude, this research paper has presented valuable insights to bear in mind when contrasting the competing arguments of utilities, resources and/or social primary goods and capabilities for the definite purpose, to wit, how to measure human development and human well-being. The stance of this research paper is that the capability approach can be employed at diverse levels of sophistication, viz. to measure human development and human well-being. The point at issue here is that the capability approach can capture the extent of a person's development and well-being without exaggerating its reach. The approach for measuring human development and human well-being in terms of capabilities as opposed to utilities and resources is more foundational and certainly most objective. This research paper has used the subjective-objective division to explicate the differences in strategies used for measuring human development and human well-being in the three approaches. In making this point, this research paper would not delve into these differences as they are indicated in the penultimate chapters of this paper. As indicated, a proper strategy for measuring human development and human well-being remains outside the welfarist and resourcist approaches. For it is imperative, in this perspective, to find an approach that has an intellectual interest in, and practical relevance to, human development and human well-being. In a convincing way, this research paper affirms that the capability approach is the most pertinent tool of analysis for exploring multiple ways of understanding a person's development and well-being.

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