

1

EQUALITY OF WHAT?

1.1. WHY EQUALITY? WHAT EQUALITY?

Two central issues for ethical analysis of equality are: (1) Why equality? (2) Equality of what? The two questions are distinct but thoroughly interdependent. We cannot begin to defend or criticize equality without knowing what on earth we are talking about, i.e. equality of what features (e.g. incomes, wealths, opportunities, achievements, freedoms, rights)? We cannot possibly answer the first question without addressing the second. That seems obvious enough.

But if we *do* answer question (2), do we still *need* to address question (1)? If we have successfully argued in favour of equality of x (whatever that x is--some outcome, some right, some freedom, some respect, or some something else), then we have already argued for equality in *that* form, with x as the standard of comparison. Similarly, if we have rebutted the claim to equality of x, then we have already argued against equality in that form, with x as the standard of comparison. There is, in this view, no 'further', no 'deeper', question to be answered about why--or why not--'equality'. Question (1), in this analysis, looks very much like the poor man's question (2).

There is some sense in seeing the matter in this way, but there is also a more interesting substantive issue here. It relates to the fact that every normative theory of social arrangement that has at all stood the test of time seems to demand equality of *something*--something that is regarded as particularly important in that theory. The theories involved are diverse and frequently at war with each other, but they still seem to have that common feature. In the contemporary disputes in political philosophy, equality does, of course, figure prominently in the contributions of John Rawls (equal liberty and equality in the distribution of 'primary goods'), Ronald Dworkin ('treatment as equals', 'equality of resources'), Thomas Nagel ('economic equality'), Thomas Scanlon ('equality'), and others generally associated with a 'pro equality'

view. ¹ But equality in some space seems to be demanded even by those who are typically seen as having disputed the 'case for equality' or for 'distributive justice'. For example, Robert Nozick may not demand equality of utility or equality of holdings of primary goods, but he does demand equality of libertarian rights--no one has any more right to liberty than anyone else. James Buchanan builds equal legal and political treatment--indeed a great deal more--into his view of a good society. ² In each theory, equality is sought in some space--a space that is seen as having a central role in that theory. ³

But what about utilitarianism? Surely, utilitarians do not, in general, want the equality of the total utilities enjoyed by different people. The utilitarian formula requires the maximization of the sum-total of the utilities of all people *taken together*, and that is, in an obvious sense, not particularly egalitarian. ⁴ In fact, the equality that utilitarianism seeks takes the form of equal treatment of human beings in the space of *gains and losses of utilities*. There is an insistence on equal weights on everyone's utility gains in the utilitarian objective function.

This diagnosis of 'hidden' egalitarianism in utilitarian philosophy might well be resisted on the ground that utilitarianism really involves a sum-total maximizing approach, and it might be thought that, as a result, any egalitarian feature of utilitarianism cannot be more than accidental. But this reasoning is deceptive. The utilitarian approach is undoubtedly a *maximizing* one, but the real question is

¹ See Rawls (1971, 1988a), R. Dworkin (1978, 1981), Nagel (1979, 1986), Scanlon (1982, 1988b). The positions taken by the modern utilitarians raise a more complex question (on which more presently), but the starting-point is something like 'giving equal weight to the equal interests of all the parties' (Hare 1982: 26), or a procedure to 'always assign the same weight to all individuals' interests' (Harsanyi 1982: 47).

² See Nozick (1973, 1974), J. M. Buchanan (1975, 1986). See also J. M. Buchanan and Tullock (1962).

³ This does not, obviously, apply to those critiques of equality (in some space) that do not include a proposal for something constructive instead. It is the presentation or defence of such a constructive proposal that can be expected to entail--often implicitly--the demand for equality in some *other* space. Nor is the expectation of a demand for equality in some other space likely to apply to theories that do not refer to human beings at all, e.g. proposals that advocate 'maximization of the total market value of wealth'. It is in a *constructive* proposal making use of some human condition that an implicit demand for some type of equality is likely to occur.

⁴ In my earlier book on inequality (*on Economic Inequality*, Sen 1973a in the bibliography), I had discussed in some detail (see ch. 1) why utilitarianism is inequalitarian in some important respects. As indicated in the Introduction, that book is referred to in this monograph as *OEI*.

what is the nature of the objective function it maximizes. That objective function could have been quite inegalitarian, e.g. giving much more weight to the utilities of some than to those of others. Instead, utilitarianism attaches exactly the same importance to the utilities of all people in the objective function, and that feature--coupled with the maximizing format--guarantees that everyone's utility gains get the same weight in the maximizing exercise. The egalitarian foundation is, thus, quite central to the entire utilitarian exercise. Indeed, it is precisely this egalitarian feature that relates to the foundational principle of utilitarianism of 'giving equal weight to the equal interests of all the parties' (Hare 1981: 26), or to 'always assign the same weight to all individuals' interests' (Harsanyi 1982: 47).⁵

What do we conclude from this fact? One obvious conclusion is that being egalitarian (i.e. egalitarian in *some space* or other to which great importance is attached) is not really a 'uniting' feature.⁶ Indeed, it is precisely because there are such substantive differences between the endorsement of different spaces in which equality is recommended by different authors that the basic similarity between them (in the form of wanting equality in *some* space that is seen as important) can be far from transparent. This is especially so when the term 'equality' is defined--typically implicitly--as equality in a *particular* space.

For example, in his interesting essay, "'The Case against Equality'", with which William Letwin (1983) introduces an important collection of papers by different authors on that theme (the volume is called *Against Equality*), he argues against equal distribution of incomes (or commodities) thus: 'Inasmuch as people are unequal, it

⁵John Rawls (1971) has argued that 'there is a sense in which classical utilitarianism fails to take seriously the distinction between persons' (p. 187). In so far as a utilitarian theorist argues simply for the maximization of the amount of happiness, pleasure, etc., with no attention being paid to the fact that these things are features of particular persons, Rawls's claim has much force. But a utilitarian can also see utility as an irreducibly personal feature demanding attention precisely because the well-beings of the persons involved command respect and regard. On this see Bentham (1789), Mill (1861), Edgeworth (1881), Pigou (1952), Hare (1981), Harsanyi (1982), and Mirrlees (1982). This limited 'defence' of utilitarianism should not be seen as supporting it as an adequate ethical or political theory. Utilitarianism does have serious deficiencies (I have tried to discuss them elsewhere: Sen 1970a, 1979b, 1982b), but not taking the distinction between different persons seriously may not be a fair charge against utilitarianism in general.

⁶On this and related issues, see B. Williams (1973a), Suppes (1977), Sen (1980a), R. Dworkin (1981), Rae (1981), B eteille (1983b).

is rational to presume that they ought to be treated unequally-- which might mean larger shares for the needy or larger shares for the worthy' ("'A Theoretical Weakness of Egalitarianism'", 8). But even the demand for equal satisfaction of 'needs' is a requirement of equality (in a particular space), and it has indeed been championed as such for a long time. Even though the idea of individual 'worth' is harder to characterize, the usual formulations of the demand for 'larger shares for the worthy' tend to include equal treatment for equal worth, giving to each the same reward for worth as is given to another. Thus, these critiques of egalitarianism tend to take the form of being--instead--egalitarian in some *other* space. ⁷The problem again reduces to arguing, implicitly, for a different answer to the question 'equality of what?'

Sometimes the question 'equality of what?' gets indirectly addressed in apparently discussing 'why equality?', with equality defined in a *specific* space. For example, Harry Frankfurt (1987) well-reasoned paper attacking 'equality as a moral ideal' is concerned mainly with disputing the claims of *economic* egalitarianism in the form of 'the doctrine that it is desirable for everyone to have the same amounts of income and wealth (for short, "money")' (p. 21). ⁸Though the language of the presentation puts 'egalitarianism' as such in the dock, this is primarily because Frankfurt uses that general term to refer specifically to a particular version of 'economic egalitarianism': 'This version of economic egalitarianism (for short, simply "egalitarianism") might also be formulated as the doctrine that there should be no inequalities in the *distribution* of money' (p. 21).

The choice of space for equality is, thus, central to Frankfurt's main thesis. ⁹His arguments can be seen as disputing the specific demand for a common interpretation of economic egalitarianism by

⁷Similarly, Peter Bauer (1981) forceful argument in favour of the same right for all to enjoy what they have 'produced' is also an egalitarian demand in that chosen space--that of receiving a reward commensurate with one's productive contribution.

⁸See also J. R. Lucas (1965, 1980). For a pointed critique of Frankfurt's thesis, see Goodin (1987).

⁹Indeed, the nature of the space is crucial to all axioms that take the form of demanding or rejecting equality. For example, the 'weak equity axiom' stated in my OEI indicated a preference for equality in the space of overall well-being. While that condition was possibly over-strong, since it incorporated a lexicographic priority of equality over aggregative considerations, some of the critiques of the condition have been misplaced in interpreting the formal requirement in other spaces, e.g. in the allocation of specialist medical care among persons (see J. Griffin 1981, 1986; see also Brandt 1979, and my response to his critique in Sen 1980-1).

arguing (1) that such an equality is of no great intrinsic interest, and (2) that it leads to the violation of intrinsically important values values that link closely to the need for paying equal attention to all in some other--more relevant--way.

