

Effective Freedom and Combined Capabilities: Two Different Conceptions of Capability

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Abstract: In many areas Amartya Sen and Martha Nussbaum, the two main advocates of the Capability Approach (CA), argue along the same lines and even use similar phrasing. At the same time differences between their versions of the CA are widely acknowledged. However, the central term of the CA – namely capability – and its conceptions in Nussbaum and Sen is mostly assumed to coincide. This paper argues that Sen's and Nussbaum's conceptions of capability differ fundamentally. This is done with regard to several components of the conception of capability.

First, Sen's and Nussbaum's understanding of the "evaluative space" diverges and in consequence their ideas of "opportunity" differ as well. Pluralism is one of the arguments both bring forward in favor of capability as opposed to other evaluative variables. However, Sen states more interpretations of "plurality" than Nussbaum.

Secondly, their debate on listing or not listing dimensions disregards the character of their examples for dimensions. Instead it focuses on arguments on the completeness or incompleteness of the approach. Again, the paper identifies and analyses different concepts to which the characteristic of "incompleteness" can be attached.

Thirdly, the paper relates the two conceptions of "effective freedom" (Sen) and "combined capability" (Nussbaum) to their respective view of freedom. These conceptions contrast with respect to the role they attach to external factors.

If the difference between Sen's and Nussbaum's conceptions of capability was acknowledged, this would shed a new light on the debates on listing dimensions, freedom, plurality and human rights.

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1. Introduction

The notion of capability has its origin in Sen's paper: "Equality of What?" (1980). In that paper the three roles which Robeyns (2000) ascribes to the Capability Approach (CA) are already present: It is (1) a framework of thought, (2) a critique of other approaches to the evaluation of welfare and (3) provides a basis for interpersonal comparisons of welfare. Although these three roles may be ascribed to the CA in general, Sen and Nussbaum set their own respective emphasis: Sen (1999) views it as a conception of freedom and Nussbaum (2000: xiii) as "a basis for fundamental political principles".¹

This paper examines in detail the underlying capability concepts in Sen's and Nussbaum's CA. It argues that although they have much in common and use the same terminology their conceptions and underlying assumptions about the meaning of "capability" differ. Nussbaum (2000: 11–15) herself has pointed out some differences and the debate about setting up a list or not has revealed an area of disagreement between Nussbaum and Sen. Nevertheless, their corresponding use of the terms "capability" and "functioning" suggests an agreement in the underlying conception of the CA that is not supported by the thorough analysis of their conceptions in this paper. The analysis is carried out in several steps: Section 2 introduces briefly and separately the two capability concepts of Sen and Nussbaum. Section 3 concentrates on what Sen calls "the evaluative space" and discusses the issue of multidimensionality and pluralism. Section 4 looks at their debate about listing dimensions from the point of view of operationalization. Section 5 relates the capability concepts to freedom and scrutinizes their agreement in that area.

2. The two capability concepts

Crucial to Sen's version of the CA is the notion of "functionings". In contrast to utilitarianism on the one hand and to welfare economics and Rawls' theory of justice as fairness on the other hand, Sen claims that well-being is best seen in terms of functionings, i.e. "beings and doings", and not in terms of utility or resources. He regards the command over resources as a prerequisite for exercising certain functionings. For instance, without a bike one cannot exercise the functioning "riding a bike" (see Sen 1985a: 10). However, there are people who cannot ride a bicycle, even if they have one, either because of physical handicaps (like being too small for the bicycle in question) or because they simply have not learned how to ride a bike. Thus, functionings come about as a result of the combination of resources on the one hand and individual features – Sen (1985a: 11) calls them "utilization functions" – on the other hand. Yet, there is no predetermined relation between functionings

¹ These two roles are combined when the Capability Approach is seen as a basis for a theory of human rights. On this see Nussbaum (2000: 96-101), Sen (2005), Osmani (2005).

and utility either. One reason for this is the multitude of functionings one can think of. Sen gives a lot of examples: "being adequately nourished, being in good health, avoiding escapable morbidity and premature mortality, ... being happy, having self-respect, taking part in the life of the community" (Sen 1987a: 39), being able to move about, being adequately clothed and sheltered (Sen 1980: 367). And he states: "The various 'doings' and 'beings' a person achieves are thus potentially all relevant to the evaluation of that person's living standard. But this is, of course, an enormous – possibly infinite – list, since a person's activities and states can be seen in so many different ways (and can also be persistently subdivided)." (Sen 1987a: 29). *The well-being of a person depends on the combination of functionings achieved.* A valuation function has to take this multidimensionality into account. Sen views utility functions as one example how such an evaluation may be done. He points out, however, that "valuing a life and measuring the *happiness* generated in that life are two different exercises" (Sen 1985a: 12). Hence, resources are mere prerequisites of well-being and utility may be seen as a valuation function regarding well-being, but "functionings are *constitutive* of a person's being, and an evaluation of well-being has to take the form of an assessment of these constituent elements" (Sen 1992a: 39).

The switch of the evaluative variables away from resources and utility to functionings is the first important step in Sen's CA. The second important step is the acknowledgement of the multidimensionality of life. It is always a *bundle* or combination of functionings that describes a life-situation and has to be evaluated. The third step is the introduction of freedom of choice into the model. Sen imagines that the individual can choose among various ways of leading a life, i.e. among various bundles of functionings: "A person's 'capability' refers to the alternative combinations of functionings that are feasible for her to achieve." (Sen 1999: 75). Note that this is not about choosing one functioning or another. The capability set offers a choice among bundles of functionings: For example, if I choose to do a tour on my bicycle on Saturday afternoon, I will miss whatever is on TV that afternoon and I cannot read a book that afternoon and answer the phone either. *Thus, whenever I choose to do something I choose at the same time not to do something else.* This may seem trivial on the first glance, but think of states like "being healthy" that afford a lot of small decisions in favor of healthy food and sportive activities. Or think of "bigger" decisions like the choice among various professions a young person faces after school. Capability, thus, reflects the freedom of choice a person has to choose a life she "has reason to value" (Sen 1999: 74).

In her paper "Aristotle on Political Distribution" Nussbaum (1988) refers the first time to Sen's notion of "capability". She introduces the CA as a "contemporary relative" of Aristotle's theory of distribution. She also discusses Rawls' theory of justice as a contemporary relative of Aristotle's theory and consents to Sen's criticism that resources and goods are means to freedom of choice but bear no intrinsic value. She embraces, thus, Sen's approach to focus on the "functionings towards which these goods are useful" (Nussbaum 1988: 153).

