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Capabilities, Autonomy, and Education: A Comprehensive Anti-Perfectionist Capability Approach to Justice

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Submitted in fulfilment of the requirements for the Degree of Doctor of Philosophy

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April 2021

Abstract

This thesis explores the relationship between the capability approach to justice and liberal philosophy. I argue that the most compelling articulation of the capability approach—one given by Martha Nussbaum—suffers from an unattractive kind of inconsistency. On the one hand, Nussbaum is committed to formulating a robust account of a dignified human life which can give rise to a range of individual entitlements which ought to be guaranteed to all individuals. On the other hand, Nussbaum is committed to political liberalism which requires state institutions to uphold strict neutrality between a variety of reasonable conceptions of the good. Nussbaum's first commitment results in the formulation of a list of ten central human capabilities. However, I argue that the content and justification of this list cannot be successfully established in a way that is consistent with Nussbaum's second commitment.

Therefore, in this thesis, I propose a novel capability approach: a two-step approach which consists of two principles arranged in lexical priority. First, governments have a moral obligation to secure individuals with a meta-capability of autonomy. That is to say, governments must provide the conditions which are conducive to individuals exercising a range of agentic competencies which are constitutive of autonomous judgement. Second, governments have a moral obligation to provide opportunities for individuals to exercise this meta-capability in six domains of well-being: health, politics, knowledge, relationships, self-expression, and work. I argue that exercising autonomous choice in the pursuit of welfare is necessary for a good life, regardless of the specific choices individuals eventually make, and even if they choose to forgo some supposedly valuable choices altogether.

My proposal has two striking features which set it apart from other articulations of the capability approach (most notably Nussbaum's). First, my proposal is comprehensive in that it relies on a particular view about what is a valuable way of life. In my view, a way of life is valuable if it is pursued autonomously, that is to say, if it involves an individual (a) exercising a set of agentic competencies and (b) standing in appropriate relations with other people. And second, by virtue of being based in this particular comprehensive claim, my account of justice is anti-perfectionist. That is to say, my proposal does not aim to compel people to make valuable choices. Rather, it aims to equip people with the means to live the kind of life they find valuable and worth living.

I then apply this capability approach to the domain of education, and I argue it can be useful in formulating an ambitious and transformative approach to education. In particular, I develop a program of civic education aimed at responding to the problems associated with disinformation and 'post-truth' trends in politics.

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Acknowledgements

I owe a substantial debt of gratitude to numerous people who have supported me throughout the time it took to complete this thesis, both directly through philosophical advice and commentary as well as indirectly through various expressions of emotional support.

First, I would like to thank the Scottish Graduate School of Arts and Humanities for offering me a funded doctoral studentship, without which this thesis, and indeed my advance into postgraduate research in Philosophy would not have been possible.

Second, I would like to thank my supervisors Professor Ben Colburn and Dr Jennifer Corns for their incisive philosophical comments and unwavering support while supervising work on this thesis. Their help has not only helped shape this into a cohesive contribution to academic discourse, but they have also taught me how to have conviction in my ideas and not to be so unyieldingly self-critical.

Third, I would like to thank audiences at the Philosophy postgraduate seminar at Glasgow University, as well as members of the student-led work in progress initiative for their critical feedback and editorial comments in refining the quality of this work. In particular, I would like to thank my colleague Olan Harrington for being an extraordinary friend, conversationalist, and office partner for the majority of the time I have been doing this project.

Finally, I would like to thank my close friends who offered invaluable emotional support and whom I could always confide in throughout this lengthy process. I cannot begin to enumerate all the ways you have helped me during this time, so I will have to make do by listing your names in alphabetical order. So, massive thanks to Anna Antane, Josh Bagnall, Ejaz Farooqui, Lauma Brežģe, Mahdi Lamb, Reinis Liepa, Clément-Louis Mary, Heath Michael Thompson, and Sophie Alice Williams. Much love to you all!

Introduction: What is the Capability Approach?

The capability approach is an ambitious framework for thinking about justice which starts with a simple question: what are people capable of doing and being? In other words, what opportunities do they have to live a life of dignity and fulfilment, a life lived well? According to the capability approach, all questions concerning what justice demands can only ever be imperfect proxies for getting to what we are really interested in when we think about justice: how well are people able to live?

It is a framework used across multiple fields and disciplines—such as philosophy, economics, development studies—to frame inquiries into human well-being and the moral entitlements which they give rise to. At the core of this framework are two normative claims: (1) "the freedom to achieve well-being is of primary moral importance, and (2) that [this freedom] is to be understood in terms of people's capabilities, that is, their opportunities to do and to be what they have reason to value" (Robeyns, 2016). According to the capability approach, when we deliberate about the principles of justice, our primary concern should not be with the equal distribution of some key good, or with the level of utility or welfare that individuals can derive from this good. Instead, our primary commitment should be endowing people with abilities and opportunities to pursue well-being freely and in accordance with their values.

The capability approach was pioneered by the economist and philosopher Amartya Sen who saw it as "an intellectual discipline that gives a central role to the evaluation of a person's achievements and freedoms in terms of his or her actual ability to do the different things a person has reason to value doing or being" (Sen, 2009a, 16 cited in Robeyns, 2017). Sen proposed that the notion of capability be used as a metric (or 'space' in Sen's terminology) for expressing "well-being freedom" (Sen, 1992: 40), or the freedom to pursue well-being. The term 'capability' thus refers to an individual's real or effective[1] freedom to "to do valuable acts or reach valuable states of being" (Sen, 1993: 30), while the term 'functioning' picks out the state or action itself. Sen argued that the freedom to achieve functionings was constitutive of a person's being – choosing to pursue what is valuable to us is what make our lives distinctly human (e.g., Sen, 1992: 39).

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[1] Sen uses the term 'effective freedom' to refer to conditions under which an action is possible either through one's own endeavours or through the help of others. He gives the example of living in an epidemic-free environment, which requires a number of health policies to achieve. Individually, no one person is able (or free) to live in such an environment, but health policies, such as vaccinations, can give people effective freedom to do so (Sen, 1992: 65-9).

Sen proposed that we break down theories of justice into: (a) a criterion for making ethical evaluations, and (b) a space to which this criterion is applied. In Sen's terms, the space of justice refers to a variable good, be it material resources, income, or primary social goods. The criterion refers to the norms that allow us to go from a judgment about individual welfare to a judgment about social welfare or, in other words, the principle for distributing the good in question (ibid, 25). Sen proposed that the space of justice should be understood in terms of individual capabilities rather than resources or utility. And the criterion ought to be one that gives way to "basic capability equality" (Sen, 1979: 218): a situation where everyone enjoys equal capabilities to achieve basic necessities, like being nourished and educated and so on. Moreover, all people are to be given equal consideration, regardless of the identity of the person in question (Sen, 1995: 19).

However, this does not mean that justice ought to be concerned with equalising everyone's abilities and talents, or compensating individuals for their lack of abilities in the style of luck-egalitarian approaches to justice (e.g., see Cohen, 1989). Rather, we should aim to bring all people above a specified threshold such that they enjoy a sufficient level of capabilities to live a good life. Capability theorists thus typically align themselves with *sufficientarianism*: the view that justice requires distribution to clear either a minimal threshold above which basic human needs are met, or a more maximal threshold where individuals are subjectively content (e.g., Huseby, 2010). According to sufficientarian accounts of justice, any further distribution above this level is either not necessary, or no longer strictly a consideration of justice (ibid.).

According to Sen, other spaces of justice are inadequate. A focus on resources, for example, is arguably indifferent to the diversity that exists in people's needs and natural abilities, including their ability to convert resources into utility or welfare. In the 1979 *Equality of What* Tanner Lectures, Sen asks us to imagine two people with the exact same bundle of resources. One of them has a disability, so if we assess both of their well-being by focusing only on the bundle of resources at each person's disposal, we will remain ignorant of two significant facts: that not only does the disabled person require additional resources to compensate for her disability, but she also has fewer resources available for pursuing other valuable ends. So, according to Sen, instead of looking at resources as the object of distribution, we ought to ask what people are able to do and to be with the resources at their disposal.

> People have disparate physical characteristics connected with disability, illness, age, or gender and these make their needs diverse (Sen, 2000: 70).

Sen also takes issue with utilitarian approaches to distributive justice, according to which we ought to distribute goods in such a way as to produce equal utility levels among different people, thereby correcting for their difference in natural ability to convert resources into utility. A utilitarian solution to the above example would, therefore, involve distributing a larger bundle of resources to the person with a disability so that she is able to derive from it a comparable amount of utility as the person without a disability. Sen argues this response is unsatisfactory, too since it ignores the possibility that the person with a disability may be a so-called utility monster and as such would be able to derive much more utility from a single resource than the other person in our example, whose desires, let us suppose, are notoriously difficult to satisfy. The upshot of a utilitarian analysis, according to Sen, would be that we would have to give more resources to the able-bodied person than the person with a disability (Sen, 1979). Of, course, this seems like the wrong conclusion to reach. According to Sen, the capability approach avoids both of these problems; it recognises the diversity of individuals' needs and their circumstances and it focuses on their effective freedoms to achieve the things they want to achieve.

We can understand a capability to consist of two components: internal ability or capacity on the one hand, and external freedoms and opportunities on the other. Together, these constitute a "combined capability" (Nussbaum, 2000: 84-5). Take the capability to ride a bicycle, for example. For someone to possess this capability, they would have to own a bicycle, or have access to one. This would not be sufficient for full capability, however, for she must also know *how* to cycle, and she has to live in a place in the world where cycling is not outlawed, and so on. When capability theorists talk about endowing individuals with capabilities, what they have in mind is this combined notion which contains provisions both internal and external to the agent.

Save for some examples for illustrative purposes, Sen does not enumerate specific capabilities, or specific constituents of human well-being. Sen picks out nourishment, health, shelter, as well as more sophisticated functionings, such as enjoying valuable relationship and pursuing valuable goals as relevant examples (Sen, 1979). However, to commit to a fixed list of capabilities applicable to all contexts would, according to Sen, be to "deny the possibility of fruitful public participation on what should be included and why (Sen, 2004: 77). For Sen, open and public dialogue and the associated political freedoms are themselves intrinsically valuable and "a crucial part of good lives for individuals as social beings" (Sen, 1999a: 9). We thus cannot 'freeze' a list of capabilities for all societies for all time to come, irrespective of what the citizens come to understand and value (Sen, 2005: 336). For Sen, capabilities are thus not content-specific at the level of theory; their content will depend on

the particulars of the context and situation to which the approach is applied in practice, pending clearing a threshold of public deliberation.

One of the most influential articulations of the capability approach has been given by Martha Nussbaum who set out to transform Sen's framework into what she takes to be a "partial theory of justice" (Nussbaum, 2000: 12). Unlike Sen, Nussbaum opts to engage in a series of normative discussions about particular constituents of well-being by discerning "the central elements of truly human functionings" (ibid, 74). One of her most notable contributions is the formulation of an open-ended list of ten central human capabilities. These include life, bodily health, bodily integrity, and practical reason (see page 25 for the complete list). According to Nussbaum, all people around the world have a moral claim that these capabilities be secured and protected. This means that there is a corresponding duty on governments to guarantee them as a matter of constitutional importance (Nussbaum, 2011a: 33-4). Nussbaum's view does not allow trade-offs between capabilities. On her view, capabilities refer to heterogenous dimensions of well-being that cannot be collapsed into a unified scale of well-being, like a utilitarian analysis would allow. For this reason, deficiencies in one dimension of capability can never be compensated for by additional gains in another.

> [The capabilities] are all of central relevance to social justice . . . a society that neglects one of them to promote the others has shortchanged its citizens, and there is a failure of justice in the shortchanging (Nussbaum, 2003 cited in Nelson, 2008: 98)

In this thesis, I will primarily focus on Nussbaum's articulation of the capability approach since the problems I will go on to address find their origin Nussbaum's work by virtue of her aspiration to transform the approach into a partial theory of justice. I also take Nussbaum's approach to be more ambitious and, therefore, more worthy of critical scrutiny from a political morality point of view. Nussbaum argues compellingly for a range of basic entitlements that a reflections on a dignified human life can give rise to, and she addresses a number of urgent injustices that must be tackled around the world.

In both Sen and Nussbaum's articulations, the capability approach can be described as a liberal approach to distributive justice.[2] One of the defining features of the capability approach is the claim that it is the freedom to achieve well-being, not the well-being in itself,

[2] Nussbaum makes such a claim explicitly in *Women and Human Development* (e.g., p.5), whereas Sen does not. However, it is clear from Sen's claims that he intends the approach to be built around a liberal conception of society where free and equal people make binding decisions about their own lives.

that is fundamentally the concern of justice. This is motivated, for example, by Nussbaum's claim that it is the free choice of pursuing an activity which makes that activity distinctly human (Nussbaum, 2000: 72). Indeed, this is why we speak of a *capability* approach, and not of a functioning approach, or an achievement approach. Moreover, the capability approach is committed to treating each individual as an equal. No-one's capability matters more than someone else's; the state could never advance the cause of justice by giving more opportunities to one group of individuals, while neglecting another. In this sense, the capability approach is firmly perched on the 'egalitarian plateau' that Will Kymlicka takes much of contemporary political theory to be characterised by (Kymlicka, 1990: 5).

At a minimum, liberalism entails "the moral ideal of persons as free and equal, and of society as a fair system of cooperation" (Quong, 2011: 140). When we zoom in, however, we realise that the terrain of liberal philosophy is not so even; while liberal philosophers share a common normative core, they disagree with each other on a range of fundamental questions.

One of these disagreements involves a distinction between conceptions of political morality and individual flourishing (or individual morality), the latter sometimes referred to as a comprehensive doctrine. Whereas conceptions of political morality regulate political action and "supply criteria for distinguishing the morally justified from the morally unjustified exercise of political power" (Wall, 1998: 12), individual conceptions of the good comprise the goals and activities that give meaning to people's lives. While liberal philosophers would generally agree that people should be free to pursue whatever comprehensive doctrine they wish, so long as it is reasonable (i.e., not harmful or disrespectful toward others), they disagree about whether the state itself can be tied to some comprehensive doctrine. Political liberals argue that the liberal state should be based on a strictly political set of procedures and institutions characterised by liberal values such as freedom and equality (e.g., Rawls, 1993: 77-8). Liberal perfectionists, on the other hand, argue that liberal philosophy is best understood as being committed to promoting a range of objective values in people's lives (e.g., Wall, 1998: 8)

Political liberals defend their position by pointing out that, according to liberalism, for state power to be legitimate, it must be publicly justifiable to all its subjects, which, in a society with multiple and irreconcilably different moral and religious viewpoints, requires the state to remain neutral on matters of comprehensive value (Rawls, 1993). Under this

view, the liberal state upholds an agreement to disagree about matters of comprehensive value, sometimes referred to as a *modus vivendi*.[3]

I will show in the coming chapters that when the capability approach is transformed from a tool for framing philosophical inquiry about justice into a theory of justice—like Nussbaum intends to—it becomes a fierce battleground for this debate about the legitimate role of value judgements. As the framework incorporates normative claims, advocates of the capability approach have to decide if these claims refer to political morality, or to a comprehensive doctrine, or if they refer to both. These decisions will, in turn, fundamentally change the capability approach and have far-reaching practical implications on policy which aims to champion people's capabilities.

Nussbaum has insisted that in her view, the capability approach is explicitly committed to political liberalism – the view of liberalism which maintains that the liberal state can only trade in claims of political morality, and as such, ought to remain neutral on contentious value judgements that reasonable citizens disagree about. However, in recent years, several philosophers have noted that there is an unmistakeable tension between this claim and the capability approach as Nussbaum defends it (e.g., Deneulin, 2002; Nelson, 2008; Terlazzo, 2019). Sen held that capability "reflect a person's freedom to choose between alternative lives (. . .) and its value need not derive from one particular comprehensive doctrine demanding one specific way of living" (Sen 1999b: 118). In Nussbaum's interpretation of the approach, however, there seem to be several assumptions about the objective value of some ways of life which appear to be comprehensive inasmuch as they contain specific judgements about the value of certain functionings.

I begin the thesis by exploring this normative tension. I argue that it leads to an unattractive kind of inconsistency. Namely, I argue that the content and justification of Nussbaum's list of central capabilities cannot be successfully defended in a way that is consistent with Nussbaum's commitment toward political liberalism. I argue that this inconsistency warrants a fundamental rethink of the capability approach which is informed by recent developments in liberal theory.

This thesis has three parts, and each part is made up of two chapters.

In Part 1, I critically examine the justification and content of Nussbaum's capability approach, and I argue that an advocate of this approach faces an apparent dilemma. Namely, if the capability approach is to be more than just a metric for interpersonal comparisons of welfare, it looks like it has to take a stand on controversial, substantive ethical disputes.

[3] Literally translated from Latin as 'mode of life', but it is used to refer to a particular type of arrangement which consists in individuals coexisting peacefully by agreeing not to quarrel about differences in their worldviews.

However, if it does that, it cannot remain politically liberal in the way Nussbaum intends her approach to be. But if it does not take a stand, it is much less likely to reach its goal of enabling individuals to overcome various forms of incapability. In Chapter 1, I lay the groundwork for understanding this normative tension and what causes it. In Chapter 2, I argue for two solutions to rescuing the approach from this problem. I find both of these solutions to be ultimately unsuccessful. Either the capability embraces a principle of neutrality in earnest by restricting the concept of capability, thereby risking that some obstacles to capabilities go on unchallenged, or it can embrace perfectionism, thereby greenlighting an intrusive and paternalistic approach to justice.

In Part 2, I argue that this dilemma can be resisted by recognising a novel interpretation of liberal theory. In Chapter 3, I argue that the capability approach ought to realign itself with comprehensive anti-perfectionism – a hybrid position which takes liberalism to be based on a comprehensive doctrine which simultaneously rules out promoting objective moral value in people's lives. I argue that this realignment provides an elegant way of resolving competing strands in Nussbaum's capability approach and, I will argue that it also has attractive practical implications for responding to real world injustices.

The value that I argue fundamentally underlies this approach to justice is personal autonomy: the ideal of individuals leading their lives according to their own values. I argue that insofar as the reader has reason to accept that justice should concern itself with the capabilities of persons, the reader must also recognise that this ties her to the idea that personal autonomy is foundationally valuable. In particular, I endorse a socially relational conception of autonomy, according to which, autonomy is causally dependent on individuals standing in particular types of relations with other people. I show that understanding autonomy this way can help the capability approach to identify and respond to real-world injustices which come about because of the internalisation of unjust social norms.

If Nussbaum's contribution to the capability approach consisted in turning it from a conceptual framework into a partial theory of justice, then my contribution in this thesis will be to propose a full or comprehensive theory of justice with the foundational value of autonomy at its core. In Chapter 4, I provide a statement of this comprehensive capability approach and I defend it from three significant objections: that it involves subordinating or disrespecting some people, that it is incoherent, and that it is unstable. I argue that all three objections are mistaken.

In Part 3, I show that my capability account of justice has significant implications on practical policy. I apply my approach to education policy, and I argue that capabilities can be used as a guide for formulating an ambitious and transformative education policy which furthers the aims of justice. In Chapter 5, I develop a sketch of how an autonomy-minded

capability approach can be used to empower individuals and to challenge unjust social norms. In Chapter 6, I apply these claims to the realm of political participation and formulate a capability approach to civic education. I argue that understanding political participation through capabilities allows us to see exciting ways for containing the negative effects of disinformation, as well as the more well-known effects of political alienation of individuals.

Part 1:

Capabilities

Chapter 1: Neutrality, Perfectionism, and the Normative Justification of the Capability Approach

Before I can articulate my critique of the capability approach, I must first explain the tripartite relationship between neutrality, perfectionism, and the normative justification of the capability approach – a relationship which will serve as the guiding framework for the remainder of this thesis. The aim of this chapter is to identify a particular kind of tension between the way the capability approach is justified and the kinds of substantive claims about individual well-being it wishes to defend. In particular, I argue that the Nussbaum's articulation of the capability approach is not as liberally neutral as she intends it to be. Namely, contestable value claims play a role in both the justification and the content of Nussbaum's articulation of the capability approach to justice.

