

## **“Operationalizing” Sen’s Capability Approach: A “theory” of practical reason**

Abstract:

The central thesis of this paper is that ends and practical reason are re-entering into Economics through the proposal of Amartya Sen of a capability approach (CA) to the analysis of poverty, equality and development. By focusing on capabilities, Sen reinserts the notion of ends into economics and economics into the practical area: capabilities are themselves ends. The CA has Aristotelian connections acknowledged by Sen. The paper maintains that these connections may be deepened and that this deepening helps to improve it and to overcome some problems and criticisms of it.

One of these problems is incommensurability of ends. Sen points out the consequent limitations of standard economics to deal with ends, but he does not provide a specific answer to the problems that incommensurability raise.

A concern among scholars has arisen about the operability of Sen’s CA. This is one of the consequences of incommensurability and of applying practical reason in order to choose ends. Economists, however, are not used to practical reasoning. We should provide them with concrete indications. We need a determined definition of the specific goods that the government should provide to the citizens. It is a task that I develop highly relying on Aristotle’s ideas.

In the paper, I first introduce the key concepts of the capability approach of Sen. Second, I present a balance of strengths and problems of it. Then I analyze the Aristotelian connections of the approach. Four, I deal with the problems and criticisms of the CA. I explain Sen’s answers and how the approach either would have to introduce changes or would provide answers to those problems and criticisms through a deeper Aristotelian perspective. Although practical science is inherently inexact, we could provide at least a set of principles that may orientate the policy work thus overcoming CA’s non operational character.

### **1. Introduction**

The central thesis of this paper is that ends and practical reason are re-entering into Economics through the proposal of Amartya Sen of a capability approach (CA) to the analysis of poverty, equality and development. By focusing on capabilities, Sen reinserts the notion of ends into economics and economics into the practical area: capabilities are themselves ends.

Sen also considers that these ends are incommensurable and he points out the consequent limitations of standard economics to deal with them. In addition, although this will not be

a topic tackled on this paper, Sen's concept of commitment leaves room for an element of the 'self', 'self-scrutiny', that supposes the introduction of moral and social non self-interested motivations (Sen 2002: 36). This approach has Aristotelian connections acknowledged by Sen. The paper also maintains that these Aristotelian connections may be deepened and that this deepening helps to improve the CA and overcomes some problems and criticisms of it.

Sen, born in India in 1933, is currently Emeritus Professor of Harvard University. He is still active in teaching and researching. He was always concerned with the problem of social justice, poverty and equality. This has led him to hold a broad notion and an ethical view of economics.

Driven by these concerns, Sen tackled the topics of inequality and quality of life, and during the 1980s he formulated his capability approach. This is a broad framework for the evaluation and assessment of individual well-being, as well as development of countries, present socio-economic situation and social arrangements in order to implement correct policies.

Sen's approach raises a lot of proposals of different scholars that may be located under the heading of "capabilities approaches". This movement originated a society (The Human Development and Capability Association) with international conferences and workshops, and an academic journal (*Journal of Human Development*). Another key figure of the capabilities approaches is Martha Nussbaum, professor at the University of Chicago.

For Sen, a crucial element of human well-being –understood in a broad sense that goes beyond utility– is human "agency". Agency is related to the quality of life, but it also includes others' goals and a deep commitment to actions that do not benefit the very agent himself. Human agency entails freedom: Freedoms are "capabilities" of performing some actions which Sen calls "functionings". These capabilities and functionings compose a good life. Capabilities, for Sen, are a better way of assessing well-being than utility or income.<sup>1</sup>

The capabilities approaches are of a highly interdisciplinary character. Such character facilitates enforcing the multidimensional character of the objective to be achieved (freedoms –capabilities– and outcomes –functionings–). It raises difficult questions, however, as to what are the specific constitutive ends of a good life or what is the concrete content of capabilities. It is here where the philosophical roots of the capabilities approaches manifest themselves.

In this paper, I will first introduce the key concepts of the capability approach of Sen. Second, I will present a balance of strengths and problems of it. Then I will analyze the Aristotelian connections of the approach. Four, I will deal with the problems and criticisms of Sen's CA. I will consider four problems: first, the lack of concreteness of his approach, or the absence of a specific list of capabilities, second, the heterogeneity of

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<sup>1</sup> For a good survey of Sen's position, see e.g., Sen 1993, Robeyns 2005, and Walsh 2000 and 2003.

capabilities, third, the no operational character of the approach, and four, his possibly weak concept of freedom. I will explain Sen's answers and how the approach either would have to introduce changes or would provide answers to those problems and criticisms through a deeper Aristotelian perspective.

## **2. Four concepts closely related: Functionings and Capabilities, Agency and Freedom**

We cannot go on with this paper without introducing these key concepts of the CA. I will begin by the concept of functionings and I will pass on then to capabilities. Chronologically the order is the inverse because Sen first adopted the word "capability" for the Tanner Lecture, "Equality of What?" of May 1979 (Sen: 1980) and then spoke about "functionings". The order adopted then by Sen was the inverse, because capabilities are possibilities or opportunities of performing some functionings.

### **2.1. Functionings**

Let us hear from Sen:

"The primary feature of well-being can be seen in terms of how a person "functions," taking the term in a broad sense. I shall refer to various doings and beings that come into this assessment as *functionings*" (1985: 197 –from de Dewey Lectures of 1984). In 1987, he affirmed that "a functioning is an achievement of a person: what he or she manages to do or to be" (1999a: 7). "The claim is that they are *constitutive* of a person's being, and the evaluation of well-being has to take the form of an assessment of those constituent elements (1992: 39). "*Functionings* represent parts of the state of a person –in particular the various things that he or she manages to do or to be in leading a life" (Sen 1993: 31).

Sen distinguishes different kind of functionings: "Some functionings are very elementary, such as being adequately nourished, being in good health, etc., and these may be strongly valued by all, for obvious reasons. Other may be more complex, but still widely valued, such as achieving self-respect or being socially integrated. Individuals may, however, differ a good deal from each other in the weights they attach to these different functionings –valuable though they may all be– and the assessment of individual and social advantages must be alive to these variations" (...). "The functionings relevant for well-being vary from such elementary ones as escaping morbidity and mortality, being adequately nourished, having mobility, etc., to complex ones such as being happy, achieving self-respect, taking part in the life of a community, appearing in public without shame (...). The claim is that the functionings make up a person's being" (1993: 31 and 36-7).

This obviously means that for Sen the concept of well-being goes beyond material wealth or opulence (1999a: 19). Functioning is an overarching concept that includes what a person is, does and has. Functioning is a fact, not a possibility. But it includes even the fact of freedom as part of the state of the person (e.g., 1999a: 44-45).

The plurality of functionings depends not only on the different possible kinds of them but also on the differences between persons. For Sen, each person is unique and has her personal set of functioning. Causal relations are *person-specific* (1985: 196). This is one of his most important points of departure, namely the basic heterogeneity of human beings: “Human beings are thoroughly diverse” (1992: 1). Functionings are related with capabilities: “The selection and weighting of different functions influence the assessment of the capability to achieve various alternative functioning bundles.” And he adds: “the roots of this approach can be traced to Aristotelian distinctions” (1992: 5). This centrality of the human person speaks us of a highly humanistic approach.

We can observe a nuance in the definition of Foster and Sen (1997) and in Sen’s *Development as Freedom* (1999b). In my opinion, he is introducing in even a more active role for the person: “the concept of functionings which has distinctly Aristotelian roots, reflects the various things *a person may value* doing or being” (1999b: 75, my emphasis). Actual functionings includes things that are given, but also things that are evaluated and chosen.

## 2.2. Capabilities

Sen explains: “While the combination of a person’s functionings reflects her actual achievements, the capability set represents the freedom to achieve: the alternative functioning combinations from which this person can choose” (1999b: 75).

As affirmed above, Sen used this concept for the first time in 1979. He introduced this concept in the Tanner Lecture “Equality of What?” in order to present an alternative of evaluation of equality distinct from the Utilitarian and the Rawlsian views. In that lecture he spoke of “basic capability equality”, “a person being able to do certain things” (1980: 217) –he recalls it in 1993 (1993: 30, footnote 1).<sup>2</sup> He then considered basic capabilities as a refinement of Rawls’ concentration on primary goods to evaluate equality (an element of “goods fetishism”). His aim was to do the most possible complete evaluation. We have to pay attention to what a person *can* do rather than what a person *does* (1980-1: 209). When he added the concept of functionings he defined the capabilities of a person in relation to them as the “set of functioning vectors within his or her reach” (1985: 201). He realized that both concepts were intimately related, because the extent of the capability set is relevant to the significance of functionings (1985: 202). He provided of a more formal treatment to these concepts in *Commodities and Capabilities* of 1985 (1999a: 6-11).

In my opinion, a growing awareness of the role of agency and freedom appears in further definitions. For example: “The capability of a person refers to the various alternative combinations of functionings, any one of which (any combination, that is) the person can choose to have. In this sense, the capability of a person corresponds to the *freedom* that a person has to lead one kind of life or another” (Nussbaum and Sen 1993: 3, italics in the

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<sup>2</sup> “I tried to explore a particular approach to well-being and advantage in terms of a person’s ability to do valuable acts or reach valuable states of being” (Sen 1993: 30).

original). And “The *capability* of a person reflects the alternative combination of functionings the person can achieve, and from which he or she can *choose* one collection” (Sen 1993: 31, my emphasis).

This increasing role of the agent is clear also in his *Inequality Reexamined* where he speaks of “a person’s capability to achieve functionings that he or she *has reason to value*” (1992: 4-5, my emphasis). Sen seems to state that we have freedom, but we also have reasons to value the things we choose. This reflects the person’s freedom to choose from different possible lives and the real opportunities that the person has (1992: 40 and 83). The idea is even more refined in *Development as Freedom* where he refers to “the freedom to achieve actual livings that one can have reason to value” (1999b: 73).

An interesting trait of capabilities is their ambiguity both in their definition and in their election, given the particularities of persons and situations. Sen appraises positively this feature because it reflects and respects the freedom and the differences of the persons (1993: 33-34). For Sen, asserting ambiguity and fuzziness (and, then, the use of partial orderings to evaluate the functionings and capabilities) is not a weakness but a strength. He calls this “the fundamental reason for incompleteness” (1992: 49). This lack of exactness is highly Aristotelian, because for Aristotle rigor in the practical realm does not entail precision given the free and singular character of the subject-matter (*Nicomachean Ethics* I, 3 and II, 2). This, however, is not a satisfactory answer, even for Aristotle. We cannot extract any indication for action from this ambiguous consideration. We need more precision on the functionings and capabilities to be looked for. I will come back to this point in Section 6.

