

Functionings, Capabilities and the Value of Freedom

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Abstract

This paper assesses the role of the value of freedom in the capability approach when understood as the basis for a normative political theory. In order to do so, it examines the normative relation between functionings and capabilities. As well as aiming to clarify that relation, the paper adopts a critical perspective based on the Kantian ideal of treating individuals as ends in themselves. Three possible interpretations of the capability approach are examined, based on three possible understandings of the relation between functionings and capabilities in a normative political theory. Each of these is shown to imply a certain degree of paternalism, and even the least paternalist of them is shown to ignore that content-independent or 'non-specific' value that capability must have if individuals are to be treated as ends in themselves. The author concludes that there is a tension within the capability approach between its anti-paternalist (freedom-valuing) aspect and its anti-fetishist aspect, since the anti-paternalist aspect points towards resourcism, whereas the anti-fetishist aspect points away from it.

The capability approach to the assessment of well-being, as developed by Amartya Sen¹ and Martha C. Nussbaum,² has enjoyed a considerable degree of influence not only in normative economics but also among liberal egalitarian political philosophers. However, there are aspects of that approach that have yet to be subjected to rigorous critical scrutiny from the perspective of the political liberal. The aspect that I shall be investigating here is the attitude of the capability theorist to the value of freedom, and the degree to which this squares with the value attributed to freedom by political thinkers in the liberal tradition, broadly interpreted.

A useful way of examining the role of the value of freedom in the capability approach is by analysing the normative relation between capabilities, on the one hand, and the functionings that are said to provide their content, on the other (where functionings are the valuable doings and beings that one is free to achieve if one has given capabilities). I shall examine this relation with two aims in mind. The first aim is clarificatory. I shall distinguish between some of the different reasons that can be given for being interested not merely in functionings but also, or instead, in capabilities. These different reasons, most of which can be found in the writings of Sen and Nussbaum, motivate different interpretations of the normative relation between functionings and capabilities, and thus of the capability approach itself. Moreover, these resultant interpretations of the capability approach can in turn be shown to permit or

¹ I shall concentrate mainly on the following works of Amartya Sen: 'Equality of What?', *Tanner Lectures on Human Values*, 1, 1980, pp. 197-220; *On Ethics and Economics*, Oxford, Blackwell, 1987; *Commodities and Capabilities*, Amsterdam, North Holland, 1985; 'Well-being, Agency and Freedom', *Journal of Philosophy*, 82, 1985, pp. 169-221; *Inequality Reexamined*, Oxford, Oxford University Press, 1992; *Development as Freedom*, Oxford, Oxford University Press, 1999.

² I shall concentrate mainly on the following works of Martha C. Nussbaum: 'Nature, Function and Capability: Aristotle on Political Distribution', in G. Patzig, *Aristoteles' 'Politik'. Akten des XI Symposium Aristotelicum*, Göttingen, Vandenhoeck & Ruprecht, 1987, pp. 152-86; 'Non-relative Virtues: An Aristotelian Approach', in M. C. Nussbaum and A. Sen (eds), *The Quality of Life*, Oxford, Clarendon Press, 1993; 'Aristotelian Social Democracy', in R. B. Douglass, G. R. Mara and H. S. Richardson (eds), *Liberalism and the Good*, London, Routledge, 1990; *Women and Human Development. The Capabilities Approach*, Cambridge, Cambridge University Press, 2000; 'Aristotle, Politics and Human Capabilities: A Response to Antony, Arneson, Charlesworth and Mulgan', *Ethics*, 111, 2000, pp. 102-40.

imply differing degrees of paternalism, and in this respect to provide more or less adequate reflections of the liberal view of the value of freedom. The second aim is more overtly critical. I shall try to outline a liberal view of the value of freedom that is excluded by even the least paternalist interpretation of the capability approach. This way of valuing freedom motivates an interest in capability as such, and thus a partial or complete abandonment of the idea that the value of capability depends on that of functionings. Even for those who remain unconvinced by this alternative account of freedom's value, however, I hope that my critique will also contribute to the first aim of the paper by further clarifying the ways in which the capability approach does and does not place value on freedom.

A concern with paternalism may seem rather academic and frivolous in the light of one of the main motivations of the capability approach: the alleviation of hunger and extreme poverty. I do not mean to deny, however, that the capability approach may have considerable value as a theory of well-being and as a method for assessing and prescribing remedies to such cases of urgent need. The object of investigation in this paper is the capability approach understood as having two particular characteristics. First, I shall assume that the capability approach is to be understood as providing the basis for a normative political theory, and not merely as a theory of individual well-being. In other words, I am interested here in the capability approach as a theory that leads to certain political prescriptions, and thus to prescriptions that can or should be backed up with the coercive force of a State. Second, I shall assume that the capability approach is to be understood as a theory that covers not only cases of urgent need, but questions of distributive justice in the widest sense.

It might of course be objected that the capability approach does not provide the whole story as far as distributive justice is concerned, and that any paternalist implications it might have

need not therefore imply the political prescription of paternalist intervention. Sen himself has sometimes suggested that the capability approach may need to be tempered by an independent concern with Rawlsian basic liberties. Very often, however, both Sen and Nussbaum appear to see the normative requirements of liberalism – in particular, its concern with freedom – as being *built into* the capability approach, given that the value of freedom is exactly what motivates a concern with capabilities rather than, or in addition to, functionings. It is this latter view that I aim to investigate in this paper.

One more preliminary specification needs to be made. I shall be concerned here only with capability understood as what Sen calls ‘control’ freedom.³ I shall not question the identification of freedom with capability, despite the fact that many liberal philosophers endorse a narrower notion of freedom.⁴ On the other hand, I shall not go as far as identifying freedom with what Sen calls ‘effective’ freedom. To do so would complicate matters without, I believe, affecting the main theses of this paper.

1. Anti-paternalism and Anti-fetishism

As a first step towards clarifying the normative relation between capabilities and functionings, it is useful to think of the capability approach as characterized by two distinct moves away from the traditional welfarist approach to normative economics, for these two moves are what

³ See Sen, *Inequality Reexamined*, ch. 4.