But she adds, right from the beginning, that it is necessary to “have an account” of those functionings in order to “estimate the worth of distributable goods”. She describes the aims of the CA as making “people able to live and act in certain concrete ways” and making them “capable of choosing to act in these ways, not simply to push them into so acting” (Nussbaum 1988: 153). Thus, “capability” is always a “capability to function” for example “the capability to get an education” (Nussbaum 1988: 154) in contrast to the mere command over the goods “books and schools”, and at the same time it includes the opportunity of choosing not to function in that way.

This is the reason Nussbaum (1988: 153, 2000:) gives for defining “our goal in terms of capabilities, not actual functioning”. Hence, she reserves the term “functioning” for indicating the *actual* achievements of a person with regard to a “capability”. For example, if someone has the general ability to speak and express her thoughts, “speaking” and “expressing one’s thoughts” indicates the extent to which she has actually realized this capability or “is functioning”. Nussbaum’s understanding of “functioning” is close to its grammatical use for indicating that an action continues. She often uses “function” as a noun as well: “certain functions are particularly central in human life” (Nussbaum 2000: 71) and then she goes on to refer to Marx as someone who emphasizes the necessity “to do these functions in a truly human way” (Nussbaum 2000: 72).

Crucial to her CA is the distinction between several levels of capability. “Basic capability” is “the innate equipment of individuals that is the necessary basis for developing the more advanced capabilities, and a ground for moral concern” (Nussbaum 2000: 84). An example of this is the capability of a newborn baby to see and hear and the capability for speech and language in a rudimentary way as well. “Internal capability” is given “if and only if the person is so organized at [time] t that, should the appropriate circumstances present themselves, the person can choose an A action” (Nussbaum 1988: 160).

This definition, thus, emphasizes the choice aspect: The person *can* choose the action, but need not. Internal capabilities put a person in the position “to choose well and act well”. They are “traits of intellect and character and body” (Nussbaum 1988: 160) “developed by education” (Nussbaum 1988: 161). Still a person “may be prevented from functioning in accordance with it” (Nussbaum 2000: 84) if the appropriate circumstances do not present themselves. Therefore the notion of “combined capabilities” stands for the combination of internal capabilities with suitable external conditions. “Combined capability”² is given “if and only if at [time] t the person [has the internal capability] of A and there are no circumstances present that impede or prevent the exercise of A” (Nussbaum 1988: 164). Nussbaum

² Nussbaum (1988: 164) introduced this concept calling it “external capability”. This notion was criticised by Crocker (1995) and Gasperr (1997: 261 see section 5) as misleading since it stands for the extent to which an internal capability can be exercised given external conditions. As a consequence, Nussbaum (2000: 84) changed it to “combined capability” indicating the combination of internal capabilities with external conditions.

(2000: 85) gives the following example: “Citizens of repressive nondemocratic regimes have the internal but not the combined capability to exercise thought and speech in accordance with their consciences.” Of course, the capability to think and express one’s views is discouraged in repressive nondemocratic states. Nussbaum points to the necessity to encourage and develop certain skills in order to exercise these capabilities. She states that “[t]he distinction between internal and combined capabilities is not a sharp one, because developing an internal capability usually requires favorable external conditions” (Nussbaum 2000: 85). Inhabitants of democratic regimes have the opportunity to express their views in public without fear of suppression. By exercising this capability people develop and strengthen it. Without this opportunity not only the combined capability is restricted, but the internal capability may remain poor as well.

However, “if this view is to have sufficient content” “the most urgent problem” has to be answered: “This is, what *are* the functionings with which the city should be concerned, and how are we to arrive at our list of functionings?” (Nussbaum 1988: 174³). In answer to this question, Nussbaum used several methods of reasoning while she developed her list. The most important criterion for capabilities to be regarded as “central human functional capabilities” is that it characterizes human beings in contrast to other beings (“gods and animals”, Nussbaum 1988?). Further, the content of the list should reflect a view of humanity that is shared all over the world and throughout history (Nussbaum 1990? on a critique of these methods see Alkire 2002: 38-45 and Jaggard 2006). As a result to this she presented a first version of a list of “central functional capabilities” in 1990 (which she revised afterwards in minor ways). The current list is stated in the Appendix.

Crocker (1995: 163) ascribed the view of capabilities as internal powers to Nussbaum. In contrast to that he characterizes Sen’s view as follows: “Hence, for Sen, capabilities are not powers of the person that might or might not be realized in different situations. They are, rather, options (sets of compossible options) for actions.” This remark, I will argue in the next section, points to a difference in the logical structure of the capability concepts considered, namely the question whether the capabilities space or the functionings space form the basis of the approach.

3. The evaluative space and pluralism

One argument in favor of the CA that both, Nussbaum and Sen, bring forward is that it shifts the perspective away from utility or income or individual rights towards functionings and capabilities in the evaluation of well-being. As Sen (1993a: 50) puts it: “[T]he capability approach is concerned with showing the cogency of a particular *space* for the evaluation of

³ Nussbaum speaks of “the city” in reference to Aristotle and his work on democracy in old Greece.

individual opportunities and successes.” Nussbaum (2000: 12) “wholeheartedly [agrees] with Sen’s claims about the capability space.”

Thus, on the first glance, there is complete agreement on the question that functionings and capabilities should be considered as value objects in the analysis of well-being. The reference to functionings and capabilities as value objects is common to all versions of the CA. However, a closer look raises the question what exactly constitutes the objects of value: functionings or capabilities.

3.1 *Evaluative space alternatives*

It is Sen who has first spoken of an “evaluative space”. He views “[t]his problem of the choice of the ‘evaluative space’ (that is, the selection of the relevant focal variables) ...[as] crucial to analyzing inequality” (Sen 1992: 20). He claims that for answering the question “Equality of what?” one has to choose, firstly, on which variables to focus: utility, primary goods, resources or rights and liberties. However, Sen’s use of the word “space” is ambiguous: On the one hand he uses it in a figurative manner, indicating what variables are important for the evaluation of well-being; on the other hand he interweaves this use of the term with its technical and mathematical meaning⁴ indicating which variables form the dimensions of a multidimensional space that serves as the basis for evaluating well-being.⁵ As a consequence, Sen usually refers to the “functionings space” and not the “capabilities space”: “We should first note that capabilities are defined derivatively from functionings. In the space of functionings any point, representing an n -tuple of functionings, reflects a combination of the person’s doings and beings, relevant to the exercise. The capability is a *set* of such functionings n -tuples, representing the various alternative combinations of beings and doings any one (combination) of which the person can choose. Capability is thus defined *in the space* of functionings.⁶ If a functioning achievement (in the form of an n -tuple of functionings) is a *point* in that space, capability is a *set* of such points (representing the alternative functioning n -tuples from which one n -tuple can be chosen).” Thus, functionings are the objects of value which define the evaluative space and serve as dimensions of the evaluative space.⁷ Having chosen functionings as the focal variables, the next step is to weight the functionings vis-à-vis each other (Sen 1992: 44–49). In a third step Sen (1992: 49–53) asks on which concept to focus: functionings or capability. He points out “that there is no difference *as far as the space is concerned* between focusing on functionings *or* on capabilities” (Sen 1992: 50).