### **2.3. Freedom**

The valuable functionings achieved, constitutive of a life, only pertain to each particular person. There is, thus, a triple heterogeneity within society: singular diverse persons contribute to well-being performing their proper ends thanks to the resources that they have. We have a plurality of person, of ends of these persons and of means. Thus, well-being supposes choices and consequently, freedom.

In the Dewey Lectures of 1984 (1985) Sen introduced the concept of “agency freedom”: “a person’s ‘agency freedom’ refers to what the person is free to do and to achieve in pursuit of whatever goals or values he or she regard as important” (1985: 203). This concept goes beyond a concept of “well-being-freedom”, the freedom to achieve that what the person evaluates as convenient for her well-being; it is open to other values, proper or of the others.<sup>3</sup>

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<sup>3</sup> “The freedom to lead different types of life is reflected in the person’s capability set. The capability of a person depends on a variety of factors, including personal characteristics. A full accounting of individual freedom must, of course, go beyond the capabilities of personal living and pay attention to the person’s other objectives (e.g. social goals not directly related to one’s own life), but human capabilities constitute an important part of individual freedom” (1993: 33).

Sen, following the line of Isaiah Berlin (cf. e.g. Sen 1992: 41), distinguishes between negative (to not be interfered with) and positive (to pursue a goal) freedom and he claims the necessity of both.<sup>4</sup> Within the realm of positive freedom, Sen highlights two distinct elements of freedom that he calls “power” (to achieve the chosen results) and “control” over the process of choice (1985: 208-9).

Freedom is thus present everywhere. Sen conceives development as a process of expanding the real freedoms (1999b: 3, 37, 53 and 297). Human capability is an expression of freedom (Sen 1999b: 292). As Crocker points out, “capabilities add something intrinsically and not merely instrumentally valuable to human life, namely, positive freedom” (Crocker 1995: 159; see also 183). Positive freedom is what people are actually able to do or to be, “to choose to live as they desire” (Berlin quoted by Sen 1992: 67). In a further section I will analyze some criticisms that Sen received for a supposedly overestimated and under-elaborated notion of freedom. In any case, his notion of freedom goes beyond the classical liberal conception of freedom, namely, negative freedom. Chapter 12 of *Development as Freedom* is entitled “Individual freedom as commitment” and there he really conditions freedom with a conscious commitment to, among other objectives, disinterested actions. He also speaks about substantive or constitutive freedom (1999b: 33 and 36) and he relates freedom to responsibility. This notion of freedom, richer than the ones usual nowadays, corresponds to an also richer notion of agency. Sen would possibly agree with Crocker’s suggestion of joining Nussbaum in considering choice as a sort of super capability that enhances the value, and thereby humanizes other valuable functionings (Crocker 1995: 185). I think that this is the spirit of Sen’s concept of freedom.

Sen also develops the case for some basic freedoms, in the sense of rights. Their justification relies not only in their *intrinsic* importance, but also in their *consequential* role in providing political incentives for economic security and in their *constructive* role in the genesis of values and priorities (1999b: 246, emphasis in the original).

He considers another aspect of freedom, namely its instrumentality. There are some freedoms that enhance capabilities and are means to achieve a set of valuable functionings. In *Development as Freedom* Sen states that “the *intrinsic* importance of human freedom as the preeminent objective of development has to be distinguished from the *instrumental* effectiveness of freedom of different kinds to promote human freedom” (1999b: 37). In this book he mentions political freedoms, economic facilities, social opportunities, transparence guarantees and protective security (1999b: 38).

## 2.4. Agency

As Sen remarks, positive freedom entails taking into account the person’s concept of the good (1985: 203). It is freedom to achieve whatever the person, as responsible agent, decides (1985: 204). Hence, this conception of freedom entails an agent with a concept of the good, who has the intellectual capacity to value and to choose it. In his Dewey Lectures of 1984, he stated that “the moral foundation of well-being is informationally

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<sup>4</sup> See Crocker 1995: 183 and Davis 2002: 492.

extremely restrictive, and the agency aspect is much too crucial to leading a life for it to be intrinsically of no moral importance” (1985: 186). And he adds:

“This open conditionality [of the responsible agent] does not imply that the person’s view of his agency has not need for discipline, and that anything that appeals to him must, for that reason, come into the accounting of his agency freedom. The need for careful assessment of aims, objectives, allegiances, etc., and of the conception of the good, may be important and exacting” (1985: 204).

Well-being is only one of the motives that guide persons’ choices. “Moral considerations may, *inter alia*, influence a person’s ‘commitment’” (1985: 188). Agency means a responsible autonomy, an others-regarding way of deciding and acting. It may even lead to acts that decrease our well-being to the benefit of other persons. Possible deontological requirements may lead to a non maximizing conduct (1999a: 9). As John Davis (2002: 483-4) has highlighted, Sen recognizes the role of community and groups influencing personal behavior and even individual identity: “there are strong influences of the community, and of the people with whom we identify and associate, in shaping our knowledge and comprehension as well as our ethics and norms. In this sense, social identity cannot but be central to human life” (1999c: 5). Let me quote another formulation of Sen’s rich concept of agency:

“I am using the term agent (...) in its older –and “grander”– sense as someone who acts and brings about change, and whose achievements can be judged in terms of her own values and objectives” (1999a: 19). “The people have to be seen (...) as being actively involved –given the opportunity– in shaping their own destiny, and not just as passive recipients of the fruits of cunning development programs” (1999b: 53).

This previous emphasis on agency does not mean a neglect of consideration of well-being. This aspect is particularly important in, e.g., matters of public policy.<sup>5</sup> However, in issues of personal behavior, the agency aspect is central (1985: 208).

### **3. A balance of strengths and problems**

Sen’s capability approach is a broad perspective that considers the person in its individuality, as a unique and free agent that has a specific conception of the good (considering different personal and social areas), and that should act according to it. This leads to an enriching evaluation of well-being, of equality, of development and of all the fields in which it may be applied. The focus is not on the means (for example, income), but on the ends (e.g., the satisfaction of the aspirations and final goals of different people). This acknowledging of human heterogeneity and also of the heterogeneity of

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<sup>5</sup> “It is sometimes desirable”, affirms Severine Deneulin, “that functionings and not capabilities constitute the goal of public policy. In some areas, it is sometimes more important to have people function in a certain way than it is to give them the opportunity to function in a certain way. It is sometimes more important to focus on the human good (functionings), rather than on the freedom and opportunities to realize that human good (capabilities)” (Deneulin 2002: 506).

objectives implies a broadening of the informational basis of evaluation and a consideration of the plurality of different human situations. Notwithstanding, to allow this plurality does not mean that we accept capricious ambitions, desires and behaviors. For Sen, the free agent should be responsible and should consider not only his concerns but also others' concerns and necessities in some way.

Nevertheless, as David Clark affirms, "in many cases key strengths are re-constructed as potential weaknesses by critics" (Clark 2005: 5). There are also possibilities of developments or refining of Sen's concept and classification of capabilities (Gasper 2002), of the definition of them, of the notion of agency and personhood (see Giovanola 2005, Giri 2000, Deneulin 2002). The problems and criticisms that I will consider in this paper are these:

1. The topic of lists: There is a discussion between Sen and Martha Nussbaum about the content of the capabilities to be sought. The discussion indeed entails philosophical conceptions about the human person (a philosophic anthropological vision). Nussbaum argues in favor of a particular list of capabilities from a supposedly Aristotelian position. Sen prefers to leave the content open by adopting a more formal or (may be) Kantian perspective (see e.g., Sen 1993, Sen 2004a, Nussbaum 2003). Ingrid Robeyns 2003 proposes a procedural approach to the selection of capabilities. In sum, should we have a list of specific capabilities or should we only shape a formal framework to be filled in each specific case?

2. Heterogeneity or incommensurability, and measurement: A second problem is how to harmonise and rank qualitatively heterogeneous capabilities which are peoples' ends. It is the problem of the incommensurability of capabilities, very well expressed by Sabina Alkire:

"The capability approach conceives of poverty reduction as multidimensional. That is, it recognizes that more than one human end (enjoyment, knowledge, health, work participation) has intrinsic value in a society, and that the set of valued ends and their relative weights will vary with the diversity of individuals and cultures. But if human ends are diverse in kind and cannot be adequately represented by a common measure such as income or utility, this creates a problem. It becomes impossible to choose 'rationally' between options that pursue different set of ends, *if* one means by rational what is meant by 'rational choice theory', namely, the identification and choice of a maximally efficient or productive option, the one (or one of the set) in which the total benefits minus the total costs is the highest possible" (Alkire 2002: 85-6; see also Alkire and Black 1997: 269).

3. This problem leads to two closely related ones: how do we measure capabilities and, if measurement were not possible, how do we decide about the personal set of capabilities and the social policies and how do we get the information necessary for these decisions. These problems casts shadow over the capability approach: one can logically doubt about the operational character of this "theory". As Robert Sugden affirms, "it is natural to ask how far Sen's framework is operational" (1993: 1953).

4. Others accuse Sen either of individualism or of liberalism, or of bearing an under-elaborated and overextended notion of freedom (see, e.g., Gasper and Irene van Steveren 2003, Nussbaum 2003).

Before considering these criticisms, I will analyze Sen's relationship with Aristotle's thinking.

#### 4. Sen and Aristotle

The history of the connections of Sen and Aristotle has to do with Sen's relations with Martha Nussbaum. Virtually every quote or reference to Aristotle include a reference to Nussbaum. In his "Autobiography" (Sen 1998a) Sen affirms that he worked closely with her during 1987-9 on the cultural side of Programme on Hunger and Deprivation at the World Institute of Development Economics Research (WIDER, Helsinki). He recognizes that at the time of proposing the new approach (CA), in 1979, he "did not manage to seize its Aristotelian connections" (1993: 30). He then refers to the work of Nussbaum on this connection.

I offer one possible proof of the close relation between the Sen-Aristotle connection and the Sen-Nussbaum connection. In "Choice, Orderings and Morality" and "Reply to Comments" (1974), he considers Morality as a ranking of rankings (1974: 82). He does a moral evaluation of the prisoner's dilemma and considers the moral criteria of I. Kant, H. Sidgwick, J. Rawls, the Pareto principle, Patrick Suppes, R.M. Hare, and J. C. Harsanyi (1974: 57-9). Aristotle in the *Nicomachean Ethics* extensively deals with these topics, as Sen indeed highlights some years after. Here, however, he did not even mention Aristotle.

The first written reference to Aristotle in relation to the capability approach and to Nussbaum time that I found is in the pre-publication on line of Sen's Tanner Lectures 1985, in 1986 (Clare Hall, Cambridge, March, 11-2, 1985). Before this we can suppose that Sen has read Aristotle, probably during those years (around 1955-59) in which – thanks to a Fellowship Prize of Trinity College, Cambridge– he freely devoted himself to study logic, epistemology, moral and political philosophy (see 1998a: 4). There is a previous quotation of Aristotle in his paper "Plural Utility" of 1981 about the relation between different pleasures and different activities (1980-1: 194). That is, it does not have to do with the CA, although it will be to with it later.