Wanting equality of *something*--something seen as *important*--is undoubtedly a similarity of some kind, but that similarity does not put the warring camps on the same side. It only shows that the battle is not, in an important sense, about 'why equality?', but about equality of what?'

Since some spaces are traditionally associated with claims of equality' in political or social or economic philosophy, it is equality in one of those spaces (e.g. incomes, wealths, utilities) that tend to go under the heading 'egalitarianism'. I am *not* arguing against the continued use of the term 'egalitarianism' in one of those senses; there is no harm in that practice if it is understood to be a claim about equality in a specific space (and by implication, *against* equality in other spaces). But it is important to recognize the limited reach of that usage, and also the fact that demanding equality in one space--no matter how hallowed by tradition--can lead one to be anti-egalitarian in some other space, the comparative importance of which in the overall assessment has to be critically assessed.

1.2. IMPARTIALITY AND EQUALITY

The analysis in the last section pointed to the partisan character of the usual interpretations of the question 'why equality?'. That question, I have argued, has to be faced, just as much, even by those who are seen--by themselves and by others--as 'anti-egalitarian', for they too are egalitarian in *some* space that is important in their theory. But it was not, of course, argued that the question 'why equality?' was, in any sense, pointless. We may be persuaded that the basic disputations are likely to be about 'equality of what?', but it might still be asked whether there *need be* a demand for equality in *some* important space or other. Even if it turns out that every substantive theory of social arrangements in vogue is, in fact, egalitarian in some space--a space seen as central in that theory--there is still the need to explain and defend that general characteristic in each case. The shared practice--even if it were universally shared--would still need some defence.

The issue to address is not so much whether there *must be for strictly formal reasons* (such as the discipline of 'the language of morals'), equal consideration for all, at some level, in all ethical theories of social arrangement. ¹⁰ That is an interesting and hard question, but one I need not address in the present context; the answer to it is, in my judgement, by no means clear. I am more concerned with the question whether ethical theories must have this basic feature of equality to have substantive plausibility in the world in which we live.

It may be useful to ask *why* it is that so many altogether different substantive theories of the ethics of social arrangements have the common feature of demanding equality of *something*--something important. It is, I believe, arguable that to have any kind of plausibility, ethical reasoning on social matters must involve elementary equal consideration for all at *some* level that is seen as critical. The absence of such equality would make a theory arbitrarily discriminating and hard to defend. A theory may accept--indeed demand--inequality in terms of many variables, but in defending those inequalities it would be hard to duck the need to relate them, ultimately, to equal consideration for all in some adequately substantial way.

Perhaps this feature relates to the requirement that ethical reasoning, especially about social arrangements, has to be, in some sense, credible from the viewpoint of others--potentially **all** others. The question 'why this system?' has to be answered, as it were, for all the participants in that system. There are some Kantian elements in this line of reasoning, even though the equality demanded need not have a strictly Kantian structure. ¹¹

Recently Thomas Scanlon (1982) has analysed the relevance and power of the requirement that one should 'be able to justify one's actions to others on grounds that they could not reasonably

¹⁰For a classic exposition and defence of such an analytically ambitious claim, see Hare (1952, 1963).

¹¹For reasons for taking note of differences (e.g. of personal commitments or obligations) that tend to be ignored at least in some versions of the Kantian uniformist format, see Williams (1981), Hampshire (1982), Taylor (1982). On some related issues, see Williams (1973*a*), where it is also discussed why 'the various elements of the idea of equality' pull us in 'different directions' (p. 248). But the acknowledgment of the importance of different obligations and commitments does not, of course, do away with the general need to make our ethics credible to others.

reject'. ¹²The requirement of 'fairness' on which Rawls (1971) builds his theory of justice can be seen as providing a specific structure for determining what one can or cannot reasonably reject. ¹³Similarly, the demands of 'impartiality'--and some substantively exacting forms of 'universalizability'--invoked as general requirements have that feature of equal concern in some major way. ¹⁴Reasoning of this general type certainly has much to do with the foundations of ethics, and has cropped up in different forms in the methodological underpinning of substantive ethical proposals. ¹⁵

The need to defend one's theories, judgements, and claims to others who may be--directly or indirectly--involved, makes equality of consideration at some level a hard requirement to avoid. There are interesting methodological questions regarding the status of this condition, in particular: whether it is a logical requirement or a substantive demand, ¹⁶and whether it is connected with the need for 'objectivity' in ethics. ¹⁷I shall not pursue these questions further here, since the main concerns of this monograph do not turn on our answers to these questions. ¹⁸

What is of direct interest is the plausibility of claiming that equal consideration at some level--a level that is seen as important--is a demand that cannot be easily escaped in presenting a political or ethical theory of social arrangements. It is also of considerable pragmatic interest to note that impartiality and equal concern, in

¹²See also Scanlon (1988a). On related matters, see Rawls (1971, 1988c), B. Williams (1972, 1985), Mackie (1978a), Ackerman (1980, 1988), Parfit (1984), O'Neill (1989).

¹³See also Rawls's later--more explicit--analysis of this connection, in Rawls (1985, 1988a, 1990).

¹⁴See Mackie (1978a). Impartiality-based reasoning is used by Harsanyi (1955) and Hare (1963) to defend the choice of utilitarian ethics. The idea of equal concern, in the form of the requirement of impartiality, is invoked even in setting up theories that explicitly take an 'anti-egalitarian' form. For example, in presenting his case for 'morals by agreement', Gauthier (1986) asserts--correctly in terms of his particular definition of equality--that 'equality is not a fundamental concern in our theory', but goes on immediately to explain: 'we have appealed to the equal rationality of the bargainers to show that their agreement satisfies the moral standard of *impartiality*' (p. 270, emphasis added).

¹⁵On this see Sen (1970a: ch. 9).

¹⁶This issue can be compared with John Mackie (1978a) examination of whether the need for universalization is 'a logical thesis' or 'a substantive practical thesis' (p. 96).

¹⁷On the scope of objectivity, see Nagel (1980, 1986), McDowell (1981, 1985), Wiggins (1985, 1987), H. Putnam (1987, 1991), and Hurley (1989). On the other hand, see also Harman (1977), Mackie (1978a, 1978b) and **B. Williams** (1981, 1985).

¹⁸Some particular aspects of this question are discussed in Sen (1983b, 1985a).

some form or other, provide a shared background to all the major ethical and political proposals in this field that continue to receive argued support and reasoned defence. ¹⁹ One consequence of all this is the acceptance--often implicit--of the need to justify disparate advantages of different individuals in things that matter. That justification frequently takes the form of showing the integral connection of that inequality with equality in some *other* important--allegedly *more* important--space. ²⁰

Indeed, it is equality in that more important space that may then be seen as contributing to the contingent demands for *inequality* in the other spaces. The justification of *inequality* in some features is made to rest on the equality of some other feature, taken to be more basic in that ethical system. Equality in what is seen as the 'base' is invoked for a reasoned defence of the resulting inequalities in the far-flung 'peripheries'.

1.3. HUMAN DIVERSITY AND BASAL EQUALITY

Human beings differ from each other in many different ways. We have different external characteristics and circumstances. We begin life with different endowments of inherited wealth and liabilities.

¹⁹The remark here applies specifically to *social arrangements*--and thus to theories in political philosophy rather than personal ethics. In the ethics of *personal* behaviour, powerful arguments have been presented in favour of permitting or requiring explicit *asymmetries* in the treatment of different people. Such arguments may relate, for example, to the permissibility--perhaps even the necessity--of paying special attention to one's own interests, objectives and principles, *vis-à-vis* those of others. Or they may relate to the requirement of assuming greater responsibility towards one's own family members and others to whom one is 'tied'. Different types of asymmetries involved in personal ethics are discussed in B. Williams (1973*a*, 1973*b*, 1981), Mackie (1978*a*), Nagel (1980, 1986), Scheffler (1982), Sen (1982*b*, 1983*b*), Regan (1983), and Parfit (1984). While these requirements can also be seen in terms of demands for equality of rather special types, they would tend to go against the usual political conceptions of 'anonymous' equality (on this see Sen 1970*a*).

²⁰This greater importance need not be seen as intrinsic to the space itself. For example, equality of primary goods in Rawls (1971, 1982, 1985, 1988*a*) analysis, or of resources in Ronald Dworkin (1981, 1987) theory is not justified on grounds of the intrinsic importance of primary goods or of resources. Equality in these spaces is seen as important because they are instrumental in giving people equitable opportunity, in some sense, to pursue their respective goals and objectives. This distance does, in fact, introduce--I would claim-- some internal tension in these theories, since the derivative importance of primary goods or resources depends on the respective opportunities to convert primary goods or resources into the fulfilment of the respective goals, or into freedoms to pursue them. The conversion possibilities can, in fact, be

We live in different natural environments--some more hostile than others. The societies and the communities to which we belong offer very different opportunities as to what we can or cannot do. The epidemiological factors in the region in which we live can profoundly affect our health and well-being.