In Section 1, I explain the principle of neutrality and establish it as a relevant standard by which to assess Nussbaum's capability approach. In Section 2, I introduce and explain the position of liberal perfectionism. In Section 3, I reconstruct Nussbaum's justification for her capability theory and break it down to its constituent parts. In Section 4, I demonstrate the ways in which Nussbaum' normative justification of the capability approach is not neutral with regard to competing conceptions of the good. Finally, in Section 5, I demonstrate the significant implications of my claims for the capability approach in general, and for the rest of this thesis in particular.

1. Political Liberalism and Neutrality

As we saw in the introduction, liberal philosophers disagree with one another about the specific role that value claims ought to play in organising and justifying liberal institutions. Political liberals conceive of the state as playing the role of an impartial arbiter. While different people may disagree about matters of value, the state's main function is to provide a fair arena in which everyone can co-operate despite their disagreements. To co-operate successfully, citizens of the state must agree to be governed by a set of rules. One of these rules, according to political liberals, is neutrality.

The principle of neutrality aims to limit state power in order to prevent the state from favouring, or actively promoting, the reasonable conceptions of the good of some citizens. Citizens of free states, such as contemporary democracies, subscribe to a diverse array of metaphysical, moral, and religious beliefs which comprise their various plans of life.

According to proponents of the principle of neutrality, the state would be doing something wrong if it were to elevate some conceptions as objectively better, or more worthwhile, or if it were to denigrate some conceptions and close off people's access to realising them. For example, the liberal state would be acting unjustly if it were to endorse Swedish Lutheranism as the only true religion or hillwalking as the most virtuous pastime. People who do not share these values would, in effect, be treated worse by the state; they would be disrespected.

This is because making such proclamations would run counter to the quintessential liberal values of equality and freedom. For example, Ronald Dworkin argues that promoting some conception of the good over others would signal that the "government does not treat [people] as equals" (Dworkin, 1978: 191) since it would be enhancing the opportunities available to citizens in a selective and discriminatory way. Drawing on Locke's *Second Treatise of Government*, Gerald Gaus argues that neutrality is a matter of respecting individual freedom. Freedom requires living in ways that accord with one's standards of value; "At a minimum, to conceive of oneself as a morally free person is to see oneself as bound only by moral requirements that can be validated from one's own point of view" (Gaus, 2009: 84). Neutrality is a matter of respect for persons, their distinguishing feature being "that they are beings capable of thinking and acting on the basis of reasons" (Larmore, 1996: 137). Respecting an individual means respecting her capacity to respond to reasons and to make free choices about what kinds of reasons to act on.

The principle of neutrality has been central to the writings of countless liberal philosophers. It has been referred to as the "the central ideal of the modern liberal state (Larmore, 1987: 42), while for Dworkin a principle of equality that relied extensively on neutrality was the "nerve of liberalism" (Dworkin, 1977: 273).

Perhaps the most influential account of liberal neutrality has been given by John Rawls. In *Political Liberalism* (1993), Rawls set out to deal with two fundamental challenges posed by pluralist societies: legitimacy and stability. Namely, how can people who hold conflicting world views be legitimately bound by the same laws, and why are citizens expected to obey laws that may not align with their values? Rawls' response to the first challenge was to argue that power ought to be exercised in accordance with a *political* conception of justice – a "freestanding view" (Rawls, 1993: 12), the content of which is "expressed in terms of certain fundamental ideas seen as implicit in the public political culture of a democratic society" (ibid, 13). Such a conception of justice would be coupled with a "criterion of reciprocity" which states that "our exercise of political power is proper only when we sincerely believe that the reasons we offer for our political action may reasonably be accepted by other citizens as a justification of those actions" (ibid, xlvi). This criterion effectively requires neutrality, for the only way we may expect citizens to share reasons for political action would be if

those reasons were free of contentious philosophical, religious, or ethical claims. According to Rawls' view, neutrality thus ensures that the state is acting legitimately by not favouring the comprehensive views of some of its citizens.

The principle of neutrality appears, on the face of it, clear and attractive. Two immediate questions should be addressed, however, that may complicate things. How should neutrality deal with illiberal or outright harmful conceptions of the good, and how should neutrality be realised in practice?

If judgments on Swedish Lutheranism and hillwalking are off limits to the state, how should a liberal government treat conceptions of the good that are significantly more controversial? Suppose Colette grew up in a neo-Nazi household and was taught that there is an objective race hierarchy. Later in life, Colette makes it her goal to campaign for political and economic power to be stripped from ethnic minorities. Suppose further that Colette freely endorses these ideas – she is neither coerced nor manipulated into believing them; racist ideas ring true to her because of her upbringing. Does Colette have a legitimate claim against her government when they ban his political party from appearing on local election ballots, or when members of her government appear on television denouncing and ridiculing the ideas that Colette sincerely believes in?[4]

Emphatically, no. Political liberals do not stand by neutrality with regard to every conceivable conception of the good. Neutrality should only extend to those ideas that are considered *reasonable*. How reasonability ought to be defined and, in turn, the role it plays in liberal thinking is a matter of much philosophical debate.[5] For example, Rawls proposed that reasonable people are those who seek "a social world in which they, as free and equal, can cooperate with others on terms all can accept" (Rawls, 1996: 60). Since Nazi ideas are antithetical to freedom and equality and they imply terms that are unlikely to command universal assent (not least since bringing them to fruition would involve enforcing selective violence), political liberals need not tolerate them.

This suggests that we should not think of neutrality as neutral itself, for if it were, it would run the risk of becoming a self-defeating principle. For example, Thomas Nagel's early critique of Rawls' original position was that it seemed to presuppose a liberal and individualistic conception of the good despite being restricted by a supposedly neutral conception of neutrality (Nagel, 1973: 228-9). However, Rawls' original position need not be bound by the principle of neutrality that it suggests in practice.

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[4] This point is adjacent to, but not dependent upon discussions about freedom of speech, and whether or not freedom of speech ought to include the freedom to utter hate speech, harmful speech, or illiberal speech. I do not take up this discussion here.

[5] Some have questioned how the concept of reasonableness could itself ever be neutral (e.g., see Weinstock, 2006).

One way to understand why, and to make sense of the substantive content behind the idea of neutrality is to follow Jonathan Quong in distinguishing between two ways in which value pluralism could be accommodated by liberal theory. We can see pluralism as either an *internal* condition of liberalism, or an *external* one. Pluralism being a condition external to liberalism means that the procedures of a just liberal state can be justifiable to a diverse population, some of whom may endorse illiberal views. Alternatively, treating pluralism as internal to the liberal state means that these procedures ought to be justifiable only to reasonable individuals who already happen to agree on some minimally liberal platitudes about the value of equality and individual freedom (Quong, 2011: 139-44). Quong endorses the latter view, the upshot of which is that the presence of views antithetical to liberalism does not pose a justificatory problem for liberal philosophers. This is because the liberal framework comes with a set of normative claims. Accommodating the views of those individuals who disagree with these claims ought not to be the goal of liberalism. This means that neutrality can be defended as a value that is downstream from other, more fundamental liberal values, like equality and freedom. The liberal state, therefore, does not need to be neutral all the way down.

The second question can be put like this: what is the rightful *object* of liberal neutrality? That is to say, what is it specifically that we must be neutral about? There are several answers available in the literature.

Neutrality of effect is perhaps the most obvious answer. According to this conception, neutrality becomes a consequentialist notion; it obtains if a law has no causal effect of promoting or subsidising the cost of some conceptions of the good. This view runs into immediate difficulty, however, since almost every policy with far-ranging causal effects will invariably affect the availability and realizability of some conception of the good in the future. For example, labour laws and social welfare provisions will make it easier to live lives that require an element of leisure, licensing laws and excise tax will make it harder to live lives that involve consciousness-altering substances, and so on. This will, no doubt, have different implications on the cost of various conceptions of the good down the line (e.g., Patten, 2012: 256-7). This implication hardly seems problematic from the liberal's point of view.

Perhaps instead we ought to think of neutrality of effect in a comparative way. In this case, a policy that subsidises a lifestyle may nonetheless be neutral so long as it does so even-handedly with regard to *all* lifestyles. For example, if a proposed policy would lower the price of all plans of life by an equal amount, then according to a comparative neutrality principle, such a policy may still be neutral in effect, even if it is effectively altering the realizability of some conceptions of the good. However, in this case there would be difficulty

in establishing a baseline relative to which we could assess whether a given policy has been even-handed with regard to competing notions of the good (Waldron, 1993: 149-50). Both of these problems make neutrality of effect much too difficult to achieve in practice, even if it *could* be possible in some specific circumstances. For similar reasons, Matthew Kramer calls this interpretation of the neutrality principle a "disastrous non-starter" (Kramer, 2017: 13).

Neutrality of justification may fare better. According to this conception, the state acts in a neutral way if it does not intend to promote a particular conception of the good in some way, or if it does not seek to justify a particular law by appealing to the truth of a particular conception of the good (Wall and Klosko, 2003: 8). There is a broad consensus among philosophers that this is generally the right way to understand neutrality (e.g., Rawls, 1999: 457-65; Sher, 1999: 3-5; Quong, 2011: 18). According to this way of understanding neutrality, laws must be justifiable to all reasonable individuals who already share a minimal acceptance of liberal values, such as freedom and equality. Justificatory neutrality of this sort places a realistic constraint on the state (unlike neutrality of effect), and it is consistent with the reasoning behind the principle of neutrality itself, namely that laws ought to be justifiable to everyone in a pluralist democracy. So, if a particular policy has a partisan justification which would not be acceptable to all reasonable people, then this policy cannot be legitimately passed. The political liberal would object to it on the basis that it favours some citizens' conception of the good over others. .

As we saw in the introduction, the capability approach is considered a liberal approach to justice; it affords equality of consideration to all people, and it aspires to empower individuals by securing them with a range of effective freedoms so that they could pursue their own well-being in ways of their choosing. In particular, Nussbaum is committed to the principle of neutrality not just through her self-described alliance with Rawls' political liberalism, but supposedly through the internal logic of her capability framework, too.

For Nussbaum, neutrality is intended to safeguard individual choice given the condition of value pluralism in a society. Nussbaum follows Rawls in arguing that neutrality is necessary for political systems to be stable, and for them to afford sufficient respect to its subjects. Like Rawls, Nussbaum holds that a theory of justice which conflicts with people's deepest convictions will not result in a stable allegiance to the state (Nussbaum, 2006: 299). Nussbaum contends that even if we could achieve stability with such a theory of justice, the state would be nonetheless relegating some individuals to second-class citizenship by forcing them to accept claims that they may want to reject (ibid, 296-298). For these reasons, Nussbaum argues that the capability approach ought not to be tied to any comprehensive claims about the good.

More specifically, Nussbaum takes her capability approach to provide "a partial, not a comprehensive, conception of the good life, a moral conception selected for political purposes only" (Nussbaum, 2000: 74). This conception of the good life is partial insofar as it provides a basis for political cooperation—a basis characterised by equality, freedom, and dignity—but it remains agnostic and neutral about what is good for individuals in their own lives. For Nussbaum, capabilities thus refer to opportunities to be and to do what people have reason to be and to do. Nussbaum stresses that it is rational for people to want access to capabilities regardless to what end they choose to exercise them for (ibid, 88-9).

2. Liberal Perfectionism

The principle of neutrality is not endorsed by all liberals. Some philosophers have explicitly rejected it and have argued that it is either incoherent or unattractive for shaping liberal institutions. Those who take this view tend to endorse a comprehensive or perfectionist view of liberalism. A comprehensive view of liberalism holds that liberal philosophy must reflect our best understanding of what gives value to people's lives. A perfectionist view of liberalism holds that liberal institutions ought to be arranged in such a way to actively promote value and human flourishing (e.g., Quong, 2010: 12).[6]

Liberal perfectionism is a combination of two views: liberalism, the view that political institutions ought to be primarily concerned with upholding individual freedom and equality, and perfectionism – the view that there is a particular objective theory of the good. Throughout the history of moral philosophy, there have been numerous perfectionist theories. For example, one of the most well-known examples was articulated by Aristotle who argued that it is our natural function to exercise practical reason, and the best human life was one that exercised this capacity in line with a set of practical virtues (Hurka, 1993: 37). In this combination of views, liberalism sets the boundaries of what kind of perfectionism can be acceptable, as well as what kind of means perfectionist ends could be pursued by. As a result, liberal perfectionists tend to advocate for values like freedom and autonomy, which they argue offer the most cogent expression of liberal philosophy, and they do so by non-coercive means (e.g., Raz, 1986; Wall, 1998).

Unlike political liberals, liberal perfectionists endorse "ideals claiming to shape our overall conception of the good life, and not just our role as citizens" (Larmore, 1996: 122).

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[6]Not all comprehensive conceptions of liberalism are perfectionist, and not all perfectionist conceptions are comprehensive. In Chapter 3, I talk about the interesting ways in which these dimensions of liberalism can come apart.

Political morality refers to rules and principles that inform political action and terms of cooperation, whereas our individual morality is expressed in a conception of the good – a set of claims about what we have reason to value and how we wish to guide our lives in order to reflect these values. According to perfectionism, “certain properties constitute human nature – they make humans humans, and the good life develops these properties to a high degree or realizes what is central to human nature” (Hurka, 1993: 3). Perfectionists trade in normative claims that are “independent of any subjectivity” (Deneulin, 2002: 498), for the claims need not be endorsed by individuals for them to reflect our best understanding of human flourishing.

So, unlike political liberals, perfectionists do not hold the foundational normative view that the realm of individual morality is off limits to political actors. As such, they argue, for example, like Steven Wall does, that “political authorities should take an active role in creating and maintaining social conditions that best enable their subjects to lead valuable and worthwhile lives” (Wall, 1998: 8). According to Wall, the goals of liberalism are, in fact, better served by perfectionist means than they are under the restraints of a principle of neutrality. I living under conditions of freedom is indeed valuable, then why shouldn’t the state take an active interest in ensuring that its citizens have a robust standard of freedom?

In the previous section, we saw that the principle of neutrality was developed as a response to the condition of value pluralism. If people disagree with each other on a number of normative issues, then the state must emphatically separate political morality from contested claims about the good as a matter of principle. Wall argues that perfectionists can reject this reasoning in one of two ways. They can either argue that all plausible conceptions of political morality are in some important sense informed by claims about the good, even if its proponents do not wish to admit it. Alternatively, they can concede this to be false, but argue that extricating the two “results in impoverished conceptions of political morality” (ibid, 13). That is to say, for liberalism to have adequate normative content in the first place, it cannot be neutral with regard to individual flourishing, or perhaps it never has been in the first place.

Neither of these moves, however, does much to disarm Rawls’ worry that without a system of restraint between competing conceptions of the good our political systems risks being unstable and illegitimate. So how can liberal perfectionists ensure that if the state endorses some claims about the good, it will not lead to exercises of power which would be unacceptable to swathes of the population?

Joseph Raz (1986) argues that descriptive pluralism is consistent with perfectionism because perfectionism is based on value pluralism: the view that there are numerous and

incommensurable ways of living a good life that cannot be simultaneously realised.[7] Raz argues that the liberal perfectionist state need not be based on a singular idea of the good and, as such, it need not be dictatorial about the good. For example, if I set up a perfectionist state with the intention of promoting, say, religious devotion as its singular goal, it would be easy to see how such a state would fail to be liberal. My state would invariably have to resort to coercion in order to marshal my entire population into a suitable religious way of life.

Raz's liberal perfectionism, on the other hand, explicitly rules out not only value singularism, but also pursuing perfectionist ends through coercive or manipulative means. Coercion is self-evidently incompatible with taking freedom seriously, while manipulation consists in "perverting the way a person reaches decisions" (Raz, 1986: 378) which amounts to an invasion of her autonomy. Raz thus endorses 'soft' perfectionism which consists of advertising, subsidising, and encouraging valuable options for citizens on the one hand, and taxing and discouraging bad or worthless options.

For Raz, not only is perfectionism not inconsistent with the parameters of liberalism, the two are mutually complementary. Raz's perfectionism is founded on the value of personal autonomy: an individual's capacity for self government, or self-authorship through a series of decisions about one's life (ibid, 369). Raz argues that autonomy requires a robust range of options from which we can choose our ends. If the state is concerned with upholding autonomy, then it must do more than to stand back and refrain from interfering with individual choices. According to Raz, a concern for autonomy "permits and even requires governments to create morally valuable opportunities, and to eliminate repugnant ones" (ibid, 417).

If political liberalism turns out to be ultimately unsuitable for, or inconsistent with, the capability approach, then perhaps liberal perfectionism may provide a plausible alternative. On the face of it, perfectionism appears to bear a noteworthy resemblance to the way Nussbaum reasons about the good. For example, Nussbaum proposes a list of objectively valuable capabilities which cover a broad range of domains of individual life. On the face of it, this resembles a partial conception of individual flourishing (or perhaps more so than it resembles a list of precepts of political morality). Moreover, Nussbaum's claim that capabilities are heterogeneous and multiply realisable seems to echo Raz's value pluralism. This reading might be surprising given that Nussbaum has explicitly rejected liberal perfectionism by arguing that it entails a kind of subordination of some individuals who are seen not to embrace the notion of good peddled by the state (Nussbaum, 2011b: 35). But, as

[7] Value pluralism is a normative claim—a claim about what is valuable—whereas descriptive pluralism (or sometimes simply pluralism) is a descriptive claim, a claim about what actual people value as a matter of fact.

I will argue in the coming sections, Nussbaum's claims against perfectionism may be inconsistent with both the justification and the practical implications of her own capability framework. The primary goal of this short section, however, was to outline the basic tenets of liberal perfectionism and to introduce this as a possible interpretation of liberalism that the capability approach may align itself with.

3. Capabilities and Justification

The claims that make up Nussbaum's capability approach, along with their justification, have evolved substantially over the decades. In early writing on this topic, Nussbaum argues that an Aristotle-inspired human essentialism can help us develop a universal account of human dignity which can be expressed as a set of capabilities which can be promoted by states (Nussbaum, 1988; 1992). Later, she argues that this minimal account of human dignity can be pitched as a politically neutral proposal, one that would be accepted from a range of reasonable standpoints about ethical matters, despite specific disagreements individuals may have about what they themselves value (Nussbaum, 2000). Even more recently, Nussbaum refines this method of justification by arguing that her account of human dignity can be established with a contractualist argument (Nussbaum, 2006). The most recent formulation of the approach (as found in Nussbaum, 2000 and 2006) has four distinct lines of justification.

First, Nussbaum employs a reflective equilibrium as a way of achieving a fit between a set of guiding intuitions and the propositions intended to constitute the list of capabilities. Nussbaum likens this approach to a Socratic dialogue – whereby a capability is proposed, and subsequently challenged and "tested against the most secure of our intuitions" (ibid, 2000: 77) and is either refined or scrapped. Intuitive judgments play a significant role in Nussbaum's work, with the overall concept of capabilities themselves resting on the intuitive claim that agency and dignity have foundational moral value (ibid, 5).

Second, Nussbaum argues that the account of capabilities proposed this way could then be defended as an object of an *overlapping consensus*. Rawls defined an overlapping consensus as a core set of precepts of political morality that all individuals may endorse from their own standpoint, despite each subscribing to their own comprehensive doctrine (Rawls, 1993: 385-95). A list of central capabilities defended this way is meant to pick out capabilities that all reasonable people would be expected to endorse and want access to despite the specifics of their own life plans. It is important to note that there need not be

imminent agreement on a particular version of the list of capabilities, it is enough to claim that a proposed list can be converged on either hypothetically or given enough time.[8]

Nussbaum reflects on her work as having "some convergences with contractarianism of Scanlon's ethical type, but also some very striking departures, and even more striking departures from the Rawlsian form of political contractarianism" (Nussbaum, 2006: 156). The convergence is most clearly seen in her endorsement of the overlapping consensus. The departures she goes on to mention include the view that human beings have benevolent motivations toward one another, and are "held together by many altruistic ties as well as by ties of mutual advantage" (ibid, 158). Nussbaum thus believes that the political community is brought into being not just for the pessimistic reason that the hypothetical life outside the community is nasty and short, but also for the more optimistic reason that people care about one another and have shared ends, and therefore are able to flourish under social and political ties.