Later quotations of Aristotle are from the *Nicomachean Ethics* (*NE*, especially Book I, Chapter 7) and *Politics*. In Appendix I, I offer a non exhaustive list of quotations of Aristotle and Nussbaum by Sen and in Appendix II, 1, I transcribe the whole *NE* I, 7.

Sen begins the first Chapter of *On Ethics and Economics* arguing that Economics has had two different origins. One of them is the ethics-related tradition that goes back to Aristotle (Sen 1987a: 2-4).

As stated before, Sen also notes that the concept of “functionings” has Aristotelian roots. He refers to the Aristotelian concept of *ergon*, i.e., the function or task of something; specifically in this case, of the human being (*Nicomachean Ethics* I, 7; cf. Sen 1992: 39).

Sen, in a chapter of a book he edited with Nussbaum, though recognizing that he was not aware of this before, notes that “the Greek word *dynamis*, used by Aristotle to discuss an aspect of the human good (sometimes translated as ‘potentiality’), can be translated as ‘capability of existing or acting’ (...)” (1993: 30, footnote 2: see also 45 footnote 41). He adds: “The Aristotelian perspective and its connections with the recent attempts at constructing a capability-focused approach have been illuminatingly discussed by Martha Nussbaum (1988)” (Sen 1993: 30). Let us hear from him again:

“In earlier writings I have commented on the connection of the capability approach with some arguments used by Adam Smith and Karl Marx. However, the most powerful conceptual connections would appear to be with the Aristotelian view of the human good. Martha Nussbaum (1988, 1990) has discussed illuminatingly the Aristotelian analysis of ‘political’ distribution, and its relation to the capability approach. The Aristotelian account of the human good is explicitly linked with the necessity to ‘first ascertain the function of man’ and it then proceeds to explore ‘life in the sense of activity’ (note 44: See particularly the *Nicomachean Ethics* I, 7). The basis of a fair distribution of capability to function is given a central place in the Aristotelian theory of political distribution. In interpreting Aristotle’s extensive writings on ethics and politics, it is possible to note some ambiguity and indeed to find some tension between different propositions presented by him, but his recognition of the crucial importance of a person’s functionings and capabilities seems to emerge clearly enough, especially in the political context of distributive arrangements.

“While the Aristotelian link is undoubtedly important, it should also be noted that there are substantial differences between the way functionings and capabilities are used in what I have been calling the capability approach and the way they are dealt with in Aristotle’s own analysis. Aristotle believes, as Nussbaum (1988) notes, ‘that there is just one list of functionings (at least at certain level of generality) that do in fact constitute human good living’ (p. 152). That view would not be inconsistent with the capability approach presented here, but *not*, by any means, *required* by it. (...)”

“This argument, suggesting less variability at a more intrinsic level [of capabilities], has clear links with Aristotle’s identification of ‘non-relative’ virtues, but the Aristotelian claims of uniqueness go much further. Martha Nussbaum, as an Aristotelian, notes this distinction, and also points to Aristotle’s robust use of an objectivist framework based on particular reading of human nature (...)”

“I accept that this would indeed be a systematic way of eliminating the incompleteness of the capability approach. I certainly have no great objection to anyone going on that route. My difficulty with accepting that as the only route on which to travel arises partly from

the concern that this view of human nature (with a unique list of functionings for a good human life) may be tremendously overspecified” (1993: 46-47).

He then affirms that the Aristotelian case may be a special case within his general case of capability approach. And he adds:

“there is little doubt that the kind of *general* argument that Aristotle uses to motivate his approach does have a wider relevance than the defense of the particular form he gives to the nature of human good. This applies *inter alia* to Aristotle’s rejection of opulence as a criterion of achievement (rejecting wealth and income as the standards), his analysis of *eudaimonia* in terms of valued activities (rather than relying on readings of mental states, as in some utilitarian procedures), and his assertion of the need to examine the processes through which human activities are chosen (thereby pointing towards the importance of freedom as a part of living)” (1993: 47-48; cf. also 1992: 39, footnote 3).

In his Tanner Lectures 1985 (1987b), he also quotes Aristotle (together with Plato and Mill) about the non-commensurability of different types of pleasures (1987b: 2). Consequently, he concludes, we need a “constitutive plurality” (see also Foster and Sen 1997: 204 –where he uses the word “heterogeneity”; 2004b: 323-4 and Nussbaum and Sen 1987: 25). This characteristic also applies to capabilities in general.

The benefit of these long quotations is that they contain almost all of Sen’s references to Aristotle. Now, we can list and analyze the acknowledged influences:

1. Sen agrees with Aristotle in his conception of the relation between Economics, Ethics and Politics (1987a: 3-4).
2. Sen agrees with the Aristotelian conception about the role of wealth and possessions in a Good Life (1987a: 3; 1993: 47; 1999b: 14).
3. Sen agrees with the Aristotelian conception of *eudaimonia* (1993: 48 and 1992: 39).
4. Sen agrees with Aristotle’s assertion about the need to examine the process of choosing the activities that constitute or contribute to *eudaimonia* (1993: 48).
5. Sen perceives a connection between his concept of “functionings” and the Aristotelian concept of *ergon* (1986: 29; 1987a: 64; 1987b: 23).
6. Sen also perceives a connection between his concept of capabilities and the Aristotelian concept of *dynamis* (1986: 29; 1987a: 46; 1987b: 23; 1993: 30 and 45).
7. Sen agrees with Aristotle in the consideration of the non-commensurability or heterogeneity of goods (1987b: 2; 2004b: 323-4; Foster and Sen 1997: 204; and Nussbaum and Sen 1987: 25).

Concerning differences:

8. Sen does not accept the supposedly Aristotelian conception of a unique objective list of functionings and capabilities (1993: 48; 2004a: 77).

I will analyze these eight points one by one:

1. Sen agrees with Aristotle in his conception of the relation between economics, Ethics and Politics.

Aristotle's notion of "the economic" (*oikonomike*) is different from the contemporary one. Although Aristotle was not an economist he stated seminal concepts that facilitate basic and rich ideas on the relations between economics, ethics and politics. Sen explains how Aristotle conceives politics as a 'master art'. The end of politics must include the end of other practical disciplines, and this end is the good for the man (1987a: 3). "Economics, Sen affirms, relates ultimately to the study of ethics and that of politics, and this point of view is further developed by Aristotle's *Politics*" (Sen 1987a: 3). For Aristotle, according to Sen, the end of the state is the common promotion of a good quality life" (Sen 1987a: 3; he quotes *Politics* III, 9). Sen opposes this vision to the engineering originated vision of modern economics.

We should avoid, however, "the inveterate use of making Aristotle reason with the categories of the interpreter", as Gianfrancesco Zanetti expresses it very well (1993: 20). The "state" is not the modern state, it is the Greek *polis*. According to Aristotle, in *Politics* III, 9 (the passages quoted by Sen), as well as elsewhere in his writings, a *polis* is a community of persons with solid links in order to achieve a perfect (*teleios*) or Good (*eu*) life. The "good quality of life" (an expression which Sen probably translates "Good Life") does not rely on a specific set of material comfortable goods, as we could imagine, but in the practice of virtues described in the *Nicomachean Ethics*, and in the contemplation (*theoria*) of divine things, leading to *eudaimonia*. Sen would not necessarily hold such a particular view of quality of life. He would leave it as a formal frame to be filled by each one or by each society. Hence, we must conclude that the agreement of Sen with Aristotle in this point is with a general idea of looking for an abstract and compatible personal and common good.

2. Sen agrees with the Aristotelian conception about the role of wealth and possessions in a Good Life.

Sen refers frequently to Aristotle's passage of *Nicomachean Ethics* I, 5, 1096a 5 where Aristotle states: "the life of money-making is one undertaken under compulsion, and wealth is evidently not the good we are seeking; for it is merely useful and for the sake of something else" (1987a: 3). Sen agrees with Aristotle in this point in order to oppose his approach to the standard approaches of evaluation of equality or development by the income or by another form of material wealth.

3. Sen agrees with the Aristotelian conception of *eudaimonia*.

It is interesting to see how Sen, before his Nussbaum-Aristotle contact, spoke about happiness as a mental state supported by Utilitarians as an ethical goal. He rejects any evaluation of well-being in terms of happiness, because “happiness is basically a mental state, and it ignores other aspects of a person well-being”; “happiness may give a very limited view of other mental activities” (1985: 188). The concept of happiness that Sen has in mind when making these comments is the happiness conception of authors as Bentham, Edgeworth, Marshall and Pigou (1999a: 12).

But when he comes to know Aristotle’s ideas, Sen takes care to use the Greek term *eudaimonia*, and not its usual translation as happiness. He is conscious that happiness for Aristotle is a very different thing than happiness for the Utilitarians, as explained in the first point of agreement. It is not a state of the mind, but an activity according to reason. In *The Standard of Living* he recognizes that “the breadth and richness of the Greek concept of *eudaimonia* may suggest similarly broad interpretations of happiness or pleasure” (both in the paper publication and in the pre-publication version on line quoting Nussbaum; Sen 1986: 11 and 1987c: 8).

The same consideration of the first agreement may be done in this case: it is an agreement with a goal that is beyond mere utilitarian or hedonistic happiness, but that does not necessarily entails the particular activities –virtues and contemplation– that the Aristotelian *eudaimonia* entails.

4. Sen agrees with Aristotle’s assertion about the need to examine the process of choosing the activities that constitute or contribute to *eudaimonia*.

This is something that has been present in Sen since he first paid close attention to Aristotle, and that has increased in the last years. Together with Foster he defines the space of functionings as “the various things a person may *value* doing (or being)” (Foster and Sen 1997: 199, my emphasis). There is an inescapable need of evaluating the capability set (1999b: 75). “It is of course crucial to ask, in any evaluative exercise (...) how the weights are to be selected. This judgmental exercise can be resolved only through reasoned evaluation” (Sen 1999b: 78). He affirms then, “rationality is interpreted here, broadly, as a discipline of subjecting one’s choices – of actions as well as of objectives, values and priorities – to *reasoned scrutiny*” (2002: 4, my emphasis).

More recently he affirms: “We can not only assess our decisions given our objectives and values, we can also scrutinize the critical sustainability of these objectives and values themselves” (Sen, forthcoming: 4). In the same paper he supports a broader theory of rational choice that can accommodate attitudes such as altruism (forthcoming: 19).