But in addition to these differences in natural and social environments and external characteristics, we also differ in our personal characteristics (e.g. age, sex, physical and mental abilities). And these are important for assessing inequality. For example, equal incomes can still leave much inequality in our ability to do what we would value doing. A disabled person cannot function in the way an able-bodied person can, even if both have exactly the same income. Thus, inequality in terms of one variable (e.g. income) may take us in a very different direction from inequality in the space of another variable (e.g. functioning ability or well-being).

The relative advantages and disadvantages that people have, compared with each other, can be judged in terms of many different variables, e.g. their respective incomes, wealths, utilities, resources, liberties, rights, quality of life, and so on. The plurality of variables on which we can possibly focus (the *focal variables*) to evaluate interpersonal inequality makes it necessary to face, at a very elementary level, a hard decision regarding the perspective to be adopted. This problem of the choice of the 'evaluative space' (that is, the selection of the relevant focal variables) is crucial to analysing inequality.

The differences in focus are particularly important because of extensive human diversity. Had all people been exactly similar, equality in one space (e.g. incomes) would tend to be congruent with equalities in others (e.g. health, well-being, happiness). One of the consequences of 'human diversity' is that equality in one space tends to go, in fact, with inequality in another.

For example, we may not be able to demand equality of welfare levels and other such 'patterning'--to use Nozick's helpful description--once we demand the equality of libertarian rights as specified by Nozick (1974). If equal rights, in this form, are accepted, then so must be all their consequences, and this would

very diverse for different people, and this does, I would argue, weaken the rationale of the derivative importance of equality of holdings of primary goods or resources. On this, see Chs. 3 and 5 (also Sen 1980a, 1990b).

include all the generated inequalities of incomes, utilities, well-being, and positive freedoms to do this or be that.

I am not examining, here, how convincing this defence is. ²¹ The important issue in the present discussion is the nature of the strategy of justifying inequality through equality. Nozick's approach is a lucid and elegant example of this general strategy. If a claim that inequality in some significant space is right (or good, or acceptable, or tolerable) is to be defended by reason (not by, say, shooting the dissenters), the argument takes the form of showing this inequality to be a consequence of *equality* in some other--more centrally important--space. Given the broad agreement on the need to have equality in the 'base', and also the connection of that broad agreement with this deep need for impartiality between individuals (discussed earlier), the crucial arguments have to be about the reasonableness of the 'bases' chosen. Thus, the question: 'equality of what?' is, in this context, not materially different from the enquiry: 'what is the right space for basal equality?' The answer we give to 'equality of what?' will not only endorse equality in that chosen space (the focal variable being related to the demands of basal equality), but will have far-reaching consequences on the distributional patterns (including necessary *inequalities*) in the other spaces. 'Equality of what?' is indeed a momentous--and central--question.

1.4. EQUALITY VERSUS LIBERTY?

The importance of equality is often contrasted with that of liberty. Indeed, someone's position in the alleged conflict between equality and liberty has often been seen as a good indicator of his or her general outlook on political philosophy and political economy. For example, not only are libertarian thinkers (such as Nozick 1974) seen as anti-egalitarian, but they are diagnosed as anti-egalitarian precisely because of their overriding concern with liberty. ²² Similarly, those diagnosed as egalitarian thinkers (e.g. Dalton 1920, Tawney 1931, or Meade 1976) may appear to be less concerned with liberty precisely because they are seen as being wedded to the demands of equality.

In the light of the discussion in the previous sections, we must

²¹ Some criticisms of that approach can be found in Sen (1982*b*, 1984).

²² I refer here specifically to Nozick (1973, 1974). For a reassessment and refinement of his position, see Nozick (1989).

argue that this way of seeing the relationship between equality and liberty is altogether faulty. Libertarians must think it important that people should have liberty. Given this, questions would immediately arise regarding: *who, how much, how distributed, how equal?* Thus the issue of equality immediately arises as a supplement to the assertion of the importance of liberty.²³ The libertarian proposal has to be completed by going on to characterize the distribution of rights among the people involved.²⁴ In fact, the libertarian demands for liberty typically include important features of 'equal liberty', e.g. the insistence on equal immunity from interference by others. The belief that liberty is important cannot, thus, be in conflict with the view that it is important that the social arrangements be devised to promote equality of liberties that people have.

There can, of course, be a conflict between a person who argues for the equality of some variable *other than* liberty (such as income or wealth or well-being) and someone who wants only equal liberty. But that is a dispute over the question 'equality of *what?*' *Similarly, a distribution-independent general promotion of liberty (i.e. promoting it wherever possible without paying attention to the distributive pattern) could, of course, conflict with equality of some other variable, say, income, but that would be (1) partly a conflict between concentrating respectively on liberty and on incomes, and (2) partly one between a concern for distributive patterns (of incomes in this case) and non-distributive aggregative considerations (applied to liberty). It is neither accurate nor helpful to think of the difference in either case in terms of 'liberty versus equality'.*

Indeed, strictly speaking, posing the problem in terms of this latter contrast reflects a 'category mistake'. They are not alternatives. Liberty is among the possible fields of application of equality,

²³There can be quite different ways of defending the importance of liberty. One distinction relates to the different concepts of goodness and rightness. First, liberty can be seen as a *good* thing that people should have, and the violation of liberty may be seen as making the state of affairs less good. Second, liberty may be taken to be not a part of the idea of goodness, but a feature of *right* social arrangements. There are distinctions--not unrelated to the above contrast--also between what duties *others* have if someone's liberties are violated. I have tried to discuss these questions elsewhere (see Sen 1970*a*, 1982*b*, 1983*a*, 1992*a*), and will not pursue them further here.

²⁴See, in this context, Rawls (1971) discussion of the priority of 'equal liberty' (ch. 4). See also Berlin (1955-6, 1969), Wollheim (1955-6), Hayek (1960, 1967), Buchanan (1975, 1986), Haksar (1979), Gutmann (1980), Goodin (1988), Suppes (1988), and Lukes (1990).

and equality is among the possible *patterns* of distribution of liberty. ²⁵

As was discussed earlier, the need to face explicitly the choice of space is an inescapable part of the specification and reasoned evaluation of the demands of equality. There are, at one end, demands of equal libertarian rights only, and at the other end, various exacting demands of equality regarding an extensive list of *achievements* and also a corresponding list of *freedoms* to achieve. This study is much concerned with this plurality and its manifold consequences.

1.5. PLURALITY AND ALLEGED EMPTINESS

The recognition of plurality of spaces in which equality may be assessed can raise some doubts about the content of the idea of equality. Does it not make equality less powerful and imperative as a political idea? If equality can possibly speak with so many voices, can we take any of its demands seriously? ²⁶

Indeed, the apparent pliability of the contents of equality has appeared to some analysts as a source of serious embarrassment for the idea of equality. As Douglas Rae (1981) has put it (in his meticulous and helpful exploration of the various contemporary notions of equality), 'one idea that is more powerful than order or efficiency or freedom in resisting equality' is 'equality itself' (p. [151](#)).

While Rae argues that the idea of equality is, as it were, 'over-full', others have argued, on similar grounds, that equality is 'an empty idea'--it is 'an empty form having no substantive content of its own'. ²⁷ Since equality can be interpreted in so many different

²⁵There can, of course, be some ambiguity regarding what is called a 'pattern'. Sometimes the term 'pattern' may be used to impose particular specifications of constituent characteristics, e.g. the Union Jack demands some blue and some red. The appropriate analogy for equality and liberty is with the distinction between, say, the pattern of intensities of colours (e.g. the same intensity for each unit, or maximal intensity altogether), and the use of particular colours (e.g. blue) the intensities of which are examined.

²⁶There is also a related but distinct issue as to whether equality can provide a deep enough justification for any social structure. Robert Goodin (1988) asks an interesting question as to whether the 'apparent egalitarianism' underlying 'welfare state practices' are ultimately just 'epiphenomenal' (pp. [51](#) - [69](#)). The argument depends, as Goodin notes, on how equality is defined, and his affirmative answer to the question draws on the conflict between different views of equality (including that implicit in what he calls 'impartiality').

²⁷Westen (1982: 596).

ways, the requirement of equality cannot, in this view, be taken to be a truly substantive demand.

It is certainly true that merely demanding equality without saying equality of what, cannot be seen as demanding anything specific. This gives some plausibility to the thesis of emptiness. But the thesis is, I believe, erroneous nevertheless. First, even before a specific space is chosen, the general requirement of the need to value equality in *some space that is seen to be particularly important* is not an empty demand. This relates to the discipline imposed by the need for some impartiality, some form of equal concern. At the very least, it is a requirement of scrutiny of the basis of the proposed evaluative system. It can also have considerable cutting power, in questioning theories without a basal structure and in rejecting those that end up without a basal equality altogether. Even at this general level, equality is a substantive and substantial requirement.