Third, Nussbaum appeals to what she calls a 'Non-Platonist substantive-good approach'. This produces an instance of an objective-list theory of the good. Theories of this kind treat moral goods to be attitude-independent. Namely, what counts as valuable is not a matter of an individual's endorsement or valuation, but rather a matter of it satisfying certain objective criteria (Fletcher, 2016: 148-9). Nussbaum emphasises hers to be a non-Platonist approach since its goal is coherence between people's beliefs and values, rather than a fit with an independent platonic moral reality. Nonetheless, the content is intended to be "universalist" (e.g., Nussbaum, 2000: 6). Nussbaum argues that a subjective notion of the good is unsuitable for theorising about injustice because of "the many ways in which habit, fear, low expectations, and unjust background conditions deform people's choices and even their wishes for their own lives" (ibid, 114). For example, a victim of oppression or disadvantage may end up altering her preferences in order to make peace with her situation. In such cases, persons may not report having any unmet desires. For this reason, Nussbaum argues that desires and preferences are "basically not relevant, given our knowledge of how unreliable [they] are as a guide to what is really just and good" (ibid, 117). Instead, Nussbaum builds into her theory a substantive commitment to the values of dignity, agency, and equality, with which we can challenge oppression and disadvantage.

Fourth and finally, Nussbaum mentions informed desires. As a liberal, Nussbaum is keenly aware of the unpalatable implications that a disregard for individual preferences may invite, so she retains the role of desire, but only in an "ancillary" or "heuristic" role (ibid,

[8] This is consistent with how Rawls conceives of an overlapping consensus in his work, i.e., the possibility of an overlapping consensus is an indicator of stability for the right reasons, not the sociological fact of the consensus obtaining as a matter of fact (Rawls, 1993: 390).

119). In this role, individual desires are qualified by an ideal information clause. Since Nussbaum finds a simple desire approach to be unreliable for grounding principles of justice, she attempts to delineate a space where desires play a (limited) role, namely, under idealised conditions. How this ancillary strategy relates to the three above is somewhat unclear, but Nussbaum claims that in justifying a political conception of justice, we ought to "consult not all actual desires, but only some of them, desires formed under appropriate conditions; and even then we do not let desires have the last word" (ibid, 160). As Alison Jaggar notes,

> [Nussbaum] finesses this problem [of disregarding individual desires] by asserting her willingness to take account of everyone's desires in the long run. Once the capabilities have been protected for several generations, Nussbaum thinks that the likelihood of people's desires being corrupt or mistaken will be much reduced (Jaggar, 2006: 309-10).

The indifference toward individuals' self-reported preferences is thus a necessary, if a prima facie problematic, step for meaningful progress in the long run.

With the different lines of justification converging, the resulting index of central human capabilities that Nussbaum proposes is reproduced here from *Women and Human Development*:

1. **Life**. Being able to live to the end of a human life of normal length; not dying prematurely, or before one's life is so reduced as to be not worth living.
2. **Bodily Health**. Being able to have good health, including reproductive health; to be adequately nourished; to have adequate shelter.
3. **Bodily Integrity**. Being able to move freely from place to place; having one's bodily boundaries treated as sovereign, i.e., being able to be secure against assault, including sexual assault, child sexual abuse, and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction.
4. **Senses, Imagination, and Thought**. Being able to use the senses, to imagine, think, and reason – and to do these things in a "truly human" way, a way informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training. Being able to use imagination and thought in connection with experiencing and producing self-expressive works and events of one's own choice, religious, literary, musical, and so forth. Being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech, and freedom of religious exercise.

Being able to search for the ultimate meaning of life in one's own way. Being able to have pleasurable experiences, and to avoid non-necessary pain.

5. **Emotions**. Being able to have attachments to things and people outside ourselves; to love those who love and care for us, to grieve at their absence, in general, to love, to grieve, to experience longing, gratitude, and justified anger. Not having one's emotional development blighted by overwhelming fear and anxiety, or by traumatic events of abuse or neglect. (Supporting this capability means supporting forms of human association that can be shown to be crucial in their development.)
6. **Practical Reason**. Being able to form a conception of the good and to engage in critical reflection about the planning of one's life. (This entails protection for the liberty of conscience.)
7. **Affiliation**. **A**. Being able to live with and toward others, to recognize and show concern for other human beings, to engage in various form of social interaction; to be able to imagine the situation of another and to have compassion for that situation; to have the capability for both justice and friendship. (Protecting this capability means protecting institutions that constitute and nourish such forms of affiliation, and also protecting the freedom of assembly and political speech. **B**. Having the social bases of self-respect and non-humiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails, at a minimum, protections against discrimination on the basis of race, sex, sexual orientation, religion, caste, ethnicity, or national origin. In work, being able to work as a human being, exercising practical reason and entering into meaningful relationships of mutual recognition with other workers.
8. **Other Species**. Being able to live with concern for and in relation to animals, plants, and the world of nature.
9. **Play**. Being able to laugh, to play, to enjoy recreational activities.
10. **Control over One's Environment**. **A**. Political. Being able to participate effectively in political choices that govern one's life; having the right of political participation, protections of free speech and association. **B**. Material. Being able to hold property (both land and movable goods), not just formally, but in terms of real opportunity; and having property rights on an equal basis with others; having the right to seek employment on an equal basis with others; having the freedom from unwarranted search and seizure (Nussbaum, 2000: 78-80).

4. Capabilities and Justification II

Nussbaum conceives of her capability framework as normatively thin in the sense that it is intended to refer to a set of claims about political morality only, rather than to comprehensive claims about what makes individuals' lives more or less valuable. This entitles Nussbaum to claim that her index of capabilities is neutral with regard to competing conceptions of the good. In this section, I will argue that this claim does not follow. I will argue that the normative specificity of Nussbaum's capabilities, alongside the way they are justified, makes it incompatible with a principle of liberal neutrality.

I take it that there are two independent levels at which contentious value judgements could play a role in Nussbaum's capability framework. These levels correspond to the following two questions Quong (2010) asks about liberal theory in order to introduce a useful taxonomy of liberal positions:

> 1. Must liberal political philosophy be *based* in some particular ideal of what constitutes a valuable or worthwhile human life, or other metaphysical beliefs?
> 2. Is it permissible for a liberal state to *promote* or discourage some activities, ideals, or ways of life on grounds relating to their inherent or intrinsic value, or on the basis of other metaphysical claims? (italics mine) (Quong, 2010: 12)[9]

The first question concerns whether a proposal is comprehensive, and the second concerns whether it is perfectionist. In this section, I show that contestable value judgements play a role at both levels of Nussbaum's capability approach. This may not provide us with sufficient reason to christen Nussbaum a closet comprehensive liberal, or a closet perfectionist, but it should provide the reader with reason to reconsider Nussbaum's claim that her capability framework is a straightforward expression of political morality only. At best, there is an unmistakable normative tension between the way that Nussbaum wishes to defend her partial theory of justice, and the particular claims that make it up. At worst, the way she justifies her approach is inconsistent with its content.

[9] We will come back to this taxonomy and consider it in greater detail in Chapter 3.

4.1. Are the Capabilities Comprehensive?

I argue that the way Nussbaum establishes the central capabilities is primarily by appealing to the supposed truth of objective value judgements. Nussbaum's contractualist argument in favour of the capabilities claims that universal agreement on her claims is imminent (or, on a weaker reading, possible). In this section, I demonstrate that her contractualist argument is a spare wheel. The bulk of the normative work of justifying the basic capabilities is done by free-standing judgements about the good. Moreover, I will show that these judgements can plausibly be rejected by some reasonable individuals, thereby denying Nussbaum the claim that her capability approach is justified in a neutral way.

The way Nussbaum reasons about capabilities "begins with a conception of the dignity of the human being, and of a life that is worthy of that dignity" (Nussbaum, 2006: 74). I argue that this conception—which we saw proceeds with the use of purportedly objective value judgements—is primarily what justifies Nussbaum's index of capabilities. A further speculative point is then made that the components of this framework would be acceptable to all reasonable individuals. But Nussbaum's only reason for supposing that these intuitive goals would be endorsed in such a way appears itself to be intuitive – motivated by her belief that people, on the most part, have convergent intuitions about the good (e.g., Nussbaum, 2000: 74). This kind of reasoning is not strong enough to establish constituents of political morality that we would expect universal convergence on. While the method of seeking a reflective equilibrium on intuitive judgements is extensively used across much of moral and political philosophy, this method of reasoning cannot be said to aspire to establishing universally binding claims. For the example, there is nothing to prevent multiple, mutually incompatible equilibria from coming about. In other words, different people may reach different conclusions, and aiming for a reflective equilibrium between intuitive judgements itself provides no way of adjudicating conflicts of judgement that may occur (see De Maagt, 2017 for a discussion on the supposed universality of this reasoning method).

Now, this need not pose an immediate problem for Nussbaum. It could be argued that some intuitions are so basic and straightforward that they do not need to be justified by further reference to anything else. For example, suppose I claim that murder is wrong. I would not need to say anything else in defence of a claim which relied on this intuition.

The question to address then is whether the particular intuitions Nussbaum appeals to are so self-evident and uncontroversial to render them straightforwardly self-justifying. And it is not clear that this is the case for all of them. The intuitive value of agency and dignity—the core intuitions that justify the notion of capabilities altogether —are perhaps best placed of all. Let us grant that Nussbaum is right about the universal convergence of these particular

values in human cultures across the world in a *de dicto* sense. However, different cultures will invariably understand these values differently *de re*, and so the particular claims derived from these intuitions may come into sharp conflict. Moreover, the intuitive value of creative expression, for example, may feature heavily in some lives, but we would hardly think of a person's life as deficient in value if she were to spurn any kind of creative expression. Similarly, the free expression of various emotions may be intuitively self-evident to some individuals, but antithetical to the views of others, such as self-proclaimed stoics. For these reasons, I believe Nussbaum's justification of her capabilities, as it stands, is insufficient to establish their universal, foundational value.

The risk of this justification breaching the principle of neutrality should also then be readily apparent. If reasonable people naturally disagree with one another about the truth of various intuitions, then a justification of political morality which trades in such intuitions will likely fail to be neutral with regard to all conceptions of the good.

In *Frontiers of Justice*, Nussbaum addresses a similar objection, which she imagines Rawls would make about her theory, namely that her view may have an "objectionably intuitionistic foundation" (Nussbaum, 2006: 173). She breaks it down to two claims (1) "that there is an unacceptable reliance on intuition in the generation of basic political principles, and (2) that the multivalued nature of the capabilities list makes inevitable a reliance on intuitionistic balancing that would make political principles indeterminate and never final" (ibid, 173-4).

To (1), Nussbaum retorts that her reliance on intuitive judgements is nearly identical to that of Rawls' theory, but that it is present in a different place in the argument. Whereas Rawls appeals to intuition (or "considered judgments" in his terminology) in the design of the Original Position, Nussbaum consults intuition in formulating the list of capabilities. Moreover, she argues that her theory avoids this supposed problem "insofar as it considers the account of entitlements not as derived from the ideas of dignity and respect but rather as *ways of fleshing out those ideas*" (italics mine, ibid, 174).

Three things can be said about this retort. First, it is unclear how the distinction between deriving from and fleshing out an intuition avoids the charge that her theory relies too much on intuition. Deriving a moral claim from an intuition on the one hand and formulating a moral claim by fleshing out an intuition on the other, are descriptively distinct, but both types of argument share the assumption that the intuition is morally sound – which is what the objection is aimed at. It is because dignity or respect, or the value of tending to one's environment, are intuitively valuable that Nussbaum goes on to flesh these ideas out, and it is precisely this reliance on intuitions that the objection is picking out.

Second, like I pointed out above, there may be multiple and incompatible ways that basic ideas like dignity, agency, or freedom could be fleshed out by different people in practice. This should give the reader enough reason to be doubtful of Nussbaum's strategy, for if it possible that two mutually incompatible claims can be derived from a platitude like "Dignity is valuable", then that should make it obvious that such claims cannot claim to hold universal assent just because the platitude could.

Third, Nussbaum is being modest in her reply by only mentioning dignity and respect as the intuitive notions that inform her capability theory. They may be the most central ones insofar as they form the backbone of the very concept of capability, but as I have repeatedly shown in this section, the content of Nussbaum's capability list refers to a larger number of intuitive judgements. The worry of Nussbaum's overreliance on intuition is thus not dispelled by her remarks.

Can Nussbaum's justification of the capability approach, therefore, sustain its commitment to liberal neutrality? I argue that it cannot. The currency of intuitive value judgements is unreliable, even if the particular intuitions that these get fleshed out from could be argued to be universally sound in some sense (and even this is a big if). The imminent agreement on the precepts of political morality that Nussbaum envisions her justificatory argument to achieve is, therefore, unclear.

Ian Carter has argued that "the capability approach supplies only a theory of the good, whereas liberalism imposes a priority of the right over the good" (Carter, 2014:76). This seems like an apt comment with which to end this discussion. Nussbaum's reasoning about capabilities as constituents of well-being is compelling, and it succeeds at establishing a formidable free-standing framework which formulates a series of ethical entitlements out of a conception of human dignity. But while doing so, it seems to equate justice with goodness in a way that is not compatible with a politically liberal approach to justice. Political liberalism after all is a "second-order theory – an account of how first-order liberal protections should be justified" (Levine, 2012: 182), and it appears that Nussbaum's theorising takes place in the first order, without a sufficiently plausible argument for how her conclusions could be justified as precepts of political morality. Of course, this may be a reason to think that Nussbaum's alignment with political liberalism is unnecessary. Perhaps the approach need not consign itself to the realm of political morality only, in which case the principle of neutrality would be nothing but a handicap on justice, something that ought to be jettisoned off the capability approach as deadweight. I take up this idea briefly in Chapter 2 and refine it further in Chapter 3 where I offer my own reinterpretation of the capability approach.

4.2. Are the Capabilities Perfectionist?

The second level at which value judgements could play a role in Nussbaum's capability approach is at the level of policy output. If Nussbaum's capability approach can be shown to deliberately promote some valuable ways of life, or to discourage worthless ones, then her capability approach would be an instance of perfectionism. Recall from Section 1 that political liberals like Nussbaum are committed to anti-perfectionism; they believe that the state ought not to be in the business of furthering claims about comprehensive morality.

There are two ways in which Nussbaum's proposal differs from bona fide perfectionism. First, Nussbaum's proposal intends to establish a threshold level of capabilities, whereas perfectionists are typically committed to a maximisation strategy; they are interested in "[maximising] human excellence" (Rawls, 1971: 25), or maximising achievements in society (Kramer, 2017). Nussbaum argues that all items on her list of central capabilities are intended to be fundamentally important for a human life such that if thresholds of them were not satisfied, the life in question would be lacking in dignity. Perfectionists, on the other hand, are not primarily concerned with thresholds of this kind. For example, Hurka (1993) argues for an Aristotelian-inspired perfectionism which consists of maximising value across three dimensions: physical perfection, theoretical perfection, and practical perfection (Hurka, 1993: 37).

Second, capabilities refer to opportunities (or effective freedoms) to live life in particular ways. Nussbaum holds that these opportunities are multiply realisable and that their content is not specific. The capability approach is, according to this claim, not a perfectionist approach to justice since it only intends to endow people with the means to achieve various functionings. Nussbaum adds that all reasonable will want these opportunities no matter their plans of life or conceptions of the good. This means that "one has hardly been harmed by having the chance to choose a life that [makes use of the capabilities]" (Nussbaum, 2000: 88-9) even if one ultimately chooses to forego some or all of them. Rutger Claassen (2014) calls this the 'standard move' in the capability literature. If the capability approach emphasises entitlements as capabilities, it can supposedly accommodate value pluralism and sidestep accusations of perfectionism and paternalism (Classen, 2014: 59).

I argue that despite these immediate differences, Nussbaum's capability approach nevertheless involves a measure of perfectionism, which makes it inconsistent with the principle of neutrality. Nussbaum's capabilities are perfectionist because their value is established by reference to the value of the particular functionings that they are intended to secure. That is to say, it is an insufficient defence against perfectionism to pitch the

capabilities as freedoms if the freedoms in question are themselves ethically partisan and refer to content-specific functionings which have been deemed objectively valuable behind the scenes. The 'standard move' thus fails to be successful as a way of dispelling perfectionism. Carter (2014) argues for a similar claim when he writes that the notion of freedom in the capability approach is a content-dependent kind of freedom. Nussbaum's capabilities are capabilities to do valuable things, such as to be healthy and to exercise one's political power. In other words, these opportunities are valuable *because* the functionings they pick out have been assumed to be objectively valuable.

> The value of freedom therefore remains dependent upon its content – on what it is the freedom to do or become – and that content depends, in turn, on the specification of a set of ends worth realizing (Carter, 2014: 91).

On the other hand, a content-non-dependent freedom would have value "independently of the nature of the specific things that it is the freedom to achieve (ibid, 92). Perhaps, this freedom could be formulated as series of rights of non-interference which would effectively guarantee individuals with a range of functionings over which they could make authoritative decisions about how to take up opportunities. However, it is clear that because of the value-laden nature of the functionings in question, Nussbaum's current list "hands down rulings on a vast array of questions in moral philosophy" (Nelson, 2008: 99) and, in turn, fails to be adequately neutral.

Nussbaum holds that her list of central capabilities merely picks out opportunities for realising various conception of the good, but it must be pointed out that it does not do so even-handedly. Items on Nussbaum's list are far too normatively specific to be pitched as all-purpose resources compatible with *every* reasonable conception of the good. For the capabilities to be pitched this way, they would have to be defined to pick out content non-specific freedoms, or something entirely adjacent to conceptions of the good, like an index of primary social goods. I think it is clear that Nussbaum does not intend her approach to do either of those things. Rather, she intends to motivate a list of ways of being which she argues are objectively and universally valuable. And the reason why the freedom to achieve these things is valuable is because the things themselves are arguably valuable.

The various ends worth realizing which Nussbaum speaks about are based on controversial claims about the good, and they consist in controversial claims about the good. In its current state, Nussbaum's list of capabilities is plainly a list of valuable things to do, rather than a list of valuable content-non-specific freedoms to have.

This way of defining the capabilities and establishing their value may not necessarily be a problem for Nussbaum. If the capabilities were to pick out only those freedoms which are, as a matter of fact, universally and uncontroversial valued, despite different conceptions of the good, then the capability approach need not be perfectionist in the way that I suggest. But, as I showed in the previous section, the claims that make up Nussbaum's list of central capabilities are ethically partisan; they rely on particular judgements about what is valuable, and their value does not hinge on people's actual endorsement of them.

Moreover, the functionings picked out by Nussbaum's list of central capabilities are not merely instrumentally valuable. They are valuable for their own sake as constituents of a good life. If a person is deprived by having her capability for bodily integrity or creative expression denied, she is not merely harmed by having her pursuit of her conception of the good frustrated. She has been "deprived of something good that is her due" (Kraut, 1999 cited in Deneulin, 2002: 508). As such, it becomes clear that the entitlements that Nussbaum's partial theory of justice picks out are part and parcel of a particular conception of a good life. Of course, this conception is not maximally specific in the style of bona fide perfectionist philosophers. The variety of lifestyles that Nussbaum's style of perfectionism accommodates do not reflect a variety of conceptions of the good, rather they "reflect a prioritisation of some elements and some actualisation of those elements of a single and same human life" (Deneulin, 2002: 508). That is to say, Nussbaum's capabilities presuppose a sketch of a valuable human life. It is up to free persons to finish this sketch how they see fit. But it seems to explicitly denigrate the possibility of going outside the lines, or sketching something radically different in its place.