This reasoned evaluation is done by practical reason and is typically Aristotelian. Further, it is an evaluation of ends. (The aim of this paper is to show this thesis; the paper, however, does not finish here.) Nevertheless, a difference would probably remain between Sen and Aristotle. For Aristotle, some of the capabilities –supposing that he would accept this terminology– would have to be discovered and others have to be created or chosen. Sen devotes a whole section of his *Reason Before Identity* to the

question “Discovery or Choice?” (1999c: 15-19). His conclusion is more for choice than for discovery, but he softens this conclusion clarifying that the choices can-not be unrestricted (1999c: 17) and that “choices have to be made even when discoveries occur” (1999c: 19). At any rate, Aristotle would probably have discovered more things than Sen, because he starts from a specific notion of human nature while Sen avoid this notion.

5. Sen perceives a connection between his concept of “functionings” and the Aristotelian concept of *ergon*.

This connection leads me to study the meaning of *ergon* for Aristotle. With the help of the *Index Aristotelicum* I analyzed the texts where this term appears. This analysis is in Appendix II, 1.

We can define *Ergon* as the natural way of behaving of any thing according to its end or *telos*. Together with *dynamis* it is a fundamental concept for Aristotle, because things are defined by their *erga* and *dynamis* (plural forms of *ergon* and *dynamis*). *Ergon* applied to the human being is a specific way of life; a life guided by practical reason, i.e., a life of virtues oriented to contemplation. Concerning practical reason, given all the texts analyzed in the previous section, Sen would surely agree. This actually is the position of Martha Nussbaum who sees practical reason as the most important human capability (1987: 48; 1990: 226 –together with affiliation –or sociability– in 1990). Concerning theoretical contemplation, this would probably be one of the multiple possible ends for Sen, but not necessarily the unique one.

6. Sen perceives a connection between his concept of capabilities and the Aristotelian concept of *dynamis*. In this case, I also analyzed the texts where this term appears. This analysis is in Appendix II, 2.

The conclusion of the analysis is that *dynamis* is mainly a metaphysical concept used in Aristotle’s *Metaphysics* and in his Physical Treatises. Potentiality or *dynamis* is a principle of being or acting in a right or adequate way, in accordance to the end (*telos*) or function (*ergon*) of the thing considered.

Concerning the application of this concept to the human realm, in the *Categories*, 8, 9a 15-28, 9b 35, 10b 2, Aristotle uses the word *dynamis* to mean a kind of quality, namely, inborn capacities. The *Politics* and *Nicomachean Ethics* are books of moral. Thus, as soon as the term *dynamis* appeared there, it appears in an ethical context. Although the very meaning of *dynamis* may be neutral in some passages, the general character of these books imbues *dynamis* with a moral orientation to the Good Life, which is a life of virtues to achieve happiness (*eudaimonia*).

Nevertheless we have to be very careful in reading these previous statements. For Aristotle, there was a perfect continuity among the theoretical, the practical (moral), and the technical realms. His strong concepts of nature (*physis*) and end (*telos*) were the common thread that ties together these realms. For Aristotle, to be morally good is to be able to behave according to the nature and to the end of the thing considered. For him,

technique imitates, and is a kind of prolongation of nature (he often says what has become a Latin dictum, namely, *ars imitatur naturam*). Aristotle is beyond (or before) the modern dichotomies between the descriptive and the normative, or between is- and ought- statements. For example, he could never have imagined the ecological problem (technique going against nature).

The word *dynamis* appears in the *Politics*, and only a few times in the *Nicomachean Ethics*. According to the doctrine of these books, there are three human elements that have to be aligned in order to get *eudaimonia*: the capacities (*dynamis*), the habits (*aretai, exeis*) and the activities (*erga, energeiai, praxeis*).

Capacities (*dynamis*) are defined by their ends (*teloi*) or functions (*erga*) (*On the Soul* II, 4, 415a 16-21). As explained, Aristotle did not distinguish the descriptive and the normative realms. Thus, capacities are directed toward the end or function, and this, I insist, does not imply, as least for him, a fact-value problem. Therefore, again, practical reason appears as the central capacity. Sen would probably agree, under the condition that practical reason implied a procedure of defining the goals, though not necessarily a particular set of goals.

For David Crocker, Sen's capabilities are in fact external options rather than internal [Aristotelian] powers as they are for Nussbaum (1995: 163 and 168). I would say that Nussbaum put more emphasis on the internal power than Sen does. Options also have to be chosen and this is an internal power. Choices are essential to Sen's capabilities, as also Crocker affirms (1995: 164). Crocker (1995: 167) also notes that while Sen ranks capabilities from important to trivial (Sen 1987b), he does not distinguish between good and bad capabilities.<sup>6</sup> The reason for this could be Sen's emphasis on the external. But it could also be argued that what would be crucial for Aristotle is the alignment of capability (*dynamis*), function (*ergon*) and end (*telos*). And Sen would probably agree. Besides, Crocker's paper dates back to 1995 and Sen, as explained above, has recently put more emphasis on the role of the agent in reasonably choosing the capabilities.

7. Sen agrees with Aristotle in the consideration of the non-commensurability or heterogeneity of goods.

Although Sen does not quote specific passages of Aristotle's work he maintains that the idea of incommensurability is the same of Aristotle (and also of Mill). This is also clearly held in Nussbaum and Sen 1987 (25). Along with Bernard Williams he argues –against utilitarianism– that “rights of different people and of different types do not get merged into one homogeneous total, yielding a ‘monist’ morality based in the maximization of such a magnitude” (Sen and Williams 1982: 19). In the Annexe written with Foster to the enlarged edition of *On Economic Inequality* he affirms that “functionings are robustly heterogeneous” (1997: 203).

In the same vein, he has more recently stated in *Development as Freedom*: “The capabilities perspective is inescapably pluralist (...) To insist that there should be only

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<sup>6</sup> “Many capabilities may be trivial and valueless, while others are substantial and important” (1987b: 108).

homogeneous magnitude that we value is to reduce drastically the range of our evaluative reasoning (...) Heterogeneity of factors that influence individual advantage is a pervasive feature of actual evaluation” (1999b: 76-7). Martha Nussbaum also maintains incommensurability. She speaks about *heterogeneity* and *non commensurability* (e.g., in Nussbaum 1990: 219, 2003: 34).

Summing up the points of agreement, we can affirm that, in effect, we can recognize Aristotelian roots in the capability approach. Nevertheless Sen always tends to remain one step away from Aristotle, trying to avoid particular commitments to a specific content of the good. He prefers to arrive at a list not by a theoretical but by a consensual way. We pass on now to the point of disagreement.

8. Sen does not accept the supposedly Aristotelian conception of a unique objective list of functionings and capabilities.

Given that this is a discussion which begins with Nussbaum’s claims, let us explain briefly what her position is. While for Sen, freedom is the central capability, for Nussbaum the central capabilities are practical reason and affiliation (sociability). For Nussbaum these two capabilities are “architectonical” (a word used by Aristotle to refer to Politics). They suffuse and organize “all the other functions – which will count as truly human functions only in so far as they are done with some degree of guidance from both of these” (Nussbaum 1993: 266). These two elements are a core part of human nature (see specially Nussbaum 1995).

For Nussbaum, the role or proper function of government is “to make available to each and every member of the community the basic necessary conditions of the capability to choose and live a fully good human life, with respect to each of the major human functions included in that fully good life” (Nussbaum 1993: 265). Hence, the task of the government cannot be fulfilled without an understanding of these functionings. According to Nussbaum, capabilities are internal and to be developed or exercised as concrete functionings, they need some external opportunities which she calls external capabilities. The role of government, then, is “deep [good lives of all the people, one by one] and broad [the totality of the functionings needed]” (Nussbaum 1987: 7, 29 and 1990: 209): this role is to provide the external opportunities to all the people, to avoid institutions that could block capabilities and to encourage the people, through education and through the family, to look for internal capabilities (Nussbaum 1987: 20ff.; 1990: 214). “The legislator’s total task will be to train internal capabilities in the young, to maintain those in the adult, and simultaneously to create and preserve the external circumstances in which those developed capabilities can become active” (Nussbaum 1987: 25).

The problem is, again, the possible application of modern concepts to Aristotelian teachings. When Aristotle speaks about education and the role of the *polis* in promoting the flourishing of its citizens, he is not thinking, as Nussbaum expresses it, of an “Aristotelian Social Democracy” (Nussbaum 1990). Not, certainly, he is comparing, as Nussbaum does, this Aristotelian Social Democracy with the Scandinavian Social

Democracies (Nussbaum 1990: 206 and 240-2). Aristotle had neither a “distributive conception” of justice in the modern sense of the expression (1987: 14), nor he had a “political planning” (1987: 33 and 1990: 203), nor an Aristotelian “program” (1990: 228). When Aristotle speaks about the *polis* he is thinking of the whole community, as the environment of self-fulfillment not of modern government. Nussbaum is an excellent Aristotelian scholar. However, she reminds me of two professors of philosophy I have had, who were excellent specialists in their subjects (ethics and practical science), but who cannot speak about political or economic contemporary features, because whenever they did, they intermingled thorough philosophical analysis with ideologically biased ideas. Nussbaum’s “Aristotelian Social Democracy” is not, in fact, Aristotelian. Thus, the reaction of Sen may not be so much against Aristotle as against Nussbaum’s interpretation of Aristotle.

Another characteristic of Nussbaum’s list is that it has to be complete. She affirms: “These ten capabilities (...) all are part of a minimum account of social justice: a society that does not guarantee these to all its citizens, at some appropriate threshold level, falls short of being a fully just society, whatever its level of opulence” (2003: 40; cf. also 1990: 225-6 and 1987: 7). They are necessary for each and every person. They are all of central relevance. (They are not all them, however, basic needs.) This emphasis of Nussbaum on completeness may have to do with her conception of happiness.

There are two main interpretations of the meaning of *eudaimonia* for Aristotle. One interpretation is the inclusive view of happiness promoted by J. L. Ackrill (1980). It holds that happiness is an inclusive end composed by second order ends like capabilities. Happiness is constituted by the addition of these capabilities. The other interpretation is R. Kraut’s (1989) who holds that happiness is a dominant end (the practical life and contemplation –*theoria*–), different from the second order ends, which are sought not only for the sake of themselves but also for the sake of happiness to which they are subordinated. Nussbaum is “inclusivist”. She holds that capabilities are constituent or constitutive of a good life (e.g. Nussbaum 1987: 6 and 7; 1995: 110). In this perspective, all the capabilities are necessary, because if one is absent, happiness would be undermined. A dominant view need not necessarily include all the constituents because the contribution of each capability to happiness could change from person to person, or even could not contribute at all in a particular case. Again, Sen’s reaction concerning lists may be against this strict interpretation of Aristotle’s components of *eudaimonia*, not against Aristotle.<sup>7</sup>

However, I think that the disagreement about lists is still a matter of principle. I will maintain that Sen and Nussbaum are very close on this point in the facts, but not in some principles (I do not want to suggest, however, that matters of principle were minor problems).