⁴ Qizilbash 2006: 22 notes this ambiguity as well.

⁵ He discusses the meaning of “space” in the context of the informational content of the various approaches, see Sen 1992: 43.

⁶ See Sen 1993: 32 as well.

⁷ Sen (1996a, p. 118f) states: „functioning is only a *dimension*“.

The value of the capability set derives then from two sources: On the one hand a capability comprises n -tuples of valuable functionings and its value depends on the value (and relevance) of the functionings considered. On the other hand *the structure* of a capability is important and represents what Sen (1988: 293) calls "the intrinsic value of freedom". *Capability is defined as the set of all functioning n -tuples feasible for an individual.* Additional to the value of the functionings enclosed Sen attaches intrinsic value to having a choice from the set of feasible options which consists of combinations of functionings. Hence, the focus of analysis depends on the emphasis put on the role of freedom in the evaluation of well-being. In fact, Sen has recommended on several occasions (1992: 112, 1993: 38-40, 1999: 148) to take the capability of a person – and not the actual achievement of functionings – as a policy goal. He does so because in his view the intrinsic value of freedom contributes to the well-being achievement (Sen 1993: 39). At the same time, Sen hints at the difficulties of capability assessment: "[T]he capability set is not directly observable, and has to be constructed on the basis of presumptions" (Sen 1992: 52). Thus, in the case of capability assessment additional information apart from information on achieved functionings is needed, namely information regarding functioning bundles that would have been feasible for the individual (Sen 1999: 131).

The concept of capability suggested by Sen has, however, a straightforward mathematical interpretation: It is defined as a subset of the multidimensional space of functionings and each element of the capability set is, consequently, a multidimensional bundle of functionings.

Nussbaum does not refer to an "evaluative space". She only mentions "the capability space" once or twice and does not consider the structure of it any further. In my view she uses it in the figurative sense only. However, she discusses the relationship between functionings and capabilities in some length (Nussbaum 2000: 86–89). The CA according to Nussbaum is a theory on political distribution. The "distributive task aims at producing capabilities" or, put differently, it aims "at making people able to function in certain human ways" (Nussbaum 1988: 145-146).

To give this approach a content, Nussbaum regards it as necessary to set up a list of the variables on which to focus. The account of relevant dimensions lists "central human capabilities" (Nussbaum 1990: 225, 2000: 78) This list "is a list of *combined capabilities*" (Nussbaum 2000: 85). By giving the political goals in terms of combined capabilities Nussbaum (2000: 88) pays respect "for people and their choices": (a) The goals are really feasible for the individual. Thus, the goals are not defined in terms of internal capabilities but in terms of internal capabilities which are met by external conditions that support the exercise of the internal capabilities. (b) The individual is left free to function as he or she pleases. The opportunity to choose the life one values and wants to live has some value of its own (Nussbaum 1988: 153). Capability, thus understood, is the combination of an internal ability to

function in a certain way and external circumstances which allow so acting, but which also allow the person to choose the extent of goodness she wants to achieve in this function.

Hence, the focal variables in Nussbaum's approach are "capabilities" and not "functionings" because she uses the terms differently from Sen. Consequently, she speaks of "the capability space". If we apply the technical understanding of the term to her "capability space" it becomes obvious that her conception differs fundamentally from Sen's: A "capability space" would be defined by capabilities and, thus, the dimensions would consist of individual capabilities. Since Nussbaum reserves the term "functioning" for achievements only, only one point in that multidimensional space could be called bundle of functionings of person *i*, namely the combination of capabilities person *i* achieved. All other combinations of capabilities are not considered. On the contrary, Nussbaum explicitly demands to consider the capabilities separately from each other (see below). That is, Nussbaum's concept of "capability" is one-dimensional, albeit her approach covers a multitude of capabilities and is, thus, multidimensional. The application of the mathematical understanding of the word "space" is, however, not intended by her. The term "capability set" has no apparent meaning in Nussbaum's approach. It could refer to the "set of capabilities" that define the capability space but then it cannot refer to a subset of this space at the same time. Thus, there is no easy way to combine and reconcile Sen's and Nussbaum's conception.

Hence, Sen and Nussbaum agree on demanding a shift in perspective towards functionings and capabilities; they agree on stressing the importance of freedom of choice; they agree on demanding policy to be directed towards capability, not functioning achievements; they agree on the arguments in favor of that view. Yet, there is a fundamental difference in their conceptions: Sen views "capability" as a derivative concept and defines the capability set as a subset of the functionings space. "Functioning" here stands for the dimensions of that space and does not indicate necessarily the achieved level of functionings. Opposed to that "capabilities" in Nussbaum define the dimensions of another evaluative space: the capability space. Now, "capability" serves as the name for a dimension and "functioning" indicates nothing else than the actual achievement in one dimension. In her understanding of "capability" Nussbaum attaches the freedom to choose the extent of excellence in a function to the respective capability to function.

3.2 *Pluralism and multidimensionality*

With regard to the multidimensionality of the approach, both, Nussbaum and Sen, defend what they call the "irreducible plurality" of the approach. Sen (1999: 76–77) argues that "[t]he capability approach is inescapably pluralist" and gives three reasons for this: (1) the plurality of functionings (or the multidimensionality of the functioning space), (2) the coexistence of the evaluative perspectives of functioning achievements and capability as freedom, and (3) the possibility of further concerns which are relevant for evaluative

purposes.⁸ The first point states that functionings cannot be reduced to one dimension nor aggregated and converted into one measure. At the same time we have to keep in mind that Sen views the list of relevant functionings as “possibly infinite” and does not recommend any predetermined version of a list. He allows, therefore, to define a list according to the evaluative purpose at hand (Sen 1996: 116). The second point confirms Sen’s distinction between well-being achievements and well-being freedom. The concepts of functioning achievements and capability sets compete with each other and complement each other at the same time. The third point refers to evaluative criteria like “rules and procedure” (Sen 1999: 77) since Sen does not want to exclude such concerns and such “conceptions of the good” (Rawls). While the first point clearly allows for “constitutive plurality” (Sen 1987), that is plurality within the approach, I would like to question whether the third point refers to constitutive plurality, too. It seems to me that giving much weight to other evaluative criteria apart from functionings generates an approach that is competing with the CA. With regard to the “competitive plurality” of views Sen (1987: 2) writes that “we can choose [not more than] one of the rival views”.