⁴ They commonly assert that freedom is the absence of obstacles imposed by other persons, whereas capability involves the absence of obstacles of all kinds. Given this distinction, natural obstacles (like the weather) will restrict a person’s capabilities without removing any of her freedoms.

give rise to the concepts of functioning and capability.⁵ A first move can be called the *anti-paternalist*, or *liberal* move. A second move can be called the *anti-fetishist* move. Sen makes these moves when criticizing welfarism and resourcist egalitarianism respectively, in terms of their intuitive merits as accounts of the egalitarian ideal.⁶

As Sen has shown, welfarism provides only a partial account of well-being, one important reason for this being that it fails to take into account the phenomenon of adaptive preferences.⁷ In order to accommodate this objection, we need a metric of well-being that takes into account more objective factors, such as a person's talents, resources and environment. But welfarism is also inadequate in another respect, according to Sen: it concentrates on the degrees of utility achieved by individuals and gives no direct consideration to their opportunities. It is not only results (or achievements) that contribute to the quality of a person's life, but also the fact that these come about through a certain process. Freedom has intrinsic value, Sen says, given that the same outcome can contribute differently to a person's well-being depending on whether or not it is the outcome of a choice of her own. Freedom has value 'over and above ... what freedom permits us to achieve'.⁸ The good life 'is, *inter alia*, a life of freedom'.⁹ It is this inadequacy of welfarism in failing to recognize the fundamental value of freedom that leads Sen to make what I am calling a liberal or anti-paternalist move in the direction of a focus on capabilities.

⁵ The order in which I shall present these two moves is not meant to provide anything like a chronological account of the emergence of the capability approach. It may well be best to think of the two moves as occurring simultaneously, but my aim here is nevertheless to separate them analytically.

⁶ My use of the term 'anti-fetishism' follows Sen's own use of the term 'fetishism' in criticizing resource-based egalitarianism. Ref.

⁷ See, e.g., Sen, 'Equality of What?', pp. 202-5; Sen, 'Well-being, Agency and Freedom', p. 191.

⁸ Sen, 'Freedom of Choice: Concept and Content', *European Economic Review*, 32, 1988, p. 290.

⁹ Sen, 'Well-being, Agency and Freedom' cit., p. 202.

Both of these supposed inadequacies of the welfarist position – the lack of objectivity and the failure to recognize the intrinsic importance of freedom – appear to be avoided by resourcist egalitarian theories like those of John Rawls and Ronald Dworkin.¹⁰ Resources (like, for example, income and wealth or, more broadly, Rawlsian primary goods) give us a more objective metric and, being means to many alternative ends, seem also to guarantee their owners a degree of freedom. What is wrong, then, with the resourcist perspective? Its fault lies, in Sen's view, in its failure to take direct account of those factors that really affect the quality of a person's life. A life of quality is not necessarily a life rich in resources, but a life rich in valuable functionings. Functionings are those 'doings' and 'beings' to which resources contribute. While resources are a necessary means to functionings, they convert into functionings at different rates in different people and different environments. Given these differences in rates of conversion, it seems more sensible for assessments of well-being to concentrate directly on people's functionings. This direct concentration on functionings rather than resources – on ends rather than means – is what I mean in talking of an 'anti-fetishist move' on Sen's part. Fetishism in its broadest sense involves attributing a certain value to things to which it is irrational or inappropriate to attribute such value. The more particular sense of fetishism Sen has in mind is the attribution of the status of an end to that which is merely a means, in particular where the value of the means, in terms of the end in question, can vary from one instance of the means to another.

Sen has never provided a complete list of functionings for the assessment of well-being. He has always limited himself to distinguishing his own position from the welfarist and resourcist positions by means of isolated examples, referring to such functionings as basic bodily movements, eating, being nourished and in good health, and participating in the life of one's

¹⁰ John Rawls, *A Theory of Justice*, Cambridge, Mass., Harvard University Press, 1971; Ronald Dworkin, 'What is Equality? Part II: Equality of Resources', *Philosophy and Public Affairs*, 10 (1981), pp. 283-345.

community. As one commentator has noted, this failure to provide a definite list can be interpreted either as ‘a wise move, or passing the buck – depending on your point of view’.¹¹ Martha Nussbaum, on the other hand, has gone further than Sen in her endorsement of this more objectivist tendency, emphasizing its Aristotelian roots (especially in the *Nicomachean Ethics*) and providing a relatively complete list of functionings. Sen has cited her contribution favourably, acknowledging the Aristotelian roots of his theory, even though he does not favour the use of a strictly Aristotelian list.¹² Certainly *some* kind of list seems to be required – a list which, however vaguely, includes certain doings and beings and excludes others, or at least establishes an order of priority among them – for otherwise it will no longer be clear why the capability approach is not welfarist, given the consequent necessity of falling back on preferences for the selection and/or the relative weighting of functionings.

If taken on its own, the anti-fetishist move would be clearly illiberal. Yet Sen and Nussbaum do not mean to imply that we should *force* individuals to function in the above-mentioned ways. In the light of this move, then, the liberal or anti-paternalist move mentioned earlier becomes all the more important. And this, of course, is where the notion of capabilities comes into play. While functionings are certain doings and beings, capabilities are the possibilities the agent has of bringing about functionings, and therefore represent the agent’s freedom. As Sen puts it, while a person’s actual achievements can be represented as a ‘functioning vector’, a person’s set of capabilities consists of ‘the alternative functioning vectors that she can choose from’.¹³ Given the value of freedom, to which we have already referred, the proper object of concern for a government includes not simply whether and how far people function,

¹¹ Mary Beard, ‘The Danger of Making Lists’, *Times Literary Supplement*, 5059, 17 March 2000, p. 6.

¹² Sen has repeatedly acknowledged the existence of these Aristotelian roots. See, for example, *Inequality Reexamined*, pp. 5, 39, and *Development as Freedom*, pp. 24, 73, 75.

¹³ Sen, *Development as Freedom*, p. 75. See also Sen, *Commodities and Capabilities*, ch. 2.

but also, or instead, how capable they are of functioning.¹⁴ Sen's critique of welfarism and of resourcist egalitarianism is, then, that they fail to take account of people's capabilities to function: while Sen's anti-fetishist move corrects the resourcist critique of welfarism (not by suggesting a move back to welfarism, but by introducing the notion of functionings), his anti-paternalist move corrects an inadequacy present both in welfarism and in an exclusive concentration on functionings (not by suggesting a move in the direction of resources, but by introducing the notion of capability). Resourcist theories are liberal but fetishist; welfarism, on the other hand, is anti-fetishist but not sufficiently liberal. It is only by focusing on the capability to function that one can carry out both the anti-fetishist move and the anti-paternalist move.¹⁵

Before moving on, we should note that the term 'functioning' can be defined in one of two ways. In the Aristotelian sense, a functioning is necessarily an *appropriate* doing or being, and the term is therefore laden with prescriptive force. This interpretation of functioning probably fits best with ordinary language. As H.L.A. Hart points out, '[w]e say it is the function of the heart to circulate the blood, but not that it is the function of a cancerous growth to cause death'.¹⁶ It is true that ordinary language contains words like 'malfunction' and 'dysfunction', which might be thought to denote the realization of bad functionings and therefore to show that functionings are not necessarily good. In fact, however, to 'dysfunction' is not to achieve functionings that are bad but, rather, to do or be the opposite of one or more of the good things in which functioning consists. And while 'malfunctioning' does mean functioning in a certain way, this is not normally a way that is bad in an absolute

¹⁴ I use the word 'includes' so as to keep the relation between functioning and capabilities deliberately vague at this stage in my argument.