Second, once the context is fixed, equality can be a particularly powerful and exacting demand. For example, when the space is fixed, demands for equality impose some ranking of patterns, even before any specific index of equality is endorsed. For example, in dealing with the inequality of incomes, the so-called 'Dalton principle of transfer' demands that a small transfer of income from a richer person to a poorer one--keeping the total unchanged--must be seen to be a distributive improvement.²⁸ In its context, this is a fairly persuasive rule in ranking distributions of the same total income by the general requirement of equality without invoking any specific index or measure.

In addition to such ordering of patterns in a *given* space, even the broader exercise of the choice of space itself may have clear links with the motivation underlying the demand for equality. For example, in evaluating justice, or social welfare, or living standards, or quality of life, the exercise of choice of space is no longer just *formal*, but one of substantive discrimination. As I shall try to show in the chapters that follow, the claims of many of these spaces can be forcefully disputed once the context is fixed. Though this need not lead us to *one* precise characterization of the demands of equality that is important in every context, this is far from a real

²⁸On this see Dalton (1920), Kolm (1969), Atkinson (1970*b*, 1983). On some further normative implications of this property, see Dasgupta, Sen, and Starrett (1973) and Rothschild and Stiglitz (1973), and also *OEI*, ch. 3.

embarrassment. In each context, the demands of equality may be both distinct and strong.

Third, the diversity of spaces in which equality may be demanded really reflects a deeper diversity, to wit, different diagnoses of objects of value--different views of the appropriate notions of individual advantage in the contexts in question. The problem of diversity is, thus, not unique to equality evaluation. The different demands of equality reflect divergent views as to what things are to be directly valued in that context. They indicate different ideas as to how the advantages of different people are to be assessed *vis-à-vis* each other in the exercise in question. Liberties, rights, utilities, incomes, resources, primary goods, need-fulfilments, etc., provide different ways of seeing the respective lives of different people, and each of the perspectives leads to a corresponding view of equality.

This plurality--that of assessing the advantages of different persons--reflects itself in different views not merely of equality, but also of any other social notion for which individual advantage substantially enters the informational base. For example, the notion of 'efficiency' would have exactly the same plurality related to the choice of space. ²⁹Efficiency is unambiguously increased if there is an enhancement of the advantage of each person (or, an advancement for at least one person, with no decline for any), but the content of that characterization depends on the way advantage is defined. When the *focal variable* is fixed, we get a specific definition of efficiency in this general structure.

Efficiency comparisons can be made in terms of different variables. If, for example, advantage is seen in terms of individual utility, then the notion of efficiency immediately becomes the concept of 'Pareto optimality', much used in welfare economics. This demands that the situation is such that no one's utility can be increased without cutting down the utility of someone else. But efficiency can also be similarly defined in the spaces of liberties, rights, incomes, and so on. For example, corresponding to Pareto optimality in the space of utilities, efficiency in terms of liberty would demand that the situation is such that no one's liberty can be increased without cutting down the liberty of someone else. There is, formally, an exactly similar multiplicity of efficiency

²⁹While the plurality is exactly similar in principle, it is possible that empirically there may be more space-related divergence between inequality comparisons than between efficiency comparisons; on this see Sen (1992*b*).

notions as we have already seen for equality, related to the plurality of spaces.

This fact is not surprising, since the plurality of spaces in which equality may be considered reflects a deeper issue, viz. plurality regarding the appropriate notion of individual advantage in social comparisons. The choice between these spaces is undoubtedly an integral part of the literature of inequality evaluation. But the plurality of spaces really reflects diversities in substantive approaches to individual advantage, and in the informational base of interpersonal comparisons. Space plurality is not a unique problem--nor of course a source of special embarrassment--for the idea of equality as such.

1.6. MEANS AND FREEDOMS

It was suggested earlier that the class of normative theories of social arrangements with which we are concerned demand--for reasons that we discussed--equality in some space or other. This equality serves as the 'basal equality' of the system and has implications on the distributive patterns in the other spaces. Indeed, basal equality may be directly responsible for inequalities in the other spaces.

It may be useful to discuss an example or two of the choice of space and its importance. In modern political philosophy and ethics, the most powerful voice in recent years has been that of John Rawls (1971). His theory of 'justice as fairness' provides an interesting and important example of the choice of space and its consequences. In his 'Difference Principle', the analysis of efficiency and equality are both related to the individual holdings of primary goods. ³⁰

With that system, the diversity of inherited wealth and of talents

³⁰It is the Difference Principle which is concerned with the distribution of primary goods in the Rawlsian two principles of justice as fairness. It is worth noting--so as not to oversimplify matters--that (1) Rawls's first principle, which has priority, deals only with personal liberties (and demands equal liberty); (2) the Difference Principle is concerned not only with distributive considerations but also with efficiency (in the form that any change that improves the position of all--including the worst off group--is regarded as an improvement), and (3) the principles stated are not meant as mechanical formulae, and a good deal of explanation and analysis of their use is presented by Rawls as part and parcel of his theory of justice as fairness (for recent clarifications on the exact claims in this theory, see Rawls 1985, 1988*a*, 1988*b*, 1988*c*, 1990; see also Laden 1991*a*). Notwithstanding these qualifications, it is obvious that equality of the holdings of primary goods has an important place in Rawls's structure of political ethics.

would not generate income inequality in the same way as in Nozick's system, since the primary goods--on the distribution of which Rawls's Difference Principle imposes an egalitarian requirement--include incomes among their constitutive elements. Incomes are, thus, directly covered in the Rawlsian demands of basal equality. But the relationship between *primary goods* (including incomes), on the one hand, and *well-being*, on the other, may vary because of personal diversities in the possibility of converting primary goods (including incomes) into achievements of well-being. For example, a pregnant woman may have to overcome disadvantages in living comfortably and well that a man at the same age need not have, even when both have exactly the same income and other primary goods.

Similarly, the relationship between *primary goods* and the *freedom* to pursue one's objective's--well-being as well as other objectives--may also vary.³¹ We differ not only in our inherited wealths, but also in our personal characteristics. Aside from purely individual variations (e.g. abilities, predispositions, physical differences), there are also systematic contrasts between groups (for example between women and men in specific respects such as the possibility of pregnancy and neonatal care of infants). With the same bundle of primary goods, a pregnant woman or one with infants to look after has much less freedom to pursue her goals than a man not thus encumbered would be able to do. The relationship between *primary goods*, on the one hand, and *freedom* as well as *well-being*, on the other, can vary with interpersonal and intergroup variations of specific characteristics.³²

Inequalities in different 'spaces' (e.g. incomes, primary goods, liberties, utilities, other achievements, other freedoms) can be very different from each other depending on interpersonal variations in the *relations* between these distinct--but interconnected--variables. One consequence of the basic fact of human diversity is to make it particularly important to be sure of the space in which inequality is to be evaluated. Person 1 can have more utility than 2 and 3, while 2

³¹On this question, see Sen (1990b).

³²Rawls (1985, 1987, 1988a) himself has emphasized another type of diversity among the individuals, to wit, differences between their respective conceptions of the good. This leads to differences in the objectives which they respectively have reasons to pursue. That heterogeneity has to be distinguished from the diversity in the ability to convert resources and primary goods into the fulfilment of objectives (or into the ability to fulfil objectives). Neither diversity entails the other, and it is important to consider both types of interpersonal variations. These issues are discussed in Ch. 5.

has more income than 1 and 3, and 3 is free to do many things that 1 and 2 cannot. And so on. Even when the rankings are the same, the relative distances (i.e. the extent of the superiority of one position over another) could be very diverse in the different spaces.

Some of the most central issues of egalitarianism arise precisely because of the contrast between equality in the different spaces. The ethics of equality has to take adequate note of our pervasive diversities that affect the relations between the different spaces. The *plurality* of focal variables can make a great difference precisely because of the diversity of human beings.

1.7. INCOME DISTRIBUTION, WELL-BEING AND FREEDOM

Our physical and social characteristics make us immensely diverse creatures. We differ in age, sex, physical and mental health, bodily prowess, intellectual abilities, climatic circumstances, epidemiological vulnerability, social surroundings, and in many other respects. Such diversities, however, can be hard to accommodate adequately in the usual evaluative framework of inequality assessment. As a consequence, this basic issue is often left substantially unaddressed in the evaluative literature.

An important and frequently encountered problem arises from concentrating on inequality of *incomes* as the primary focus of attention in the analysis of inequality. The extent of real inequality of opportunities that people face cannot be readily deduced from the magnitude of inequality of *incomes*, since what we can or cannot do, can or cannot achieve, do not depend just on our incomes but also on the variety of physical and social characteristics that affect our lives and make us what we are.

To take a simple illustration, the extent of comparative deprivation of a physically handicapped person *vis-à-vis* others cannot be adequately judged by looking at his or her income, since the person may be greatly disadvantaged in converting income into the achievements he or she would value. ³³The problem does not arise only

³³The importance of coming to grips with cases of this kind was discussed fairly extensively in *OEI*, ch. 1. It was treated there mainly as the basis of a critique of utilitarianism and its exclusive concern with *summing* utilities. I have nothing to withdraw from that critique, but the problem is, in fact, much more pervasive than I had argued there. It will become clear, as we review other standard approaches, that nearly all of them tend to fail to do justice to the problem that is illustrated by this case.

from the fact that income is just a means to our real ends, but (1) from the existence of *other* important means, and (2) from interpersonal variations in the *relation* between the means and our various ends.