Moreover, given that not all reasonable people would endorse all items on the capability list, it appears that the inclusion of some items on this list may render it effectively perfectionist. Eric Nelson (2008) argues that this ought to be the relevant measure by which to assess if the capability approach is neutral. "A capability or good will be deemed non-neutral if the act of providing it runs counter to at least one citizen's idea of the good" (Nelson, 2008: 101). If our capability approach risks alienating some reasonable persons, then it may not be neutral in the way it was intended. This becomes especially apparent when we consider the public cost of capability promotion. Nelson points out that formulating key capabilities as public provisions means asking people not only whether they would want the capability in question, but also whether they would want the capability to be promoted *by the state* (ibid, 103). What if I do not see myself able to enjoy a particular capability? Do I still have to foot the bill? Rawls argued that "there is no more justification for using the state apparatus to compel some citizens to pay for unwanted benefits that others desire than there is to force them to reimburse others for their private expenses." (Rawls, 1997: 250).

While Nussbaum's account of capability justice falls short of bona fide comprehensive perfectionism, it is demonstrably not neutral with regard to competing conceptions of the good. This leaves Nussbaum's capability approach at an impasse – by dint of its particular content-specific claims, it is neither a fully perfectionist or comprehensive approach to justice, nor a fully politically liberal one. It holds on to commitments which are mutually inconsistent.

5. The Road Ahead

In the previous section, I argued that Nussbaum is not entitled to claim that her capability approach is consistent with political liberalism. If a way of organising our principles of justice claims to be free of controversial value judgements by following a strictly political procedure for selecting entitlements, but ends up promoting specific ways of life, then such an account of justice is flawed. For example, it may give way to mutually inconsistent applications of justice. But more importantly, it may simply fail to be a feasible and action-guiding way of achieving justice in the real world. At any rate, the approach would do better to stand by the controversial claims it tries to import, and to do away with its claim to neutrality altogether.

I hope to have convinced the reader by this point that the capability theorist must modify her view. There are two ways this could be done (though I have already hinted that I think neither ultimately works, and that my proposal in this thesis is a novel third way). The capability theorist can stand by the principle of neutrality and shape the justification and content of the approach so that it reflects a genuinely neutral and procedural agreement between dissenting parties in order to formulate capabilities for political purposes only. Alternatively, the capability theorist can renounce the principle of neutrality and refine and further elevate the objective value claims that currently inform the content of the capability approach. In the next chapter, I develop both of these options with a view to rescuing the capability approach from the impasse it finds itself in.

Conclusion

This chapter has critically examined the relationship between Nussbaum's capability approach, liberal neutrality, and perfectionism. In particular, I showed that the capability approach straddles the political-comprehensive divide in a way that calls it internal coherence into question. Nussbaum's account of justice, therefore, finds itself in an awkward

position. It avails itself to claims characteristic to both sides of the divide, yet these claims are not compatible with each other. I argued that the way Nussbaum justifies her capability framework relies on the truth of purportedly objective claims about value – claims that, I take it, could be rejected by some reasonable individuals. Moreover, I argued that the specific claims that make up Nussbaum's index of central capabilities, while explicitly not trading in excellence, nonetheless appear to promote at least some ways of living that need not be endorsed by all reasonable individuals. Finally, I pointed out that if a capability theorist was to escape the impasse she finds herself in and to clarify the internal logic of the approach, she faces a choice: to either embrace neutrality at the expense of objective value judgements, or to embrace perfectionism at the expense of neutrality.

Chapter 2: The Capability Dilemma

In a 1982 essay, Rawls argued that there are two ways that disagreement about ethical matters is traditionally overcome in Western political philosophy. On the one hand, we may recognise a plurality of valid conceptions of the good and institute a *modus vivendi* arrangement. On the other hand, we may affirm a core conception of the good that is recognised by all rational persons, no matter the particular claims they may disagree with (Rawls, 1982). These two ways of overcoming disagreement roughly correspond to the two interpretations of liberal theory which we have been concerned with so far in this thesis: political liberalism and liberal perfectionism, respectively. I argued in the previous chapter that Nussbaum's capability approach straddles this divide; while it claims to be an instance of the former, it endorses a set of ethical prescriptions that seem indistinguishable from an instance of the latter.

If we take Rawls' claim to be strictly true, that is to say, if we take him to contend that these options represent the *only* ways to overcome disagreement in practice, then we are presented with two potential directions to move the capability approach in if we wish to rescue it from the impasse I diagnosed in the previous chapter; we can either align our account of justice either with political liberalism, or with liberal perfectionism in earnest.

In this chapter, I develop these solutions and demonstrate that while they are capable of resolving the inconsistency in question, each comes with a formidable set of problems which risk damaging the attractiveness and feasibility of capability approaches to justice. The capabilitarian thus seems to be faced with a dilemma – either she doubles down on neutrality by restricting the concept of capability, thereby risking that some obstacles to capabilities go on unchallenged, or she embraces a perfectionist conception of human flourishing, thereby risking an unattractive kind of paternalism.

In Section 1, I develop two proposals for aligning the capability approach with liberal neutrality. In Section 2, I argue that this is a bad move, which is reflective of a more serious failing of political liberalism in tackling injustices. In Section 3, I develop a proposal for aligning the capability approach with liberal perfectionism. I argue that is a mistake, too, but for a different set of reasons. Finally, I end this chapter by formulating the choice between both solutions as an apparent dilemma.

1. Politically Liberal Capabilities

The way Nussbaum attempts to accommodate pluralism in her capability framework and establish that her approach is "closely allied to a form of political liberalism" (Nussbaum, 2000: 5) can be split into two distinct claims about the *justification* of the capabilities she selects and their *content,* respectively.

(1) The capabilities are justified by way of reflective equilibrium of a set of widely held intuitions about objective value which may (hypothetically) be put forth to a Rawlsian overlapping consensus between reasonable people who may differ in their individual conceptions of the good.

(2) The content of the justification is such that it provides a "partial, not a comprehensive conception of the good life, a moral conception selected for political purposes only" (ibid, 74).

In Chapter 1, we saw that despite Nussbaum's claims to the contrary, value judgements play a role in both of these claims. This allowed us to challenge Nussbaum's claim that her capability approach can be defended as a politically liberal enterprise. Now, if we wished to reimagine the capability approach as politically liberal in earnest, we would have to ensure that both the justification and the content of central capabilities can be defended as neutral with regard to a range of competing conceptions of the good. In the following two sub-sections, I sketch how both of these conditions could be met.

1.1. Neutrality of Content

Perhaps the most obvious way of formulating a capability approach with neutral content would be to follow Sen in treating capability as a content-neutral kind of freedom. Sen arguably sidesteps a range of justificatory problems associated with selecting capabilities by remaining agnostic about their content and delegating the task of settling these substantive questions to democratic bodies. This may satisfy the principle of neutrality. But, of course, it may equally well fail to do so. In Sen's capability approach this question is simply not settled. And since I take there to be at least one good reason to opt for a capability approach that agrees on substantive questions prior to application (i.e., to avoid idiosyncratic results), I will not focus on the possibility of achieving neutrality by omission here and focus instead on the prospect of arriving at a neutral list of central capabilities.

Doubling down on the principle of neutrality would involve selecting only those capabilities whose corresponding value could be defended as an object of an overlapping consensus between reasonable individuals. According to Rawls, the only type of claim that could be agreed upon in this way would consist of fair procedures of justice, rather than any claims about what makes people's lives go better or worse outside of the political domain. Since several items on Nussbaum's list currently do refer to doings and beings that are not, strictly speaking, situated only in the political realm (such as play, creative expression, or care for other species), the move toward neutrality of content should arguably involve eliminating references to these comprehensive domains of human activity. Of course, making a rigorous distinction between political functionings and apolitical functionings which would hold up in practice will be next to impossible. For example, my choice to engage in creative expression may only be possible because of a range of political facts obtaining, such as legally protected freedoms for expression and a decent threshold of socioeconomic entitlements which make creative endeavours possible. So, I contend that this distinction may be somewhat fuzzy in practice. Nevertheless, I take it that there is a way of distinguishing between capabilities which primarily pick out activities whose exercise falls outside of the remit of a Rawlsian basic structure of society, and those activities which do not.

Redrafting a list of basic capabilities with a view to removing references to apolitical functionings seems like a reasonable move to make since the principle of neutrality can be understood as being aimed at trying to prevent a kind of overreach on part of state institutions. This is consistent with Nussbaum's claim that her theory of justice is, to borrow Rawls' phrase, formulated "for political purposes only" (Nussbaum, 2000: 77). As such, when it comes to matters that fall outside of the basic structure of society, it ought "to be silent about how people should live" (Deneulin, 2002: 514). Let us call this the *political formulation* of neutrality. Under the political formulation, the liberal state is only concerned with formulating capabilities which express fair procedures of public co-operation and, in turn, upholding a sort of agnosticism about the value of non-political activities. A list of central capabilities drafted in this way would then include capabilities to certain basic welfare entitlements, legal and political protections and so on. However, it would not include capabilities to do things that fall outside of this strictly political domain of activity.

However, according to Wall (2019), the principle of neutrality need not rule out promoting a shared, and thus uncontroversial, conception of the good, namely, one that all people share as a matter of fact. According to Wall, such a conception of the good would not express disrespect to any citizen. If we take this claim to be correct, then there is nothing necessarily wrong with a capability list making reference to non-political functionings, so

long as the value of these functionings is, in fact, universally held. This would also seem like a reasonable move since neutrality would be preserved; after all, no one citizen's conception of the good would be elevated above someone else's if all the non-political capabilities in question were, in fact, indisputably valuable. Call this the *non-political formulation* of neutrality. Under the non-political formulation, the liberal state is primarily concerned with equality, which means that non-political value claims, so long as they do not run counter to the equal standing of citizens in front of the law, are acceptable in theorising about justice and, therefore, acceptable in a list of central capabilities.

Under the political formulation, Nussbaum would have to eliminate a number of capabilities and, therefore, substantially restrict the scope of the list. This would have the following consequence: the capability approach would no longer be concerned with the valuable things people can achieve in their lives qua non-citizens. Instead, capability justice would be concerned with the goal of guaranteeing for all persons a sufficiently robust political standing in their relation to the state. This is, of course, perfectly consistent with political liberalism and, indeed, a worthwhile goal given the magnitude of the world's disenfranchised communities and individuals. However, the capability approach is explicitly committed to a much stronger goal: it holds that "certain human abilities exert a moral claim that they should be developed" (Nussbaum, 2000: 83). Therefore, following the political formulation of capabilities may involve overly restricting the scope of justice. Such a thin notion of a capability is arguably not what defenders of the capability approach ultimately have in mind.

So, perhaps we can do better with the non-political formulation of neutrality. Under this formulation, assuming that, for the sake of simplicity, we would like to retain as much content from Nussbaum's original list as possible, we would have to ensure that the justification for these capabilities is consistent with political liberalism, namely, that these capabilities pick out (or at least tend toward) a set of values that would be acceptable to all people despite their different conceptions of the good. Whether this is possible depends on how these capabilities are to be normatively justified.

1.2. Neutrality of Justification

As we have seen, political liberals are concerned with establishing that political systems characterised by pluralism are stable and able to govern in ways that are legitimate and acceptable to all reasonable persons. For state power to be legitimate, it has to be supported by reasons that all reasonable citizens may share (Quong, 2011: 195).

Could Nussbaum's current list of central capabilities garner a universal political justification in spite of the fact that it refers to a number of functionings that fall outside of the scope of the basic structure of society, strictly speaking? This depends on whether we believe the 'standard move' to be successful in dispelling the worry of backdoor perfectionism. Recall that the 'standard move' is the argumentative move of emphasising capabilities as freedoms, while pointing out that individuals may simply choose not to exercise freedoms to do those things which they happen not to value, thereby defusing the worry that a list of capabilities could be perfectionist (Claassen, 2014). According to the standard move, the state is not promoting controversial claims when it endows people with various freedoms to pursue functionings. Persons can make decisions about what to do with the opportunities available to them. According to the standard move, we would expect rational people to prefer the situation in which they have the freedom and not make use of it than vice versa.

I believe that this move fails to placate the critic who worries about an illegitimate value import into an account of liberal justice. While it is plausible to hold that content-non-specific freedom *may* indeed be valued by rational persons, all other things being equal, the freedoms in question here are content-specific, that is to say, they are freedoms to do specific valuable things. [10] The kinds of functionings we are concerned with here are comprehensive in that they comprise claims about what makes a person's life have mor or less value, rather than claims about political morality only. So, if someone were to not endorse the value of the specific functionings to which they are entitled, then it would be false to claim that she would nonetheless prefer the state of affairs where this freedom is given to her. Such an option may have zero value to her whatsoever.

This kind of reasoning about the good should start to trouble the reader at this point as it seems to imply an implausible procedure, namely, that the state should enshrine in law only those freedoms that are part of a conjunction between the sets of *all* freedoms valued by individuals. Aside from implying a rigid form of libertarianism (since the conjunction of these sets of freedoms is most likely going to be extremely minimal), such a claim could also be weaponised on divisive issues, for example, in instances where conservative or reactionary politics are invoked to deny certain expansions of freedom with the claim that they may be trivial at best, or harmful for society at worst, such as same sex marriage or legal protections for transgender people. Why, a disgruntled citizen may ask, should I value

[10] I say 'may' here since I take it it's not impossible to think of examples where, all other things being equal, the addition of an extra choice to an individual's available choice set would result either in no extra value, or even negatively affect her well-being (say, due to mental overload or the burden of having to justify a higher opportunity cost and so on).

the freedom of individuals to do things I believe are immoral, or incomprehensible? Does such a citizen have a case against the state?

Of course not. Not everyone in a society needs to share your reasons to allow you to do things that you want to do. Individuals should, therefore, not wish to restrict the freedoms of others based on their own preferences, at the very least because these preferences may change in the future, but more importantly, out of respect and normative recognition of other people.

The only way to arrive at a list of central capabilities using the non-political formulation of neutrality would be to engage in a procedure of this kind. Namely, the extent to which we can find an overlap of substantive, non-political value claims that we can make use of will be small and contested. Moreover, there is a deeper procedural point to be made here that this is simply the wrong way of reasoning about entitlements of justice. I take these to be reasons not to favour this way of deliberating about the content of capabilities. Instead of attempting to accommodate a conjunction of everyone's stated values, we should aim instead at justifying the values in a way which does not involve requiring everyone's endorsement on value claims. I suggest how this could be done in an elegant way in Part 2 of this thesis where I formulate a novel kind of capability approach.

Perhaps there is another way to rescue Nussbaum's justification of the capabilities and to bring it in line with liberal neutrality which does not consist in securing agreement over a range of content-specific moral judgements. Recall that one of Nussbaum's justificatory methods—the informed desire approach—was relegated to an ancillary role in her framework due to the worry that individual desire may not lead us to reliable judgements about what is good for people's well-being. Perhaps we can shift the justificatory burden of the capabilities to informed desires by arguing counterfactually that individuals would converge on a set of non-political capabilities if they satisfied certain descriptive conditions for their desires to count as genuine and authentic. We may formulate procedural criteria, such as independence from manipulation (e.g., Dworkin, 1988: 18), or a hypothetical endorsement test, whereby an individual's desires would count as authentic if she were to not repudiate them given perfect information of how these desires came about (e.g., Christman, 1991:22). For example, if my desire not to desire, say, relationships with other people came about from a belief I had internalised that I do not deserve to be loved. I may reject this desire if I was given full information about how I had internalised this toxic belief. An argument of this kind could avoid many of the problems associated with ethical partisanship that we have looked at so far and provide the capabilitarian with a procedural, and therefore neutral, way of justifying the selection of central capabilities.

The problem with this move should, however, be readily apparent: the way these procedural criteria for adjudicating between good (authentic) desires and bad (corrupt) desires would themselves have to be neutral for this justificatory method to be consistent with liberal neutrality. Therefore, the criteria would have to be formulated in a descriptively neutral, rather than normatively demanding way, such that they could not be challenged by some reasonable people who may take issue with some normative claim in question. For example, a person may object to the claim that the uncritical internalisation of beliefs can lead to corrupted desires. A framework of justice based on this foundational claim would, therefore, fail to be neutral insofar as it would disrespect the dissenter's conception of the good.

Moreover, it is unclear how well a purely descriptive procedural notion of informed desires would perform in practice. For example, feminist philosophers like Natalie Stoljar (2000) working in the field of individual autonomy have argued that procedural criteria of individual autonomy are much too ineffective to respond to the many ways in which women's socialisation hampers the choices available to them, and their desires to pursue these choices (Stoljar, 2000:100-7). And since one of the core aspirations of the capability approach is to attend to injustices of this very kind, a purely descriptive informed desire approach may not be effective at catching corrupted desires. Nonetheless, this is still a possible move toward liberal neutrality that Nussbaum's capability approach can make – and one that appears, on the face of it, more promising than trying to justify the content of capabilities by identifying commonalities in everyone's moral judgements.

2. The Problem with Neutrality

To recap, there are two ways we get to a politically neutral list of central capabilities. We might follow what I called the political formulation of neutrality and eliminate references to apolitical functionings from Nussbaum's framework, making it a list of politically procedural capabilities. Alternatively, we try to retain as much normative content, including references to apolitical activities, from Nussbaum's proposal and focus instead on providing a justification for all claims in this proposal which is consistent with political liberalism. We now have two extremely rough sketches of an earnestly politically liberal capability approach: a capability approach consisting of purely political capabilities on the one hand, and a capability approach with both political and apolitical capabilities, but one whose justification we shift from relying on independent moral judgements to judgements about informed desires.

Does this newly minted neutral approach—under either of the two descriptions—fare any better in its purported goals than the original? I argue here that they would incur significant problems. As I pointed out in Section 1.1, the first would unduly restrict the scope of the capability approach, while the second would fail to meaningfully deal with internal obstacles to people's capabilities by overestimating the extent to which individual choices are freely made. Both of these capability approaches would, therefore, fail to adequately respond to a range of significant injustices.

The first approach would have the effect of severely restricting the scope of justice. Nussbaum and other capabilitarians argue that our thinking about justice ought to be guided by the question "What are people capable of doing and being?" The political formulation of neutral capabilities would effectively restrict this question to "What are people capable of doing and being *purely in relation to institutional power?*" This kind of approach to justice would be a capitulation on one of its most striking features – its aspiration to empower individuals in all aspects of their lives. I take this to be reason enough not to endorse a capability approach under this description.

The second approach seems nominally more promising. However, I argue that it too would involve restricting the scope of justice to such a degree to render the capability approach unattractive. For the capability approach to be justifiable on the basis of informed desires, it would require a robust principle which could effectively adjudicate between instances where an individual has freely chosen not to pursue a capability, and instances where the capability was never *effectively* hers to choose to pursue. I will argue in the next chapter that this condition could be satisfied by a robust principle of personal autonomy. A politically liberal conception of autonomy is unfit for this task. Let me explain.

David Crocker (1992) has argued that it is imperative for the capability approach that it does not fall into 'relativism' or 'moral nihilism' (Crocker, 1992: 605). The capability approach, therefore, must not be purely a descriptive enterprise, adaptable to *any* constellation of claims, no matter how reductive. It must take an active interest in the realm of value and set concrete directions in order to lift people out of poverty, oppression, and other forms of hardship.

The capability approach to justice is thus intended to attend to people's effective freedoms to live good and valuable lives. Philosophers traditionally distinguish between constraints to freedom that are internal and external to the agent.[11] As we saw in the previous chapter, Nussbaum is attentive to the ways in which individual desires can be corrupted and

[11] For example. Isaiah Berlin (1969) who first distinguished between negative and positive liberty: the former requires an absence of relevant external constraints, whereas the latter requires the presence of a sufficient degree of control over one's volitions and actions (p.121-22).

damaged due to oppression and disadvantage. In Nussbaum's hands, the capability approach is explicitly geared at responding to constraints to freedom which are in some sense internal to the agent.

