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Capabilities and Social Justice

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Women in much of the world lack support for fundamental functions of a human life. Unequal social and political circumstances give women unequal human capabilities. This paper critiques other approaches to these inequalities and offers a version of the capabilities approach. The central question asked by the capabilities approach is not, "How satisfied is this woman?" "How much in the way of resources is she able to command?" It is, instead, "What is she actually able to do and to be?" The core idea seems to be that of the human being as a dignified free being who shapes his or her own life, rather than being passively

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NOTE: The present article is closely related to the arguments of my book *Women and Human Development: The Capabilities Approach* (Cambridge and New York: Cambridge University Press, 2000), Introduction and chapter 1, hereafter WHD. The book also contains detailed discussion of Sen's views and differences between his version of the approach and my own. For earlier articulations of my views on capabilities see the following: "Nature, Function, and Capability: Aristotle on Political Distribution," *Oxford Studies in Ancient Philosophy* 1 (Suppl.) (1988), pp. 145–184; "Aristotelian Social Democracy," in R. B. Douglass et al., eds., *Liberalism and the Good* (New York: Routledge, 1990), pp. 203–252; "Non-Relative Virtues: An Aristotelian Approach," in M. Nussbaum and A. Sen, eds., *The Quality of Life* (Oxford: Clarendon Press, 1993), hereafter QL; "Aristotle on Human Nature and the Foundations of Ethics," in J. E. J. Altham and Ross Harrison, eds., *World, Mind and Ethics: Essays on the Ethical Philosophy of Bernard Williams* (Cambridge: Cambridge University Press, 1995), pp. 86–131; "Human Functioning and Social Justice: In Defense of Aristotelian Essentialism," *Political Theory* 20 (1992), pp. 202–246; "Human Capabilities, Female Human Beings," in M. Nussbaum and J. Glover, eds., *Women, Culture, and Development* (Oxford: Clarendon Press, 1995), pp. 61–104, hereafter WCD; "The Good as Discipline, the Good as Freedom," in David A. Crocker and Toby Linden, eds., *Ethics of Consumption: The Good Life, Justice, and Global Stewardship* (Lanham, Md.: Rowman and Littlefield, 1997), pp. 312–411; "Women and Cultural Universals," chapter 1 in Nussbaum, *Sex and Social Justice* (New York: Oxford University Press, 1999), pp. 29–54, hereafter SSJ; and "Capabilities and Human Rights," *Fordham Law Review* 66 (1997), pp. 273–300.

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shaped or pushed around by the world in the manner of a flock or herd animal. The basic intuition from which the capabilities approach begins, in the political arena, is that human abilities exert a moral claim that they should be developed. Capability, not functioning, is the appropriate political goal.

It will be seen how in place of the wealth *and* poverty *of political economy come the* rich human being *and* rich human need. *The rich human being is . . . the human being* in need of *a totality of human life-activities.*

—Marx, *Economic and Philosophical Manuscripts of 1844*

I found myself beautiful as a free human mind.

—Mrinal, heroine of Rabindranath Tagore's "Letter from a Wife" (1914)

I. Development and Sex Equality

Women in much of the world lack support for fundamental functions of a human life. They are less well nourished than men, less healthy, more vulnerable to physical violence and sexual abuse. They are much less likely than men to be literate, and still less likely to have preprofessional or technical education. Should they attempt to enter the workplace, they face greater obstacles, including intimidation from family or spouse, sex discrimination in hiring and sexual harassment in the workplace—all, frequently, without effective legal recourse. Similar obstacles often impede their effective participation in political life. In many nations women are not full equals under the law: they do not have the same property rights as men, the same rights to make a contract, the same rights of association, mobility and religious liberty.[1] Burdened, often, with the "double day" of taxing employment and full responsibility for housework and child care, they lack opportunities for play and the cultivation of their imaginative and cognitive faculties. All these factors take their toll on emotional well-being: women have fewer opportunities than men to live free from fear and to enjoy rewarding types of love—especially when, as often, they are married without choice in childhood and have no recourse from a bad marriage. In all these ways, unequal social and political circumstances give women unequal human capabilities.