These issues have on the whole tended to be neglected in the literature on the measurement of inequality in economics. For example, consider the approach to constructing 'inequality indices' based on social loss of equivalent income pioneered by Atkinson (1970b).³⁴ This approach has been, in many ways, remarkably influential and productive in *integrating* considerations of income-inequality with the overall evaluation of social welfare.³⁵ The extent of inequality is assessed in this approach by using the same response function $u(y)$ for *all* individuals, defined over personal incomes.³⁶ This strategy of inequality measurement, thus, incorporates the restrictive feature of treating everyone's incomes symmetrically no matter what difficulties some people have compared with others in converting income into well-being and freedom.³⁷

³⁴This welfare-economic approach to inequality evaluation is further discussed in Ch. 6 below.

³⁵The approach is extensively discussed in *OEI*, ch. 3. For illuminating accounts and assessments of the recent literature on inequality evaluation--including the influence of Atkinson's approach on that literature--see Blackorby and Donaldson (1978, 1984) and Foster (1985). Atkinson (1983) himself has provided a critical evaluation of that literature and commented on some of the questions that have been raised. See also Kolm (1969, 1976) on related matters.

³⁶This u function has usually been interpreted as a 'utility function'. But u need not necessarily be seen as 'utility'; on this see Atkinson (1983: 5-6). Social welfare is taken to be an additively separable function of individual incomes. The bits of social welfare dependent on the respective persons' incomes are derived from the same function for everyone and then added up together to yield aggregate social welfare. If u is taken as utility (a permissible view, providing perhaps the simplest--certainly the most common--interpretation), then the assumption of the same u function for all amounts to that of the same utility function for everyone. But more generally, no matter what interpretation of $u(y)$ is chosen, *that* function must have this characteristic of being the same for all. Similarly, in the extension of the Atkinson measure to a not-necessarily additively separable format proposed in my *OEI* (pp. 38-42), the assumption of a *symmetric* aggregate W function entails that everyone's income would have the same overall impact. While formally all this is consistent with many different underlying stories, the central case is based on the presumption of the *same* conversion relation (between income and achievement) for different people. On the general issue of conversion, see Fisher and Shell (1972), Sen (1979c), and Fisher (1987).

³⁷Taking the same utility function for all, relating utility to income (or to income and work) is also quite standard in many other branches of resource allocation, e.g. in the literature on 'optimum taxation' pioneered by James Mirrlees (1971); Tuomala (1971) provides a helpful account of that literature. This applies also to the literature on cost-benefit analysis (see the critical survey by Drèze and Stern, 1987).

It is, of course, true that the object of this approach is to assess inequality specifically in the distribution of *incomes*, not in levels of well-being. But that assessment is done in the light of what is *achieved* from the respective person's income, and these achievements make up the aggregate 'social welfare'. Income inequality is assessed by Atkinson in terms of the loss of social welfare (in units of equivalent aggregate income) as a result of inequality in the distribution of aggregate income.³⁸ Given this motivation, it will in general be necessary to bring in the effects of other influences on people's lives and well-being to assess *income* inequality itself.³⁹ In general the measurement of inequality has to bring in information regarding other spaces--both (1) for the purpose of evaluating inequality in these spaces *themselves*, and (2) for that of assessing *income inequality* in a broader framework, taking note of the presence of other influences on the objective (in Atkinson's case, social welfare) in terms of which income inequality is to be ultimately assessed. These issues will be further examined in Chapter 6.

The tendency to assume away interpersonal diversities can originate not only from the pragmatic temptation to make the analytics simple and easy (as in the literature of inequality measurement), but also, as was discussed earlier, from the rhetoric of equality itself (e.g. 'all men are created equal'). The warm glow of such rhetoric can push us in the direction of ignoring these differences, by taking 'no note of them', or by 'assuming them to be absent'. This suggests an apparently easy transition between one space and another, e.g. from incomes to utilities, from primary goods to freedoms, from resources to well-being. They reduce--again only *apparently*--the tension between different approaches to equality.

But that comfort is purchased at a heavy price. As a result of that assumption, we are made to overlook the substantive inequalities in, say, well-being and freedom that may directly *result* from an equal distribution of incomes (given our variable needs and disparate personal and social circumstances). Both pragmatic shortcuts and grand rhetoric can be helpful for some purposes and altogether unhelpful and misleading for others.

³⁸The approach (see Atkinson 1970*b*, 1975, 1983) develops a line of analysis originally explored by Dalton (1920), and revived also by Kolm (1969). The main lines of the approach and the underlying analytics are also discussed in *OEI*.

³⁹For insightful remarks on this and related issues, see Atkinson (1983: Part I).

5

JUSTICE AND CAPABILITY

5.1. THE INFORMATIONAL BASES OF JUSTICE

Any evaluative judgement depends on the truth of some information and is independent of the truth or falsity of others. The 'informational basis of a judgement' identifies the information on which the judgement is directly dependent and--no less importantly--asserts that the truth and falsehood of any other type of information cannot *directly* influence the correctness of the judgement.

The informational basis of judgements of *justice*, thus, specifies the variables that are directly involved in assessing the justice of alternative systems or arrangements (the role, if any, of the other variables being only derivative). For example, in the utilitarian view of justice, the informational basis consists only of the utilities of the respective individuals in the states of affairs under evaluation. I have tried to argue elsewhere that the examination of the informational basis of each evaluative approach provides a useful way of investigating and scrutinizing that approach.¹

Most theories of justice can also be usefully analysed in terms of the information used in two different--though interrelated--parts of the exercise, viz. (1) the selection of *relevant personal features*, and (2) the choice of *combining characteristics*. To illustrate, for the standard utilitarian theory, the only intrinsically important 'relevant personal features' are *individual utilities*, and the only usable 'combining characteristic' is *summation*, yielding the *total* of those utilities. The set of 'welfarist' theories, of which utilitarianism is a particular example, retains the former part (viz. takes utilities as the only relevant personal features), but can use other combining characteristics, e.g. utility-based maximin (or lexicographic

¹The diverse roles of the informational bases of normative choice and judgements have been discussed in Sen (1974, 1977b, 1979d, 1985a). The part played, in particular, by 'informational constraints', which are typically implicitly imposed, can be both complex and far-reaching.

maximin), summation of concave transforms of utilities (such as summing the logarithms of utilities).²

Examples of selection of 'relevant personal features' other than utilities include *liberties* and *primary goods* (Rawls 1971), *rights* (Nozick 1974), *resources* (R. Dworkin 1981), *commodity bundles* (Foley 1967; Pazner and Schmeidler 1974, Varian 1974, 1975; Baumol 1986), and various *mixed spaces* (Suzumura 1983; Wriglesworth 1985; Riley 1987). Note that in some cases the personal features are broadly of the *outcome* type (e.g. commodity bundles enjoyed), as they are with welfarist theories (illustrated by utilitarianism), whereas in other cases they relate to *opportunities*, defined in some way or other (e.g. primary goods, rights, resources).

The selection of personal features has to be supplemented by the choice of a combining formula, e.g. sum-maximization,³ *lexicographic priorities and maximin*,⁴ *equality*,⁵ or one of various *other* combining rules.⁶

The substantive contents of theories of justice have, thus, included widely different informational bases and also quite divergent uses of the respective information. That informational variation corresponds closely to the question of plurality of focal variables with which we are concerned in this monograph. As was argued earlier, each theory of justice includes choosing--explicitly or by implication--a particular demand for 'basal equality', which in its turn influences the choice of the focal variable for assessing inequality. The respective claims of the different conceptions of

²Arguments for quite different combining characteristics in even the same utility space can be found, among others, in Suppes (1966, 1977), Kolm (1969, 1976), Sen (1970a, 1977b), Mirrlees (1971), Rawls (1971), Phelps (1973), P. J. Hammond (1976a), Strasnick (1976), Arrow (1977), Blackorby and Donaldson (1977), d'Aspremont and Gevers (1977), Maskin (1978), Gevers (1979), Roberts (1980a), Blackorby, Donaldson, and Weymark (1984), d'Aspremont (1985), Thomson and Varian (1985). While the axiomatics of the combining structures explored in these and related contributions are mostly defined in the utility space, they can, in most cases, also be readily presented in other spaces, involving other personal features (such as indices of primary goods, or of resources, or of capabilities). Thus, the axiomatic structures, in fact, have a wider interest than the nature of the space might suggest.

³See Harsanyi (1955), d'Aspremont and Gevers (1977), Maskin (1978).

⁴See Rawls (1971), Hammond (1976a), Strasnick (1976), d'Aspremont and Gevers (1977), Sen (1977b).

⁵See Foley (1967), Nozick (1974), R. Dworkin (1981), Van Parijs (1990a).

⁶See Varian (1975), Gevers (1979), Roberts (1980a), Suzumura (1983), Blackorby, Donaldson, and Weymark (1984), d'Aspremont (1985), Wriglesworth (1985), Baumol (1986), Riley (1987), Moulin (1989, 1990), among many other contributions.

justice have a close connection with the relevance of the corresponding views of equality.