Nussbaum (2000: 81) relates plurality to the multidimensionality (1) of her list: “The irreducible plurality of the list limits the trade-offs that it will be reasonable to make, and thus limits the applicability of quantitative cost-benefit analysis.” Hence she agrees with Sen that the multidimensionality of the evaluative space ensures plurality.

Nussbaum safe-guards this plurality further by her normative demand to treat each component of the list separately. Her concept of capabilities is deliberately one-dimensional. This reminds us of the incommensurability of values (Nussbaum 1986: 294). The evaluation and comparison of multidimensional bundles is in this view always flawed. In contrast, Sen (1985a: 19) aims exactly at an approach that allows interpersonal comparisons of well-being (of the multidimensional bundles of achieved functionings): “An approach that cannot easily accommodate interpersonal comparisons is seriously handicapped in substantiating the notion of well-being.” He points out that “the very identification of the set of value-objects, with positive weights, itself precipitates a ‘dominance ranking’ (x is at least as high as y if it yields at least as much of *each* of the valued objects)” (Sen 1993: 32). This dominance ranking is exactly how far a comparison can lead without trading-off values. It is therefore in line with Nussbaum’s desire to treat the dimensions separately. This kind of comparisons will only lead to a partial ordering. While Nussbaum wants to stop the exercise at this point, Sen (1992: 46-49) is quite optimistic to extend the ordering step by step through introducing a weighting scheme that emerges from an application of the intersection approach.

⁸ Since the approach is concerned with giving freedom of choice a certain priority Sen allows not only for constitutive plurality (Sen 1987: 2), i.e. diversity within the approach, but also for competitive plurality (Sen 1987: 3), i.e. plurality of possible approaches to defining “the good life”.

With regard to Sen's second point – the distinction between freedom and achievement – Nussbaum (2000: 14) thinks that it can “be captured as aspects of the capability/function distinction”. This corresponds to her understanding of the terms. With respect to the last of Sen's arguments (3) she holds the view that the capability approach provides “spaces in which valuable different forms of human activity can flourish” (Nussbaum 2000: 59) since “each of the capabilities may be concretely realized in a variety of different ways, in accordance with individual tastes, local circumstances, and traditions” (Nussbaum 2000: 105). In contrast to Sen, Nussbaum decidedly advocates her CA as the best approach on “the good”.

3.3 *Nussbaum versus Sen I*

To summarize this section: Sen defines capability as a subset of the multidimensional space of functionings. He calls the “functioning space” “evaluative space”. Hence, “functioning” is a label of the dimensions and capability is in itself multidimensional. Opposed to that capabilities in Nussbaum define a different evaluative space. Each (combined) capability serves as one dimension of that space. The meaning of “functioning” is restricted to the level of achievement in a capability. In Nussbaum's approach there exists no label for a combination or a set of combinations of capabilities since each has to be treated as a separate component. Although both, Nussbaum and Sen, link the multidimensionality of the evaluative space to pluralism Sen keeps the approach open beyond Nussbaum. She gives an account of the good life and only allows for differences in the specification of her capabilities or in weighting the dimensions (in the course of a quantitative application of the approach). Opposed to that, Sen “has shied away from producing a list” (Dowding 2006: 329); he leaves the choice open between the concepts of achieved functionings and capability and even does not preclude the possibility to combine his CA with other evaluative concerns.

The next section deals with the question of actually defining the evaluative space by choosing the relevant dimensions. In connection with the debate on listing dimensions the issue of incompleteness has been raised by Nussbaum (1988: 176) and taken up by Sen (1993: 47). However, they do not distinguish between the diverse contexts to which the term “incompleteness” applies. Drawing a distinction between various meanings of incompleteness helps to identify points of agreement and contrasts between them.

4. Choosing dimensions and incompleteness

Nussbaum (1988: 176, 2000: 13, 2003) and Sen (1993: 47, 2003, 2004) have discussed the question of choosing the relevant dimensions in public and some others have commented on

the debate.⁹ The debate about listing or not-listing capabilities (or functionings) is still ongoing. Nussbaum endorses drawing up a list, Sen does not. However, Sen does not generally object against listing functionings (or capabilities), but objects against “fixing ... a cemented list of capabilities” (Sen 2004: 78). In spite of his reservation against drawing up a list he has provided many examples of valuable functionings throughout his writings on the capability approach.

4.1 Comparison of dimensions proposed

Table 1 relates some of Sen’s examples of functionings to Nussbaum’s list of central functional capabilities. Tentatively as it is this exercise shows some of the difficulties of both approaches. One central functional capability can comprise more than one functioning. Some functionings are assigned to more than one central functional capability (ability to entertain and visit friends, vacationing, being close to people one would like to see). Yet, there is one central human capability to which no functioning is assigned.¹⁰

⁹ Crocker (1992, 1995), Qizilbash (1996) and Gasper (1997, 2003) have compared Nussbaum’s and Sen’s Capability Approach. Robeyns (2003, 2005) has focused on the debate on listing capabilities.

¹⁰ The reason for this omission is to be seen in the role Nussbaum and Sen respectively attach to other species in relation to human well-being: Sen views the preservation of biodiversity as a goal of human agency (Sen/Agarwal et al. 2003: 329–330). Agency achievements have but an indirect impact on individual well-being. In contrast, Nussbaum (2000: 80) has come to the conviction that the care for other species characterizes human beings and, thus, is one of the central functional human capabilities.

Table 1: Examples from Nussbaum and Sen

central human functional capabilities (Nussbaum)	functionings (Sen)
1. life	avoiding escapable morbidity and premature mortality longevity
2. bodily health	being adequately nourished, nourishment being in good health being free from malaria being well-sheltered
3. bodily integrity	move about traveling
4. senses, imagination and thought	being literate cultural and intellectual pursuits
5. emotions	being happy being close to people one would like to see
6. practical reason	taking part in the life of the community
7. affiliation	ability to entertain and visit friends being close to people one would like to see having self-respect appear in public without shame
8. other species	
9. play	vacationing
10. control over one's environment A. Political B. Material	ability to entertain and visit friends vacationing traveling being employed being decently clothed

Nussbaum (2000: 78-80), Sen (1985a,b; 1987, 1992)

Obviously, functionings and central functional capabilities are dimensions not of the same order or range. While Nussbaum aims at a comprehensive list of all capabilities that constitute a "good human life"¹¹, Sen demands much less. His examples illustrate his CA. Their relevance is context-dependent. They are relevant with regard to the "purpose of the exercise" at hand (Sen 2004: 79).