[1]For examples of these inequalities see WHD, chapter 3; and my "Religion and Women's Human Rights," in Paul Weithman, ed., *Religion and Contemporary Liberalism* (Notre Dame, Ind.: University of Notre Dame Press, 1997), pp. 93–137; also in SSJ.

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According to the *Human Development Report 1999* of the United Nations Development Programme (UNDP), there is no country that treats its women as well as its men, in areas ranging from basic health and nutrition to political participation and economic activity.

One area of life that contributes especially greatly to women's inequality is the area of care. Women are the world's primary, and usually only, caregivers for people in a condition of extreme dependency: young children, the elderly, those whose physical or mental handicaps make them incapable of the relative (and often temporary) independence that characterizes so-called normal human lives. Women perform this crucial work, often, without pay and without recognition that it is work. At the same time, the fact that they need to spend long hours caring for the physical needs of others makes it more difficult for them to do what they want to do in other areas of life, including employment, citizenship, play and self-expression.[2]

My aim in this brief presentation will be first to indicate why I believe other approaches to these inequalities are not fully adequate and the capabilities approach is needed. Then I shall mention some very general features of the capabilities approach to show how it can handle the problems other approaches fail to handle.

II. Deficiencies of Other Approaches

Prior to the shift in thinking that is associated with the work of Amartya Sen,[3]

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[2] See Eva Kittay, *Love's Labor: Essays on Women, Equality, and Dependency* (New York: Routledge, 1999); Nancy Folbre, "Care and the Global Economy," background paper for Human Development Report 1999; Mona Harrington, *Care and Equality: Inventing a New Family Politics* (New York: Knopf, 1999); Joan Williams, *Unbending Gender: Why Family and Work Conflict and What to Do About It* (New York: Oxford University Press, 1999).

[3] The initial statement is in Sen, "Equality of What?" in S. McMurrin, ed., *Tanner Lectures on Human Values*, vol. 1 (Cambridge: Cambridge University Press, 1980), reprinted in Sen, *Choice, Welfare, and Measurement* (Oxford: Basil Blackwell; and Cambridge, Mass.: MIT Press, 1982); see also various essays by Sen in *Resources, Values, and Development* (Oxford: Basil Blackwell; and Cambridge, Mass.: Basil Blackwell and MIT Press, 1984); and *Commodities and Capabilities* (Amsterdam: North-Holland, 1985); see also his "Well-Being, Agency, and Freedom," The Dewey Lectures 1984, *The Journal of Philosophy* 82 (1985); "Capability and Well-Being," in QL, pp. 30–53; and "Gender Inequality and Theories of Justice," in WCD, pp. 153–198; also, his *Inequality Reexamined* (Oxford: Clarendon Press; and Cambridge, Mass.: Harvard University Press, 1992). See also J. Drèze and A. Sen, *Hunger and Public Action* (Oxford: Clarendon Press, 1989); and *India: Economic Development and Social Opportunity* (Delhi, India: Oxford University Press, 1995).

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and with the *Human Development Reports* of the UNDP,[4] the most prevalent approach to measuring quality of life in a nation used to be simply to ask about GNP per capita. This approach tries to weasel out of making any cross-cultural claims about what has value—although, notice, it does assume the universal value of opulence. What it omits, however, is much more significant. We are not even told about the distribution of wealth and income, and countries with similar aggregate figures can exhibit great distributional variations. (Thus South Africa always did very well among developing nations, despite its enormous inequalities and violations of basic justice.) Circus girl Sissy Jupe, in Dickens's novel *Hard Times*, already saw the problem with this absence of normative concern for distribution. She says that her economics lesson didn't tell her "who has got the money and whether any of it is mine."[5] So too with women around the world: the fact that one nation or region is in general more prosperous than another is only a part of the story: it doesn't tell us what government has done for women in various social classes, or how they are doing. To know that, we'd need to look at their lives. But then we need to specify, beyond distribution of wealth and income itself, what parts of lives we ought to look at—such as life expectancy, infant mortality, educational opportunities, health care, employment opportunities, land rights, political liberties. Seeing what is absent from the GNP account nudges us sharply in the direction of mapping out