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<sup>7</sup> The idea of constitutive capabilities has also pass to Sen, who speaks of a “constitutive plurality” (1987: 2), or of “functions constitutive of a person’s being” (1992: 39 and 40), or of the “assessment of constituent elements” (1993: 37).

Nussbaum affirms that “Sen needs to be more radical than he has been so far in his criticism of the utilitarian accounts of well-being, by introducing an objective normative account of human functioning and by describing a procedure of objective evaluation by which functionings can be assessed for their contribution to the good human life” (Nussbaum 1987: 40 and 1988: 176).

Notwithstanding, we have to “moderate” this affirmation. First, although Nussbaum criticizes Sen for his vacuous notion of the good, and although she affirms that “Aristotle believes that there is just one list of functionings that do in fact constitute human good living” (Nussbaum 1987: 10),<sup>8</sup> she also holds a “thick vague conception of the good,”<sup>9</sup> and proposes a rational debate about shared experiences to progress in the determination of the central capabilities (Nussbaum 1993: [3] and 1995a *passim*).<sup>10</sup> This apparent particularism does not undermine objectivity, Nussbaum argues (1993: 25). It is the work of practical reason.

Second, although Nussbaum proposes lists of central human capabilities<sup>11</sup>, she always qualifies it by saying that she considers “the list as open-ended and subject to ongoing revision and rethinking” (2003: 42), or “just a list of suggestions, closed related to Aristotle’s list of common experiences” (1993: 265).

Thus, on the one hand, the list of Nussbaum is an open-ended suggestion. On the other hand, Sen’s reluctance towards a unique list of functionings for a good human life has also to be “moderated” (Sen 1993: 47; 2004: 77). This particular list, the Aristotelian list presented by Nussbaum, Sen has affirmed, may be tremendously overspecified. Sen, however, does not discard the possibility of “a universal set of ‘comprehensive’ objectives shared by all” (1995: 269). He only evades the topic as one that is unnecessary to define in order to arrive to a comparison of capabilities (1995: 269).

Sen is not against lists. Moreover, Sen thinks that we need lists. He affirms: “there can be substantial debates on the particular functionings that should be included in the list of important achievements and the corresponding capabilities. This valuational issue is inescapable” (1999b: 75). More recently he has affirmed that “the problem is not with listing important capabilities, but with insisting on one predetermined canonical list of capabilities, chosen by theorists without any general social discussion or public reasoning. To have such a fixed list, emanating entirely from pure theory, is to deny the possibility of fruitful public participation on what should be included and why” (2004a: 77).

In different writings, Sen has defended particular functionings or capabilities as necessary or basic. In *Development and Freedom* and in a more recent article, “Elements of a

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<sup>8</sup> To speak of an Aristotelian list is only a way of saying. Aristotle never proposes complete lists. Or as even Nussbaum says (1990: 19), Aristotle’s lists are always open lists. For example, his list of the virtues and even his list of the categories of being are provisory lists.

<sup>9</sup> Nussbaum 1990: 205, 217 –an outline sketch–, 234 and 237.

<sup>10</sup> See the criticisms to this method by Alkire and Black 1997: 265.

<sup>11</sup> Nussbaum 1990: 219-225; 1992: 216-220; 1993: 263-265; 1995b: 76-79; 2000: 78-80; 2003a: 41-42; 2006: 392-401.

Theory of Human Rights” (2004b), he ask where these rights come from. He says that they are primarily ethical demands that may go beyond legislation (2004b: 319). He asserts their universality (2004b: 320), that they have an inescapable non-parochial nature, and that they are meant to apply to all human beings (2004b: 349).

In 1995, David Crocker did an interesting work, by comparing the list of capabilities of Nussbaum with the capabilities that Sen has sustained as basic or necessary in various places.<sup>12</sup> Only a few capabilities of Nussbaum are not considered by Sen: for example, ‘being able to have opportunities for sexual satisfaction’, ‘being able to live with concern for and in relation to animals, plants, and the world of nature’ and ‘being able to laugh, to play, to enjoy recreational activities’.<sup>13</sup>

In sum, in fact there is not an insurmountable distance between Nussbaum’s list and Sen’s capabilities. The difference was, when Nussbaum and Sen interacted, in the source of these capabilities. While for Nussbaum this was human nature, Sen did not dare to affirm the existence of a particular human nature (1993: 47). He prefers to arrive at a list by democratic participation. The functionings and capabilities that he asserts as basic, however, were not voted on but simply asserted as evident. And at the end, the list is rather the same. Thus, Sen’s different with Nussbaum on this point somewhat vanishes.

Aristotle’s response to the topic of lists would be that there are some features of the human being that are natural and thus constant, and that the remaining characteristics would have to be ascertained or defined by practical reason and agreed by the mutual consent. Those “anthropological constants” that Aristotle would maintain are the human capacity of theoretical and practical knowledge and reasoning, the social (political) character of the human being, and his function (or *ergon*): to live in agreement with reason a life of virtues in order to contemplation.

Finally, I would like to add that in Sen’s capability approach can also be found elements from other thinkers such as Adam Smith, Karl Marx and John Rawls. And although the capability approach entails a critique of the welfarist and the utilitarian theories, some scholars “accuse” Sen of committing to a certain degree of utilitarianism (see Anderson 2005).

In this way, we have dealt with the first problem or criticism mentioned in the Section 3 of this paper, the topic of lists. The discussion could have been everlasting for there is a huge literature on this topic that could have been considered. Some of the contenders are more inclined to a natural rights position, thus looking for objective natural capacities a la Nussbaum. Other contenders are more inclined to a procedural system a la Sen. I would say that Aristotle would be between those contenders. This is enough for the aims of this paper. Concerning Sen’s position, I think that, evidently, it would gain strength if Sen

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<sup>12</sup> For example, in *Development as Freedom* he claims for these capacities: nourishment (1999b: 19 and Chapter 7), health (19), surviving from mortality (21 and Sen 1998b), tradition and culture (31), employment (94), political participation (16, 31 and Chapter 6), literacy (19).

<sup>13</sup> These capabilities are not considered by Aristotle.

were to argue systematically, under the roof of a possible substantive theory of the good, for the capabilities that he maintains in scattered places.

Now, we have to deal with the other three problems/criticisms of Sen's CA, the problem of heterogeneity and measurement, the problem of the no operational character of the CA, and the supposedly under-elaborated and overextended concept of freedom.

## **5. Heterogeneity and Measurement**

I have introduced the problem in Sections 3 (problem 2) and 4 (agreement 7). In short, capabilities are heterogeneous or non-homogeneous. There is not a common measure (incommensurability) to evaluate them. But we have to make decisions that involve choosing definite proportions of each capability, both at the personal and at the social levels. If that were impossible, the CA would be totally inoperative. Sen remarks that one question is the identification of the objects of value and another is the question of their different relative values, which calls for a further evaluative exercise (Sen 1993: 33).

The difficulties of this exercise are clear: The evaluation of the capability set may be based on the assessment of the particular  $n$ -tuple chosen from that set. But, in the first place, we are not merely interested in examining 'well-being achievement', but also 'well-being freedom'. Wulf Gaertner sees the problem entailed in this: "Sen argues that a capability set should not be evaluated according to the set of real achievements of a person ("well-being achievement") but according to the set of real opportunities ('well-being freedom'). How can one define the set of real opportunities? This question is not an easy one" (Gaertner 1993: 64). He adds: "The evaluative process may be less complicated when the rights aspect in well-being freedom is considered. It seems to me that there is a direct relationship between well-being freedom and a particular society's bill of rights or, formulated more cautiously, a society's list of guaranteed –that is, actually protected– fundamental human rights (...) The situation again becomes more complicated when interdependencies are brought into the picture" (Gaertner 1993: 65). A list of human rights is evidently a help; but it has more to do with the specification of capabilities than with their evaluation. There are, of course, some basic needs that act as a floor without which nothing could be built. But then, we need a harmonization of the other capabilities in order to successfully build the house.

In the second place, we want to go beyond the evaluation of well-being freedom and to evaluate agency freedom. As Sen puts it: "The assessment of the elements in a range of choice has to be linked to the evaluation of the freedom to choose among that range" (1993: 35). Evaluation of well-being achievement is evaluation of the constituent elements of the person's being. "The different functionings of the person will make up these constituent elements" (1993: 36). But "the assessment of agency success is a broader exercise than the evaluation of well-being (1993: 37) and "there are many formal problems in the evaluation of freedom and the relationship between freedom and achievement" (1993: 38-40).

Once we have defined the different weights that we are going to assign to each capability, the problem of evaluation is only technical and informational and would be (imperfectly) overcome by various means (statistics, surveys, etc.).<sup>14</sup> But the real problem is still the definition of these weights. “The focus has to be related to the underlying concerns and values, in terms of which some definable functionings may be important and others quite trivial and negligible” (Sen 1993: 32). “The capability approach is concerned primarily with the identification of value-objects, and sees the evaluative space in terms of functionings and capabilities to function. This is, of course, itself a deeply evaluative exercise” (Sen 1993: 32-3).

The CA aims at ends that are values in themselves and that are looked for the achievement of the kind of life chosen. “It also makes room for valuing various freedoms –in the form of capabilities. On the other side, the approach does not attach directly –as opposed to derivative– importance to the *means* of living or *means* of freedom (e.g. real income, wealth, opulence, primary goods, or resources), as some other approaches do. These variables are not part of the evaluative space, though they can indirectly influence the evaluation through their effects on variables included in that space” (Sen 1993: 33). Hence, these easier measurable variables are not the variables that we are ultimately looking for. They are a part –an important part– and they can and must illustrate decisions, but they are not the final criteria of decision.

The answer of Sen to this problem of evaluation leads us to the field of practical reason, a classically Aristotelian field. Sen maintains in *Freedom as Development*: “it is of course crucial to ask, in any evaluative exercise of this kind [partial orderings extended by specifying possible weights], how the weights are to be selected.<sup>15</sup> This judgmental exercise can be resolved only through reasoned evaluation. For a particular person, who is making his or her own judgments, the selection of weights will require reflection, rather than any interpersonal agreement (or consensus).<sup>16</sup> However, in arriving at an “agreed” range for *social evaluation* (...), there has to be some kind of rational “consensus” on weights, or at least on a range of weights. This is a “social choice” exercise and it requires public discussion and a democratic understanding and acceptance” (Sen 1999b: 78-9).