The idea of context-dependence is present in Nussbaum's thoughts as well: She allows for some adjustment of the elements of the list in order to take the cultural peculiarities of the society in focus into account: the "members [of the list] can be more concretely specified in accordance with local beliefs and circumstances" (Nussbaum 2000: 77).¹² Thus, the central functional capabilities have to be specified in the course of applying the approach. The specification is not and cannot be determined beforehand. But the starting point for this task is the list of central functional capabilities and inherent to it is the demand for specifying every

¹¹ Nussbaum (1990: 217) calls it a "thick and vague" description in contrast to the "thin" (and precise) description in the work of Rawls.

¹² The discussion of context-dependency relates also to the role of pluralism: Nussbaum restricts pluralism to the internal range of the approach (to "constitutive plurality" as Sen 1987 calls it) whereas Sen invites both, constitutive and competitive plurality (see section 2).

single element of the list. Hence, Nussbaum follows a top-down (or deductive) approach, starting by drawing up a comprehensive list of broadly defined central human capabilities and leaving the task of putting the elements in their concrete form to those who want to apply the approach. In contrast to that, Sen proceeds in an inductive manner and follows a kind of bottom-up approach: He defines the term “functionings” in a loose way by giving a lot of examples that illustrate what kind of “doings and beings” can be considered as functionings. He claims “that functionings are *constitutive* of a person’s being, and an evaluation of well-being has to take the form of an assessment of these constituent elements.” (Sen 1992: 39). However, it is only the valuable functionings which count as dimensions of well-being: “The list of functionings reflects a view of what is valuable and what is of no intrinsic value” (Sen 1987: 29). Thus, the definition of well-being follows from identifying valuable functionings.

The examples of functionings Sen gives are rather diverse. As he himself has emphasized several times, the examples are heterogeneous: “The valued functionings may vary from elementary ones, such as being adequately nourished and being free from avoidable disease, to very complex activities or personal states, such as being able to take part in the life of the community and having self-respect.” (Sen 1999: 75) They vary as well in their readiness for empirical application. Some examples like “being employed” and “mortality” correspond to quantitative data and lend themselves to empirical application. Others are difficult to measure like the functioning “to appear in public without shame” (which Sen has taken from Adam Smith). Nevertheless, functionings in these examples are characterized by an affinity for (quantitative) empirical application. This contrasts to the character of the elements of Nussbaum’s list as abstract dimensions which ask for specification.

Specification is usually done by searching for indicators that capture the meaning of the dimension in focus. Several indicators are often combined to grasp the essence of one dimension since one indicator alone would cause a measurement error in the sense of neglecting some essential feature of the dimension. As Kuklys (2004: 6-7) explains: “In the empirical literature on the capability approach, the measurement error problem is usually solved by aggregating low-level functionings (such as different health problems or measures of education) to higher-level, broader functionings (such as being healthy or being educated).” Hence, what we get is another layer of relations between the various functionings or central capabilities.

4.2 Incompleteness and plurality

What light does this shed on the debate between Nussbaum and Sen which centers around the notion of “incompleteness”? First, I would like to distinguish three different meanings of “incompleteness” depending on the context: (a) incompleteness of the ordering of well-being obtained on the basis of chosen dimensions, (b) incompleteness of the list of dimensions in principle, and (c) incompleteness of the list of dimensions in an empirical

application. As we have seen in the last section the multidimensionality of the approach involves the question of weighing the dimensions against each other. As long as no weights have been specified any comparison of well-being is restricted to dominance orderings which are incomplete. Nussbaum (2000: 12, 81) clearly embraces incompleteness of the resulting ordering. Her support of it is even stronger than Sen's since she demands to treat the elements of the list as separate components and thereby bans the introduction of any weighting scheme. (She admits, however, that such weighting schemes are necessary in the application of cost-benefit-analysis to the approach, see Nussbaum 2000: 81.)

With respect to completeness of the list of central human capabilities (b), Nussbaum's position is not clear. Although she strives for a comprehensive and in this sense complete description of the "good human life", she emphasizes that the list is open-ended and may be and, in fact, has been changed (Nussbaum 2000: 77, 2003: 41). Thus, the list is aimed to be complete in principle, but completeness may never be achieved due to the difficulties of establishing universal values.¹³

With regard to using the complete list if the approach is applied (c), there is some evidence that Nussbaum endorse completeness in this sense, too: The capabilities on the list have a "moral claim" (Nussbaum 2000: 83) and should be present at least on the level of "basic capabilities". Basic capabilities are "a ground of moral concern" (Nussbaum 2000: 84). Especially when Nussbaum discusses the possibility of applying cost-benefit analysis to the CA, she claims that "it will be crucial to represent in the weightings the fact that each and every one of a plurality of distinct goods is of central importance" (Nussbaum 2000: 81). However, the demand of always applying the complete list, does not follow necessarily from the idea of completeness in principle. For example, Alkire (2002: 47) endorse a list of "all the basic purposes of human action", i.e. a complete list, but when she carries out the empirical investigation, she points out that "the very real constraints of the practical work" has forced her to select (Alkire 2002: 199). Sen has a positive attitude to all three kinds of incompleteness, but he fails to distinguish between them when he blames Nussbaum to strive for completing the approach (Sen 1993: 47).

With regard to the completeness of the list of central human capabilities I would like to consider its application in particular. Even if the list is assumed to give a complete account of all central functional capabilities, the necessity to specify its elements for application gives rise to some doubts on its completeness in the first place. As table 1 shows some of the more specific and lower-level functionings can serve as indicators for more than one central human capability. Nussbaum (2000: 81) confirms this possibility when she explains that "the items of the list are related to one another in many complex ways". The identification of suitable indicators reveals some of the relations between the various dimensions. Especially

¹³ On these difficulties, see Nussbaum 2000: 34–59; her explanation of Aristotle's position on that point is also very suggestive (Nussbaum 1986: 290–317).

the use of one and the same indicator for more than one capability hints at the intersection of dimensions.