5.2. RAWLSIAN JUSTICE AND THE POLITICAL CONCEPTION

By far the most influential--and I believe the most important--theory of justice to be presented in this century has been John Rawls's 'justice as fairness'. The main aspects of that theory are well known and have been extensively discussed.⁷ Some features have received particular attention. This includes Rawls's use of the device of 'the original position'--a hypothetical state of primordial equality in which people (without knowing exactly who they are going to be) are seen as choosing between alternative principles that would govern the basic structure of the society. That procedure is seen as fair, and the principles regarding the basic social structure that would be picked by that fair procedure are seen as just.

The rules of justice include a pair of principles. The formulation of these principles has undergone some change since their presentation in *The Theory of Justice* (Rawls 1971: 60, 83, 90-5), partly to clarify what was ambiguous, but also to respond to some early critiques (e.g. by H. L. A. Hart 1973). In his 1982 Tanner Lectures, Rawls stated these principles thus:

Each person has an equal right to a fully adequate scheme of equal basic liberties which is compatible with a similar scheme of liberties for all.

Social and economic inequalities are to satisfy two conditions. First, they must be attached to offices and positions open to all under conditions of fair equality of opportunity; and second, they must be to the great benefit of the least advantaged members of society.⁸

The first principle involves a weakening of the condition of liberty ('a fully adequate scheme' demands rather less than the original requirement of 'the most extensive total system' specified in the 1971 version). The second principle continues to include the so-called 'Difference Principle' in which the focus is on producing 'the greatest benefit of the least advantaged', with advantage being judged by the holding of 'primary goods' (Rawls 1971: 90-5). But 'fair equality of opportunity' receives renewed emphasis here.

While these features of Rawls's theory have received wide atten-

⁷An early set of responses can be found in Norman Daniels collection *Reading Rawls* (Daniels 1975). See also Phelps (1973) collection on 'economic justice'.

⁸Reprinted in Rawlset al. (1987: 5).

tion even among economists, it is important to interpret these features in the light of some of the political aspects of his approach. In particular Rawls himself has insisted on the need to see his theory as 'a political conception of justice' (see Rawls 1985, 1987, 1988a, 1988b, 1988c, 1990). I begin with an examination of that feature and the bearing it might have on the importance of questions of equality in particular social circumstances.

Two distinct features of Rawls's characterization of his political conception of justice can be fruitfully separated out. One feature relates to the *subject-matter* of the political conception: 'a political conception of justice . . . is a moral conception worked out for a specific kind of subject, namely, for political, social, and economic institutions.'⁹ This does not specify any particular principle that would have to be used for a moral conception to be political. The matter turns on whether the *subject* is 'political', in the sense of dealing with 'political, social, and economic institutions'.

The other feature, in contrast, relates precisely to a particular principle to be used, associated with a specific form of social judgment and choice, viz. that of 'a constitutional democracy', in which 'the public conception of justice should be, so far as possible, independent of controversial philosophical and religious doctrines'. 'To formulate such a conception, we apply the principle of toleration to philosophy itself: the public conception of justice is to be political, not metaphysical.'¹⁰ In this characterization, the subject-matter is not in itself critical, and the crucial 'political' feature is the 'toleration' of possibly divergent comprehensive doctrines (subject to these ideas of the good themselves satisfying certain features of toleration, i.e. 'the ideas included must be political ideas').

In Rawls's analysis these two distinct features are closely related, so much so that he seems to view them inseparably together. It is, however, possible for an approach to be 'political' in the sense of the subject-matter (as specified by Rawls) without its endorsing the feature of 'toleration' as a qualifying condition for a theory having some claims to justice. I make this point here not because I regard the issue of toleration to be unimportant--quite the contrary, I regard it to be one of the central issues in thinking politically about justice.¹¹ But there can be important issues of justice and injustice in the choice of 'political, social, and economic institutions' even when

¹⁰Rawls (1985: 223).

¹¹On this, see Sen (1970a, 1985a).

⁹Rawls (1985: 224).

pluralist tolerance of the kind outlined by Rawls simply does not obtain. While 'toleration', in the sense discussed by Rawls, of different comprehensive views of the good is undoubtedly one of the most important political aspects of living together in a society, it is nevertheless not the only thing that is 'political' in social living.¹² The definitional exclusion contained in Rawls's 'political conception' limits the scope of the concept of justice drastically and abruptly, and it would often make it hard to identify political rights and wrongs that a theory of justice *should* address.

Specifically, on grounds of the absence of toleration a whole lot of comprehensive doctrines may be ruled out of court (indeed, in some social situations none of the ones actually championed by different political groups may remain), and yet there may be very perspicuous problems of inequality, deprivation, and injustice in the disputes between the different sides. To be without a theory that can deal with such problems (when the different sides are intolerant), and to see the disputes as lying *outside* the purview of the so-called political conception of justice, would appear to be oddly limiting for the domain of a political conception of justice.

Consider, for example, the well-known dictum of social choice apparently enunciated by Emperor Haile Selassie during the Ethiopian famines of 1973, explaining the absence of famine relief measures undertaken by his government: 'We have said wealth has to be gained through hard work. We have said those who don't work starve.'¹³ This is, of course, an old no-nonsense principle, which has often been articulated, and which might even be seen--by stretching a point--as having some biblical support.¹⁴ That 'principle' was, in fact, very efficiently practised in Selassie's Ethiopia, and at the height of the 1973 famine, there was little state-arranged relief.¹⁵

It is not hard to argue that the Emperor's political ethics regard-

¹²There is a related--but larger--issue regarding the exact role of 'neutrality' in political liberalism and the feasibility and desirability of imposing neutrality on theories of justice and fairness. For divergent assessments of that question, see e.g. Dworkin (1978, 1985), Fishkin (1983), Raz (1986), Larmore (1987), Ackerman (1988), Rawls (1988*a*), Pogge (1989), Van Parijs (1991). The discussion here bears on that issue, but I shall not, here, go on to a fuller treatment of that larger problem.

¹³Quoted in L. Wiseberg, '*An International Perspective on the African Famines,*' in Glantz (1976: 108).

¹⁴'If any would not work, neither should he eat' (*2 Thess.* 3: 10).

¹⁵The Emperor's principles were not, in fact, the only reason for the disastrous delay in arranging public relief, and there were other factors involved, including a misdiagnosis of the nature of the famine and of its causation (on which see Sen 1981*a*, ch. 7, and also Glantz 1976). But I am not concerned with those issues here.

ing the choice of social and political institutions, as expressed in the dictum, violates requirements of justice quite robustly. Indeed, at the substantive level, one can easily point to the drastic inequalities in capabilities between famine victims and the rest of the society, and also--in this case--to great inequalities in the holdings of primary goods. The argument can proceed by pointing to the wrongness of denying to out-of-work famine victims--unable to find remunerative work for survival--reasonable claims on support from the rest of the society. ¹⁶There are different ways of working out this argument in political ethics, and invoking Rawls's device of the 'original position' would be one of the most effective ways.

But neither the Emperor, nor the opponents of his regime, who eventually overthrew him in a bloody uprising while the famine raged on, gave any indication of accepting any principle of toleration of the other's view of the good. Indeed, each side pursued their own objectives with no quarter given to the objectives of the others, and as far as one can judge, had no interest in looking for a political solution based on toleration with the desire of living together. In terms of a political conception of justice that requires such toleration, it would be hard to pass any judgement about justice in this case. And yet it would be peculiar to claim that no decidable issue of justice in a political conception was involved in the dispute about institutional famine relief, and that the principles of social choice embodied in Haile Selassie's statement (to wit, no state relief for the out-of-work famine victims) simply lay *outside* the domain of the political conception of justice. Justice, in this restrictive political conception, would seem to have a high admission price. ¹⁷

All this need not be seen as being at all embarrassing for a theory of justice that self-consciously 'starts from within a certain political tradition', and that is presented with the 'hope that this political conception of justice may at least be supported by what we may call an "overlapping consensus", that is, by a consensus that includes all the opposing philosophical and religious doctrines likely to persist and to gain adherents in a more or less just constitutional

¹⁶This case, incidentally, also illustrates well the force of Judith Shklar's (1990) general argument that the sense of *injustice* is a specially cogent starting point for social analysis and assessment.

¹⁷It is, of course, easy to indict Selassie of being intolerant. But the injustice in question relates not just to that, but to the principles of famine relief--more correctly non-relief--followed by his government. The insistence on toleration as a common agreed basis would prevent that question from even being raised.

democratic society' (Rawls 1985: 225-6). So there is no real problem here for Rawls's analysis in terms of his own programme.

It is, however, important to ask whether this particular *political* conception gives the idea of justice--even justice in apolitical sense--its due. Many blatant injustices in the world take place in social circumstances in which the invoking of 'political liberalism' and the 'principle of tolerance' may be neither easy nor particularly helpful. And yet to leave these matters out of the scope of a 'political conception of justice' would be to reduce its domain severely. There are many conspicuous issues of justice and injustice involved in the political choice of social institutions all over the world, and it is not easy to accept the definition of a political conception of justice that rules most of them out of court on grounds of ideological remoteness from constitutional democracies. The limits of 'the political' need not be seen to be so close. ¹⁸The pervasive problems of inequality and injustice in the world call for a less restrictive approach.