¹⁵ In fact, there is an alternative theory that makes both of these moves: that of equality of opportunity for welfare. Sen and Nussbaum reject this simply because they do not consider welfare to be the only relevant end.

¹⁶ H.L.A. Hart, *The Concept of Law*, Oxford, Clarendon Press, 1994 (2nd ed.), p. 191.

sense but, rather, one whose value is intermediate between those of functioning fully and not functioning at all. Thus, when we say ‘this car is malfunctioning’, what we normally mean is that the car will not go as fast or as smoothly as it was designed to go.

It is possible, nevertheless, to *stipulate* that the term ‘functioning’ is to be understood in a *neutral* way, from the evaluative point of view, so that all conceivable doings and beings – including, say, suicide and homicide – count as functionings. On this second definition, only a subset of the set of all possible functionings will appear on the list referred to by the capability approach. (It should be noted that the question of which of these two meanings of ‘functioning’ one adopts is independent of the question of the basis – Aristotelian or otherwise – on which the capability approach is to select the relevant list functionings.)

Sen is equivocal in his use of the term ‘functionings’, but only the neutral meaning will save him from a fundamental inconsistency. The reason for this is that if we understand ‘functioning’ in the Aristotelian sense, and if we claim in addition (as Sen does) that the overall capability of an individual consists in the *set of alternative functionings* available to her, then the capability approach will not prescribe anything like the freedom to choose *not* to function well – that is, the freedom to be dysfunctional – despite this last freedom being one that Sen and Nussbaum would presumably like to see included in a liberal normative political theory. For Sen, ‘capability is defined in terms of the *same* focal variables as functionings. In the space of functionings, any *point* represents an *n* tuple of functionings. Capability is a *set* of such functioning *n* tuples [T]here is no difference *as far as the space is concerned* between focusing on functionings *or* on capabilities.¹⁷ If we make this claim about the identical space of functionings and capabilities, *and* claim that the capability approach

¹⁷ Sen, *Inequality Reexamined*, p. 50, emphasis in the original. See also ‘Well-being, Agency and Freedom’, pp. 200-201.

guarantees the freedom not to function well (in addition to the freedom merely to choose between alternative doings and beings that have been independently singled out as valuable), then the only available interpretation of the term ‘functioning’ is the value-neutral one – an interpretation that I shall adopt hereinafter.¹⁸

2. Functionings without Capabilities

Before turning to the different ways of interpreting the relation between functionings and capabilities, I shall first examine the implications of an imaginary normative political theory that focuses exclusively on functionings and therefore eschews the liberal move mentioned above. This, of course, does not count as an interpretation of the capability approach.

Nevertheless, it will help us to get a clearer understanding of the *need* for the liberal move, and therefore provide us with the tools with which to assess the different possible ways of carrying out that move.

The fundamental liberal objection to a policy of making human beings function well can be usefully formulated in terms of the Kantian ideal of treating persons as *ends in themselves*. There are two ways of understanding this objection, depending on how one understands the Kantian imperative. Although I shall rely only on the second of these, I shall mention both of them here, because the first understanding of the objection will help to clarify the nature both of functionings and of ends-in-themselves.

¹⁸ It might be suggested that capabilities represent only what Sen calls ‘well-being freedoms’, and that well-being freedoms are to be supplemented in his theory of justice with what he calls ‘agency freedoms’. This would render consistent the two claims mentioned above, but would still prevent the *capability approach itself* from including the freedom not to function well, and would therefore go against the claim, made in the introduction to this paper, that Sen and Nussbaum see the requirements of liberalism as *built into* the capability approach.

On the first understanding of the Kantian imperative, what is prescribed is that we forbear from treating persons merely as means to the ends of others. Now there is a sense in which the very idea of promoting functionings violates this prescription: the kinds of things we would normally think of as functioning or not functioning, of functioning well or malfunctioning, are *tools*. A tool functions better or worse in terms of the ends determined by its nature. For example, a lawnmower functions well if it cuts the grass efficiently and in an aesthetically pleasing way. Tools, moreover, are necessarily means to ends that are *extrinsic* to them: in order to know whether a tool functions well, we need to know *what it is for*. Therefore, the objection runs, to promote the proper functioning of persons is to treat them like tools.

But this objection fails to recognize that a preoccupation with functionings need not imply treating persons as means to ends that are extrinsic to them, nor therefore as tools. We can, after all, treat a person paternalistically, promoting ends that are intrinsic to her (rather than our own ends or those of a third party or those of a collectivity), albeit without regard for her own preferences. In acting paternalistically, we shall be treating the person as an end in herself in the sense of not treating her as a means to someone else's ends. In the light of the above remarks, 'functioning' might not have been the most felicitous term to use to denote the achievement of ends that are intrinsic to the person concerned, but, as in the case of the value-neutral interpretation of the term, we can again simply stipulate that this is what is meant.