Empirical investigations should, however, avoid the intersection of dimensions as Basu (1987: 72) points out asking: „(i) what constitutes a complete list of capabilities and (ii) how can we be sure that the items in the list do not overlap?“. Schokkaert and van Ootegem (1990: 437) translated this demand into empirical methods by demanding independence of the dimensions which is ensured through their orthogonality: „Note that we keep to the assumption of *orthogonality* of the basic functionings, making sure that the basic functionings in our list *do not overlap*.“ In the case of the listed central functional capabilities, the dimensions of life, bodily health and bodily integrity are thoroughly interdependent or overlapping. Because of this, one could ask whether they are of the highest level or whether they can be reduced to another, still higher level. Reducing the number of dimensions is exactly the task dealt with in empirical investigations by the method of factor analysis¹⁴. One could further ask whether the list is complete without specification of all lower-level dimensions and the corresponding indicators.

With regard to the interdependence of the dimensions, Sen follows once more the path of induction. When he discusses the alternative uses of capability information (Sen 1999: 81-85) he considers “distinguished capability comparisons”. These pay attention “to some particular capability variable, such as employment, or longevity or literacy, or nutrition” (Sen 1999: 82). “Distinguished capability comparisons” are, thus, examples of using deliberately an incomplete list for empirical application. Sen (1999: 82) suggests that “despite the incomplete coverage that distinguished capability comparisons provide, such comparisons can be quite illuminating, even on their own”. But these comparisons form the components of an aggregated ranking of sets of capabilities, too, if the collinearity and covariance of the distribution indicators are examined in the course of aggregation (Sen 1999: 313 fn. 57).

The underlying idea is to build up a total picture by taking the totality of components into account. The components include the functionings chosen for the investigation and their relation to each other. In order to arrive at a “total comparison” not only the list of relevant dimensions has to be completed, but the weighting scheme as well. However, Sen (1999: 82) warns that aiming at “total comparisons” is “often much too ambitious”.

4.3 Nussbaum versus Sen II

Sen’s (2004: 79) insistence on a plurality of possible uses of the CA questions the aim of arriving at a complete list and a coherent weighting scheme in principle. Hence, the disagreement between Nussbaum and Sen is a fundamental one. It is not about listing capabilities or functionings, but about the role of plurality and, in particular, on the way how the CA allows for the exertion of “moral powers” (Rawls). Does the vagueness of Nussbaum’s

¹⁴ Schokkaert/van Ootegem 1990 use factor analysis to reduce the number of dimensions in their study.

list give sufficient room for different conceptions of the good or should the approach allow plurality beyond that?

Putting this fundamental disagreement apart, the examples of Sen can be seen as dimensions on a more specific or lower level than the elements of Nussbaum's list. Since the elements of her list demand specification in any case, the approaches complement each other. On the lower level of dimensions Nussbaum deliberately does not provide a list of dimensions much less a complete list. We see, Nussbaum follows deductive logic while Sen applies an inductive process. Nussbaum's list of higher-level capabilities leaves the task of specification open. Sen provides diverse (specific) examples, but leaves the task of setting up a comprehensive model to the single investigation.

While this and the last section were concerned with showing fundamental differences in the conception of capability, the next section raises an issue which cannot be covered in a single paper and even less in a brief section: the relation between capability and freedom. Based on the former discussion of their conception of capability I go into the question of how Nussbaum and Sen conceive the constraints to the capability – or freedom – to do something.

5. Capability as a freedom concept

Although Sen has introduced the term capability as “a solution to the problem of finding an adequate basis for interpersonal comparisons” of well-being (Beitz 1986: 290), he characterizes it as a “notion of freedom” right from the beginning (Sen 1985a, b, 1987a: 36). In his Dewey Lectures Sen (1985b) introduces the term capability (p. 201) and the notion of “effective power” (pp. 208–212) separately. The subject index of “Inequality Reexamined” (Sen 1992) notes “effective freedom” in addition to “capability sets” and indicates below the former those passages which discuss the freedom aspect of capability sets and below the latter passages which are closer related to the well-being aspect. Lately, Sen (1999) has begun to use the terms “capability” and “substantive freedom” interchangeably. This change in his terminology indicates that Sen has become more and more convinced that capability is not merely a concept related to freedom¹⁵, but that it is a conception of (effective) freedom.

The idea of effective freedom, however, roots further back than the notion of capability: It is the idea that liberty should not be restricted to the case where an individual has direct control and can achieve the desired outcome by actions of his own (Sen 1982, 1983, 1985b).¹⁶ Effective freedom describes liberty rather as a situation where the desired outcome

¹⁵ As many other authors I use the terms “freedom” and “liberty” interchangeably.

¹⁶ Although the view of liberty as the opportunity to personally control the course of events is closely related to the notion of negative freedom, i.e. the absence of interference from others, it is somewhat across to the division into positive and negative freedom. To my knowledge the relation between the distinction of positive and negative

is feasible whether by own actions or by that of others. According to Sen (1992: 64) it is important that control is “exercised in line with what we value and want (i.e. in line with our ‘counterfactual decisions’ – what we *would* choose)” because control in this sense gives us “more power and more freedom to lead the lives that we would choose to lead.” Sometimes we cannot ourselves ensure that we live as we would like; we rather depend on others. Sen (1992: 65, 66–69) gives the example of living in an epidemic-free atmosphere which requires health policies on a national or even international level. Every single individual is unable to assert an epidemic-free surrounding but public vaccination policies may achieve this objective. One can also think of situations where we depend on other individuals because we cannot express what we value and want ourselves, e.g. when somebody is unconscious or senile someone else decides for him (Sen 1983: 18–19). It is crucial that the outcome is what we value and want whether we exercise direct control on the process how this outcome is achieved or not. Although this idea involves counterfactual choice the elements of the choice set are not counterfactuals: “It is a matter of concentrating on the real freedoms actually enjoyed, taking note of *all* barriers - including those of ‘social discipline’.” (Sen 1992: 149).

Thus, two features characterize capability as effective freedom: (1) Effective freedom contains all opportunities which are actually feasible for the individual. (2) Successful exercise of effective freedom leads to a desired outcome (without necessarily involving actions by the individual itself).