One could think that this is too vague. Yes, it is vague. But as Sen insists there is no a “magic formula” (1999b: 79 and 1999a: 32). “There is no ‘royal road’ to geometry,” Sen quotes from Euclid, and he adds: “It is not clear that there is any royal road to evaluation of economic or social policies either” (Sen 1999b: 85). Where subjectivity, ambiguity and fuzziness reign it is impossible to look for complete orderings and exactness: “this may be called the ‘fundamental reason for incompleteness’,” we have quoted from Sen (1992:

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<sup>14</sup> About the information and interpretation problems, see Sen 1999a: 26-32.

<sup>15</sup> Sen develops the issue of how to do partial orderings and to try to complete them in many writings. The complete order, he maintains, habitually is not necessary and it is a special case within the general case of partial orderings. See, e.g., 1981: 205; 1985: 198-9; 1997: Annexe; 1999a: 22-32 and *passim*.

<sup>16</sup> In Foster and Sen 1997 they employ the word reasonable which is typical in the realm of practical reason: “How are the weights to be selected? This is a judgmental exercise, and it can be resolved only through reasoned evaluation. In making personal judgments, the selection of the weights will be done by a person in the way she thinks is reasonable” (Foster and Sen 205).

49). Or as we have said with Aristotle, exactness is not rigor in the human realm (*Nicomachean Ethics* I, 3 and II, 2). This character of the human affairs is usually affirmed by Aristotle. The quotations often cited by Sen of the *Nicomachean Ethics* (I, 7) speak about “an outline of the good; for we must presumably first sketch (*anagrapσαι*) it roughly, and then later fill in the details” (see the whole chapter in Appendix II, 1). Another typical quotation of Aristotle on this topic is the case of Milo, the wrestler, who, according to Aristotle, was a prudent man eating 6 kg of meat and drinking 6 liters of wine each day because that was the measure proportionate to him (*NE* II, 6, 1106b 5). That is, in the practical realm things are relative to the agents, without being relativistic. And thus we only achieve approximate knowledge. But usually we do not need more than this for the practical things.<sup>17</sup>

I think that Sen is sensible when he affirms that “It is not so much a question of holding a referendum on the values to be used, but the need to make sure that the weights –or ranges of weights– used remain open to criticism and chastisement, and nevertheless enjoy reasonable public acceptance. Openness to critical scrutiny, combined with – explicit or tacit– public consent, is a central requirement of non-arbitrariness of valuation in a democratic society” (Foster and Sen 1997: 206). It is not necessary to call referenda for every decision. There are some constitutional values, a lot of laws generally yet accepted, and the work of the executive and legislative powers that should be exerted conscientiously.<sup>18</sup> One may wonder, however, whether this view of democracy is not a little bit naïve (cf. Anderson 2003: 251-2 and Nussbaum 2003: 48). Democracy needs a starting point of shared pre-democratic values. Some of them are expressed in the different Constitutions. Others, such as honesty, fairness, trust, or responsibility, are ethical virtues.

Sen, although he criticizes Utilitarian commensurability, continues maintaining that maximization –a method that implies commensuration– is the common structure of all human action: “a person can accommodate different types of objectives and values within the maximizing framework” (2002: 37). We should clarify that Sen’s concept of maximization differs from the one habitually used in economics. For him, maximization does not require completeness of preferences (which is the case in his proposed concept of optimization; cf. Sen 1997: 746 and 763). According to Sen, maximization is like Simon’s concept of satisfying (Sen 1997: 768). Sen relies on Debreu’s *Theory of Value* to so define these notions (Debreu [1959] 1973: 10). The relaxation of the requirement of completeness transforms commensuration in comparison. Notwithstanding the spirit is still quantitative. Elizabeth Anderson argues that he should completely abandon the utilitarian framework and concentrate on notions such as *identity*, *collective agency* and *reasons for actions* (2001: 37). Sen answered that these motivations may be introduced in the maximization logic (2001: 57). Anderson answered again in a critical note of Sen’s *Rationality and Freedom* (2005). However, concerning this point, a tension can be observed in Sen. He admits that the maximization approach is limited as a characteristic of rationality:

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<sup>17</sup> This is a point often made by Keynes in his *Treatise on Probability* (1973).

<sup>18</sup> On this processes, see Davis and Marin 2007.

“We must also recognize that maximizing behaviour is at most a necessary condition for rationality and can hardly be sufficient for it. Reason has its use not only in the pursuit of a given set of objectives and values, but also in scrutinizing the objectives and values themselves. Maximizing behaviour can sometimes be patently stupid and lacking in reasoned assessment, depending on what is being maximized. Rationality cannot be just an instrumental requirement for the pursuit of some given – and unscrutinized – set of objectives and values” (2002: 39).

That is, we need to know how to scrutinize a set of objectives and values, i.e., of human ends. If maximization is not the way to do it, because human ends and values are dimensions that are beyond quantity, how are we then to do it? Maximization has a place in the realm of instrumental rationality whose problem is how to allocate means to achieve ends most efficiently. But maximization has no place within the realm of practical rationality in which the problem is to harmonize and rank qualitatively heterogeneous ends or capabilities in the personal and social realms. We need, as Alkire (2002: 88) affirms, to approach ‘substantive and valuational judgments’.

In the last instance, after trying to do –imperfectly– quantitative comparisons, we finally will have to do a qualitative appraisal –introducing a concept of “practical comparability” as the way to overcome the problems of incommensurability.<sup>19</sup> This is no more than practical reasoning assessing and comparing.

The difference between economists’ practices and what capabilities approaches would look for is not in method but in economists often not taking into account a solid concern with “integral human fulfilment” (Alkire 2002: 107). However, the process is similar: a prudential decision that considers theoretical and quantitative inputs.<sup>20</sup> This vision coincides with Alkire’s view on how to evaluate decisions in which a comparison among different possible projects to assist by an NGO is needed. She states (Alkire 2002: 285):

“An assessor who was comparing two activities aimed at capability expansion could base his or her decision on the following information: 1. a social cost-benefit analysis, which accounts for all economic costs and benefits that can be accurately estimated; 2. the description of positive and negative changes in valued functionings from the holistic impact exercise (...); 3. the ranking values of the most significant functionings and their associated dimensions of value, which identify the relative strength of the impact in the eyes of the beneficiaries (...); 4. qualitative ranking values of these impacts by facilitators; 5. the degree and kind of ‘participation’ and self-direction exercised in the activity; 6. further information from standard assessment tools and activity history (...)”

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<sup>19</sup> I have proposed to call in this way the process of comparing by practical reason in Crespo (2007). This paper also contains an explanation of Aristotle’s idea about incommensurability and how to overcome it.

<sup>20</sup> I think that stressing this may be a way to overcome the suspicions of professional economists about the capabilities approaches: what these approaches propose is to do what they actually do with an eye attentively placed on a superior end. It is not mainly a matter of refining techniques, but of incorporating more sound concerns.

At the same time, she warns against not taking into account the different dimensions involved in the decision. She looks for a harmonious set of purposes and orientations. She recognises, however, that a decision has to be made and it could not be the best: “Heroic specification is required” (Alkire 2002: 77). Nevertheless, “[i]n the spirit of the capability approach”, she adds, “the assumptions on the basis of which this specification takes place should be collaborative, visible, defensible, and revisable” (Alkire, *ibid.*).

If economics –as in the capabilities approaches– decides to deal with ends, it will have to adopt practical rationality enlightened by technical rationality. This decision –dealing with ends– is a legitimate one. It should however be taken into account that by this decision, economics is blurring its limits with other social sciences such as ethics and politics. However, one may wonder whether this decision would not be a realistic one. The distinction between standard economics as a science –which involves only technical rationality– and economic decisions –which involves both rationalities– is analytically possible. But the step between the science and the practice is actually extremely short. According to Aristotle, Politics is the science that must determine the content of what today we would call a social policy. This is mentioned with approval by Sen (1987a: 3-4; 1992: 39 and 91). Aristotle states in *Nicomachean Ethics* (I, 2):

“If, then, there is some end of the things we do, which we desire for its own sake (everything else being desired for the sake of this), and if we do not choose everything for the sake of something else (for at that rate the process would go on to infinity, so that our desire would be empty and vain), clearly this must be the good and the chief good. Will not the knowledge of it, then, have a great influence on life? (...) If so, we must try, in outline at least, to determine what it is, and of which of the sciences or capacities it is the object. It would seem to belong to the most authoritative art and that which is most truly the master art. And politics appears to be of this nature; for it is this that ordains which of the sciences should be studied in a state, and which each class of citizens should learn and up to what point they should learn them; and we see even the most highly esteemed of capacities to fall under this, e.g. strategy, economics, rhetoric; now, since politics uses the rest of the sciences, and since, again, it legislates as to what we are to do and what we are to abstain from, the end of this science must include those of the others, so that this end must be the good for man.”

Summing up, I dare to affirm that Sen’s answer to the point on how to compare and decide in the space of heterogeneous capabilities would be Aristotle’s answer. Apart from the technical problems, the deep question is how to harmonize those non commensurable ends. This is the turn of practical reason. It supposes a personal examination (that takes into account the concerns and aims of other people) at the personal level. And it supposes a political procedure to decide at the social level. This is the point where economics flows into political philosophy, and cannot continue its work without this philosophical assistance. The economist, however, needs more information from the political philosopher than just say that capabilities are incommensurable. We overcome incommensurability by practical reasoning. But, how could we overcome the vagueness of practical reasoning itself?

## 6. The no operational character of the CA: A “theory” of practical reason

I have signaled the concern among scholars about the operability of Sen’s CA. In this paper I have provided several arguments for this lack of operational character. They might be summarized in terms of the inexact or “vague” character of practical reason, the capacity that lies behind the whole CA (on the central role of practical reason see Nussbaum 1987: 47 and 1995a).<sup>21</sup>

In *Politics* II, 6, Aristotle complains about the vague character of Plato’s criterion for determination of the ideal amount of property in the cities: an amount “sufficient for a good life: this is too general” [*kathólou mallon*]. Thus Aristotle wonders “whether it is not better to determine it in a different –that is to say, a more definite– way than Plato” (*Politics* II 6 1265a 28-32).

In *Nicomachean Ethics* I, 7, Aristotle introduces the “*ergon* argument” also by complaining: “Presumably, however, to say that happiness is the chief good seems a platitude, and a clearer account of what it is is still desired” (1097b 22-24). That is, Aristotle is conscious of the need of a more specific definition of the goods that are to be sought and of happiness.

In this section, in line with the previous quotations, I try to offer a definition of the specific goods that government should provide to the citizens. It is a task similar to Nussbaum’s (1987, 1990, 1993, 1995a, 1995b, 2003, 2006) and other scholars that develop lists. I will carry this task on relying on Aristotle’s ideas. Economists are not used to thinking in terms of practical reasoning. We should accordingly provide them with concrete guidance. We need a kind of “theory” of practical reason. We should avoid, however, falling into an over-specification as criticized by Sen (1993: 46-47).