It is in this goal, however, that the capability approach would fail if it were to complete its alignment with political liberalism in earnest. This is because the political liberal's reluctance to take a stand on matters of value overestimates the extent to which individuals are free and unencumbered choosers. I take it that this is an instance of a more general problem with political liberalism, and the capability approach seems to be unable to offer any new resources to overcome it. For example, Michael Sandel (1984) has argued that liberals like Rawls are committed to an implausible metaphysical view of the self: as one that is necessarily "prior to and independent of purposes and ends" (Sandel, 1984: 86), a sort of "unencumbered self" (ibid.). This way of thinking about the individual, the critic continues, is wrong, and it can lead us to false conclusions concerning morality and justice.

Let us refine this somewhat rough claim and apply it to the topic of justice.

I argue that the capability approach lacks the necessary normative tools to identify and respond to a particular class of injustice which come about as a result of individuals internalising harmful or unjust norms. In the next chapter, I will argue that the internalisation of such norms is bad because it damage's one's autonomy; it makes an individual less capable of governing her own life based on her values. I have not yet established autonomy as the relevant normative benchmark here, and Nussbaum does not endorse the value of autonomy in the way that would be consistent with making this claim. For now, therefore, I argue that the internalisation of harmful and unjust norms is damaging to an individual's capabilities insofar as it subverts the individual's practical reason and, in turn, the other capabilities which rely on practical reason.

One of the ways in which unjust norms can subvert a person's practical reason is through *adaptive preference*s – preferences which have been formed as a "result of [one's] downgrading of options that [one] believes are inaccessible to them" (Taylor, 2013: 138), such as the proverbial sour grapes. When a particular desire is systematically unmet due to hardship or disadvantage, a person may relinquish her desire, or form a desire to identify with her current situation in a process known as preference adaptation. According to Jon Elster (1983), a preference is adapted in earnest if it would revert to its original state just when the person's option set were to expand. Preference adaptation poses a significant challenge for justice insofar as it can obscure the extent to which deficiencies in the

provisions of justice are brought about by individual own choices.[12] And given that persons can come to internalise unjust and harmful norms, "our circumstances can effectively socialize us to prefer conditions or options that are bad for us" (Terlazzo, 2016: 206).

An individual who has internalised her oppression will adapt her preferences so that she no longer prefers choices that are out of her reach and so that she prefers the choices that are in reach. For example, members of disenfranchised communities may be reluctant to seek political or legal representation if they believe they are not worthy of it. Domestic abuse victims may be reluctant to seek help if they believe their spouse's anger toward them is justified. It would, however, be inappropriate to think of this reluctance as a genuine or free choice, or normatively authoritative.

In capability terms, the phenomenon of preference adaptation obscures the extent to which a person's lack of a particular functioning is due to her choice not to exercise her capabilities, or whether it is due to her adapting her preferences in light of disadvantage or oppression. I argue that the comprehensive value of autonomy must be made explicit in the formulation of capabilities in order to make sense of capability failures of this kind. Absent such a claim, the capability approach has limited tools for distinguishing between the following two cases:

> **Forgone Capability:** An agent possesses the internal requisites for φ-ing (i.e., she knows how to) and she is free of external constraints that would prevent her from φ-ing (e.g., it is not against the law, it does not incur prohibitive costs etc.). On reflection, she comes to the decision that φ-ing either has no value to her, or it goes against her conception of the good, so she chooses not to φ.
>
> **Failed Capability:** An agent possesses the internal requisites for φ-ing, and she is free of external constraints that would prevent her from φ-ing as above. Nonetheless, she does not see herself as able to φ because of the beliefs she has internalised, or because a lack of key options has led her to adapt her preferences.

[12] Of course, not all instances of preference adaptation will be like this. In many cases, people adapt their preferences in ways that are harmless, or even necessary for personal growth or character formation. For example, when I was 9, I wanted to be Britney Spears. This was, unfortunately, not possible for me, but we would not think of the resulting adaptation of my preferences as indicative of a wrong or a harm. See Colburn (2011) for a discussion of how an account of adaptive preferences can be modified to accommodate the relevant differences between preference adaptation and character planning.

In the former case, an agent has chosen to forgo a capability in a way that is consistent with the capability approach. According to the capability approach, individuals may choose not to pursue those capabilities which happen to not hold any value to them. Justice only requires that individuals have the opportunity to exercise capabilities, not that they do, in fact, exercise them.

Surprisingly, the latter case is also consistent with the capability approach. However, this looks like the exact sort of injustice which the capability approach ought to correct. Here, an agent can be seen to lack the capability in question, despite the fact that she appears to have both the necessary internal and external requisites.

I argue that the capability approach cannot make sense of the pertinent differences between these two cases, and therefore, cannot adequately respond to the latter without the normative vocabulary of a robust principle of autonomy. Rosa Terlazzo (2019) has recently argued in similar vein that the capability approach needs a principle of autonomy to make sense of unjust capability failures of a similar kind (Terlazzo, 2019: 10-11). She argues that the principled reluctance of the capability approach to accept comprehensiveness comes at the expense of letting certain internal obstacles go unchallenged. For example, a transgender person living in a society that invalidates her identity claims may not see herself as capable of deserving respect or other agentic tools needed to live a life of value. Here, Nussbaum would have to deny that this requires seeing oneself in this way "since in order for citizens to do so, they must be brought up in an environment in which autonomy is privileged at least to the same extent as other metaphysical commitments" (Ferracioli and Terlazzo, 2014: 449-50).

Clare Chambers (2007) has argued against Nussbaum's commitment to political liberalism in a similar vein, and her argument picks out the role of social norms in regulating individual preferences more generally. Chambers argues that political liberalism is not responsive to two salient features of individual decision-making: (1) the extent to which individual preferences are shaped by social forces, and (2) the fact that individuals' sets of options are constrained by social norms, some of which may be harmful or inegalitarian. To overcome these problems, Chambers advocates for a social constructionist approach to theorising about political morality which she takes to offer a more plausible account of how individual choices are made and how they may fall victim to various injustices. She writes:

> Individuals' choices can never be assessed in isolation from the cultural context in which they take place, and a particular practice cannot be considered in isolation from the meaning it has for the community as a whole. More specifically, the justice of a practice or a choice is not usually

> determined by the individual who initiates it but relies in large part on the role it plays in the overall system of (in)equality. A liberal focus on the individual fails to notice how individual actions fit into social structures of (in)justice (ibid, 44).

Chambers takes this argument further and argues that recognising that individuals' preferences are socially formed means that we cannot leave it up to individuals to make their own choices without placing some hard limits on acts which are harmful, or which come from unjust social norms, no matter if they are being done voluntarily. Even when certain choices are made seemingly autonomously, according to Chambers, they may nonetheless have come about from the internalisation of unjust and harmful norms. Chambers compares breast augmentation surgeries to FGM. The former seems unproblematic to political liberals because people who undergo such surgeries tend to do so voluntarily and freely, while FGM is usually carried out by force. However, Chambers argues that this distinction fails to account for the possibility that individuals may internalise and endorse unjust norms. Women's lives are shaped by harmful and stifling norms concerning body image and beauty, which may propel them to undergo unnecessary surgeries. Political liberalism, therefore, fails to recognise that supposedly free actions may nonetheless be harmful and unjust.

> Liberals need to recognise that oppression can constitute rather than simply contravene individuals' desires, and that social norms can make it rational for individuals to want things which profoundly threaten their wellbeing and equality (Chambers, 2004: 29-30).

Chambers' argument is useful in illustrating the practical shortfalls of a politically liberal approach to justice inasmuch as political liberals commit themselves to a view of autonomy which is insensitive to social construction. However, I will argue in the next chapter that this is not a failing of autonomy necessarily. I will defend a conception of autonomy which, I argue, can help us formulate a robust threshold with which to rule out the kinds of problems Chambers worries about. I will defend a socially relational conception of autonomy, which identifies autonomous capacity as causally dependent on a number of variables to do with the kinds of relations individuals stand in.

For the time being however, in order to make sense of the difference between the above cases—the case of forgone capability and failed capability, respectively—the capability approach must recognise that there is a prior hurdle that must be cleared before an individual can be said to possess a capability. She must be shown to be autonomous, or self-governing.

She must be capable of resisting manipulation and oppression. A practical upshot of this requirement is that can it extend the range of problems that the capability approach can attempt to remedy. Numerous injustices around the world go on unchallenged because they are enabled by social forces that appear, on the face of it, voluntarily endorsed by the very people whom they wrong. For example, writing on women's rights in the Middle East, Egyptian journalist Mona Eltahawy has observed that "[women] are so socialised in our oppression that even in the face of injustice, we know to stay within the lines. Instead of a bold demand for the removal of a system that keeps women forever at the whim of a male guardians, even their adolescent sons, women meekly suggest reform" (Eltahawy, 2015: 158). These are precisely the kinds of injustices that Nussbaum worries about when she writes about the effects of adaptive preferences and oppression (e.g., Nussbaum, 2000: 117). Nussbaum does not, however, argue for a comprehensive principle of autonomy and as such, her framework, and those of others who follow her approach, fails to endow an account of justice with the tools for distinguishing between foregone capabilities and capability failures.

The problem I have outlined in this section is an instance of a more general problem faced by political liberalism, and it looks like the capability approach cannot provide the political liberal with any novel resources to overcome it. Since the capability approach is explicitly committed to removing internal obstacles to individuals' capabilities in the road to justice, a politically liberal capability approach is likely to fail in this goal. The discussion in this section has also allowed me to set the scene to argue for a foundational principle of relational autonomy in the next chapter; a principle which, I argue, is necessary for a capability account of justice.

3. Perfectionist Capabilities

Can the capability approach fare any better by giving up neutrality and reformulating its proper aim to be the promotion of individual flourishing and excellence across a broad set of domains of human activity? One way it could do this is by realigning itself with liberal perfectionism – the view that liberal goals are best promoted by the state taking an active interest in the goals that individuals pursue.

What would a capability approach look like if it were to align itself with perfectionism? We would be entitled to retain Nussbaum's substantive-good justification of the capabilities largely as it is since the value propositions are already pitched as having an independent standing. The move would involve giving up the contractarian elements of Nussbaum's justification, including an appeal to an overlapping consensus between dissenting parties. I

already argued in the previous chapter that these elements are a spare wheel in Nussbaum's account. The capability approach would then need to tease out its implicit claims to objective value and formulate these as a set of universal and binding ethical prescriptions for a good life.

Such a move would be a return to Nussbaum's original, pre-Rawlsian conception of the capabilities (e.g., Nussbaum, 1988; 1992), which were built around a notion of the human *telos*, given to us by our unique nature. Nussbaum follows Aristotle in emphasising the role of practical reason in guiding all our endeavours and making their pursuit characteristically human (Nussbaum, 2000: 82). The structure of a perfectionist capability approach could then be made to mirror, say Thomas Hurka's (1993) form of neo-Aristotelian liberal perfectionism, which formulates a list of objective excellences across a theoretical, physical, and practical dimension (Hurka, 1993: 37).

As we have seen, Nussbaum's list of capabilities currently does not trade in excellences, nor is it committed to a function of maximisation. Her list of central human capabilities does not intend to make judgments about what a good life is above a level of sufficiency. Nussbaum defends items on her list as "the features whose absence means the end of a human form of life" (Nussbaum, 1992: 215). The move toward liberal perfectionism would, therefore, be a move past this sufficiency threshold and into a more ambitious set of claims about what constitutes excellence in people's lives. This would involve foregoing 'the standard move' and asserting that the items picked out by a list of central capabilities are indeed valuable beings and doings, and individuals' lives are all the better for making use of them, rather than by merely having the freedom to make use of them.

There may be an additional reason than mere theoretical coherence that would motivate the capabilitarian to make this move. As we saw in the previous section, the principle of neutrality can be argued to muzzle the emancipatory ambitions of the capability approach. There are countless urgent problems in the world that ought to be addressed from the standpoint of justice. It may, therefore, be insufficient to merely aim at securing people with opportunities. Perhaps we ought to ensure that these opportunities are, in fact, made use of. Taking this line of argument, a capability theorist could explicitly disavow neutrality as it may be argued to be too costly a luxury, affordable only to developed and stable states whose citizens are well off enough to quibble over the minutiae of the limits of state power. Since the capability approach is intended to elevate people from poverty and disadvantage and empower individuals to live good lives, an explicit focus on the components of dignified and valuable lives may be a necessary feature for effectively delivering on this goal.

However, I argue that realigning the capability approach with liberal perfectionism would undermine the capabilitarians' fundamental commitment to upholding the value of

individual agency and freedom. My claim concerns both the internal coherence of the capability approach, as well as the internal coherence of liberal perfectionism. Namely, there is a particular tension that critics of liberal perfectionism identify: the tension "between the perfectionist idea of using political power to improve citizens' lives according to some determinate judgements about human flourishing, and the liberal idea that citizens are free and equal and are entitled to certain forms of treatment as a result of that moral status" (Quong, 2011: 36). Quong argues that this worry is made all the more real by the perfectionist's inability to provide a principled way of distinguishing between the sorts of non-coercive methods favoured by perfectionism and the coercive methods that they are supposedly against. In practice, therefore, the sort of reasons that justify liberalism also seem to place an embargo on the sort of actions that perfectionists take to be necessary for reaching their goals. I take it that Quong's argument represents a powerful reason to resist a perfectionist capability account of justice. Let me unpack this argument.

Perfectionism is sometimes accused of implying paternalism, which liberals are typically against. Paternalism refers to a kind of interference into people's choices and actions whereby the state attempts to alter the behaviour of an individual. This interference is usually justified on the basis that it benefits the individual, or that it stops the individual from doing something harmful. For example, laws that require motorcyclists to wear helmets and laws that require mandatory use of car seatbelts would be paternalistic. Of course, neither of these laws is particularly controversial among liberal philosophers, so the liberal's relationship with paternalism should be understood as more of a presumption against it, rather than outright opposition. According to this presumption, if the state wishes to interfere in individual choices, it better have "a powerful justification" (Mills, 2013: 446). Otherwise, the state ought to leave people to make choices as they see fit.

This presumption carries over in the writings of liberal perfectionists, but it tends to be modified to only exclude actions which limit someone's freedom or autonomy (e.g., Hurka, 1993: 147-60; Raz, 1986: 369-72). Raz insists that the liberal presumption against paternalism ought to only exclude 'hard perfectionism', which involves coercion or manipulation. Other forms of perfectionism—encouraging valuable options with subsidies, discouraging worthless options with taxation—are not coercive and, therefore, not problematic from the point of view of liberalism. According to Raz, "a government which subsidizes certain activities, rewards their pursuit, and advertises their availability encourages those activities without using coercion" (Raz, 1986: 417). So long as coercion is avoided, there is nothing illiberal about encouraging valuable choices, according to Raz.

Despite these claims, Quong thinks that liberal perfectionists cannot ever escape the charges of paternalism. Quong argues that no matter what justification is given, perfectionist

action will inescapably be motivated by "a negative judgement about citizens' abilities to effectively advance their own interests" (Quong, 2010: 86). According to Quong, this is a problem because it involves disrespecting the moral status of citizens as free and equal (ibid, 102-3). When we compel someone to make supposedly valuable choices because the choices are good for them, we are making a kind of judgement: namely, that the person is somehow deficient in her abilities and would not have made the supposedly right choice on her own. This kind of judgement is presumptively wrong in the relationship between the citizen and the state. This presumption will be defeated in certain cases, such as in the relation between a parent and a child, or between a mentally disabled person and their guardian or carer. In such cases, the judgement in question is justified. However, in the relation between the state and individuals, it is typically not. Or rather, the state has to clear the burden of justifying that judgement.

If the capability approach were to realign itself with a perfectionist account of liberalism, it would, therefore, be committing itself to a series of judgements about people's inability to make valuable choices on their own accord. The capability approach would become an overly micro-managerial approach to justice: one whose primary concern would no longer be individuals' freedoms to achieve value, but rather an approach that compels individuals to achieve valuable states in themselves, motivated by the judgement that they would be unable to do so otherwise.

Moreover, according to Quong, even if the perfectionist were to argue that the presumptive wrong of paternalism was outweighed by the benefits of the perfectionist state, perfectionism would still be unviable because it lacks an account of political legitimacy. Quong holds that even if we have good reasons to accept perfectionism (insofar as it will help us live more valuable lives), this in itself does not establish that the state has the authority to issue binding commands that we do so (ibid, 120). Just because perfectionist policies will benefit us is not a reliable justification for these policies to be legally binding.

One thing to note in Quong's argument is that he rejects two rival accounts of the wrong of paternalism: Mill's argument that individuals are always the best judges for what is good for them and that paternalism questions this claim (Mill, 1989: 85, 92), and that paternalism is wrong insofar as it damages someone's autonomy (e.g., Dworkin, 1988: 121-29). This way of conceiving of the wrong of paternalism is thus consistent with Nussbaum's own reasoning against perfectionism – that it fundamentally disrespects the individual whose choices are interfered with (Nussbaum, 2011b: 35). Quong's argument would, therefore, be acceptable to Nussbaum on her own terms.

Therefore, insofar as the perfectionist kind of capability approach was trying to offer us a novel and more widely acceptable way of promoting value in people's lives than liberal

perfectionism, it plainly fails if the only way to defend it is to turn it into a form of the latter. And in any case the tactic makes it vulnerable to the kinds of arguments we might make against liberal perfectionism in general, such as the objection that it involves an unattractive kind of paternalism, which itself implies a kind of disrespect toward individuals. Therefore, not only does the capability approach have excellent reasons not to commit itself to a perfectionist account of liberalism, there are also excellent reasons to unreservedly disavow the perfectionist leanings we looked at in Chapter 1. The capability approach must, therefore, endorse anti-perfectionism in earnest and strive to distribute goods in such a way to enable persons to make autonomous choices free of paternalistic intervention. I demonstrate how this can be done in Part 2 of this thesis.

4. The Dilemma

The significant problems associated with developing the capability approach in either of the two directions we have looked at in this chapter suggests that the approach faces a dilemma. Terlazzo (2019) has recently argued in a similar vein that the tension in Nussbaum's version of the capability approach produces a dilemma. She formulates the dilemma in the following way:

> **The Capability Dilemma**: either [the approach] can ensure that persons are free of internal obstacles to the possession of capability by pushing them to be open to functionings across a relatively comprehensive set of domains of life . . . Or else it can side with political liberalism by making options externally available across many domains of life without encouraging internal endorsement – but in this case, it runs the risk that persons will foreseeably and avoidably face internal obstacles to genuine possession of some capabilities (Terlazzo, 2019: 2)

The dilemma—in both Terlazzo's formulation and in the way I have characterised it throughout this chapter—arises due to a tension between Nussbaum's aspiration of championing individual agency and her reluctance to commit to comprehensive judgements about the conditions under which the exercise of these capabilities can be considered authentic or autonomous. What makes this tension more robust is the fact that both of these claims appear to be fundamental for Nussbaum's capability approach; one is the overarching goal of a theory of justice expressed in terms of capabilities, while the other is an explicit

opposition to perfectionist liberals like Raz and John Stuart Mill and Susan Moller Okin, for whom "the fostering of personal autonomy is an appropriate goal of the state" (Nussbaum, 1999: 108). Nussbaum thinks fostering autonomy is problematic as it may lead to "expressive subordination" (Nussbaum, 2011b: 35) insofar as their conception of the good life is "publicly ranked beneath others" (ibid.). As it happens, Nussbaum thinks that autonomy need not be valued by everyone (e.g., Nussbaum, 2000: 110). And since subordination is incompatible with equality, Nussbaum argues that promoting autonomy is fundamentally illegitimate. So, it appears that too much weight rests on both claims for a capabilitarian to be able to downplay their fundamentality and reject the dilemma as stated.

Terlazzo distinguishes between tree dimensions of comprehensiveness. According to Terlazzo, doctrines can be turn out more or less comprehensive based on where their claims fall along these independent dimensions. A doctrine can be comprehensive in its *depth* insofar as it relies on a final explanation for why some things are good. It can be comprehensive in its *height* insofar as it provides an exhaustive list of objective excellences. And finally, a doctrine can be comprehensive in its *breadth* insofar as it makes claims about what is good across a number of domains of life (Terlazzo, 2019: 5-7).