On the second understanding of the Kantian imperative, what is prescribed is that we treat persons as beings that *set* ends or, in the words of Charles Taylor, as 'points of origin of ends' or 'originators of ends'.¹⁹ This interpretation is closer to Kant himself. It is a non-literal interpretation of the idea of treating *persons* as ends in themselves, since it does not

¹⁹ Charles Taylor, 'Kant's Theory of Freedom', in Z. Pelczynski and J. Gray (eds), *Conceptions of Liberty in Political Philosophy*, London, Athlone Press, 1984, p. 114.

presuppose or imply that a person can, in a literal sense, be an end of human action. (As Joseph Raz has put it: I can have the end of doing certain things for or to certain people, like finding them jobs or making sure they are not subjected to certain harms, but what would it mean to say that they, rather than the finding of these jobs or the avoidance of these harms, are my ends?²⁰) On this non-literal interpretation, what is prescribed is not that we treat persons as among our ends, but that we treat them as beings in which ends have their origin, where such a treatment generally implies allowing them to pursue those ends. As Thomas E. Hill has emphasized, while Kant himself sometimes refers to ‘persons’ and to ‘rational beings’ as ends in themselves, in the relevant (second) formulation of the categorical imperative he speaks of the treatment not of persons but of *humanity*, where what is meant by humanity is not simply ‘human beings’, as is often assumed, but something that is found *in* human beings, a characteristic *of* human beings, namely, the power to set ends.²¹ On this understanding of the Kantian imperative, to concern oneself exclusively with the question of whether people are functioning well is to fail to treat them as ends in themselves because it is to fail to treat them as the points of origin of ends. This is to say that it is to fail to treat them fully as *agents*. One might say that it is to treat them as *patients* rather than as agents.²²

I shall assume here that this interpretation of the Kantian imperative does not imply the existence of enforceable duties to oneself: in line with the common thought that it captures a basic intuition of political liberals, and regardless of the intentions of Kant himself, we must interpret it as referring, at least at the political level, exclusively to the way in which one is to

²⁰ Joseph Raz, *Value, Respect, and Attachment*, Cambridge, Cambridge University Press, 2001, p. 144. Cf. Thomas E. Hill Jr., ‘Humanity as an End in Itself’, *Ethics*, 91 (1980), p. 87; Gregory Vlastos, *Justice and Equality*, in J. Waldron (ed.), *Theories of Rights*, Oxford, Oxford University Press, 1984, p. 56.

²¹ Hill, ‘Humanity as an End in Itself’, p. 85. Cf. Cristine Korsgaard, *Creating the Kingdom of Ends*, Cambridge, Cambridge University Press, 1996, p. 124; Allen W. Wood, *Kant's Ethical Thought*, Cambridge, Cambridge University Press, 1999, pp. 118-20.

²² The distinction between agents and patients is brought in by Sen himself in defence of his focus on capabilities, and, more extensively, by the Italian philosopher Salvatore Veca in a critique of utilitarianism. See Sen, *Development as Freedom*, p. 11; Salvatore Veca, *Dell'incertezza. Tre meditazioni filosofiche*, Milan, Feltrinelli, 1997, p. 104.

treat *other* persons. Kant's second formulation of the categorical imperative itself implies the existence of duties to oneself as well as to others, referring as it does to the treatment of humanity in our own person as well as in that of others. I shall here assume without argument that these duties to oneself can be coherently left out of the picture at the political level, either by directly reinterpreting the imperative itself or by claiming that although it entails moral duties to oneself, such duties are not enforceable.²³

If a concern with functionings meant treating people like tools and therefore as means to ends that are extrinsic to them, then a political theory based purely on functionings might seem to presuppose an organic State, where by this is meant a view of the State as having ends above and beyond those of its members. The standard liberal counter-claim with respect to the organic view of the State is that the State should be seen a means to the ends of individuals, and not the other way round. On the second understanding of the Kantian imperative, however, conceding this liberal counter-claim is not enough to guarantee treating individuals as ends in themselves. For one can also fail to treat them as ends in themselves simply by legally prescribing and enforcing certain forms of behaviour on their part solely for their own good.²⁴ In this second case, the proper functioning of an individual serves to realize the good life of that same individual (as opposed, say, to the good of the *polis*), and so the ends of that proper functioning are not extrinsic to that individual. Nevertheless, directly promoting that proper functioning means failing to treat that individual as a *point of origin* of ends.

²³ The coherence of this caveat has been challenged by Colin Bird (*The Myth of Liberal Individualism*, Cambridge, Cambridge University Press, 1999, ch. 5). I consider this an important challenge, but must postpone addressing it to a future occasion.

²⁴ Both of these alternatives have been presented as interpretations of the political thought of Aristotle: in the first case, Aristotle is to be seen as a holist political thinker who conceives of an individual's functions as dependent on the nature of the *polis*; in the second case, he is to be seen as an individualist who conceives of an individual's functions as dependent on her own intrinsic nature. See ch. 6 of Fred D. Miller Jr., *Nature, Justice and Rights in Aristotle's Politics*, Oxford, Clarendon Press, 1995.

To see this, consider the case of the individual who freely chooses to function badly – choosing, for example, to neglect her own health or education so as to invest most of her resources in an extremely expensive sports car.²⁵ Assume that this is an example of dysfunctioning, at least in the sense of reflecting an erroneous choice regarding the proper order of priority among functionings, if not the choice of an alternative that is completely absent from the appropriate list of functionings. (If this assumption is denied, we shall always be able to find an alternative example, just as long as the theories of Sen and Nussbaum assume *some* list of functionings set out in some order of priority – which, we have said, they surely must.) How should a normative political theory deal with cases like this? If it is based exclusively on functionings, such a theory will prescribe that the government take the most efficient measures possible to ensure that the individual in question functions better. In the present case, these measures might include directly prohibiting the purchase of expensive sports cars, or a system of taxation and public spending that ensures strong incentives to pursue longevity at the expense of fast cars (or disincentives against not doing so), or incentives to follow publicly funded educational courses promoting such a sense of priority. The intrusiveness of such measures will not in itself be an issue for such a theory, since the optimal degree of intrusiveness will depend solely on its degree of efficiency in producing the desired functionings. Although these measures would be taken in the name of ends posited as intrinsic to the individual, ends which depend on the nature of the individual herself (and of which the individual herself, it must be claimed, is unaware²⁶), they cannot be characterized as treating the individual as a *point of origin* of ends.

²⁵ Such cases, which are not unrealistic, are sometimes cited by capability theorists as examples of ‘functioning poverty’. See Alessandro Balestrino, ‘A Note on Functioning-poverty in Affluent Societies’, *Notizie di Politeia*, 43/44, 1996, pp. **.

²⁶ This, except where the explanation for dysfunctioning is weakness of the will on the part of the dysfunctional.

Can this problem be overcome by making the liberal move that I have identified as part of the capability approach? The answer to this question will depend on exactly how, in carrying out the liberal move, the notion of capabilities gets incorporated into the theory.

3. Functionings *and* Capabilities

I shall now identify three possible interpretations of a political theory that aims at promoting well-being conceived in some way that makes use of the two concepts of functionings *and* capabilities. Each of these interpretations, I shall suggest, implies some degree of paternalism; I shall present them in decreasing order of strength of implied paternalism.