### 6. 1. To look for the Good Life

For Aristotle, it is clear that the good of man is the same of the good of the *polis*. This good is to achieve the Good Life that drives to happiness (e.g., “the best way of life, for individuals severally as well as for states collectively, is the life of goodness”, *Politics* VII, 1, 1323b 40-41; cf. *Politics* VII, 2, 1323a 5-8 -the felicity of the state is the same of the felicity of the individual-; *NE* I, 2, 1094b 7-8).

“The polis,” Aristotle says, “is an association [*koinonía*] of freemen” (*Politics* III, 6, 1279a 16). What is the end of this association? He answers:

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<sup>21</sup> In this paper I suppose that practical reason is human reason itself in the task of directing persons towards decision, choice and action. It tries to answer the question “how should I behave?”, “or what ought I to do?” Hence, practical reasoning is discursive or inferential thinking about what we should do: it relates reasons and appraises the alternative means to attaining them. Practical philosophy or science is a discipline and critical reflection on practical reasoning, its process and its goals.

“It is clear, therefore, that a polis is not an association for residence on a common site, or for the sake of preventing mutual injustice and easing exchange. These are indeed conditions which must be present before a polis can exist; but the existence of all these conditions is not enough, in itself, to constitute a polis. What constitutes a polis is an association of households and clans in a good life [*eû zên*], for the sake of attaining a perfect [*zoês teléas*] and self-sufficing existence [*autárkous*] (...). The end [*télos*] and purpose of a polis is the good life, and the institutions of social life are means to that end. A polis is constituted by the association of families and villages in a perfect and self-sufficing existence; and such an existence, on our definition, consists in a life of true felicity and goodness [*tò zên eudaimónos kai kalôs*]. It is therefore for the sake of good actions [*kalôn práxeon*], and not for the sake of social life, that political associations [*politikèn koinonían*] must be considered to exist (*Politics* III, 9, 1280b 29-35 and 1280b 39 - 1281a 4). Thus, “the polis which is morally the best is the polis which is happy and ‘does well’ [*práttousan kalôs*]” (*Politics* VII, 1, 1323b 30-1)<sup>22</sup>.

Consequently, the tasks of the political community and of the related science –Politics–, the political organization and of the authorities of a society, are to induce and to facilitate the good actions that allow all the citizens to live this life of true happiness and goodness. Three quotations on this task might be considered:

“political science spends most of its pains on making the citizens to be of a certain character, viz. good and capable of noble acts” (*NE* I, 9, 1099b 30-31). To have a character good and capable of noble acts is to be virtuous.

“There is one thing clear about the best constitution: it must be a political organization which will enable all sorts of men [e.g. the ‘contemplative’ as well as the ‘practical’]<sup>23</sup> to be at their best and live happily [*árista práttoi kai zóe makaríos*]” (*Politics* VII, 2, 1324a 23-25; quoted also by Nussbaum 1987: 2).

“The true end which good law-givers should keep in view, for any state or stock or society with which they may be concerned, is the enjoyment of partnership in a good life and the felicity [*zoês agathês ... kai ... eudaimonías*] thereby attainable” (*Politics* VII, 2, 1325a 7-10; quoted also by Nussbaum 1987: 3).

These last two quotations lead Nussbaum to affirm, as yet cited, that “the task of political arrangement is both broad and deep” (1987: 6; 1990: 209). In effect, *Politics* according to Aristotle is concerned with the **happiness of all sorts of men**. This is a definition that goes beyond the usual scope of today political conceptions.<sup>24</sup> It is clear and relevant, but it is still too general. We need to provide greater specification for the economist.

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<sup>22</sup> In the original it is *state* instead of *polis*. I will not replace this term again in the following quotations, but I think that the word “state” have modern connotations that are not present in the original Greek “polis”. In this paper I use the expression “political community” or simply the Greek term “city”.

<sup>23</sup> Square brackets in the original are by Barker. If not specified, other square brackets are mine.

<sup>24</sup> A vast majority of today political conceptions does not embrace a theory of the good; they are mainly procedural.

## 6.2. The external goods needed for a Good Life

For Aristotle, happiness needs a basis upon which it can be built; happiness needs “external goods” (*NE* I, 8, 1099a 31-32). He affirms in the *Politics* that “it is impossible to live well, or indeed to live at all, unless the necessary [property] conditions are present” (*Politics* I, 4, 1253b 24-25). “We have to remember, he also affirms, that a certain amount of equipment is necessary for the good life” (*Politics* VII, 8, 1331b 39-40).

These external goods have to be in harmony with the goods of the body and the goods of the soul: “all of these different ‘goods’ should belong to the happy man” (VII, 1, 1323a 26-27)<sup>25</sup>. But, Aristotle adds, “felicity belongs more to those who have cultivated their character and mind to the uttermost, and kept acquisition of external goods within moderate limits” (VII, 1, 1323b 1-3). In this way “the best way of life, for individuals severally as well as for states collectively, is the life of goodness duly equipped with such a store of requisites [i.e., of external goods and of goods of the body] as makes it possible to share in the activities of goodness” (*Politics* VII, 1, 1323b 40 – 1324a 1)<sup>26</sup>.

Although the goods of the soul should be more appreciated than the others, this is an “ontological” priority. The temporal priority is the inverse: “children’s bodies should be given attention before their souls; and the appetites should be the next part of them to be regulated. But the regulation of their appetites should be intended for the benefit of their minds –just as the attention given to their bodies should be intended for the benefit of their souls” (*Politics* VII, 15, 1334b 25-28). First, we need to have a body healthy and satisfied, then, we have to put our appetites in order, and, finally, we need the goods of the soul.

Even the man who lives a theoretical life needs external goods: “Happiness, therefore, must be some form of contemplation. But, being a man, one will also need external prosperity; for our nature is not self-sufficient for the purpose of contemplation, but our body also must be healthy and must have food and other attention” (*NE* X, 8, 1178b 34-35).

What are the goods that we, members of a city, need and that the city must have or provide? “The first thing to be provided is food. The next is arts and crafts; for life is a business which needs many tools. The third is arms: the members of a state must bear arms in person, partly in order to maintain authority and repress disobedience, and partly in order to meet any thread of external aggression. The fourth thing which has to be provided is a certain supply of property, alike for domestic use and for military purposes. The fifth (but in order of merit, the first) is an establishment for the service of the gods, or

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<sup>25</sup> Barker adds the following insightful note on happiness: “The word ‘happy’ fails to give a just idea of the Greek. The word which Aristotle uses here (*makarios*) is perhaps even stronger than a similar word which he uses more frequently (*eudaimôn*); but both words signify the supreme happiness which is of the nature of what we may call ‘felicity’ –the happiness springing from a full excellence (*arête*) of ‘mind, body and estate’, without which it cannot exist (p. 280).”

<sup>26</sup> Square brackets in the original are by Barker.

as it is called, public worship. The sixth thing, and the most vitally necessary, is a method of deciding what is demanded by the public interest and what is just in men's private dealings. These are the services which every state may be said to need" (*Politics* VII, 8, 1328b 5-16).

Food is basic for Aristotle: "none of the citizens should go in need of subsistence" [*trophês*: food] (*Politics* VII, 10, 1130a 2). He proposed a system of common meals funded by different contributions depending on the wealth of the different citizens. He also emphasizes the relevance of water: "this [provision of good water] is a matter which ought not to be treated lightly. The elements we use the most and oftenest for the support of our bodies contribute most to their health; and water and air have both an effect of this nature" (*Politics* VII, 11, 1330b 10-14).

For Aristotle, the best form of political regime "is one where power is vested in the middle class" (*Politics* IV, 11, 1295b 34-35). Thus, "it is therefore the greatest of blessings for a state that its members should possess a moderate and adequate property" (id., 1295b 39-40).

Aristotle, however, is against an "over-assistance" of people: "the policy nowadays followed by demagogues should be avoided. It is their habit to distribute any surplus among the people; and the people, in the act of taking, ask for the same again. To help the poor in this way is to fill a leaky jar... Yet it is the duty of a genuine democrat to see to it that the masses are not excessively poor. Poverty is the cause of the defects of democracy. That is the reason why measures should be taken to ensure a permanent level of prosperity. This is in the interest of all the classes, including the prosperous themselves (...) The ideal method of distribution, if a sufficient fund can be accumulated, is to make such grants sufficient for the purchase of a plot of land: failing that, they should be large enough to start men in commerce or agriculture. Notables who are men of feeling and good sense may also undertake the duty of helping the poor to find occupations –each taking charge of a group, and each giving a grant to enable the members of his group to make a start" (*Politics* VI, 5, 1320a 30 – 1320b 9).

According to Aristotle, external goods are needed to achieve happiness, but these external goods are not themselves happiness. "Clearly if we were to keep pace with his fortunes, we should often call the same man happy and again wretched, making the happy man out to be 'a chameleon, and insecurely based'. Or is this keeping pace with his fortunes quite wrong? Success or failure in life does not depend on these, but human life, as we said, need these mere addition, while virtuous activities or their opposites are what determine<sup>27</sup> happiness or their reverse" (*NE* I, 10, 1100b 9-10).

### **6.3. Other requirements for a Good Life: Institutions, Law and Education**

Elsewhere (Crespo 2007: 376) I have explained the classical Aristotelian distinction between a) ends that can be considered only as means, only pursued for the sake of something else (first-order or instrumental ends), b) ends that are desirable in themselves

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<sup>27</sup> "Constitute" in Ross' translation.

and also pursued for the sake of the final end (second-order ends), and c) ends which are only desirable in themselves (third-order or final ends: usually known as “happiness”). There I provided the following example: we study for an exam (i.e. a means to an instrumental end) in order to achieve graduation (a second-order end), in order to be happy (a final end) according to our plan of life (designed by practical reason). Practical rationality harmonizes the complex set of second-order ends in order to achieve a plan that will make us happy. But this does not engender specific indications for the economists, because the conclusions of practical rationality are inexact and ambiguous, relative to each person.

What are, according to Aristotle the second-order ends that contribute to a happy life? In the *Nicomachean Ethics* he mentions honour, wisdom and pleasure (I, 6, 1096b), and then he adds reason (*noûn*) and every virtue (I, 7, 1097b 2). In the *Rhetoric* he lists “good birth, plenty of friends, good friends, wealth, good children, plenty of children, a happy old age, also such bodily excellences as health, beauty, strength, large stature, athletic powers, together with fame, honour, good luck, and virtue”( *Rhetoric* I, 5, 1360b 19 ff). Does this mean that a person of, e.g., a short stature cannot be happy? No, this list is a list of the things that may contribute to happiness, not a list of necessary constituents of it. What determines happiness is virtue: as “virtuous activities or their opposites are what determine happiness or their reverse” (*NE* I, 10, 1100b 9-10).