What animates Terlazzo's dilemma is the claim that for the capability approach to be successful in securing individual capabilities, it must "encourage citizens to value or countenance certain functionings in a broad set of areas of life" (ibid, 7). That is to say, the capability approach must be substantially comprehensive in terms of its breadth. As I pointed out earlier in the chapter, Nussbaum's proposal covers areas of life that go beyond regulating political morality only. Terlazzo argues, therefore, that if the approach wishes to retain this multi-dimensional commitment to various kinds of capabilities, political and non-political alike, it must not shy away from embracing breadth comprehensiveness in earnest. And doing so would involve providing a principle for identifying a particular kind of internal obstacle to individual capability – an individual failing to see an opportunity as one that is genuinely available to them. Terlazzo uses the example of a masculine man who deep down yearns to play jazz saxophone, but fails to see this as a genuine opportunity because of the cost to his apparent masculinity it would have.

> This point is only reinforced when we recall the capabilities approach's first motivation for rejecting preference satisfaction as an appropriate currency of distributive justice: That persons' preferences might become problematically adapted so that they fail to want what is good for them or what they are owed. In those cases, we rightly recognize that a person's capability is compromised and that their preferences must be changed if they are to be

> genuinely able to do and be the things associated with the relevant capabilities on the list. But given this, if persons' preferences can more generally count the exercise of capabilities as unavailable, inappropriate, worthless, or morally unacceptable, then ensuring full capability will require the removal of these internal obstacles to functioning as well. (ibid, 11).

It is this step, as I have already argued in Section 2, that would involve effectively walking back the approach's commitment to Rawlsian political liberalism. Terlazzo does not argue that this is, therefore, what Nussbaum and other capabilitarians ought to do. The reasons for aligning the approach with political liberalism—such as stability and respect for individuals—still hold, but, as Terlazzo points out, perhaps they need to be seriously weighed alongside other values, like the removal of internal obstacles to capability. At any rate, she does not suggest a way forward out of the dilemma.

I will argue that these values *can* in fact be reconciled in a way that does not involve accepting the problems associated with following either horn of the supposed dilemma. Similar to how Terlazzo disambiguated between different ways in which doctrines can be comprehensive, we can distinguish ways in which political institutions can be comprehensive without being perfectionist and without falling prey to the kinds of problems of subordination and second-class citizenship that Nussbaum associates with comprehensive liberalism.

In the next chapter, I will effectively prove the capability dilemma false by showing that it does not exhaust the logical space of liberal theory. I will develop an argument for aligning the capability approach with a relatively novel interpretation of liberalism known as *comprehensive anti-perfectionism*. I will show that making this realignment can allow the capabilitarian to reconcile competing normative commitments, as well as providing her with a set of practical tools for identifying and responding to real-world injustices. I will also show that Nussbaum's reasons against comprehensive theories of justice do not apply to this particular proposal because of the particular way in which I conceptualise autonomy.

Conclusion

This chapter has critically examined two solutions for rescuing Nussbaum's capability approach from the impasse it found itself at the end of Chapter 1. The first solution involved restricting the content, or the justification of the approach in such a way to pitch the central capabilities as purely neutral precepts of political morality. I suggested this could be done either by removing references to apolitical capabilities, or by justifying the list based on

counterfactual claims about what individuals were to desire if they would be free of certain informational deficits or corrupted desires. I then argued that such a capability approach would be unsuccessful in its purported goals and appear less attractive. It would either have to restrict its goal to no longer be concerned with individuals achieving well-being across many domains of life, or it would have to give up the tools needed to identify instances of capability failure that are due to internal constraints. The second solution involved doubling down on comprehensive claims about individual flourishing and modifying the justification of the approach to be teleological, rather than contractualist. I then argued that this move would run counter to Sen and Nussbaum's inaugural commitment to allowing individuals to define their own path to well-being and value by entailing a kind of unattractive paternalism. Finally, I looked at a particular dilemma that the problems associated with both of these solutions entails. I concluded that this dilemma may turn out to be false, as it rests on a simplified distinction in liberal theory which can be challenged. If the dichotomy implied by this distinction is false, then so must be the dilemma, and there are other solutions available to rescue the capability approach from the impasse it finds itself in.

Part 2:
Autonomy

Chapter 3: Autonomy and Anti-Perfectionism

So far, we have seen that the capability approach faces a dilemma when trying to resolve the internal conflict between its perfectionist and politically liberal leanings. In this chapter and the next, I show that there is a third direction for the capability approach to take, which is informed by recent developments in liberal theory. The capability approach can align itself with a hybrid interpretation of liberal theory known as comprehensive anti-perfectionism. If tenable, this position may allow the capabilitarian to reconcile the two competing commitments of Nussbaum's view that we identified in the previous chapter: championing individual empowerment on the one hand, and respecting value pluralism on the other. I show that this can be done by justifying the content of the approach on the value of personal autonomy: a value that, as I will argue, plays an organising role in justifying liberal political philosophy altogether, and the capability approach to justice in particular.

In Section 1, I explain and motivate comprehensive anti-perfectionism and the value of individual autonomy that underlies it. In Section 2, I argue that a comprehensive conception of autonomy provides the capabilitarian with a compelling justification for the very concept of capability, alongside a number of essential theoretical tools for identifying and responding to the kinds of injustices we considered at the end of the last chapter. In Section 3, I argue that the anti-perfectionism of my view can offer a compelling defence for capability theorists to resist charges of paternalism that we saw levelled at the capability approach in previous chapters.

1. Comprehensive Anti-Perfectionism

As we have seen so far, liberal philosophers are split across a neutralist-perfectionist continuum. On one side, political liberals like Rawls and Nussbaum advocate for an approach that expresses liberalism through a series of claims about political morality, which they take to be acceptable to a wide coalition of otherwise dissenting individuals. On the other hand, perfectionists like Raz and Hurka advocate for an approach that identifies objective moral values as normatively foundational for liberalism, and they argue that it is the proper goal of liberal political authorities to promote such values.

It is time now to somewhat complicate this simple picture by introducing an additional continuum that intersects the one we are already familiar with. As we saw in Chapter 1, Quong (2010) has recently argued there are two independent levels at which value judgements can play a role in liberal theory, which correspond to the following two questions:

> 1. Must liberal political philosophy be *based* in some particular ideal of what constitutes a valuable or worthwhile human life, or other metaphysical beliefs?
> 2. Is it permissible for a liberal state to *promote* or discourage some activities, ideals, or ways of life on grounds relating to their inherent or intrinsic value, or on the basis of other metaphysical claims? (italics mine) (Quong, 2010: 12)

There are four possible combinations of answers to this set of questions, which correspond to four positions on liberal theory. The political liberalism endorsed by Rawls and Nussbaum answers in the negative to both questions, thereby applying the principle of neutrality to both the justification of liberal philosophy and the content of the laws a liberal state may pass. Rawls (1993) argues that such an arrangement is necessary to ensure the stability of a political community characterised by pluralism, as well as the legitimacy of the laws its citizens are subject to. For Nussbaum, as we saw in Chapter 1, political liberalism allows the capabilities to be defended as "specifically political goals (…) free of any specific metaphysical grounding" (Nussbaum, 2000: 5), rather than free-standing claims about the intrinsic value of some ways of living.

When philosophers speak of 'comprehensive liberalism', they are for the most part referring to liberal perfectionism, a position which answers in the positive to both questions. Liberal perfectionists thereby take liberalism to be based on a particular ideal of a worthwhile human life and they hold that the state can (and should) actively promote valuable ends through policy (e.g., Hurka, 1993; Raz, 1986; Wall, 1998).

However, thanks to Quong's distinction, we can see there is a second sense in which liberalism can be comprehensive – as a result of answering 'yes' to the first question and 'no' to the second. This position is called comprehensive anti-perfectionism and it differs from traditional comprehensive liberalism in an exciting way. While comprehensive anti-perfectionists share the view that liberalism is best understood as being based in a particular ideal of a valuable life, they argue that the nature of this ideal is such that it is inconsistent with promoting valuable choices in people's lives. Comprehensive anti-perfectionists typically assume this ideal to be individual autonomy—the capacity for self-government—which they argue can only be upheld by a principle of anti-perfectionism.

This is a lesser-known interpretation of liberal theory, but it has found support in the work of several philosophers from the last decades. For example, Ronald Dworkin (2002) has argued that while liberalism has to be neutral at the concrete level (i.e., anti-perfectionist), it cannot and should not remain neutral "about the character, force, and standing of the very question of how to live" (Dworkin, 2002: 239), otherwise it would risk being vacuous and

confirm the worry of critics that liberal justice lacks ethical authority and that it "leaches the poetry out of life" (ibid, 238). Dworkin endorses 'the challenge model' of ethics, according to which an individual's life is successful insofar as it is an appropriate response to the particular challenges the individual finds herself facing. Dworkin defines this model in direct opposition to an 'impact' model, according to which a life's success would be assessed based on its achievements and the impact on those achievements. What matters for Dworkin is that a life is lived according to choices that one makes freely and that one approves of one's choices. For this reason, Dworkin holds that perfectionism may only make someone's life better if we accept an impact model. If, instead, what matters morally is the way in which individual rise to particular circumstances, perfectionism must be rejected for it cannot help us overcome challenges. Perfectionism is, therefore, inconsistent with our best understanding of what makes life valuable.

Similarly, Kymlicka (2001) argues that a good life is one that an individual "leads from the inside, according to [one's] beliefs about value" (Kymlicka, 2001: 203). This creates an endorsement constraint – for an activity to be valuable, it must be endorsed by the individual pursuing it. Perfectionistic intervention from the state will invariably violate this constraint, and the activity in question will, according to Kymlicka, "cease to have value for the individuals involved" (ibid.).

One of the most recent advocates of comprehensive anti-perfectionism, Ben Colburn (2010) argues that liberalism ought to be understood as a political philosophy aimed at promoting individual autonomy – the ideal of "people deciding for themselves what is valuable and living their lives in accordance with that decision" (Colburn, 2010: 43-4). This conception of liberalism, similarly to Dworkin's and Kymlicka's, precludes perfectionism since the good life requires something which, as Colburn argues, perfectionism threatens.

Before we can assess Colburn's claim that autonomy is inconsistent with perfectionism, we must examine the concept of autonomy more closely than we have done so far. Gerald Dworkin (1988) has pointed out that autonomy refers to a "tangled net of intuitions, conceptual and empirical issues, and normative claims" (Dworkin, 1988: 7), so we would do well to try to pick this tangle apart.

Conceptually, autonomy can be understood as a capacity – an ability to give oneself rules and to act in accordance with them. Normatively, autonomy can be understood as a character ideal – an ideal of an individual living under the rules of her own making, rather than those imposed on her by others. It is an ideal characterised self-directedness and self-government, and it describes individuals "controlling to some degree, their own destiny, fashioning it through successive decisions throughout their lives" (Raz, 1986: 369). An autonomous person is a "self-conscious chooser" (Wall, 1998: 138), she wields "de facto

power and authority over choices and actions significant to the direction of [her life]" (Oshana 2006: 2).

Autonomy does not simply consist of negative freedom, or the freedom from coercion or external interference (Berlin, 1969). In fact, negative freedom is neither necessary, nor sufficient for autonomy. It is not necessary because individuals may autonomously place themselves in situations where their negative freedom is constrained. Imagine someone joining a Catholic Convent and abiding by its strict monastic rules. We would not necessarily think of such a person as lacking in autonomy, even though they suddenly find themselves in a situation where their choice set is severely constrained. Moreover, negative freedom is not sufficient for autonomy either. Imagine someone developing an addiction to painkillers after undergoing knee surgery. Now imagine that they begin neglecting their commitments and dedicating more time and energy to sourcing additional doses of the drug. We would not think of such a person as acting autonomously, despite their actions being uncoerced.

The necessary and sufficient conditions of autonomy are a matter of philosophical dispute. Some accounts require higher-order reflective reasoning (e.g., Dworkin, 1988: 20), while others emphasise a robust range of options for individuals to choose their ends from (e.g., Raz, 1986: 374). In the next section, I outline and motivate a socially relational conception of autonomy, which I will make use for the rest of this thesis. However, for now, I must explain autonomy insofar as it will allow us to critically assess the comprehensive anti-perfectionist's position.

Colburn argues that autonomy requires individuals to reflectively endorse the values they hold, and that they must do so under conditions of independence (Colburn, 2010: 25). Moreover, for Colburn, autonomy is a second-order value, an upshot of which is that it happens to be content-neutral. A value is second-order if it includes a second-order variable, namely a variable that tracks *de dicto* specifications of value, rather than specifications that are *de re*. A value is first-order if it includes a first-order variable only, expressed *de re*. Accordingly, second-order variables need some kind of further specification by way of another variable:

> In the specification of some values, there are second-order variables which range over (or track) other specifications of value. Let us call 'second-order' any value which can include a second-order variable. Other values cannot contain such a variable: either they specify particular states of affairs, or they contain first-order variables, which range only over states of affairs. Let us call values of this sort, both of the content-specific and content-neutral kind, 'first-order' (Colburn, 2010: 56-7).

According to this distinction, autonomy turns out to be a second-order value since following the directive “live autonomously” requires further specification by way of other variables, in a way that the directive “live your life according to the teachings of Swedish Lutheranism” does not. The latter directive contains a first-order value, while the former contains a second-order value. If judgements of the second-order were translated into first-order judgements, they would then refer to content-specific judgements and we would, in effect, be mischaracterising the source of their value. For example, if I decide that the correct life for me is a life of religious devotion, and the religion I happen to follow is Swedish Lutheranism, then, naturally, the implication of my claim is that I ought to live a life of devotion to Swedish Lutheran practices. But it would be a different claim altogether to argue that the best life is a life devoted to Swedish Lutheranism, full stop. According to this distinction. autonomy turns out not to be a singular, content-specific valuable way of life, but rather a way of reflectively and freely endorsing and pursuing first-order values – whatever they may be.

Colburn argues that there are two reasons why a commitment to autonomy is inconsistent with perfectionism. First, promoting first-order values would involve misidentifying what is valuable. Swedish Lutheran practices in the above example are only valuable because they slot into a second-order claim about the value of religious practices. To claim the first half of that sentence without the second would be an illegitimate shift of meaning, according to Colburn; “at best we turn an unrestricted generalization into a value claim that is indexed to a particular individual at a particular time, and at worst we will translate a true sentence into one that is false” (ibid, 60). And second, promoting first-order values that are not endorsed by all citizens would compel some people to accept claims they may not have any reasons to accept, which would, as a matter of practical implication, violate their autonomy by making individuals less responsible for the choices that they make as a result of this interference (ibid, 27). According to Colburn, accepting the value of autonomy is equivalent to accepting the truth of anti-perfectionism – one claim supports the other and vice versa.

Bringing comprehensive anti-perfectionism back to the realm of the capability approach, we may offer an equivalent analysis in terms of capabilities. According to this analysis, promoting the capability of, say, artistic expression involves promoting a first-order value. This is because the value of creative expression underlying the capability picks out a content-specific functioning (if indeterminate). On the other hand, promoting the capability of autonomy means promoting a second-order value. I will call a second-order capability of this kind a meta-capability. I give a more careful definition of this in the next chapter, but for

the time being I define it as the capability to exercise capabilities according to one’s conception of the good.

The central idea of the capability approach is that the free exercise of certain capabilities is fundamentally valuable irrespective of the choices one makes, and that justice requires endowing individuals with the opportunities for exercising capabilities. On this view, people are not passive recipients of goods who then convert those into value or utility, but rather active and self-conscious shapers of their own lives, for whom the exercise of their capacities, such as choice, reflection, or creative pursuits, is of central importance for their lives going well. For this reason, I take it that phrasing the claims of justice in terms of capabilities already presupposes a nascent commitment to the value of autonomy, even if no explicit pronouncements are made in the writings of capability theorists.

Moreover, Nussbaum aspires for her capability approach to rectify failures of individual autonomy which she sees as pernicious threats to justice, even if she does not phrase these in the language of autonomy. For example, she worries about adaptive preferences and internalisation of oppressive norms (Nussbaum, 2000: 149), both of which diminish an individual’s capabilities by dint of damaging her autonomy and alienating her practical reason from her own values and reasoning.

Nussbaum’s conception of capabilities in particular can be shown to have affinity with a family of views which analyse autonomy in terms of the social relations that individuals stand in. Relational theories of autonomy share a common assumption that “persons are socially embedded, and that agents’ identities are formed within the context of social relationships and shaped by a complex of intersecting social determinants, such as race, class, gender and ethnicity” (Mackenzie and Stoljar, 2000: 4). This means that an individual’s exercise of autonomy is (at least partly) determined by external social forces, such as the types of relations she stands in with other individuals. Some relations, such as relations of care and reciprocal support, may enhance an individual’s capacity for autonomy by fostering confidence or self-reflection, or by placing her in a network where valuable choices are available. Other relations diminish an individual’s capacity for autonomy – such as relations of subservience, or relations characterised by violence or manipulation. Such relations may sap an individual’s beliefs in her own capacities, or they may coercively limit the choices available to her (ibid, 22). A central concern of relational theorists of autonomy is “attending to and analysing oppressive social contexts and their effects on agents” (ibid, 12).

For example, Nussbaum has summarised the core idea behind her capability approach in the following way:

> The core idea is that of the human being as a dignified free being who shapes his or her own life *in cooperation and reciprocity with others*, rather than being passively shaped or pushed around by the world in the manner of a "flock" or "herd" animal. A life that is really human is one that is shaped throughout by these human powers of practical reason and sociability (italics mine) (Nussbaum, 2000: 72).

Not only does Nussbaum recognise reciprocal care in her approach to political morality, but she also gives equal emphasis to practical reason and sociability as cornerstones of the human condition. Moreover, Nussbaum is motivated for her account of justice to attend to disadvantaged and marginalised people. Her discussion of adaptive preferences and harmful socialisation would be especially productive when read against the backdrop of relational autonomy – a higher-order analysis of what goes wrong with individual practical reason in these kinds of cases. But frustratingly, the capability approach remains formally agnostic about autonomy and its connection to social relations.

In short, the capability approach holds that freedom to achieve well-being is of primary moral importance. But I will argue that without a robust concept of autonomy, this freedom remains underspecified and fails to supply us with the tools needed to identify instances of capability failure that come about due to failures of autonomy. The capability approach, therefore, has a compelling reason to align itself with an autonomy-minded understanding of liberalism, and a socially relational conception of autonomy in particular. Relational conceptions of autonomy have a distinctly emancipatory edge, which I believe is perfectly suited for the capability approach.

This particular choice of dialectic also means that it is not necessary for me to provide an independent argument for the value of autonomy, as would be the case perhaps if I were attempting to defend a comprehensively anti-perfectionist position from a general point of view, absent its relation to the capability approach to justice. Instead, I am arguing for a particular interpretive move in the context of the capability approach, and the theoretical and practical benefits that committing to the value of individual autonomy entail are sufficient by their own merit for making this interpretive move.

2. The Relational Autonomy Toolkit

In this section, I formalise my argument for aligning the capability approach with a specific conception of autonomy: a socially relational conception inspired by the works of Diana Meyers (1987, 2014) in particular. I argue that analysing autonomy as causally dependent on

a number of social variables can help the capability approach make sense of a number of capability failures, as well as to fend off Chamber's objection from social constructionism, according to which liberal approaches to justice are unfit as they fail to recognise the effects of social norms on individual choices.

As we saw in the previous section, conceiving of autonomy as relational means recognising that an individual's capacity for self-government is inextricable from the particular social relations she stands in, and the causal effects that these relations have had on her, for example, on how she was socialised and what kind of beliefs and attitudes she has come to internalise, and so on. For example, a person who has been brought up to believe in herself and respect herself will be more capable of governing herself than a person who has been routinely scolded for using her own judgement. A person who enjoys loving relationships will find that when she sets her mind toward a goal, she will be supported and have a network of friends and family whom she can rely on in times of difficulty. On the other hand, someone who is isolated, or whose goals are actively undermined by those who hold power over her, will find acting on self-directed choices substantially harder.