3.1 Functionings and Capabilities as Jointly Necessary Conditions for Well-being

A first way of combining functionings and capabilities within a normative political theory is by saying that they are *jointly necessary conditions* of the kind of well-being with which governments should be concerned. On this interpretation of the theory, the value of functionings and the value of capabilities are interdependent. In order to have (the relevant kind of) well-being, a person must function well, but she must also function as a result of free choice. The most plausible reason for saying this derives from a particular understanding of the nature of human functioning itself. In the case of some particular functionings on Nussbaum's list, it is clearly impossible for one person to *force* another to function. For example, it is plausible to interpret hospitality, love, and laughter not simply as certain forms of outward behaviour, but as behaviour accompanied by appropriate intentions. This may not be true of all functionings, especially of basic ones like moving about, being well nourished,

using all five senses, and so on, which can probably be defined adequately in purely behavioural terms. Nevertheless, the conceptual implication we have noted in the cases of hospitality, love and laughter can be extended – once again, stipulatively – to cover the other functionings. We can stipulate, that is, that the free choice of any functioning on the list (referred to by the capability approach) is a necessary condition (in an analytic rather than a causal sense) for the achievement of that functioning. The promotion of ‘functionings without capabilities’ will then be a conceptual impossibility: by definition, I cannot function well if I do not function freely. But we must also point out that on the present interpretation, ‘capabilities without functionings’ do not contribute to well-being either: the mere fact of being capable of functioning well contributes nothing to an individual’s well-being if that individual then fails to choose to function well. A well-off individual, from the point of view of the hypothesized normative political theory, is necessarily one that *freely chooses to function well*.²⁷

On this first interpretation of the capability approach, our reason for carrying out the liberal move is that freedom is valuable as a *constitutive part* of valuable functionings. Nussbaum makes this point very clearly when she writes that ‘capability-needs are important because of the value of the functionings in which they naturally terminate’, while ‘functionings are valuable, in part, for the way in which they realize capabilities. We cannot and should not prize the two apart’.²⁸ (The words ‘in part’ in this passage suggest that, while the value of the presence of capabilities depends completely on the occurrence of good functionings, the value of the occurrence of good functionings does not depend completely on the presence of capabilities. However, what interests us here is the first of these facts, not the second.) One of Nussbaum’s commentators appears to endorse this first interpretation of the capability

²⁷ One can of course drop this latter condition, and say that while the value of a functioning depends on that of the capability to achieve it, the converse is not true. This amounts to the second interpretation, examined below.

²⁸ Nussbaum, ‘Nature, Function and Capability’, p. 173.

approach as an interpretation of Nussbaum by suggesting that ‘human well-being ... consists [for Nussbaum] *only* in those functionings that are *both* chosen *and* valuable’.²⁹

Viewed in terms of its consistency with the ideal of treating individuals as ends in themselves, it is not clear that this first interpretation represents much of an improvement on the promotion of ‘functionings without capabilities’. While the life of an individual is said, on this first interpretation, to have value only to the extent that she freely chooses good functionings as her ends, her life will nevertheless lack value to the extent that she instead freely chooses ends other than those covered by the official list. Thus, the effect in terms of public policy will probably not be very different, constrained as it will be only by the explicit claim that it is conceptually impossible to make a person function well through the use of direct force. The normative space for paternalistic intervention remains ample, and includes the possibility of prohibiting a wide range of more or less self-regarding vices, as well as various systems of incentives and disincentives. Indeed, even direct force might sometimes be justified as a short-term means of promoting long term voluntary functioning, where the force serves an educational purpose, opening people’s eyes to the value of the doings and beings they are being forced to achieve. Whether such short-term forcings can indeed be justified in this way will be an empirical question. They are not ruled out merely by saying that freedom is a constitutive part of valuable functionings, or that the values of capabilities and functionings are interdependent.

3.2 Functionings and Capabilities as Disjunctively Necessary Conditions for Well-being

²⁹ Crocker, ‘Functioning and Capability’, p. 166 (my emphasis).

Let us turn, then, to a second possible interpretation of the capability approach. In order to answer the objection just raised against the first interpretation, it might be suggested that the capability to function on the one hand, and freely chosen functioning on the other, are *disjunctively* necessary to produce the kind of well-being with which governments should be concerned. In this case, the individual who freely chooses to function badly leads a life that nevertheless has some value, this being a life of *agency*, of free choices. Thus, a government should give importance separately, in its assessments of individual well-being, to the capability to function on the one hand, and to actually achieved functionings on the other. Capabilities have a value that is independent of that of functionings (even though the converse is not true), and this, unlike the first interpretation, implies that a life is made better to some extent not only by the (free) achievement of functionings but also by the mere possession of capabilities to function. This is not of course to deny that on this interpretation, as on the first, the best kind of life is one in which the individual is capable of functioning *and* chooses freely to do so.

On this second interpretation of the capability approach, our reason for carrying out the liberal move is that freedom is valuable *intrinsically*, rather than, or (more likely) in addition to, as a constitutive part of valuable functionings. As we have noted, Sen has himself attributed intrinsic value to freedom, and we can also find direct support in his writings for the idea that, at the political level, capabilities and functionings each have some value independently of that of the other. Most importantly, Sen often seems to want to leave open whether public policy should concentrate on the promotion of capabilities or actual functionings, explicitly using the name ‘capabilities approach’ to refer to a perspective that concentrates ‘either on the *realized*

functionings ... or on the *capability set* of alternatives'.³⁰ Emphasizing the complexity of his normative theory and the consequent difficulty of assigning relative weights to various functionings and various capabilities in order to arrive at judgements of overall well-being, Sen affirms that 'the capability perspective is inescapably pluralist. First, there are different functionings, some more important than others. Second, there is the issue of what weight to attach to substantive freedom (the capability set) vis-à-vis the actual achievement (the chosen functioning vector)'.³¹ Sen then reiterates a point he has often made in previous writings: the existence of a plurality of evaluative criteria, and the consequent possibility of incommensurabilities and of incomplete orderings, should not be seen as a weakness or a source of embarrassment in an ethical theory. The problem of assigning relative weights to these criteria cannot and should not be avoided simply by concentrating exclusively on one of them; rather, we need to recognize the complexity of the concept of well-being, and *seek a consensus* over the relative weights of its various dimensions: 'this is a 'social choice' exercise, and it requires public discussion and a democratic understanding and acceptance'.³²

What will be the fate, on this second interpretation, of our individual with the tendency freely to choose to function badly? Her life is no longer to be seen as without value, since she has the capability to function well, and this contributes some value to her life independently of her actual choice. Nevertheless, a governmental strategy that includes the introduction of certain prohibitions, incentives and disincentives for that individual's own good remains, at this level of theorizing, a normative possibility. The question of whether a government may (or must) adopt such measures need not necessarily be answered in the negative. Our answer will

³⁰ Sen, *Development as Freedom*, p. 75 (emphasis in original). The three dots in this quote signify my omission of Sen's parenthesized characterization of 'realized functionings' as 'what a person is actually able to do'. I interpret this as a slip of the pen on Sen's part.