While the preceding discussion points to the limited domain of the Rawlsian conception of justice, especially in the light of the emphasis he has recently placed on the aspect of 'toleration', it is important to recognize that the Rawlsian perspective--particularly the Difference Principle--has been widely used in the literature on economic and social development. The insights that people have obtained from Rawls's analysis of 'justice as fairness' seem to have gone greatly beyond the limits he has himself imposed, and it is not clear to me that these insights have been all misderived and misdirected. When it comes to evaluating Rawls's theory of justice as a whole, it is of course necessary to see it within the specific constraints imposed by the author himself, but the 'Rawlsian outlook' in a less constrained form has had a profound impact on a much wider range of contemporary political, social, and economic thinking. In particular, the literature on the evaluation of inequality has not been quite the same again since Rawls's classic book made its first appearance.

5.3. PRIMARY GOODS AND CAPABILITIES

There have been various approaches focusing on equality of *opportunities*--characterized in different ways--in the recent literature of

¹⁸The point is not about the use of the word 'political', but rather about the motivation underlying the idea of a political conception. It is, however, possible also to argue that Rawls uses a particularly narrow definition of the term political.

justice. Rawls's concentration on the distribution of 'primary goods'--including 'rights, liberties and opportunities, income and wealth, and the social bases of self-respect'¹⁹--in his Difference Principle can be seen as a move in that direction. This approach can also be interpreted, as I argued earlier on in this monograph, as taking us in the direction of the overall freedom actually enjoyed by people, and this has the effect of reorienting the direction of the analysis of equality and justice towards freedoms enjoyed rather than being confined to the outcomes achieved. An important problem arises from the fact that primary goods are not constitutive of freedom as such, but are best seen as *means* to freedom (an issue that we discussed in Section 3.3 earlier). Ronald Dworkin (1981, 1987) case for 'equality of resources' can also be seen as belonging broadly in the same general area of substantive accounting, since resources are also means to freedom, and Dworkin has, in fact, presented a specific way of accounting resources and adjudicating 'the equality of resources'.

One problem is that of valuation. Since means are ultimately valued for something else, it is not easy to set up a scheme of valuation of means that would be really independent of the ends. It is by skilful use of this connection that John Roemer (1986*b*) has established a mathematical result which he has interpreted as 'equality of resources implies equality of welfare' (the title of his article). The result has been based on an elaborate set of axioms, but the basic insight behind the result can be seen as seeking the value of *resources* in terms of what the resources *yield*. Since resources are not valued for their own sake, such a connection has some obvious plausibility. By taking a model in which the only ultimate end is welfare, the result that equality of resources must yield equality of welfare has emerged in Roemer's theorem.

The congruence of resource valuation with welfare valuation can be, in fact, replaced by a similar congruence with whatever is taken to be the end the promotion of which is the reason for valuing the resources. The real issue behind this interesting result is the dependence of the valuation of means on the valuation of ends (and not specifically the interdependence of resources and welfare).

In what follows I shall be concerned primarily with Rawls's theory of justice as fairness, but some of the comments will apply also to Dworkin's approach.

¹⁹See Rawls (1971: 60-5).

The main issue is the adequacy of the informational base of primary goods for the political conception of justice in Rawls's sense, and the need if any for focusing on capabilities. Primary goods are 'things that every rational man is presumed to want', and include 'income and wealth', 'the basic liberties', 'freedom of movement and choice of occupation', 'powers and prerogatives of offices and positions of responsibility', and 'the social bases of self-respect'.²⁰ Primary goods are, thus, general purpose means or resources useful for the pursuit of different ideas of the good that the individuals may have.

Earlier in this monograph (especially in Chapter 3), I have disputed the alleged adequacy, for a freedom-oriented assessment of justice, of this concentration on *means* to freedom, rather than on the *extent* of the freedom that a person actually has. Since the conversion of these primary goods and resources into freedom of choice over alternative combinations of functionings and other achievements may vary from person to person, equality of holdings of primary goods or of resources can go hand in hand with serious inequalities in actual freedoms enjoyed by different persons. The central question, in the present context, is whether such inequalities of freedom are compatible with fulfilling the underlying idea of the political conception of justice.

In the capability-based assessment of justice, individual claims are not to be assessed in terms of the resources or primary goods the persons respectively hold, but by the freedoms they actually enjoy to choose the lives that they have reason to value.²¹ It is this actual freedom that is represented by the person's 'capability' to achieve various alternative combinations of functionings.

It is important to distinguish capability--representing freedom actually enjoyed--both (1) from primary goods (and other resources), and (2) from achievements (including combinations of functionings actually enjoyed, and other realized results). To illustrate the first distinction, a person who has a disability can have more primary goods (in the form of income, wealth, liberties, and so on) but less capability (due to the handicap). To take another example, this time from poverty studies, a person may have more income and more nutritional intake, but less freedom to live a well-nourished existence because of a higher basal metabolic rate, greater

²⁰See Rawls (1971: 60-5); Rawls (1982: 162); Rawls (1988a: 256-7).

²¹Various aspects of this claim and their diverse implications were discussed in Chs. 3 and 4.

vulnerability to parasitic diseases, larger body size, or simply because of pregnancy. Similarly, in dealing with poverty in the richer countries, we have to take note of the fact that many of those who are poor in terms of income and other primary goods also have characteristics--age, disability, disease-proneness, etc.--that make it more difficult for them to convert primary goods into basic capabilities, e.g. being able to move about, to lead a healthy life, to take part in the life of the community. Neither primary goods, nor resources more broadly defined, can represent the capability a person actually enjoys.

To illustrate the *second* distinction, a person may have the same capability as another person, but nevertheless choose a different bundle of functionings in line with his or her particular goals. Furthermore, two persons with the same actual capabilities and even the same goals may end up with different outcomes because of differences in strategies or tactics that they respectively follow in using their freedoms.

In responding to my critique, Rawls has tended to assume that it is based on presuming that everyone has the same common ends--*shared* objectives pursued by all. This is based on the belief that if they had distinct objectives, then the differential conversion rates of primary goods into capabilities could not be ascertained. That assumption (viz. the *same* objectives for all), if made, would certainly go against Rawls's political conception of justice, which admits interpersonal variation of ends, with each person having his own 'comprehensive view of the good'. Rawls summarizes *his interpretation* of my objection thus:

. . . the idea of primary goods must be mistaken. For they are not what, from within anyone's comprehensive doctrine, can be taken as ultimately important: they are not, in general, anyone's idea of the basic values of human life. Therefore, to focus on primary goods, one may object, is to work for the most part in the wrong space--in the space of institutional features and material things and not in the space of basic moral values. ²²

Rawls's response to his interpretation of my objection is the following:

In reply, an index of primary goods is not intended as an approximation to what is ultimately important as specified by any particular comprehensive doctrine with its account of moral values. ²³

²²Rawls (1988a: 256-9).

²³Rawls (1988a: 259). Rawls also has a rather different line of answering my criticism in his 'Reply to Sen' (Rawls 1988b). He argues that his full theory of justice

The main problem with this reply lies in the misinterpretation of the nature of the objection. Capability reflects a person's freedom to choose between alternative lives (functioning combinations), and its valuation need not presuppose unanimity regarding some one specific set of objectives (or, as Rawls calls it, 'a particular comprehensive doctrine'). As was discussed earlier, it is important to distinguish between freedom (reflected by capability) and achievement (reflected by actual functionings), and the evaluation of capability need not be based on one particular comprehensive doctrine that orders the achievements and the life-styles. ²⁴

The second problem, related to the first, concerns Rawls's claim that primary goods are 'not intended as an approximation to what is ultimately important as specified by any *particular* comprehensive doctrine' (emphasis added). This is a legitimate enough concern for Rawls's 'political conception of justice', but the lack of correspondence with primary goods does not lie only there. It lies also in the fact--more important in the present context--that a disadvantaged person may get less from primary goods than others *no matter what comprehensive doctrine* he or she has.

To illustrate the point, consider two persons 1 and 2, with 2 disadvantaged in some respect (e.g. physical disability, mental handicap, greater disease proneness). They do not have the same ends or objectives, or the same conception of the good. Person 1 values *A* more than *B*, while 2 has the opposite valuation. Each values $2A$ more than *A*, and $2B$ more than *B*, and the orderings of the two (representing the relevant parts of their respective 'comprehensive doctrines') are the following:

has more 'flexibility' than I recognize, and some of the interpersonal variations I am concerned with can be taken note of at later stages, such as 'legislative' and 'judicial' ones. It is not altogether easy to be sure what overall procedures and allocational principles would be in fact satisfied by such a complex stagewise structure, but if it is indeed the case that all the relevant interpersonal variations will be effectively dealt with at some stage or other, then that would certainly reduce the force of the criticism. Some of the issues raised by interpersonal variations in the conversion of primary goods into capabilities would then end up receiving attention after all.