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[4] *Human Development Reports: 1993, 1994, 1995, 1996* (New York: United Nations Development Programme). For related approaches in economics see Partha Dasgupta, *An Inquiry into Well-Being and Destitution* (Oxford: Clarendon Press, 1993); Bina Agarwal, *A Field of One's Own: Gender and Land Rights in South Asia* (Cambridge: Cambridge University Press, 1994); Sabina Alkire, *Operationalizing Amartya Sen's Capability Approach to Human Development: A Framework for Identifying Valuable Capabilities*, D. Phil. Dissertation, Oxford University, 1999; S. Anand and C. Harris, "Choosing a Welfare Indicator," *American Economic Association Papers and Proceedings* 84 (1993), pp. 226–249; Frances Stewart, "Basic Needs, Capabilities, and Human Development," in Avner Offer, ed., *In Pursuit of the Quality of Life* (Oxford: Oxford University Press, 1996); Prasanta Pattanaik, "Cultural Indicators of Well-Being: Some Conceptual Issues," in UNESCO, *World Culture Report; Culture, Creativity, and Markets* (Paris, UNESCO Publishing, 1998), pp. 333–339; Meghnad Desai, "Poverty and Capability: Towards an Empirically Implementable Measure," *Suntory-Toyota International Centre Discussion Paper* No. 27, London School of Economics Development Economics Research Program, 1990; Achin Chakraborty, *The Concept and Measurement of the Standard of Living*, Ph.D. Thesis, University of California at Riverside, 1996. For discussion of the approach see K. Aman, ed., *Ethical Principles for Development: Needs, Capabilities or Rights* (Montclair, N.J.: Montclair State University Press, 1991); K. Basu, P. Pattanaik, and K. Suzumura, eds., *Choice, Welfare, and Development: A Festschrift in Honour of Amartya K. Sen* (Oxford: Clarendon Press, 1995).

[5] See the discussion of this example in Nussbaum and Sen's "Introduction" to QL.

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these and other basic goods in a universal way, so that we can use the list of basic goods to compare quality of life across societies.

A further problem with all resource-based approaches, even those that are sensitive to distribution, is that individuals vary in their ability to convert resources into functionings. (This is the problem that has been stressed for some time by Amartya Sen in his writings about the capabilities approach.) Some of these differences are straightforwardly physical. Nutritional needs vary with age, occupation and sex. A pregnant or lactating woman needs more nutrients than a nonpregnant woman. A child needs more protein than an adult. A person whose limbs work well needs few resources to be mobile, whereas a person with paralyzed limbs needs many more resources to achieve the same level of mobility. Many such variations can escape our notice if we live in a prosperous nation that can afford to bring all individuals to a high level of physical attainment; in the developing world we must be highly alert to these variations in need. Again, some of the pertinent variations are social, connected with traditional hierarchies. If we wish to bring all citizens of a nation to the same level of educational attainment, we will need to devote more resources to those who encounter obstacles from traditional hierarchy or prejudice: thus women's literacy will prove more expensive than men's literacy in many parts of the world. If we operate only with an index of resources, we will frequently reinforce inequalities that are highly relevant to well-being. As my examples suggest, women's lives are especially likely to raise these problems: therefore, any approach that is to deal adequately with women's issues must be able to deal well with these variations.

If we turn from resource-based approaches to preference-based approaches, we encounter another set of difficulties.[6] Such approaches have one salient advantage over the GNP approach: they look at people, and assess the role of resources as they figure in improving actual people's lives. But users of such approaches typically assume without argument that the way to assess the role of resources in people's lives is simply to ask them about their satisfaction with their current preferences. The problem with this idea is that preferences are not exogenous, given independently of economic and social conditions. They are at least in part constructed by those conditions. Women often have no preference for economic independence before they learn about avenues through which women like them might pursue this goal; nor do they think of themselves as citizens with rights that were being ignored, before they learn of their rights and

[6]Chapter 2 of WHD gives an extensive account of economic preference-based approaches, arguing that they are defective without reliance on a substantive list of goals such as that provided by the capabilities approach. Again, this is a theme that has repeatedly been stressed by Sen in his writings on the topic (see note 3.)