³¹ Sen, *Development as Freedom*, p. 76.

³² Sen, *Development as Freedom*, pp. 78-79. See also Sen, 'Freedom, Capabilities and Public Action. A Response', *Notizie di Politeia*, 43/4, 1996, pp. 116-18.

depend, rather, on the further question of the relative weights to be attached to ‘substantive freedom (the capability set)’ and ‘actual achievement (the chosen functioning vector)’. That is to say, it will depend on precisely how far our second interpretation of the capability approach turns out to differ from the first. These relative weights are *not themselves determined by the second interpretation*.

By leaving open the relative normative weights of functionings and capabilities, Sen appears to distance himself considerably from the liberal tradition. This distance can be formulated in terms of the answer he implicitly gives to one of the central questions of political philosophy: Which questions are political questions?³³ Not all liberals would deny that judgements about the quality of life involve the use of multiple (and perhaps sometimes incommensurable) evaluative criteria. However, a liberal that does admit this multiplicity of criteria will tend also to deny that all such criteria are relevant in the assessment of *public policies*. By assigning the job of determining the relevance and relative weights of each of his proposed multiple criteria to the sphere of democratic social choice, Sen (on this second interpretation of the capability approach) accepts the political relevance of all of them, thus implicitly leaving open the degree to which the freedom of the potentially dysfunctional can be acceptably restricted.

3.3 Well-being as the Capability to Function

If we try to accommodate the liberal objection just moved against the second interpretation of the capability approach, we shall inevitably arrive at a third, less paternalistic interpretation.

On the third interpretation, which is certainly the one that is best supported by the writings of

³³ This question is central to an entertaining essay by Jonathan Barnes on the points of conflict between modern liberalism and Aristotle’s *Politics*. See Jonathan Barnes, *Aristotle on Political Liberty*, in G. Patzig, *Aristoteles’ ‘Politik’* cit., pp. 249-63.

Sen and Nussbaum, a government should promote *only* ‘the capability to function’ and *never*, therefore, functionings themselves. This interpretation is based on a more strongly *political* conception of well-being, where the qualifier ‘political’ serves the purpose of excluding some aspects of well-being (in the wider, everyday sense of well-being) from consideration. From this political point of view, individuals who freely choose to function badly will not, as such, be considered *any worse off* than those who freely choose to function well. Nussbaum clearly endorses this interpretation when she says that the capability approach ‘does not aim directly at producing people who function in certain ways’, but rather, ‘at producing people who are *capable* of functioning in these ways, who have the training and the resources to so function, should they choose. The choice itself is left to them’.³⁴ Sen can also be interpreted as endorsing this interpretation, consistently with his acceptance that governments may, at times, concentrate directly on functionings in their evaluations of well-being: while, as we have seen, he claims that our evaluative criteria may at times include achieved functionings, he also suggests that this need not be seen as anything more than a practical expedient, to be adopted in the absence of data about capabilities. We use information about realized functionings only as general indicators, ‘to try to *surmise* the capability enjoyed by a person’.³⁵ Realized functionings are not *themselves* part of the informational basis of judgements of justice; they are only a useful indicator of what is.

On this third interpretation of the capability approach, our reason for carrying out the liberal move is not simply that the freedom to function well is valuable *in addition to* the achievement of valuable functionings, but that, at the level of a normative political theory, this well-being-enhancing value of the freedom to function well has *lexical priority* over the well-being-enhancing value of actually achieving valuable functionings.

³⁴ Nussbaum, ‘Aristotelian Social Democracy’, p. 214 (emphasis in the original). Nussbaum has further underlined this point in her reply to Arneson in ‘Aristotle, Politics and Human Capabilities’, at pp. 128-32.

³⁵ Sen, *Inequality Reexamined*, pp. 111-12, emphasis in the original.

The third interpretation of the capability approach appears to concentrate *exclusively* on capabilities and *not at all* on functionings. But while there is a sense in which this is true, there is another in which it is not. It is true that the capability approach on this interpretation never concerns itself with achieved functionings. It is not true, however, that it wholly discards the political relevance of functionings, and in this sense it remains, like the first two interpretations, a theory of '*functionings and capabilities*'. For while it abandons any concern with the realization of valuable functionings, it retains a concern with their possibility. What matters, on the third interpretation, is the capability to function *well*, not capability as such, and to identify and make assessments of such capabilities we shall still need to refer to a list of (independently specified) functionings. However that list is to be determined (whether the procedure be Aristotelian or one of democratic social choice), it must be compiled *before* we can speak meaningfully of 'the capability to function' in the sense assumed in the third interpretation.

It follows from this that while the third interpretation may exclude the kind of paternalistic intervention mentioned earlier, it nevertheless remains paternalistic insofar as it retains its reliance on a list of (independently specified) valuable functionings. This residue of paternalism can be highlighted by comparing alternative ways of compensating for capability deficits: the capability approach (on the third interpretation) will compensate in kind, whereas liberals interested in promoting capability as such might favour compensation in cash.

Consider a person with a capability deficit in terms of walking. This person limps and will only walk normally if she is given an operation she cannot afford. The capability approach will favour offering her the operation. She will not be forced to undergo the operation – she can take it or leave it – and so its prescription will be compatible with the approach on our

third interpretation. However, giving the person the cash equivalent of the operation will give her more freedom, for it will give her the freedom to undergo the operation plus some other freedoms that involve spending the money in alternative ways. An interest in freedom as such, as opposed to the freedom to function in (independently specified) valuable ways, then, constitutes a further possible step in what I have called the liberal or anti-paternalist move. Indeed, it constitutes the *final* step in that move, by rendering the concept of functionings normatively redundant. (The notion of functionings would be retained in the value-neutral sense, but then it is just analytically true that capability is the possibility of functioning in the value-neutral sense. The point is that assigning value to freedom as such involves no specification of the relative values of functionings).