²⁴In the capability format, achievement is given by an *n*-tuple of relevant functionings, while capability itself is a *set* of such *n*-tuples from which one can be chosen. On some alternative forms of representation, and their relevance to the analysis of individual advantage and thus to the study of inequality, see also Chs. 3 and 4.

	<i>Person 1</i>	<i>Person 2</i>
2A		2B
2B		2A
A		B
B		A

With the given set of primary goods, person 1 can achieve 2A or 2B, also--though there may be no great merit in this--A or B. On the other hand, given 2's disadvantage, with the very same primary goods, she can achieve only A or B. Person 1 proceeds to achieve 2A (the best feasible outcome for him), while 2 settles for B (the best feasible outcome for her). The problem is not just that 2 is at a disadvantage in terms of one *particular* comprehensive doctrine (her own or that of person 1), but she has a worse deal than 1 *no matter* which comprehensive doctrine we take. Equality of primary goods has given 2 less *freedom to achieve* and not just less *achievement* with respect to some *one* comprehensive doctrine.

If the comparisons were made not in terms of primary goods, but in terms of capabilities, 2's worse deal would be obvious. Person 1's capability set consists of (A, B, 2A, 2B), whereas 2's capability is just a proper subset of it, to wit (A, B), with the best elements--no matter which comprehensive doctrine is considered--lost. Capability represents *freedom*, whereas primary goods tell us only about the *means* to freedom, with an interpersonally variable relation between the means and the actual freedom to achieve. Rawls is right to think that my objection did relate to primary goods being *means* only, but that problem is not disposed of by saying that they are not meant as an approximation of 'any particular comprehensive doctrine'. ²⁵

²⁵Dominance in the space of capabilities does not require agreement on any one comprehensive doctrine, since one capability set can be a proper subset of another (as in the example given). Furthermore, even when the capability sets are not subsets of each other, for agreement to exist on their ranking, we do not need the acceptance of any one comprehensive doctrine. Partial rankings of capabilities can be based on superiority in terms of *each* of the relevant comprehensive doctrines. However, to insist on a *complete ordering* can be problematic. (There is a similar problem of complete indexation of the holdings of primary goods for Rawls's Difference Principle, since different primary goods can be disparately effective in the pursuit of different comprehensive ends; on this and related problems, see Plott 1978, Gibbard 1979, Blair 1988, Sen 1992c.) But partial orderings can be an adequate basis for many evaluative judgements, especially in dealing with serious problems of inequality. How extensive the rankings of capability sets turn out to be will depend on (1) the divergence between the relevant comprehensive views, and (2) the differences between the sets to be ranked. The analytical problems involved are discussed in Sen (1970a, 1970b, 1985b). See also Ch. 3 above.

5.4. DIVERSITIES: ENDS AND PERSONAL CHARACTERISTICS

There are in fact two sources of variation in the relation between a person's *means* in the form of primary goods (or resources) and achievement of ends. One is *inter-end* variation--different conceptions of the good that different people may have. The other is *inter-individual* variation in the relationship between resources (such as primary goods) and the freedom to pursue ends. Rawls shows great sensitivity to the first variation, and is keen on preserving respect for this diversity (rightly so, in line with his pluralist political conception). To deal with this problem, Rawls assumes that the *same* primary goods serve all the different ends. ²⁶

As far as the second *inter-individual* variation is concerned (i.e. in the relation between resources and freedoms), the problem created by this is in no way reduced by the existence of the first variation (i.e. over ends and objectives). A person's actual freedom to pursue her ends depends both on (1) what ends she has, and (2) what power she has to convert primary goods into the fulfilment of those ends. The latter problem can be serious *even with* given ends, but it is *not* the case that it can be serious *only with* given ends. The reach and relevance of the second problem is not reduced by the existence of the first.

To conclude, human beings are diverse, but diverse in different ways. One variation relates to the differences in ends and objectives. The ethical and political implications of this diversity we now understand much better as a result of Rawlsian analysis of justice as fairness. But there is another important diversity--variations in our ability to convert resources into actual freedoms. Variations related to sex, age, genetic endowments, and many other features, give us very divergent powers to build

²⁶Presumably for the sake of fairness it must not be the case that some people's ends are so *imperfectly* served by the primary goods (compared with the ends of others) that the first group may have a legitimate complaint about judging individual deals in terms of primary goods. Rawls's comprehensive assertion that 'approximation' of primary goods to 'no other space of values' is needed (indeed has to be shunned) would seem to overlook the nature of this particular problem. If every possible list of primary goods (and every way of doing an index) makes some people's ends very well served and others' very poorly indeed, then the important feature of neutrality' will be lost, and the entire line of reasoning of 'justice as fairness' may be significantly undermined. Thus, some strong requirements *are* imposed on the relation between primary goods and the spaces of other values. I shall not discuss this issue further in this essay. See also Ruth Anna Putnam (1991).

freedom in our lives even when we have the same bundle of primary goods. ²⁷

The Rawlsian approach to justice has transformed the way we think about that issue, and his theory has had the effect of shifting our concerns from inequalities only in outcomes and achievements to those in opportunities and freedoms. But by concentrating on the *means* to freedom rather than on the *extent* of freedom, his theory of a just basic structure of the society has stopped short of paying adequate attention to freedom as such. While the motivation for focusing on the *means* of freedom might have, it would appear, rested on Rawls's belief that the only alternative would be to choose one particular comprehensive view of outcomes and achievements, that presumption is, as shown above, not quite correct. Freedom can be distinguished both from the means that sustain it and from the achievements that it sustains.

Rawls's theory of justice has many distinct features, and the questions raised here must not be seen as an attempt to undermine the entire approach. Indeed, it would be difficult to try to construct a theory of justice today that would not have been powerfully influenced by the illumination provided by Rawls's deep and penetrating analysis. ²⁸ The point of criticism relates specifically to the tension between Rawls's concentration on primary goods and his concern for the freedoms we enjoy to pursue our ends. In so far as freedoms are what we are concerned with, I have tried to argue that there is a different--more accurate--way of examining the distributive issue. Rawls is, in fact, concerned with many other things as well, including the importance of certain liberal institutions and processes, and the need to restrain public policy when personal liberty is threatened. The discussion on equality of effective freedoms presented here does not dispute these aspects of Rawls's concerns.

²⁷Some of the empirical issues involved are discussed in Sen (1984, 1985b, 1988c) and Kynch and Sen (1983).

²⁸In proposing his alternative political theory, Robert Nozick says: 'Political philosophers now must either work within Rawls' theory or explain why not. The considerations and distinctions we have developed are illuminated by, and help illuminate, Rawls' masterful presentation of an alternative conception. Even those who remain unconvinced after wrestling with Rawls' systematic vision will learn much from closely studying it' (Nozick 1974: 183). Needless to say, the last remark will apply even more to those who remain unconvinced *only of particular parts* of Rawls's overall conception. But here we are concerned specifically with such a part, and hence the concentration on the *differences* with Rawls, rather than on the many points of agreement and on the great debt owed to Rawls for teaching us what it is like to examine justice.

The point may be illustrated by taking up the role that liberty is given in Rawlsian theory of justice. Rawls gives complete priority to the principle of liberty over other principles of justice, and this rather extreme formulation has been cogently disputed by Herbert Hart (1973).²⁹ On the other hand, it can be argued (on this, see Sen 1970a, 1983a) that some additional recognition is indeed needed for liberty over and above the attention it may receive as one primary good, or as one influence on well-being, or even as one of the causal determinants of a person's capability. Indeed, a person's capability may be reduced in exactly the same way in two cases: (1) through a violation of his liberty (by someone violating her freedom over a personal domain), and (2) through some internal debilitation that she suffers). Even though the two cases are not distinguishable in the capability space, an adequate theory of justice cannot really ignore the differences between the two cases. In this sense, the capability perspective, central as it is for a theory of justice, cannot be entirely adequate for it. There is a real need to bring in the demands of liberty as an additional principle (even if that principle is not given the total priority that Rawls recommends). The importance of the *over-all* freedom to achieve cannot eliminate the special significance of *negative* freedom.³⁰

Our focus in the present discussion has been only on a specific part of Rawls's theory of justice and the relation between one of his concerns and his proposed way of dealing with it. But in that specific--and I believe crucial--part of Rawlsian theory of justice, the point to emerge from our analysis is--I would argue--of some conceptual and practical importance. Equality of freedom to pursue our ends cannot be generated by equality in the distribution of primary goods. We have to examine interpersonal variations in the transformation of primary goods (and resources, more generally) into respective capabilities to pursue our ends and objectives.

If our concern is with equality of freedom, it is no more adequate to ask for equality of its *means* than it is to seek equality of its *results*. Freedom relates to both, but does not coincide with either.

²⁹Note, however, that the principle of liberty that receives this priority is itself made less demanding in the later formulation chosen by Rawls, quoted earlier in this chapter, compared with the 1971 version. The change is largely in response to Hart (1973) forceful critique.

³⁰On this see Sen (1970a, 1976c, 1985a: Lecture 3).