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are encouraged to believe in their equal worth. All of these ideas, and the preferences based on them, frequently take shape for women in programs of education sponsored by women's organizations of various types. Men's preferences, too, are socially shaped and often misshaped. Men frequently have a strong preference that their wives should do all the child care and all the housework—often in addition to working an eight-hour day. Such preferences, too, are not fixed in the nature of things: they are constructed by social traditions of privilege and subordination. Thus a preference-based approach typically will reinforce inequalities: especially those inequalities that are entrenched enough to have crept into people's very desires. Once again, although this is a fully general problem, it has special pertinence to women's lives. Women have especially often been deprived of education and information, which are necessary, if by no means sufficient, to make preferences a reliable indicator of what public policy should pursue. They have also often been socialized to believe that a lower living standard is what is right and fitting for them, and that some great human goods (for example, education, political participation) are not for them at all. They may be under considerable social pressure to say they are satisfied without such things, and yet we should not hastily conclude that public policy should not work to extend these functions to women. In short, looking at women's lives helps us see the inadequacy of traditional approaches; and the urgency of women's problems gives us a very strong motivation to prefer a nontraditional approach.

Finally, let us consider the influential human rights approach. This approach has a great deal to say about these inequalities, and the language of rights has proven enormously valuable for women, both in articulating their demands for justice and in linking those demands to the earlier demands of other subordinated groups. And yet the rights framework is shaky in several respects. First, it is intellectually contested: there are many different conceptions of what rights are, and what it means to secure a right to someone. (Are rights prepolitical, or artifacts of laws and institutions? Do they belong to individual persons only, or also to groups? Are they always correlated with duties, and who has the duties correlated with human rights? And what are human rights rights to? Freedom from state interference primarily, or also a certain positive level of well-being and opportunity?) Thus to use the language of rights all by itself is not very helpful: it just invites a host of further questions about what is being recommended. Second, the language of rights has been associated historically with political and civil liberties, and only more recently with economic and social entitlements. But the two are not only of comparable importance in human lives, they are also thoroughly intertwined: the liberties of speech and association, for example, have material prerequisites. A woman who has no opportunities to work outside the home does not have the same freedom of association as one who does. Women deprived of education are also deprived of much

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meaningful participation in politics and speech. Third, the human rights approach has typically ignored urgent claims of women to protection from domestic violence and other abuses of their bodily integrity. It has also typically ignored urgent issues of justice within the family: its distribution of resources and opportunities among its members, the recognition of women's work as work. This neglect is not accidental, because the rights approach is linked with the tradition of liberal political philosophy that typically recognizes a distinction between the public and the private realms, and puts the family off-limits for purposes of state action. Fourth and finally, the rights approach is often linked with the idea of negative liberty, and with the idea of protecting the individual from state action. Although rights of course need not be understood in this way, their history, at least in the Lockean tradition, does lend itself to that sort of interpretation, and the focus on such areas of negative liberty has been a persistent obstacle to making progress for women in areas ranging from compulsory education to the reform of marriage.

III. Human Dignity and Human Capabilities

I shall now argue that a reasonable answer to all these concerns—capable of giving good guidance to governments establishing basic constitutional principles and to international agencies assessing the quality of life—is given by a version of the capabilities approach.

The central question asked by the capabilities approach is not, "How satisfied is this woman?" or even "How much in the way of resources is she able to command?" It is, instead, "What is she actually able to do and to be?" Taking a stand for political purposes on a working list of functions that would appear to be of central importance in human life, users of this approach ask, Is the person capable of this, or not? They ask not only about the person's satisfaction with what she does, but about what she does, and what she is in a position to do (what her opportunities and liberties are). They ask not just about the resources that are present, but about how those do or do not go to work, enabling the woman to function.

To introduce the intuitive idea behind the approach, it is useful to start from this passage of Marx's 1844 *Economic and Philosophical Manuscripts*, written at a time when he was reading Aristotle and was profoundly influenced by Aristotelian ideas of human capability and functioning:

> It is obvious that the *human* eye gratifies itself in a way different from the crude, non-human eye; the human *ear* different from the crude ear, etc. . . . . The *sense* caught up in crude practical need has only a *restricted* sense. For the starving man, it is not the human form of food that exists, but only its abstract being as food; it could just as well be there in its crudest form, and it would be impossible to say wherein this feeding activity differs from that of *animals*.