The virtuous man, the man who rightly exercises his practical reason, knows how to combine the elements that are at hand, even when something is lacking, in order to be happy. Therefore practical reason and virtue are the keys of happiness. The *polis* has the aim of achieving happiness of the citizens. Also , “The true end which good law-givers should keep in view, for any state or stock or society with which they may be concerned, is the enjoyment of partnership in a good life and the felicity (*zoês agathês ... kai ... eudaimonías*] thereby attainable” (*Politics* VII, 2, 1325a 7-10). Thus, those law-givers have to worry about the development of virtue of the citizens. In the *Nicomachean Ethics* he affirms: “legislators make the citizens good by forming habits in them, and this is the wish of every legislator, and those who do not effect it miss their mark, and it is in this that a good constitution differs from a bad one” (II, 1, 1103b 3-6).

For Aristotle, law-givers have two indirect ways of fostering citizen’s virtues: education and law. Virtues, law and education constitute a virtuous circle that makes people happy, that ensure the achievement of themselves –law, education and virtue– and the stability of the political regime. Laws are obeyed by virtuous people. People are not virtuous if they have not been educated since their youth; but education has to be supported by laws.

“The law bids us practice every virtue and forbids us to practice every vice. And the things that tend to produce virtue taken as a whole are those of the acts prescribed by the law which have been prescribed with a view to education for the common good” (*NE* V, 2, 1130b 23-27).

It seems that laws have priority. But virtue is necessary to enact good laws.

“Now some think that we are made good by nature, others by habituation, others by teaching. Nature's part evidently does not depend on us, (...); while argument and teaching, we may suspect, are not powerful with all men, but the soul of the student must first have been cultivated by means of habits for noble joy and noble hatred, like earth which is to nourish the seed (...) But it is difficult to get from youth up a right training for virtue if one has not been brought up under right laws; for to live temperately and hardily is not pleasant to most people, especially when they are young. For this reason their nurture and occupations should be fixed by law; for they will not be painful when they have become customary. But it is surely not enough that when they are young they should get the right nurture and attention; since they must, even when they are grown up, practise and be habituated to them, we shall need laws for this as well, and generally speaking to cover the whole of life; for most people obey necessity rather than argument, and punishments rather than the sense of what is noble. This is why some think that legislators ought to stimulate men to virtue and urge them forward by the motive of the noble, on the assumption that those who have been well advanced by the formation of habits will attend to such influences; and that punishments and penalties should be imposed on those who disobey and are of inferior nature, while the incurably bad should be completely banished. (...) the law has compulsive power, while it is at the same time a rule proceeding from a sort of practical wisdom and reason” (*NE X*, 9, 1179b 20 - 1180a. 22).

Aristotle also discusses whether education has to be public or private. For him private education “has an advantage over public, as private medical treatment has; for while in general rest and abstinence from food are good for a man in a fever, for a particular man they may not be; and a boxer presumably does not prescribe the same style of fighting to all his pupils. It would seem, then, that the detail is worked out with more precision if the control is private; for each person is more likely to get what suits his case” (*NE X*, 9, 1180b 7-12).

Nevertheless, for Aristotle, the legislator must be concerned with education; parents must try to educate their children when the city does not do it and also the reverse. He also describes the contents of a good education: reading and writing, drawing, gymnastic, music, relating these disciplines with the development of virtues (*Politics VIII*, 3 and ff.). He even proposes different stages (five) with specific contents and aims of the education of children (*Politics VII*, 17).

Political institutions are designed for achieve the happiness of the people. “The end and purpose of a polis is the good life, and the institutions of social life are means to that end” (*Politics III*, 9 1280b 39-40). Aristotle extensively develops the different ways of electing assemblies, magistracies, courts and the participation of people in it (*Politics IV*, 14 and ff.). These institutions can be called into account by the citizens (*Politics VI*, 4, 1318b 29).

The way of preserving these institutions is by education: “The greatest, however, of all the means we have mentioned for ensuring the stability of constitutions –but one that nowadays is generally neglected– is the education of citizens in the spirit of their

constitution. There is no profit of the best of laws, even when they are sanctioned by general civic consent, if the citizens themselves have not been attuned, by the force of habit and the influence of teaching, to the right constitutional temper” (*Politics* V, 9, 1310a 12-18). Friendship and unanimity (concord –*omónoia*–) also hold cities united (NE VIII, 1, 1155a 22-26; IX, 6, 1167b 2).

Summing up, law and education foster the development of virtues and a life of virtues produces happiness, which is the aim of the political community.

#### **6.4. The Aristotelian role of a government**

I have examined Aristotle’s definition of the goods –external and internal– that are necessary for the Good Life that makes us happy. For him, this life is only possible for us within the city. The list of goods can help us to comply with the objective of this section, and offer a definition of the specific goods that the government should provide the citizens. What will follow is not an “Aristotelian economic policy” or an “Aristotelian political program”, but only a few “principles” that I think stem from Aristotle’s ideas here presented.

According to these ideas:

- i. The best political regime is an egalitarian one, “a general system of liberty based on equality” (*Politics* VI, 2, 1317b 16-17); thus, government should concern itself with maintaining a certain equality, but not through confiscatory measures; “the magistrate (...) is the guardian of justice, and, if of justice, then of equality also” (NE V, 6, 1134b 1). People have to participate in some way in Politics.
- ii. Specifically, an Aristotelian policy would not distribute funds directly to people with the exception of funds that serve to start jobs;
- iii. Thus, a great concern of government should be to avoid unemployment, and promote business and exchange;
- iv. In extreme cases, the government should provide food;
- v. The government should also worry about the health of the population and about some necessary conditions for health (as good water and unpolluted air);
- vi. Education is another great field of concern of the government, providing the institutions and necessary funds for it, whether it were public or private;
- vii. Another great field of concern of government is the provision and execution of good laws and courts also providing the institutions and necessary funds;
- viii. Government should foster all kind of intermediate organizations that promote family, education, friendship, care of children and of old people, creation of work, sports, arts, religion, charity and, specially, virtues of all kinds;
- ix. When there are no institutions to defend children and old people the government has to undertake this care.

These are only general principles. Each government of every society should look for the best specific means to comply with them in order to allow for the happiest possible life of its citizens. The citizens must take advantage of these means in order to perform the functionings that make them happy. Now, we have a more operative set of principles that will help the economist to design its policy programs.

The approach of this section has been normative. It is interesting to briefly add that positive conclusions of the literature on economics and happiness are greatly in coincidence with these Aristotelian principles. According to this literature, once basic needs are met, things as family relations, community and friends, personal freedom and personal values, health and work highly influence on people's happiness (cf. Layard 2005: 63 and *passim*).

### **7. A weak notion of freedom?**

The fourth criticism under analysis is Sen's individualism or liberalism, together with an under-elaborated and overextended notion of freedom (see, e.g., Gasper and Irene van Steveren 2003, Nussbaum 2003). The central idea of the criticism is well expressed by Deneulin: "Freedom is not the only good to promote, but one among others" (Deneulin 2002: 506).

Authors as Nussbaum, Gasper and van Staveren, have seen with fear and suspicion the recent emphasis of Sen on freedom, especially in *Development as Freedom*, a book of massive divulgation. Sen was always worried about poverty and inequality and now, they complain, he has abandoned his first love and he is defending freedom. Their reasons are not insensible. Freedom could have both good and bad dimensions. A freedom leading to bad actions is not a value. The very language of freedom may be misleading: "since freedom does not have this overarching meaning in everyday parlance (...) Sen has, in some sense, downsized his notion of capability in giving so much importance to the language of freedom, ignoring the baggage that comes with the term" (Agarwal, Humphreys and Robeyns 2003: 8). Nussbaum is not satisfied with Sen's response (Nussbaum 2003: 46).

Gasper and van Staveren propose, among other suggestions, to speak more of "capabilities" and to use less the term "freedom" (2003: 138), to stress the values of democracy, respect and friendship (2003: 146), and to consider that freedom is only one value while there are two other spheres of value in life, namely, justice and caring (2003: 152).

We cannot provide a direct response to this criticism from Aristotle's thought, because he has not developed the topic of human freedom. Freedom may be implicitly in his thinking through the singular and inexact character of the practical realm but he has not spoken of freedom as such. Freedom is a value, but it is also, and before that, a characteristic of human action always present in it, as soon as it is conscious action. The indirect help of

Aristotle would be to encourage Sen to look for a more explicit conception of the good. This conception would be the touchstone of correct or good free action.

## 8. Conclusion

The central thesis of this paper has been that ends and practical reason are re-entering into Economics through the proposal of Amartya Sen of the capability approach. By focusing on capabilities, Sen reinserts ends into economics and economics into the practical area: capabilities are themselves ends.

In effect, Sen proposes an approach highly attentive to each human person –considered embedded in society–. With this approach he evaluates the person’s agency freedom and he judges her/his situation in respect to poverty and development. The heterogeneity and incommensurability of ends calls for the work of practical reason illustrated by quantitative information in order to make decisions at the social level. Although practical science is inherently inexact, we could provide at least a set of principles that may orientate the policy work thus overcoming CA’s non operational character.

This approach has Aristotelian connections acknowledged by Sen. A deepening of this connection, however, would benefit Sen’s approach. Sen should accept at least a minimum conception of the human good, as he in fact does, without recognizing it. In fact, this is one of the fronts of development of the capabilities approaches (Cf. Clark 2005: 6-9; Robeyns 2003).

Nevertheless, one may ask, if Sen is actually defending the capabilities in agreement with human dignity, why should it be desirable to found them on a theory of the human good? First, because we are doing science and science does not admit pragmatic solutions. Things are to be proved deductively or inductively and Sen has the means to do it. Second, because democracy could fail in choosing the appropriate capabilities (see Anderson 2003). Third, because it is very difficult to remain neutral in these fields. As Severine Deneulin affirms, “the capability approach hides unavowed positions about the good, positions that it can no longer hide when the theoretical framework becomes practice” (2002: 502).<sup>28</sup> “Value neutrality” is not to leave values aside, but to rationally choice them.<sup>29</sup> We can apply reason to scrutinize values, as Sen himself affirms (2002: 39); and it is fair to do it and to put values over the table. Finally, this proof would add more strength and a wider acceptance to Sen’s approach and this would be better for all, because it is an excellent approach. We have to profit from this golden opportunity, after a century and a half of divorce, to achieve a reconciliation of practical and instrumental reason, a reconciliation that Economics needs.

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<sup>28</sup> She argues that the implementation of the capability approach make it not only perfectionist but also paternalist (Deneulin 2002: 502).

<sup>29</sup> As John Finnis affirms, “neutrality in the ‘concept-election’ in social sciences is only achievable through scientific definition of the standards of rational practical reasonableness” (1984: 12).

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