Our reason for favouring this completion of the anti-paternalist move would lie in the view that what should be accorded lexical priority over the achievement of (independently specified) valuable functionings is not, or not only, the freedom to achieve those same (independently specified) functionings, but instead, or also, the enjoyment of a measure of freedom as such (for example, of equal freedom, or of a minimum of freedom for each person). This alternative view may be more or less libertarian, depending on the relative weights assigned to the value of specific freedoms, on the one hand, and to the value of freedom as such, on the other.

In the next section, I shall try to clarify this distinction between the value of specific freedoms and value of freedom as such. I shall conclude by mentioning two ways of incorporating an interest in freedom as such into one's normative political theory: one weaker, and more in accordance with mainstream liberalism; the other stronger, and more in accordance with left-libertarianism. Each of these involves a move in the direction of resourcism.

4. Capabilities without Functionings

To assign value to freedom as such is to assign to it what I have elsewhere called *non-specific value*³⁶ or what has alternatively been called ‘content-independent value’.³⁷ If freedom has non-specific (or content-independent) value, it has value independently of the value of the freedom to do or become the specific thing that the agent is free to do or become. We can say that a freedom has *specific* value (or content-dependent value), on the other hand, to the extent that its value is dependent on the nature of the specific thing that the agent is free to do or become. The intrinsic value of freedom is necessarily of a non-specific nature, because that value does not depend on the nature of that which freedom permits the agent to do or become, for if the value of a freedom did so depend then it would be extrinsic value. This creates a tension between the capability approach (on any of the three interpretations) and Sen’s explicit claim that freedom has intrinsic value. I shall return to this tension in a moment. However, it is first worth pointing out that the intrinsic value of freedom does not necessarily exhaust its non-specific value.

Freedom can have instrumental and constitutive value as well as intrinsic value, and both of these other kinds of value can be non-specific in nature. The liberal tradition provides us with many good reasons, of both an ethical and a political nature, for attributing to freedom a form of non-specific instrumental value. Freedom has non-specific instrumental value to the extent that there is less certainty about the specific nature of the ends freedom serves than there is

³⁶ Ian Carter, *A Measure of Freedom*, Oxford, Oxford University Press, 1999. What follows in this paragraph and the next two is a brief summary of the analysis of the different kinds of non-specific value of freedom contained in the second chapter of that book. For a discussion and some objections to my categorization, see Martin van Hees, *Legal Reductionism and Freedom*, Dordrecht, Kluwer, 2000, chs. 7 and 8.

³⁷ See Matthew H. Kramer, *The Quality of Freedom*, ch. 5.

about the existence of those ends. An example is our uncertainty about the nature of progress (be it economic, social, moral or scientific), which exists despite the conviction that freedom is a means to progress (a conviction shared, for example, by J.S. Mill, Friedrich von Hayek and Karl Popper). Although we are aware of the general empirical truth that freedom is a means to progress, we are also aware that this is so exactly because of our ignorance about the direction in which progress will take us, a form of ignorance from which we derive the value of experimentation, of eccentricity, of making mistakes and learning from them. The idea, in short, is that there is ignorance about which specific freedoms best serve the end to which freedom is nevertheless known to be a means.

A similar point can be made with regard to the constitutive value of freedom – a kind of value I have already mentioned as motivating the anti-paternalist move on the first interpretation of the capability approach. Constitutive value, like instrumental value, can be either specific or non-specific in nature: it will be specific if what constitutes a part of the intrinsically valuable phenomenon in question is the freedom to do or become certain specific things, whereas it will be non-specific if what constitutes that part is simply a measure of freedom as such, rather than certain specific freedoms. Thus, freedom will have specific constitutive value if the valuable phenomenon of which freedom is a constitutive part is an independently specified set of valuable functionings (as in the capability approach on the first interpretation); whereas freedom will have non-specific constitutive value if the valuable phenomenon of which it is a constitutive part is of a content-neutral kind – for example, personal autonomy, given a suitably non-substantive interpretation of that ideal.

It is the recognition of this non-specific value of freedom (which is not necessarily a recognition of its intrinsic value) that constitutes, in my view, *a necessary and sufficient*

condition for the treatment of persons as *the points of origin of ends*. This implies that we can be less stringent than orthodox Kantians about which of the various ways of treating people qualify as treating them as the points of origin of ends. While orthodox Kantians insist on the intrinsic value of freedom, in my view one need not treat a person's freedom as an end in itself in order to treat that person as a point of origin of ends. One can do this even if one values their freedom only instrumentally – for example, for welfarist reasons, as a means to social progress – as long as the kind of instrumental value one has in mind is *non-specific* instrumental value. In this case, while one's motives may not be Kantian, one's behaviour towards the person is nevertheless respectful of the fact of her being a point of origin of ends. The key to treating a person as an end in herself is valuing her freedom *non-specifically*. It is for this reason that the recognition of freedom's non-specific value (or its value as such) is best seen as the final step in the anti-paternalist move – a move that I have characterized as motivated by the imperative to treat persons as ends in themselves.

Sen's own view about the value of freedom appears to be both stronger and weaker than my own. It is stronger in the sense that Sen, like Kant, claims freedom to have intrinsic value, and this, on my analysis, means not merely non-specific value but a particularly strong form of it. Yet it is weaker in the sense that the capability approach (on any of the three interpretations) falls short of recognizing freedom's non-specific value in even its weakest form. Which of these conflicting accounts provides the most coherent interpretation of Sen? In my view, it is the second. For despite his assertion of the intrinsic value of freedom, the examples he gives in its defence are in fact probably best understood as implying (what I would call) freedom's specific-constitutive value. Consider a famous and often quoted example. Sen asks us to imagine two individuals, both of whom attach great value to fasting (say, for religious reasons), but only one of whom has the option of eating. Their resultant situations will be

identical (neither will eat), yet we will tend to attribute more value to the situation of the individual with the freedom to eat. For Sen, examples like this show that freedom has intrinsic value. However, although this example clearly demonstrates that freedom has a certain type of non-instrumental value, the kind of value it singles out does not seem to me to be intrinsic value. Rather, what this example shows is that the freedom to eat has value as a constitutive part of the practice of fasting. Since the freedom to eat is a specific freedom, and no other specific freedom will do in filling this role, the kind of value of freedom Sen has identified here is specific constitutive value. This point helps to spell out more clearly why intrinsic value is necessarily non-specific value. To the extent that the value of a freedom derives from its content – from the nature of the doing or being that it is the freedom to do or be – that value is the value freedom has either as a means to or as a constitutive part of that doing or being. The intrinsic value of freedom *necessarily* prescind from that content, whereas its instrumental or constitutive value may or may not do so.