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Marx here singles out certain human functions—eating and the use of the senses, which seem to have a particular centrality in any life one might live. He then claims that there is something that it is to be able to perform these activities in a fully human way—by which he means a way infused by reasoning and sociability. But human beings don't automatically have the opportunity to perform their human functions in a fully human way. Some conditions in which people live—conditions of starvation, or of educational deprivation—bring it about that a being who is human has to live in an animal way. Of course what he is saying is that these conditions are unacceptable, and should be changed.

Similarly, the intuitive idea behind my version of the capabilities approach is twofold: first, that there are certain functions that are particularly central in human life, in the sense that their presence or absence is typically understood to be a mark of the presence or absence of human life. Second, and this is what Marx found in Aristotle, that there is something that it is to do these functions in a truly human way, not a merely animal way. We judge, frequently enough, that a life has been so impoverished that it is not worthy of the dignity of the human being, that it is a life in which one goes on living, but more or less like an animal, not being able to develop and exercise one's human powers. In Marx's example, a starving person just grabs at the food in order to survive, and the many social and rational ingredients of human feeding can't make their appearance. Similarly, the senses of a human being can operate at a merely animal level—if they are not cultivated by appropriate education, by leisure for play and self-expression, by valuable associations with others; and we should add to the list some items that Marx probably would not endorse, such as expressive and associational liberty, and the freedom of worship. The core idea seems to be that of the human being as a dignified free being who shapes his or her own life, rather than being passively shaped or pushed around by the world in the manner of a flock or herd animal.

At one extreme, we may judge that the absence of capability for a central function is so acute that the person isn't really a human being at all, or any longer—as in the case of certain very severe forms of mental disability, or senile dementia. But I am less interested in that boundary (important though it is for medical ethics) than in a higher one, the level at which a person's capability is "truly human," that is, *worthy* of a human being. The idea thus contains a notion of human worth or dignity.

Notice that the approach makes each person a bearer of value, and an end. Marx, like his bourgeois forebears, holds that it is profoundly wrong to subordinate the ends of some individuals to those of others. That is at the core of what exploitation is, to treat a person as a mere object for the use of others. What this approach is after is a society in which individuals are treated as each worthy of regard, and in which each has been put in a position to live really humanly.

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I think we can produce an account of these necessary elements of truly human functioning that commands a broad cross-cultural consensus, a list that can be endorsed for political purposes by people who otherwise have very different views of what a complete good life for a human being would be. The list is supposed to provide a focus for quality of life assessment and for political planning, and it aims to select capabilities that are of central importance, whatever else the person pursues. They therefore have a special claim to be supported for political purposes in a pluralistic society.[7]

The list is, emphatically, a list of separate components. We cannot satisfy the need for one of them by giving people a larger amount of another one. All are of central importance and all are distinct in quality. The irreducible plurality of the list limits the trade-offs that it will be reasonable to make, and thus limits the applicability of quantitative cost-benefit analysis.

The basic intuition from which the capability approach begins, in the political arena, is that human abilities exert a moral claim that they should be developed. Human beings are creatures such that, provided with the right educational and material support, they can become fully capable of these human functions. That is, they are creatures with certain lower-level capabilities (which I call "basic capabilities"[8]) to perform the functions in question. When these capabilities are deprived of the nourishment that would transform them into the high-level capabilities that figure on my list, they are fruitless, cut off, in some way but a shadow of themselves. If a turtle were given a life that afforded a merely animal level of functioning, we would have no indignation, no sense of waste and tragedy. When a human being is given a life that blights powers of human action and expression, that does give us a sense of waste and tragedy—the tragedy expressed, for example, in the statement made by Tagore's heroine to her husband, when she says, "I am not one to die easily." In her view, a life without dignity and choice, a life in which she can be no more than an appendage, was a type of death of her humanity.

IV. Functioning and Capability

I have spoken both of functioning and of capability. How are they related? Getting clear about this is crucial in defining the relation of the "capabilities approach" to our concerns about paternalism and pluralism. For if we were to

[7] Obviously, I am thinking of the political more broadly than do many theorists in the Western liberal tradition, for whom the nation-state remains the basic unit. I am envisaging not only domestic deliberations but also cross-cultural quality of life assessments and other forms of international deliberation and planning.

[8] See the fuller discussion in WHD, chapter 1.