Proponents of non-relational conceptions of autonomy insist that their view can account for the role of social relations in shaping autonomy without having to claim that autonomy is in some important sense relational itself. For example, Gerald Dworkin identified autonomy as the "second-order capacity of persons to reflect critically upon their first-order preferences" (Dworkin, 1988: 20), which requires "procedural independence", namely freedom from those ways of influencing people which "subvert their reflective and critical faculties" (ibid, 18). Colburn's responsibility and independence constraints, which we discussed in the previous section, also protect the individual against external threats to autonomy which may be due to social forces (Colburn, 2010: 25). According to these examples, autonomy can be affected by external social forces, but it is nonetheless a capacity that is internal to the agent. Whether or not someone is autonomous then is ultimately due to a set of internal conditions obtaining.

Relational accounts of autonomy, however, place the focus *primarily* on the individual's social relations and on the ways in which these relations constitute, or cause the development and exercise of autonomy. Social facts are, therefore, not secondary to an analysis of autonomy: they are irreducibly central to the possibility of a person being self-governing. Being autonomous in a relational sense thus means wielding "power and authority within central social roles and arrangements" (Oshana, 2005: 183-4) which one participates in and is bound by.

There are numerous ways of refining these claims further. Two distinctions are, therefore, in order which will help us make sense of some key differences in relational views

on autonomy. First, relational accounts can be either constitutively relational, or causally relational. Constitutive accounts hold that personal autonomy is constituted by one's standing in certain kinds of social relations. In other words, it is the social relations themselves that are the defining conditions of autonomy (e.g., Christman, 2004: 147). For example, if I enjoy relations of respect and mutual recognition, it is by virtue of these relations that I possess the capacity for autonomy. On the other hand, if I find myself dominated to a sufficient degree by another person, it is necessarily because of this relationship obtaining that I am not autonomous, despite other considerations. External conditions which are oppressive take away an individual's de facto power to exercise authority over a person's actions (Stoljar, 2018). On the other hand, causal accounts of autonomy hold that social relations have a causal influence on the development and exercise of the capacity for autonomy, but that they themselves do not constitute autonomy. Causal accounts, therefore, "investigate the effects of external 'relational' factors on agents' autonomy" (ibid.), but they do not reduce autonomy to relations themselves.

Second, we can distinguish between procedural and substantive accounts of autonomy. Procedural conceptions of autonomy are exclusively concerned with the procedure by which individual came to have the desires and preferences they have. For example, Raz holds that the autonomous life is "discerned not by what there is in it but by how it came to be" (Raz, 1986: 371), and so does Colburn, for whom there are no content restrictions of the first-order variables that go in specifying the content of autonomous choice.

On the other hand, substantive accounts of autonomy place a normative constraint on the kinds of choices individuals may autonomously hold. For example, Wall (1998) argues that autonomy requires the virtue of independent-mindedness for individuals to be able to form their own judgements about how to lead their lives (Wall, 1998: 137). Paul Benson argues that individuals must have self-respect and responsibility, both of which he conceptualises as normative constraints on autonomous choice (Benson, 2000: 80). Natalie Stoljar argues that individuals must possess "an ability to criticise courses of action competently by relevant normative standards" (Stoljar, 2000:107), which should rule out preferences that come about from internalising oppressive norms (ibid.). An upshot of a substantive account of autonomy is that certain choices will ipso facto turn out to be inconsistent with autonomy. For example, no matter how robust a decision-making procedure an individual engages in, if she chooses to, for example, enter into arrangements that are hostile to her self-respect or diminish her sense of self, she would have failed to be autonomous. Such an account of autonomy rules out the possibility of individuals freely entering into voluntary slavery or joining highly restrictive and inegalitarian communities.

For example, Oshana (2006) argues that autonomy "is not a matter of being free to act as one pleases, but a matter of living in a particular way" (p. 73).

Meyers develops a procedural, and in her words value-neutral, account of autonomy, which incorporates some normative content in the formulation of a list of agentic competencies which she argues are constitutive of autonomy:

> Autonomous people exercise a repertoire of skills to engage in self-discovery, self-definition and self-direction . . . The authentic self is the evolving collocation of attributes that emerges in this ongoing process of reflection, deliberation and action. (Meyers 2005, 49)

Meyers recognises that agentic skills are causally dependent on socialisation and the relationships individuals enjoy. The exercise of some skills may be damaged by the kinds of oppressive practices we have considered in this thesis so far. Meyers also argues that her account requires self-respect which, if damaged by oppression, may mean that the individual never learns to be autonomous (Meyers 1989: 208 cited in Stoljar, 2018). Understanding the effects that socialisation has on individuals' choices is essential for justice, not least because socialisation can compel oppressed people to endorse their oppression. Socialisation also reflects hierarchies of power, which are causal impediments to achieving justice. For example, a "differential childhood socialization continues to funnel girls into the psychology of dependency and altruistic devotion to others, which is traditionally associated with femininity" (Meyers, 1987: 621). This limits women's choices in patriarchal societies in ways that may look perfectly voluntary and innocuous from a standpoint that is insensitive to a social analysis of autonomy. Conceptualising autonomy as primarily social is essential for making sense of the ways social norms subvert our internal capacities, and our capabilities, in turn.

Meyers distinguishes seven types of agentic skills:

1. Introspection skills that sensitize individuals to their own feelings and desires, that enable them to interpret their subjective experience, and that help them judge how accurate their self-understanding is.
2. Communication skills that enable individuals to get the benefit of others' perceptions, background knowledge, insights, advice, and support.
3. Memory skills that enable individuals to recall relevant experiences – from their own lives and also those that acquaintances have recounted or that they have encountered in literature or other art forms.

4. Imagination skills that enable individuals to envisage feasible options – to audition a range of self-conceptions they might aspire to and to preview a variety of courses of action they might follow.
5. Analytical skills and reasoning skills that enable individuals to assess the relative merits of different conceptions of what they could be like and directions they could pursue.
6. Self-nurturing skills that enable individuals to secure their physical and psychological equilibrium despite missteps and setbacks – that enable them to appreciate the overall worthiness of their self-understandings and pursuits and to assure themselves of their capacity to carry on when they find themselves wanting or their life directions misguided.
7. Volitional skills that enable individuals to resist pressure to capitulate to convention and enable them to maintain their commitment to their values and goals (Meyers, 2014: 121).

Meyers holds that this account of autonomy is procedural because what makes a desire or preference autonomous, according to this account, is that it is developed through the concerted exercise of the above competencies. By contrast, a person would fail to be autonomous if she lived a life of uncritical acceptance of social norms and expectations, or if her actions were entirely random or unguided by any of the above competencies. However, it is plain to see that this particular framework of competencies has non-negligible normative content. For that reason, it may be more accurate to refer to it as a weakly substantive view of autonomy. According to Benson (2005), weakly substantive views of autonomy have normative content, but they do not impose *direct* constraints on the preferences of agents, unlike the strong substantive accounts we considered earlier, for whom the exercise of autonomy has fairly specific normative parameters.[13] Meyers stresses that it is important that "a theory of autonomy should not homogenize agents" (Meyers, 2000: 480) and should instead be value-neutral and, in turn, accommodating of a range of choices individuals may make. She insists that her view, however, is not value-laden, even if it may be "value-utilizing" (Meyers, 2014: 121) in the sense of relying on a class of normative claims in the formulation of a list of competencies.

[13] A comparison with Gerald Dworkin's (1988) higher-order reflection account may make this distinction between procedural and weakly normative views of autonomy clearer. For Dworkin, autonomy consists in the "second-order capacity of persons to reflect critically upon their first-order preferences". The normative content here is minimal. The procedure that Meyers' account has us follow, on the other hand, is more normatively demanding, yet it nonetheless allows consistency with a wide range of preferences, no matter their content.

There is ample philosophical debate over the adequacy of procedural or weakly substantive views of autonomy. For example, Stoljar argues that such accounts are too weak to challenge the internalisation of oppressive norms in practice because some preferences may satisfy all the pertinent procedural standards, but still turn out to engender oppressive or unjust norms (Stoljar, 2000). Stoljar refers to this as the 'feminist intuition', or the intuition that despite passing the hurdles of procedural autonomy conditions, it would be inadequate to treat all of women's preferences as necessarily autonomous. To illustrate this intuition, Stoljar uses an example by Benson (1991 cited in ibid.) in which a college student who excels in her studies and leads an active, challenging, and otherwise autonomous life, nonetheless expends a lot of time and money in worrying about her appearance. Benson explains that internalizing norms (in this case, norms of femininity) blocks the agent's capacity to resist the development of preferences which result from this norm. The girl in the example may pass all of the procedural tests for autonomy, but according to Stoljar, we would be right to exercise the feminine intuition and argue that her autonomy is indeed hampered by the norms she has internalised. Stoljar argues that we ought to endorse a stronger account of autonomy which places direct normative constraints on the content of individuals' preferences (Stoljar, 2000: 108-9).

While I cannot adjudicate this particular debate here—or any of the other similar debates in the relational literature—I take it that there are additional political reasons for opting for a view of autonomy which is consistent with a wide range of choices and preferences. We saw Meyers argue that a theory of autonomy should not homogenize agents, and I take it that this claim is all the more significant in the context of this thesis. Namely, I argue that autonomy is the value which animates the capability approach, and for this claim to be coherent, we must understand autonomy to be a procedural, content-neutral value which is consistent with a wide range of choices and preferences. That is to say, the same reasons that hold for opposing perfectionism hold here. We should be careful not to sneak in any perfectionist assumptions into our account of autonomy.

Moreover, I find Meyers' account of autonomy competencies sufficiently robust to effectively rule out the kinds of uncritical endorsements of unjust norms that we have seen philosophers like Chambers and Stoljar worry about. I concede that this leaves a *conceptual* possibility of an individual entering into deeply unjust and inegalitarian practices, something a substantive account would rule out *ipso facto*. But this conceptual possibility does not worry me since I take it will be extremely unlikely for an individual with genuine self-mastery to come to a decision like that autonomously. And since public authorities would be obligated to investigate instances of what looks like genuine oppression, the conceptual possibility of an autonomously subservient person should not do much to change

our practical approach to such problems.[14] There are several conceptual possibilities that we may not be entitled to rule out from a philosophical perspective, but these should not worry us from a policy perspective, given the evidence for their improbability. It is, after all, a conceptual possibility that we are all brains in a vat, or highly complicated simulations, yet we would find it odd to allow these possibilities to guide policy.

At any rate, I argue that a comprehensive capability approach committed to the goal of promoting autonomy is better equipped to achieve its purported aim of empowering individuals and allowing them to pursue well-being according to their own values. Adopting a comprehensive commitment to a relational conception of autonomy can enable this version of the capability approach to pertain to a larger set of real-world injustices by identifying capability failures which come about as failures of autonomy. In particular, adopting a competency-based account of autonomy is fitting since competencies refer to the internal requirements of individual capabilities. This way, we can subsume an analysis of autonomy into capability terms. In the next section, I will argue that autonomy should be understood as a specific kind of capability, and we may use Meyers' account of autonomy competencies as a plausible starting point for thinking about the internal requirements of this capability.

Without a normative commitment to autonomy, there is a particular flaw in the way Nussbaum demarcates problems for global justice. Nussbaum's ambivalence toward the value of autonomy makes unclear the extent to which supposed threats to an individual's capacity for autonomy would be considered problems for a capability view of justice to tackle. For example, large swathes of the global population live under the rule of authoritarian strongmen and, as a result, have few opportunities to exercise their capacity for autonomy, as well as key capabilities. The capability approach intends to guarantee a solution to the latter problem, but not necessarily the former. Nussbaum argues that freedom and autonomy need not figure in every person's conception of the good life and that "we should respect people who prefer a life within an authoritarian religion (or personal relationship), so long as certain basic opportunities and exit options are firmly guaranteed" (Nussbaum, 2005: 60).

I take this to be a problematic way of reasoning, which reveals a deeper failing of Nussbaum's view. Nussbaum overestimates the extent to which individuals are free in the face of an absence of external obstacles. This is a more applied version of the problem I

[14] I don't take this to extend to the most extreme case of supposed voluntary slavery though. I find that to simply be a confused use of language. An individual may choose not to exercise her autonomy (either in the first-order or second-order sense), but she can never fully relinquish her own moral authority over her decisions. Thus the voluntary slave is nothing more than a person with a temporarily self-effacing lack of autarchy and autonomy. If she were to change her mind after enslavement, she would, of course, cease to be a 'slave' in this rather confused usage of the word. This, of course, suggests that she was never one in the first place.

addressed in the previous chapter, namely, that Nussbaum's concept of free agency is not responsive to certain kinds of obstacles to autonomy. A discussion of exit options can help refine my point and to motivate my claim that a comprehensive approach to justice is necessary going forward.

Exit options are insufficient for guaranteeing freedom of the kind Nussbaum intends here. A focus on exit options as a subset of choice available to an individual presupposes a naïve view of individual choice and the extent to which individuals can transcend the social world. It is a view where the choice of exit from an asymmetrical relationship can arise and be acted on by a rational individual. For example, suppose I join a religious commune and accept their way of life fully. I have explicitly rescinded my old relationships and values in favour of immersing myself in the practices of the commune. Now suppose that after some time has passed, I grow bored of this way of life and consider leaving. What would have to be the case for me to have a meaningful exit option? Well, for a start, I must have sufficient negative freedom to leave the commune, that is to say, there must not be anybody or anything physically preventing me from packing my bags and leaving. Suppose that I do have ample negative freedom, but the opportunity cost of leaving behind this way of life that I have grown accustomed too is just too high. I risk losing the only people in life that care about me, and I risk giving up the only structures that give my life a sense of meaning. Do I have a meaningful option of exit, given all of this?

Before we answer that, let us consider a third case, which is a variation on the second. Suppose that the leader of the commune has noticed signs of my discontent and in an effort to prevent sedition, has been engaging in a process of subtly gaslighting me about the prospects of my life if I leave the commune. Suppose he has succeeded, and my self-worth becomes tied to my standing in the commune, such that even contemplating leaving it fills me with enough fear to deter any thought of leaving. Again, do I have a real exit option here?

I take it to be clear that neither in the second nor third case do I have a meaningful exit option. In the second, the costs are simply too high for me to afford to leave, and in the third, I have been manipulated into staying and I hold insufficient power over my will. It is unclear how robust Nussbaum's notion of an exit option is for relationships and ways of life of this sort, and whether it would recognise cases like this as the injustices that they are. But I take it that even if we had compelling reasons to remedy problems like this (although it is unclear whether Nussbaum does, given her claim that not everyone values autonomy), the focus on exit options is simply an ill-fitting piece of the argument. The notion of an exit option is ambiguous between a range of readings – a purely formal opportunity in the negative liberty sense in one end, and an extremely demanding one in the other end which would accommodate my examples above. I take it that it for Nussbaum to be able to motivate the

more demanding reading of an exit option, she would have to claim that autonomy is, in fact, valuable for individuals, or more valuable than she is willing to admit. Without a robust set of necessary and sufficient conditions for autonomy, we are left with the formal reading, which, in practice, is of little practical use as my examples above illustrate.

This is precisely why I argue that the tools provided by relational autonomy are essential for theorising about justice. The claim that exit options are sufficient in autonomy-threatening situations assumes an implausible conception of the person as a detached chooser who can transcend her social situation at will. This is not an accurate picture of a human being for similar reasons that we saw Chambers articulate in Chapter 2.

So, is Nussbaum wrong to claim that autonomy need not feature in every person's conception of the good? In a sense, she is. Recall Colburn's (2010) distinction between first- and second-order values. The autonomy that Colburn argues we ought to promote is a second-order value – it consists in second-order judgements about various first-order variables that may *de dicto* form the content of those judgements. However, autonomy can also be understood in the first-order sense; Colburn calls this reading 'autarchy' (Colburn, 2010: 54), which can be described as a content-specific kind of autonomy. We can refer to this kind of autonomy as a detachedness, independence, or self-sufficiency. An individual has autarchy insofar as she is free of external influences and obstacles.

Now, Nussbaum is entirely correct to claim that autonomy need not figure in every person's conception of the good life, and that the state has no reason to compel people to live lives that are characterised by this value, if we understand Nussbaum to mean autarchy here. Indeed, there will be plenty of lives that contain very little autarchy – including lives that Nussbaum refers to in the quote above, such as lives lived under voluntary religious restrictions. But I take it would be a mistake to argue that autonomy in the second-order sense is therefore also a contestable value. If indeed it was, then Nussbaum's own claims about needing to institute exit options would never get off the ground for they would simply lack any normative force. Even when individuals claim to not value autonomy, say, by voluntarily defaulting on a traditional way of life or entering into arrangements that limit their freedom, they are nonetheless exercising a kind of capacity: they are choosing not to choose. To exercise autonomy in the second-order sense of the word is to assert one's normative authority to make decisions, even if these decisions are sometimes self-effacing.

Moreover, reading Nussbaum this way has important implications for capabilities. If individuals surrender their autarchy, and if they do so autonomously, this need not be a

problem for a capability view of justice.[15] However, there will be numerous cases in which individuals' exercise of their autonomy has been constrained, either due to socialisation or other impediments. In such situations, people will also fail to have adequate capabilities to pursue well-being freely and according to their own reasons. And this is precisely why autonomy in the second-order sense is indispensable for the capability approach – it enables the successful pursuit of capabilities.

A comprehensive commitment to the value of autonomy is, therefore, necessary for championing individual capabilities. An analysis of capabilities must be replete with an understanding of what kinds of social relations facilitate or impede a person's capacity for self-government. By contrast, a framework that says very little about the nature of autonomous personhood may result in idiosyncratic policy results, where the relevant conditions are specified later in the policy process and vary between contexts. This may lead to problems: for example, two seemingly like-minded policies may have different results owing to differences in interpreting the concept, or a particular policy may have unintended consequences for an underprivileged group because its authors operationalised the concept in a way that was blind to existing power relations. Under some conceptions of autonomy, I could be said to have an exit option in the religious commune example, even if the social relations that bind me to it make the costs of leaving unbearably high. I suspect similar conflicts will invariably occur when deliberating about the extent to which individuals and communities around the world can be said to possess the capabilities that capability justice aspires them to have.

Perhaps a potential problem for this proposed reinterpretation of the approach would be the evident disagreement in the literature on the necessary and sufficient conditions of autonomy. According to such an objection to my proposal, a capability approach built on a supposedly partisan and contested view of autonomy may end up obscuring more than it illuminates, and it would be vulnerable to criticism from philosophers who take a different view on the conditions of autonomy. The purported advantage that I have been endorsing might, therefore, turn out not to be an advantage at all. If so, we might be better off sticking to a capability approach which does not take a side on these substantive issues and remains agnostic about the requirements of autonomy.

I address this problem primarily to acknowledge the partisan nature of my approach, even if I may not have a deductively sound argument for why it is the correct one, or why all others are deficient. What I can do to motivate this conception—above what I have already

[15] Although philosophers who endorse a more substantive reading of autonomy (e.g., Oshana, 2006) would argue that some such choices would simply be impossible to be done autonomously. According to their views, if someone was to enter into arrangements that severely limit their autarchy, this would be cause for concern.

argued in this section—is to emphasise the practical ease with which a capabilitarian allied with Nussbaum can make this interpretive move. Not only does a relational conception of individual autonomy make explicit a number of claims about the impetus of capabilities which Nussbaum already implicitly holds, it has a distinctly emancipatory edge, which I believe is perfectly suited for the capability approach. Theorists in this literature have been keenly aware of how traditional moral and political philosophy has been indifferent, or even outright hostile to minorities and disadvantaged peoples. If my claims in this section have been successful, an alignment with relational autonomy can offer the capability theorist the tools she needs to make this emancipation reality.

3. The Anti-Perfectionist Toolkit

We have now seen the benefits of aligning the capability approach with comprehensive autonomy. It remains to be seen what role anti-perfectionism ought to play in capability justice, aside from the obvious role of being entailed by my claim that autonomy happens to be a foundational value for capability justice. In this section, I argue that a principle of anti-perfectionism is exactly what the capability approach needs in order to distinguish between acceptable and unacceptable forms of paternalism.