Where does an affirmation of freedom's non-specific value take us in policy terms? One measure of freedom as such, albeit an imperfect one, is provided by the market value of the agent's bundle of resources.³⁸ For resources are, as Rawls says, means to a multiplicity of ends, and there are grounds for believing that, other things being equal, an increase in the market value of a person's bundle of resources increases the number of options to which that bundle is a means, and hence the person's degree of overall freedom understood in value-neutral terms. This reassertion of the resourcist perspective would appear to make us vulnerable to the objection, mentioned at the outset, to the effect that different people enjoy different rates of conversion from resources into freedom. Resourcists, however, have claimed that the impact of this claim may be minimal or even non-existent: they point out that the

³⁸ I provide arguments to this effect, and also highlight some of the inadequacies of such a metric, in *A Measure of Freedom*, ch. 10. Note that the relevant metric, here, is freedom as such, and *not* the utility of resources (of which market values provide more direct measures) (*A Measure of Freedom*, pp. 282-83).

inclusion of internal resources in a person's overall resource bundle allows their resultant measurements to take account of such disparities, and that environmental differences tend to be reflected in the prices of geographically fixed resources. The debate continues,³⁹ but it has become refined to a point where the differences between resourcists and capability theorists in terms of resultant measures of individual advantage appear to be negligible and the most important remaining difference regards, instead, the nature of the fundamental values motivating such measures. Notice, moreover, that I need not suggest here that the possession of resources provides the best available indicator of possession of *valuable* capabilities, as Dworkin is motivated to do, but only that it provides the best available indicator of capability as such.

A concern with the distribution of overall freedom as indicated by the distribution of resources (both internal and external), can be affirmed in either a weaker form or a stronger form. In its weaker form, which is most in line with mainstream liberalism (although, unlike Rawlsian liberalism, it incorporates a direct concern for the distribution of internal resources), the lexical priority accorded to freedom over realized functionings is to be understood as the lexical priority of a combination of certain specific freedoms and a certain distribution of the market value of resources, where such resources are understood as means to an indefinite number of possible ends and thus as embodying freedom as such rather than certain specific freedoms. These two kinds of value of freedom – specific and non-specific – will themselves need to be assigned relative weights or priorities, so that, for example, the guaranteeing of certain specific freedoms (like those enjoyed through the ownership of one's own body)

³⁹ Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality*, Cambridge, Mass., Harvard University Press, 2002, ch. 7; Andrew Williams, 'Dworkin on Capability', *Ethics*, 113, 2002, 23-39; Ronald Dworkin, 'Sovereign Virtue Revisited', *Ethics*, 113, 2002, pp. 106-143, at pp. 136-40. For a wide-ranging defence of resourcism, see Thomas W. Pogge, 'Can the Capability Approach be Justified?', *Philosophical Topics*, 30 (2), (2002).

might itself be given lexical priority over that of equal freedom as realized through equality of resources.

In its stronger, more libertarian form, the lexical priority accorded to freedom over realized functionings is to be understood simply as the lexical priority of a measure of freedom as such – in particular, of an equal measure of freedom, or of a minimal measure for each person. This view, which pushes the anti-paternalist move to its limit by disposing completely of any concern with specific freedoms, seems to be most in line with a left-libertarian outlook of the kind defended by Hillel Steiner.⁴⁰ For the left-libertarian, all distributive political prescriptions arise ultimately out of the fundamental principle of equal freedom, understood as a principle for the distribution of freedom as such and realized through an equal distribution of the market value of (internal and external) resources. The rights deriving from this fundamental principle are property rights, and property rights, as Nozick has put it, ‘fill the space of rights’. Such a left-libertarian theory of justice represents the pure version of a theory of ‘capabilities without functionings’.

Why does Sen resist recognizing the value of freedom as such? As I see it, his resistance is best explained by an unrecognized tension in the capability approach between what I have called its anti-fetishist move and its anti-paternalist move. For, as one moves across the range of possible accounts of the relation between functionings and capabilities, from the more paternalist to the less paternalist (i.e. from those more centred on functionings to those more centred on capabilities), one also opens oneself up increasingly to the charge of fetishism. Thus, the account that is most open to this charge is the libertarian one that pushes the anti-paternalist move to its limit: that account makes a fetish of freedom inasmuch as it recognizes

⁴⁰ Hillel Steiner, *An Essay on Rights*, Oxford, Blackwell, 1994.

freedom's value as deriving at least in part from its being instrumental to and/or constitutive of certain valuable ends, and yet it discards any reference to those ends themselves in its political prescriptions. To this extent, it treats mere means as if they were ends. And, to the extent that the more mainstream liberal account also places value on freedom as such, that account too is open to the same charge, albeit to a lesser degree.⁴¹ The thought that it is wrong to leave such ends out of the picture – itself an anti-fetishist thought – may be what is holding Sen back from making the final move of recognizing the value of freedom as such; on the other hand, the thought that such ends should not be specified – itself a liberal thought – is probably what is holding him back from compiling a determinate list of functionings. The same tension might help to explain why Sen and Nussbaum oscillate between the three different interpretations of the capability approach. After all, even the third interpretation of the capability approach might be called fetishist for failing to take account of differentials in the conversion of capabilities into valuable functionings.

It seems to me that this tension is inevitable and, moreover, that the fetishist aspect of a liberal theory of justice is to be welcomed. A liberal normative political theory should, at least in part, eschew references to ends, however vaguely defined and by whatever procedure (be it Aristotelian or democratic), for it is exactly this eschewal that most clearly qualifies such a theory as one treating persons as the points of origin of ends.

⁴¹ It might be suggested that an additional reason for seeing resourcism as fetishist (even if the interest in freedom as such is conceded) can be found in Sen's claim that resources are a 'means to freedom' (*Inequality Reexamined*, pp. 37-38, 81-84; 'Justice: Means Versus Freedoms', *Philosophy and Public Affairs*, 19 (1990), pp. 111-21). However, the characterization of resources as means to freedom is misleading. Temporally speaking, means exist before the realization of the ends they serve. And while it is correct to say that freedom occurs before achievement, it is incorrect to say that the possession of resources occurs before the possession of freedom. One does not possess resources and then achieve freedom with them; rather, one possesses freedom *in virtue of* one's possession of resources.