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take functioning itself as the goal of public policy, a liberal pluralist would rightly judge that we were precluding many choices that citizens may make in accordance with their own conceptions of the good. A deeply religious person may prefer not to be well-nourished, but to engage in strenuous fasting. Whether for religious or for other reasons, a person may prefer a celibate life to one containing sexual expression. A person may prefer to work with an intense dedication that precludes recreation and play. Am I declaring, by my very use of the list, that these are not fully human or flourishing lives? And am I instructing government to nudge or push people into functioning of the requisite sort, no matter what they prefer?

It is important that the answer to this question is no. Capability, not functioning, is the appropriate political goal. This is so because of the very great importance the approach attaches to practical reason, as a good that both suffuses all the other functions, making them fully human, and also figures, itself, as a central function on the list. The person with plenty of food may always choose to fast, but there is a great difference between fasting and starving, and it is this difference that we wish to capture. Again, the person who has normal opportunities for sexual satisfaction can always choose a life of celibacy, and the approach says nothing against this. What it does speak against (for example) is the practice of female genital mutilation, which deprives individuals of the opportunity to choose sexual functioning (and indeed, the opportunity to choose celibacy as well).[9] A person who has opportunities for play can always choose a workaholic life; again, there is a great difference between that chosen life and a life constrained by insufficient maximum-hour protections and/or the "double day" that makes women unable to play in many parts of the world.

Once again, we must stress that the objective is to be understood in terms of *combined capabilities*. To secure a capability to a person it is not sufficient to produce good internal states of readiness to act. It is necessary, as well, to prepare the material and institutional environment so that people are actually able to function. Women burdened by the "double day" may be *internally* incapable of play—if, for example, they have been kept indoors and zealously guarded since infancy, married at age six, and forbidden to engage in the kind of imaginative exploration of the environment that male children standardly enjoy. Young girls in poor areas of rural Rajasthan, India, for example, have great difficulty *learning* to play in an educational program run by local activists—because their capacity for play has not been nourished early in childhood. On the other hand, there are also many women in the world who are perfectly capable of play in the internal sense, but who are unable to play because of the crushing demands of the "double day." Such a woman does not have the *com-*

[9] See SSJ, chapters 3 and 4.

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bined capability for play in the sense intended by the list. Capability is thus a demanding notion. In its focus on the environment of choice, it is highly attentive to the goal of functioning, and instructs governments to keep it always in view. On the other hand, it does not push people into functioning: once the stage is fully set, the choice is theirs.

One might worry that any approach as committed as is the capabilities approach to identifying a number of substantive areas of state action, and urging the state to promote capability in all of these areas by affirmative and not just negative measures, would ride roughshod over citizens' liberties and preferences, and thus become ultimately an illiberal approach. There are several distinct ways in which my version of the capabilities approach tries to meet this concern. One way is by specifying the capabilities at a high level of generality and allowing a lot of latitude for different interpretations of a capability that suit the history and traditions of the nation in question. A free speech right that works well for the U.S. may not be right for Germany, which has expressed a commitment to the prohibition of anti-Semitic literature and expression that seems entirely appropriate, given its history. A second way, as this example shows, is that the standard political and civil liberties figure prominently within the content of the capabilities list. But the most important way in which the approach protects diversity and pluralism, or so it seems to me, is that it aims at capability rather than actual functioning, at the empowering of citizens rather than at dragooning them into one total mode of life.

V. Capabilities and Care

Let me now return to the other approaches and briefly indicate how the capabilities approach goes beyond them. It appears superior to the focus on opulence and GNP, because it (a) treats each and every human being as an end, and (b) explicitly attends to the provision of well-being in a wide range of distinct areas of human functioning. It appears superior to resource-based approaches because it looks at the variable needs human beings have for resources and the social obstacles that stand between certain groups of people and the equal opportunity to function. It provides a rationale for affirmative measures addressing those discrepancies. It appears superior to preference-based approaches because it recognizes that preferences are endogenous, the creation of laws and institutions and traditions, and refuses to hold human equality hostage to the status quo. Finally, the approach is a close ally of the human rights approach and is complementary with some versions of it. But it has, I believe, a superior clarity in the way in which it defines both the goal of political action and its rationale. And it makes fully clear the fact that the state has not done its job if it simply fails to intervene with human functioning: affirmative shaping of the material and social environment is required to bring all citizens up to the threshold level of capability.