In line with Berlin’s (1969: 134) remark that “conceptions of freedom directly derive from views of what constitutes a self, a person, a man”, Nussbaum derives the necessity to list the relevant dimensions from the idea to give an explicit and complete picture of what constitutes a good human life. She connects the need “to specify the list of things that we want people to be capable of doing” to the notion of freedom by attaching the qualification “and doing by their choice” (Nussbaum 1988: 153–154). Remember that she consents to Sen’s criticism of Rawls’ theory of justice (see section 2). Resources are means to freedom, but an equal endowment with resources does not guarantee equal freedom to all. In Nussbaum’s (1988: 153) view the CA respects the value of choice by defining the “goals in terms of capabilities, not actual functioning”. She further specifies that her list is composed of combined capabilities because only the combination of internal capabilities – internal powers as Crocker (1995) puts it – and external circumstances show the extent of freedom a person actually enjoys with respect to the capability in question.

freedom on the one hand and that of freedom as control and effective freedom on the other hand has not been discussed. Berlin (1969) has written extensively on the subdivision of liberty into a negative and a positive concept. He mentions “a people’s liberty to choose to live as they desire” (Berlin 1969: 170), but not in the context of the subdivision into positive and negative freedom.

In order to understand Nussbaum's conception better it is useful to look at the labels Gasper (1997: 290–291) introduces for Nussbaum's levels of capability. Gasper distinguishes O-, S- and P-capabilities. "P" stands for "potential" and replaces Nussbaum's label "basic". Gasper defines potential capabilities as latent skills or powers. He characterizes them as "preliminary, incomplete, personal and species 'programmes'". They form the basis for S-capabilities (S for skills): "P-capabilities ... can be extended into more complex, complete, and potentially actionable S-capability programmes." (Gasper 1997: 291) And an "S-capability in turn requires suitable conditions in order to give an O-capability, i.e. to give real possibility for action" (Gasper 1997: 291). "O" stands for "opportunity" and Gasper firstly introduces this label with reference to Sen's notion of capability. Hence, he claims that Nussbaum's notion of combined capability can be equated with Sen's notion of a capability set (Gasper 1997: 290). He makes only a minor reservation to this statement: "whereas for Nussbaum external capability must build on an established internal (or S-)capability, this seems less true for O-capability, Sen's sense, which covers such a variety of 'functionings' (e.g. being warm, clothed, or free from malaria)" (Gasper 1997: 291 fn.).

If I am not mistaken, Gasper's reservation refers to the nature and range of functionings (Sen) and capabilities (Nussbaum). While Nussbaum's approach considers skills and powers, Sen's functionings represent a wider category. The remark – as I interpret it – does not point to the difference in the underlying structure of the respective approaches I have established in the preceding sections. Thus, Sen's notion of a capability set and Nussbaum's notion of combined capability both reflect – according to Gasper – the real opportunities a person faces in contrast to mere internal powers (S-capabilities). If this is true, both can be said to be notions of freedom, too.¹⁷

However, I would like to question the identity of the conceptions for two – connected – reasons: On the one hand the fundamental difference in structure I outlined throughout this paper is neglected. Kaufman (2006: 299) summarizes this point nicely in response to Cohen's (1990, 1993, 1994) view of the CA: "In particular, Cohen's criticisms focus on the freedom of choice that a person is able to exercise *over individual functionings*, while Sen focuses on freedom of choice over combinations of functionings that may be realized simultaneously (vectors of corealisable functionings)." On the other hand, in Nussbaum's conception of combined capability external conditions always appear as restrictions. They are exclusively seen as obstacles to the exercise of internal capabilities. Opposed to that, Sen's conception of capability as effective freedom may be enhanced by external conditions, namely by the actions of others. It allows for indirect control and has been developed in response to the view of liberty as control (see above). For this reason Qizilbash (1996: 148–149) holds the view that "Nussbaum's ... version of the CA takes considerations of negative freedom more

¹⁷ Gasper is not the only one who equates Nussbaum's and Sen's notion of capability in the context of freedom. See, for instance, Carter (2003) and Dowding (2006).

seriously than Sen's version does". He claims that in combined capabilities "there is no conflict between positive and negative freedoms" (Qizilbash 1996: 149).

There are several ways to reply to the observation that Nussbaum ascribes a limiting effect to the external factors. First, one could simply admit positive effects of external factors as well. In fact, when Nussbaum (2000: 85) discusses the distinction between internal and combined capability she remarks that "[t]he distinction between internal and combined capabilities is not a sharp one, because developing an internal capability usually requires favorable external conditions". She explains the point further: "persistent deprivation affects the internal readiness to function"¹⁸. Nevertheless she links the positive influence of external circumstances to the development of internal capabilities and their negative effects to combined capabilities. In my view this assignment of influences to internal and combined capabilities is rooted in her picture of "external factors". Her approach is mainly a political one. This is obvious in her early papers on "political distribution" (1988) and "Aristotelian Social Democracy" (1990) where she draws a connection between the CA and "the task of political planning". She explicitly states that it is "the legislator's task ... to train I-capabilities in the young, to maintain those in the adult, and simultaneously create and preserve the E-circumstances [E for external, O. L.] in which those developed capabilities can become active" (Nussbaum 1988: 164).

The view that it is "the lawgiver's" task to enable the development and exercise of capabilities in people is prevailing in her book on the CA (Nussbaum 2000), albeit less obvious. She frequently alludes to persons as "citizens" and calls her list "an account of basic constitutional principles that should be ... implemented by the governments of all nations" (Nussbaum 2000: 5). Consequently, freedom in her CA takes the form of rights granted by the government. A government that fails to implement a policy against malaria is restricting the combined capabilities of its citizens. This interpretation is opposed to Sen's. Furthermore, Sen does not limit his discussion of freedom to the interaction between the legislator and citizens, but discusses interaction between two parties in general.

Secondly, the observation that in Nussbaum's CA external factors always exhibit a negative influence on combined capabilities may be connected to Gasper's reservation: If Nussbaum's category of capabilities is restricted to internal powers whereas Sen's category of functionings is not, this could explain why only functionings such as being clothed and being free from malaria may be enhanced by external factors. But this ignores some of the items on Nussbaum's list like "being able to have adequate shelter" (1990: 225) or "bodily integrity" (2000: 78) which cannot be reduced to internal powers.

Thirdly, it is not clear whether external factors comprise other capabilities, too. Nussbaum (2000: 81) admits that "the items on the list are related to one another in many complex

¹⁸ Note that this point goes beyond the adaptation of preferences: certain preferences cannot be developed in the first place.

ways.” She also reminds us to take the “totality of the functionings that constitute the good human life” (Nussbaum 1990: 209) into account.¹⁹ Yet, there is no explicit statement about the interdependence of capabilities in the context of external circumstances.