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Finally, there is one salient issue on which, or so it seems to me, the capabilities approach goes well beyond all other approaches stemming from the liberal tradition: this is the issue of care and our need both to receive care and to give it. All human beings begin their lives as helpless children; if they live long enough, they are likely to end their lives in helplessness, whether physical or also mental. During the prime of life, most human beings encounter periods of extreme dependency; and some human beings remain dependent on the daily bodily care of others throughout their lives. Of course putting it this way suggests, absurdly, that "normal" human beings do not depend on others for bodily care and survival; but political thought should recognize that some phases of life, and some lives, generate more profound dependency than others.

The capabilities approach, more Aristotelian than Kantian, sees human beings from the first as animal beings whose lives are characterized by profound neediness as well as by dignity. It addresses the issue of care in many ways: under "life" it is stressed that people should be enabled to complete a "normal" human life span; under "health" and "bodily integrity" the needs of different phases of life are implicitly recognized; "sense," "emotions" and "affiliation" also target needs that vary with the stage of life. "Affiliation" is of particular importance, since it mentions the need for both compassion and self-respect, and it also mentions nondiscrimination. What we see, then, is that care must be provided in such a way that the capability for self-respect of the receiver is not injured, and also in such a way that the caregiver is not exploited and discriminated against on account of performing that role. In other words, a good society must arrange to provide care for those in a condition of extreme dependency, without exploiting women as they have traditionally been exploited, and thus depriving them of other important capabilities. This huge problem will rightly shape the way states think about all the other capabilities.[10]

The capabilities approach has a great advantage in this area over traditional liberal approaches that use the idea of a social contract. Such approaches typically generate basic political principles from a hypothetical contract situation in which all participants are independent adults. John Rawls, for example, uses the phrase "fully cooperating members of society over a complete life."[11] But of course no human being is that. And the fiction distorts the choice of princi-

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[10] See the various proposals in the works cited in the note on the first page of this article. See also my "The Future of Feminist Liberalism," a Presidential Address to the Central Division of the American Philosophical Association, April 22, 2000, to be published in *Proceedings and Addresses of the American Philosophical Association.*

[11] A frequent phrase. See John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993). For detailed discussion of Rawls's views on this question see my "Rawls and Feminism," Samuel Freeman, ed., *The Cambridge Companion to Rawls*, forthcoming; also, my "The Future of Feminist Liberalism."

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ples in a central way, effacing the issue of extreme dependency and care from the agenda of the contracting parties, when they choose the principles that shape society's basic structure. And yet such a fundamental issue cannot well be postponed for later consideration, since it profoundly shapes the way social institutions will be designed.[12] The capabilities approach, using a different concept of the human being, one that builds in need and dependency into the first phases of political thinking, is better suited to good deliberation on this urgent set of issues.

The capabilities approach may seem to have one disadvantage, in comparison to some other approaches: it seems difficulty to measure human capabilities. If this difficulty arises already when we think about such obvious issues as health and mobility, it most surely arises in a perplexing form for my own list, which has added so many apparently intangible items, such as development of the imagination, and the conditions of emotional health. We know, however, that anything worth measuring, in human quality of life, is difficult to measure. Resource-based approaches simply substitute something easy to measure for what really ought to be measured, a heap of stuff for the richness of human functioning. Preference-based approaches do even worse, because they not only don't measure what ought to be measured, they also get into quagmires of their own, concerning how to aggregate preferences—and whether there is any way of doing that task that does not run afoul of the difficulties shown in the social choice literature. The capabilities approach as so far developed in the *Human Development Reports* is admittedly not perfect: years of schooling, everyone would admit, are an imperfect proxy for education. We may expect that any proxies we find as we include more capabilities in the study will be highly imperfect also—especially if it is data supplied by the nations that we need to rely on. On the other hand, we are at least working in the right place and looking at the right thing; and over time, as data-gathering responds to our concerns, we may expect increasingly adequate information, and better ways of aggregating that information. As has already happened with human rights approaches, we need to rely on the ingenuity of those who suffer from deprivation: they will help us find ways to describe, and even to quantify, their predicament.

[12] See the excellent argument in Kittay, *Love's Labor*.

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