Sen captures the interdependence through conceiving the elements of a capability set as bundles of functionings. If two functionings are not corealizable (or at least impede each other to a certain extent) this shows up in the available combinations of them. For instance, in many countries – even in developed ones like Germany – poor families face a choice between buying nutrition and means of education for their children. The extent of support for one capability depends on the extent of support for the other and vice versa. Similar decisions have to be taken with respect to how much time to spend on the development of the respective capabilities. This kind of interdependency is external to the individual although it might be mirrored by internal conflicts as well. But the crucial characteristic is that it cannot be removed even by the most well-meaning government.

To conclude this discussion of Nussbaum’s characterization of combined capabilities I would like to make two points: (a) Combined capability does not capture the meaning of opportunity in the same way Sen’s conception of capability does; in particular it focuses on the opportunities provided by the government in contrast to “opportunities, full stop”. (b) The nature and effects of the external factors deserve some more thought and explanation.

However, the two conceptions of capability as effective freedom and as combined capabilities have some features in common, too: Firstly, they stress the importance of choice for well-being. A good human life is a life chosen by the individual itself. Effective freedom is seen as successful if it enables a person to lead a life she values and wants. Secondly, they focus on the real opportunities of people. Capability as effective freedom contains all opportunities that are actually feasible for the individual. Combined capabilities describe the level of internal capability that can in fact be exercised given the external conditions. Thirdly, they both refer to Aristotle’s concept of life in the sense of activity and well-being as human flourishing, i.e. as broadening the opportunity of doing and being well (Sen 1992: 39 fn.).

6. Conclusion

The aim of the paper is to show that there are different *conceptions* of capability. On the one hand Sen’s conception of capability as effective freedom is defined by viewing capability as the set of a person’s real options for living a life she values. On the other hand each Nussbaum defines each combined capability in relation to one internal power. Combined capability stands for the extent to which this internal power can be exercised given external conditions. The main difference between these conceptions lies in their structure: Effective freedom is defined as a subset of the multidimensional space of

¹⁹ She discusses two interpretations of Aristotle with regard to this: the holistic and the whole-part conception (Nussbaum 1988: 155-160).

functionings whereas combined capability is the name of one dimension of the multidimensional capability space .

In my view the difference in the *conception* of capability is far-reaching and more important than the questions of listing dimensions and completeness that Nussbaum and Sen have discussed. In practice the question of aiming at a comprehensive list in principle or not is of minor importance. Sen's examples can be seen as specifications of Nussbaum's list. Although Nussbaum strives for a comprehensive list of what constitutes a full good human life, she leaves the list deliberately incomplete on the level of specification. My suggestion is, thus, to view the different approaches to listing dimensions in the direction they follow: Sen's as a bottom-up (inductive) approach and Nussbaum's as a top-down (deductive) approach.

Further, three kinds of incompleteness can be distinguished and the attitude of Nussbaum and Sen to these kinds of incompleteness differ: Sen embraces all three kinds of incompleteness whereas Nussbaum strongly supports incompleteness of the ordering, but strives at the same time for a complete list in principle and in application.

In my view the discussion about incompleteness misconceives what is at issue: The main reason of Nussbaum to aim at a comprehensive list and to argue against trading-off values is her normative concept. In contrast Sen takes a positive attitude towards quantitative measurement and does not put priority on normative standpoints. Some of the thoughts in this paper resulted from the question how normative ideas translate into positive application. I believe that this is a worthwhile task and that trying to translate normative ideas into measurement methods helps to sharpen the normative standpoint. (Even if this may not seem appropriate since Nussbaum herself mentions that the approach is not suitable for quantitative studies, see section 3.)

From this perspective, some further questions come to mind: Is internal capability the maximum feasible level of capability? Should the policy maker aim at maximizing the internal and combined capabilities of the citizens?²⁰ Or is more appropriate to minimize the obstacles to the implementation of internal capabilities? Does treating the components separately ask for independence of the dimensions? Is the claim of interdependence between the dimensions consistent with the demand for a multidimensional approach?

The above discussion of how Nussbaum's and Sen's conceptions relate to freedom has concentrated on their diverging attitude towards external conditions. The conception of combined capability views external conditions as constraints – and constraints only. In contrast to that, the concept of effective freedom allows for positive and broadening impact of external conditions on the extent of freedom a person enjoys. Mainly the discussion has shown that the term “external circumstances” stays somewhat obscure in this context and

²⁰ This goal is implicitly laid out in the CA as Dowding's reading confirms: He states “maximizing abilities” (Dowding 2006: 325) as the aim of the CA.

deserves more attention. Without further specification of what is meant by “external conditions” it will be difficult to classify either combined capabilities or freedom as control – and in turn effective freedom – between negative and positive liberty.

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Appendix

Nussbaum's list of central functional capabilities as given in Nussbaum 2000 (p. 78):

1. *Life*. Being able to live to the end of human life of normal length; not dying prematurely, or before one's life is so reduced as to be not worth living.
2. *Bodily Health*. Being able to have good health, including reproductive health; to be adequately nourished; to have adequate shelter.
3. *Bodily Integrity*. Being able to move freely from place to place; to be secure against violent assault, including sexual assault and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction.
4. *Senses, Imagination, and Thought*. Being able to use the senses, to imagine, think, and reason – and to do these things in a 'truly human' way, a way informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training. Being able to use imagination and thought in connection with experiencing and producing works and events of one's own choice, religious, literary, musical, and so forth. Being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech, and freedom of religious exercise. Being able to have pleasurable experiences, and to avoid non-necessary pain.
5. *Emotions*. Being able to have attachments to things and people outside ourselves; to love those who love and care for us, to grieve at their absence; in general, to love, to grieve, to experience longing, gratitude, and justified anger. Not having one's emotional development blighted by fear and anxiety. ...
6. *Practical Reason*. Being able to form a conception of the good and to engage in critical reflection about the planning of one's life. ...
7. *Affiliation*. A. Being able to live with and towards others, to recognise and show concern for other human beings, to engage in various forms of social interaction; to be able to imagine the situation of another and have compassion for that situation; to have the capability for both justice and friendship. ...
B. Having the social bases of self-respect and non-humiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails protection against discrimination on the basis of race, sex, religion, caste, ethnicity, or national origin.
8. *Other species*. Being able to live with concern for and in relation to animals, plants, and the world of nature.
9. *Play*. Being able to laugh, to play, to enjoy recreational activities.
10. *Control over one's Environment*. A. Political. Being able to participate effectively in political choices that govern one's life; having the right of political participation, protections of free speech and association.
B. Material. Being able to hold property (both land and movable goods); having the right to seek employment on an equal basis with others; having the freedom from unwarranted search and seizure.