If my argument in Chapter 2 was successful, then there is a compelling reason to favour a capability approach which can be shown to avoid perfectionism. Conceiving of capabilities as content-specific freedoms based on objective judgements about the good implies a kind of disrespect toward individuals which is incompatible with treating people as normative authors of their lives. Recall that I endorsed Quong's account for why paternalism is presumptively wrong; that is, because it implies a disrespectful judgement about an individual's lack of ability, or her likelihood not to make good or correct decisions. The principle of anti-perfectionism I defend in this thesis, therefore, allows room for a particular kind of (in my view) justified paternalistic interference, namely, interference under conditions where individuals are demonstrably lacking in the meta-capability for autonomy. Under such conditions, I take it that it is legitimate for state institutions to take an interest in the content of their choices. However, the goal of such a program is not to compel people to make better choices, or to prevent them from harming themselves. On my view, the rightful end of paternalism would be to remedy autonomy failures and to ensure that individuals are extricated from situations or social practices that undermine their autonomy. In practice, this may involve compelling people to change their behaviour, but I treat this as a foreseeable consequence of some paternalistic interventions, rather than the proper aim of justice.

In the next chapter, I propose that the promotion of the meta-capability of autonomy ought to have lexical priority over the promotion of capabilities. This move is intended to clear the way for a justifiable and legitimate avenue for paternalistic interference in the choices of individuals: those cases in which individuals have been shown to lack the meta-capability of autonomy. This is the only instance in which the content of people's first-order choices may legitimately be interfered with according to my account. This is because if individuals can be shown to lack the capacity for autonomy, the legitimacy and authority of their subsequent actions can be called into question. If someone identifies with oppressive and unjust norms, then we are entitled to question the normative authority over which they endorse these norms. In my view, this is a justifiable intervention, and one that is required by capability justice in order to remedy possible capability failures.

I take it that this way of negotiating a principle of paternalism is more attractive and straightforward than Nussbaum's, whose response to accusations that her account is too paternalistic takes either of the following two forms. Nussbaum either points to the politically liberal credentials of her view to show that capabilities are promoted only in a thin and political sense, or she bites the bullet and argues that a measure of paternalism is necessary for tackling injustice. Nussbaum employs the former strategy when she looks at the possibility of an individual's desires being corrupted against her own knowledge. She argues that overriding individual's self-reported desires in such a case "does not entail an unacceptable type of paternalism, if this recognition is combined with a version of political liberalism and a focus on capabilities as political goals" (Nussbaum, 2000: 8). Nussbaum uses the latter strategy in the following passage:

> Any bill of rights is paternalistic (…), if paternalism means simply telling people that they cannot behave in some way that they have traditionally behaved and want to behave. (…) More generally, any system of law is paternalistic, keeping some people from doing some things that they want to do. It is fully consistent to reject some forms of paternalism while supporting [others] (ibid, 53).

Nussbaum's stance on paternalism here is rather blunt and underspecified. It is unclear what conditions have to obtain for paternalistic interventions to count as legitimate. She takes paternalism to be justified when it compels people to stop acting in unjust and oppressive ways. Elsewhere, she has argued that some capabilities, like health and bodily integrity, are so crucial to individual well-being that "they are legitimate areas of interference with choice up to a point" (Nussbaum, 2000: 95).

Of course, a capability approach to justice should not be hampered by a blanket ban on paternalism. For example, Nussbaum argues compellingly that adaptive preferences and desire corruption have a corrosive effect on individual agency (e.g., ibid, 117). According to such arguments, to treat every one of an individual's self-expressed desires, no matter the circumstances that led to their development, as necessarily authoritative and stemming from their authentic self, would amount to allowing various present injustices to go on unchallenged. For example, a person may voluntarily endorse not having freedom over her reproductive choices, or she may voluntarily participate in social practices that treat her as politically inferior. Policies that seek to address these injustices and dismantle the associated social practices will invariably come across as paternalistic since they will involve questioning and dismissing individuals' stated desires.

The principle for distinguishing between justifiable and unjustifiable forms of paternalism defended here is superior to Nussbaum's principle because it does not consist of an ad hoc modification of a foundational principle. Nussbaum claims that individual choices ought to be protected *except* in cases that meet a loosely defined set of conditions. The principle I defend holds that the normative authority with which individuals are assumed to make decisions can only be questioned when there is reason to think this authority may be subverted due to a failure of her agentic competencies. This is, therefore, a procedural principle.

However, is this a plausible principle? After all, relational conceptions of autonomy are infamously demanding, and if we assume the necessary conditions of autonomy to be demanding in such a way, we might be endorsing a principle that calls for an extraordinary degree of paternalism. For example, John Christman points out the difficulty of spelling out workable conditions of autonomy for such "finite, socially located, embodied beings" as us (Christman, 2015: 147). Christman claims that people's choices "are limited by [their] physicality, the contingencies of birth and countless other unchosen and unchangeable aspects of their condition" (ibid.). If we understand people's capacity for autonomy to be conditional on the social relations they stand in, it become extremely difficult to formulate practicable conditions for establishing which of an individual's preferences are due to authentic reflection, and which are due to an uncritical acceptance of social norms and expectations.

One response to this objection would be to bite the bullet and argue that the claims of relational autonomy are in fact demanding because of how sensitive our capacity for autonomy is to external influence. According to this line of thought, public authorities have to be involved in the lives of its citizens simply because of how easy it is for autonomy to be undermined by other actors. Suffice to say, such a response would not be very convincing.

Aside from entailing the politically unpalatable implication that individuals ought to be compelled to be free by being forced to repudiate their social commitments, it would also suggest an unattractive and misleading picture of autonomy. Being autonomous should not be a matter of transcending social influences and living independently of others.

A better response would be to follow Linda Barclay (2000) who points out that "autonomous agency does not imply that one mysteriously escapes altogether from social influence but rather that one is able to fashion a certain response to it" (Barclay, 2000: 54). On Barclay's view, autonomy is continually constructed by individuals who have to negotiate the effects of socialisation. Accordingly, being autonomous does not mean warding yourself off against any social influence, malign or otherwise. Rather, it means being able to respond to social influences in an appropriately critical and authentic way. Joel Feinberg (1980) writes:

> Our standards must be high enough to exclude subtle counterfeits of authenticity, yet not so high as to render authenticity an empty or unrealizable idea . . . We may all be in, some respects, irrevocably the products of our culture, but that is no reason why the self that is such a product cannot be free to govern the self it is. (Feinberg, 1980: 22)

If we take this line of thinking, then we need not accept the view that the state is committed to micro-managing people's beliefs and relations in the name of justice. Rather, what we need to do is to identify widespread social practices that are empirically shown to diminish individual autonomy by damaging people's exercise of the agentic competencies described in Section 1. Dismantling these social practices and supporting the individuals affected should then be what my notion of paternalistic intervention should consist of.

Conclusion

This chapter has argued that there are compelling reasons for the capability approach to realign itself with comprehensive anti-perfectionism – an interpretation of liberal theory based on the foundational claim that individual autonomy is valuable, and that this value precludes perfectionism. Aside from being able to resolve the normative inconsistency we saw the capability approach face in Chapter 1, I argued that this alignment provides practical tools for identifying and responding to capability failures which come about because of the internalisation of unjust social norms. I also argued that the particular principle of anti-perfectionism which I endorse doubles up as a principle for distinguishing between justifiable and unjustifiable forms of paternalistic intervention in people's lives.

Chapter 4: A Two-Step Capability Approach to Justice

In the previous chapter, I argued that there are compelling reasons for the capability theorist to embrace autonomy and to disavow perfectionism. It remains to be seen how a capability approach to justice can do these things in practice, and how it may evade a series of challenges associated with this particular combination of claims.

In this chapter, I defend a two-step approach which consists of two principles arranged in lexical priority. First, governments have a moral obligation to secure individuals with a meta-capability of autonomy. That is to say, governments must provide the conditions which are conducive to individuals exercising a range of agentic competencies which are constitutive of autonomy. Second, governments have a moral obligation to provide opportunities for individuals to exercise this meta-capability in six domains of well-being: health, politics, knowledge, relationships, self-expression, and work. I argue that exercising autonomous choice in the pursuit of welfare is necessary for a good life, regardless of the specific choices individuals eventually make, and even if they choose to forgo some supposedly valuable choices altogether.

In Section 1, I define meta-capabilities and capability domains and motivate my account of capability justice. In Section 2, I provide an account of how the capability approach can respond to unjust social norms and relations in practice by recognising a class of relational conversion factors. In Section 3, I address three significant objections to the proposal in this chapter: that it involves subordinating some citizens, that it is incoherent, and that it is practically unstable. I show that all three fail to offer good reasons to oppose a comprehensively anti-perfectionist capability approach to justice.

1. Capabilities Revisited

The capability approach to justice I develop here consists of two steps. Step one, which takes priority, is to guarantee individuals with the meta-capability of autonomy. This step involves endowing individuals with the means to govern themselves effectively by promoting a range of agentic competencies and challenging social structures and practice which give way to relations of subservience, oppression, or disrespect. For this end, I conceive of autonomy as a particular kind of capability which is constitutive of the successful exercise of other capabilities.

Step two of this approach then resembles a more traditional capability approach to justice. According to this step, governments must guarantee individuals with opportunities

to exercise a range of capabilities across several key domains of well-being. I propose that we understand well-being as classified into six domains of human activity, with somewhat porous boundaries. Moreover, I take this move to be a suggestion and, therefore, not final. I take it that there are multiple and overlapping ways of carving up the logical space of well-being, which may depend on a number of considerations. The defining feature of this framework should be the idea that instead of enumerating specific capabilities, we classify significant ways of being into domains over which we entrust each individual as the most authoritative judge for what is to count as a valuable capability in the first place and which capabilities are worth possessing and exercising given their conceptions of the good.

1.1 Autonomy as Meta-Capability

I define a meta-capability as a second-order capability. To adapt Colburn's (2010) terminology of second-order values, I define a second-order capability as a capability which does not refer to sets of (first-order) functionings, but rather ranges over the exercise of other capabilities. In short, a meta-capability can be understood as the capability to be capable to achieve functionings. This way of phrasing it may sound a little obtuse, but it helps illustrate the second-order nature of this kind of capability.

Aside from trading in second-order values in a way that is analogous to Colburn's analysis, a meta-capability is also a distinct kind of capability whose exercise constitutes the appropriate exercise of capabilities simpliciter. In my view, an individual most possess the meta-capability of autonomy for her to be able to exercise her human capabilities freely and reflectively. As such, this meta-capability plays a similar functional role to Nussbaum's architectonic capabilities of practical reason and affiliation which "organize and suffuse all the others" (Nussbaum, 2000: 82). Nussbaum notes that practical reason is *necessary* for the exercise of other capabilities, but conceiving of the capacity for autonomy as a second-order capability means recognising that the relation in question is not one of mere necessity. In this section, I argue that autonomy is *constitutive* of an agent's capacity to exercise her capabilities. A similar claim could be made about the architectonic capability of affiliation, but in my analysis, this is subsumed under the meta-capability of autonomy, since I take it that social relations are indispensable for the possession and exercise of autonomy.

To conceive of meta-capabilities as deserving lexical priority to capabilities is not to conceive of them as ontologically simpler than the capabilities, or as mereological parts. Meta-capabilities are just as complex as capabilities: they are made up of internal capacities and skills, and their exercise necessitates the presence of certain external facts, like sufficient lack of obstacles, availability of options and so on. Unlike capabilities, however, meta-

capabilities do not refer to concrete dimensions of well-being. Individuals may have an independent interest in exercising their judgement to choose, such that a life where judgement is not exercised would be one with considerably lower well-being. However, I propose to understand this interest in a second-order sense, that is to say, as ranging over dimensions of well-being. So, I may have an interest that I am able to exercise my judgement on matters of my health, and on the kinds of hobbies I wish to pursue. But perhaps I am content with defaulting on my partner's or family's judgement when it comes to religious matters. This would be consistent under a multi- order analysis of the kind I am proposing, and it illustrates the reason why we should understand capabilities and meta-capabilities as independent. My claim that I value exercising my judgement in one domain is consistent with the claim that this need not hold for other domains.

According to my view, an individual must possess the meta-capability of autonomy in order to pursue well-being according to her conception of the good. On my view, this would consist in the choice of what counts as a relevant and valuable capability in the first place, and in the acts of availing yourself to particular capabilities and exercising them. This is because one must exercise free, reflective, and critical judgement for the exercise of capabilities to count as their own. The alternative would be exercising capabilities non-autonomously, for example, because of a critical acceptance of social norms or expectations, or due to manipulation or adapted preferences, or perhaps in a way that is random and free of reason altogether.

I have argued already that autonomy is a meta-capability because of the unique function that it plays in guiding our activities and giving their pursuit a distinctly authentic identification. I leave open the possibility that we may discern other meta-capabilities. For example, Sridhar Venkatapuram (2011), conceives of health as a meta-capability. Recently, Claassen (2019) has argued that there ought to be a meta-capability for navigational agency (Claassen, 2019: 51). For the time being, I am interested in highlighting and querying the role that individual autonomy plays in organising and justifying the capability approach to justice. I see no reason why discerning autonomy may not be consistent with identifying other capabilities in this second-order sense.

1.2. Capability Domains

Recall that a capability refers to the freedom to pursue well-being. In Nussbaum's index of central capabilities, each capability refers to the freedom to do valuable things across a range of dimensions of well-being, such as health, bodily integrity, and creative expression. I retain

the structure of this definition, but I propose refiguring how narrowly we understand dimension of well-being and how specific each capability should be, in turn.

As we saw in Chapter 1, Nussbaum's list of capabilities (Nussbaum, 2000: 78-80) tracks an array of independently valuable functionings, like engaging in valuable relationships, expressing oneself creatively, and exercising control over one's environment. By contrast, I propose a list of capabilities which tracks domains of choice without gesturing at specific choices individuals may ultimately make and without containing implicit claims about the relative value of some choices over others. I take it that this way of formulating the capabilities is necessary to implement comprehensive anti-perfectionism. In other words, I take it that this move is necessary to show adequate respect for each individual as author of their life. Moreover, because capability promotion at this level presupposes that individuals possess the meta-capability of autonomy, we need not worry here about having to override individuals' choices to prevent harm to them. These problems exist at a different order for they are failures of individual autonomy, and not substantive failures of individuals having made the wrong first-order choice. This is why lexical priority between steps one and two of my account of justice is critical – it is intended to correct for deficiencies in people's judgement making capacities and to prevent state institutions from micromanaging the content of individuals' choices. Before we distribute the goods and opportunities necessary for promoting capabilities, we must be confident that these will be used by individuals who are capable of deciding for themselves what capabilities they wish to avail themselves of.

The main task of this chapter, however, is to establish that that we carve up the logical space of well-being into six domains of capability. By domains of capability, I refer to areas of a person's life which (a) track their well-being in some significant sense and which (b) contain any number of pertinent capabilities that individuals may deem significant for their well-being to select, and to ultimately exercise. Availing yourself to capabilities will then involve exercising autonomous judgement.

Perhaps an immediate drawback of such a capability framework would be that the concept of capability becomes less fine-grained than it appears in, say, Nussbaum's work. For example, when Nussbaum speaks of the capability for creative expression, she enumerates specific activities and ways of being that constitute it. As we saw in Chapter 1, she provides a series of sketches of what a life replete with valuable opportunities would look like. Whereas by picking out, say, a domain of self-expression, I am not gesturing at how this cluster of capabilities is to be realised in practice. I am merely identifying that self-expression is a significant constituent of individual welfare, and that individuals must be given a variety of opportunities to realise this activity in multiple incommensurable ways.

I take this to be a strength of my account, rather than a weakness. Capabilities should be multiply realisable and multiply divisible. This account of capability is less fine-grained by design in order to accommodate the observation that the exact content of capability will change from context to context, and from individual to individual. Consider an analogy with language. The precise meaning of what we take the phrase 'language skills' to mean will differ by context. Language skills refer to a wide array of skills; what we mean exactly will flexibly change based on our intended level of precision. When we ask if a toddler has language skills, what we have in mind is, for example, if they can pronounce words clearly or answer simple questions. When we ask the same question of an adult learning a second language, we may want to find out if they understand puns or conversational implicature and so on. By analogy, the notion of capability in any of the domains I propose can refer to a broad range of multiply divisible functionings with meaning that will ultimately be indexed to individuals.

But if this is how we understand capabilities, does it not make capability promotion extremely indeterminate? State institutions are not privy to each individual's conception of the good, and they cannot design distributive policies in such a bespoke way. Of course, that is not what I have in mind here. I argue that so long as unjust social practices and power structures are removed as per step 1 of my account, and individuals are capable of exercising autonomous judgement, then the rest of the work for capability justice is in providing individuals with a range of opportunities so that they may exercise their autonomous judgement across a range of possible activities. In practice, this will require drawing an adequate threshold of opportunities for each capability domain.

I propose that we understand capabilities as falling into six domains:

1. Health capabilities,
2. Political capabilities,
3. Epistemic capabilities,
4. Relational capabilities,
5. Self-expression capabilities,
6. Work capabilities. [16]

[16] I remain open to the possibility of defending a framework of different constituents, perhaps, formulating them in a broader or narrower sense. The defining feature of this framework should be the idea that instead of enumerating specific capabilities (which, in turn, refer to specific functionings), we are enumerating domains of well-being in which individuals themselves are the best judges for what counts as a capability in the first place, and which capabilities are worth exercising (so long as they possess the necessary meta-capabilities to appropriately exercise capabilities).

First, while health is a fundamentally important dimension of well-being, one that in some situations may entirely eclipse all others, I take it that it that health still refers to a dimension of well-being, rather than to something that enables or constitutes the pursuit of well-being. For example, Venkatapuram (2011) proposes that we think of health as a meta-capability, while Nussbaum thinks that individual choices in the domain of health can, in some situations, be overridden altogether. Health is not a meta-capability under my definition of the term for reasons I have already stated, and I am willing to yield to Nussbaum's point that some health decisions may be overridden, but only for the procedural reason that we can demonstrate these decisions to come about because of failures of autonomy. That is to say, we may override an individual's decisions about her health only under the conditions that those decisions had been made non-autonomously and, therefore, lacking in normative authority, for example, under conditions of manipulation, or adapted preferences or internalised oppression.

There will, of course, be no shortage of practical examples that will challenge my claim. Suppose I subscribe to a particular religious view that prohibits undergoing blood transfusions, and I suffer significant trauma and lose blood. Would medical professionals be acting wrongly if they were to proceed with authorising a blood transfusion? Or suppose I have a terminal health condition, and instead of slowly wasting away in a hospital or hospice, I decide to voluntarily end my life under my own terms. Would my family and doctors be acting wrongly if they were to deny this request?

These are fascinating questions which I cannot answer here, but I take it that a satisfying answer will have to depend on more information: most importantly, whether the choices under consideration have been made under conditions which were conducive to autonomy. For example, if my religious refusal of a blood transfusion had been internalised due to manipulation or peer pressure, or if I were to repudiate this belief had I been given the opportunity to reflect on it critically, it would not hold the necessary moral authority. Adjudicating this question in practice and in real time will, of course, be nearly impossible, but I take it that this is theoretically the correct way to proceed here. According to my view, paternalistic interventions into people's health choices that are justified on the benefit for the individual should only be permitted in cases where it is either unclear that an individual's decision has been made autonomously, or if there is sufficient evidence to deem it non-autonomous or due to some sufficiently malign external influence. Further, I take it that just because the stakes in these cases are so high, it does not follow that there should be a presumption of paternalism in the domain of health. Denying this claim would entail a deeply unattractive kind of relationship between individuals and state institutions.

Second, the political domain picks out all those ways of being which have a public dimension, and which involve individuals coming into relation with public institutions. This way of defining the political capability domain may seem too broad, as political capabilities defined in this way will invariably spill over into the other domains. For example, an individual's access to health capabilities or her employment prospects may be tied to the particular political institutions she is governed by. I take it that this spill-over is consistent with the multi-modal and multiply divisible way of carving up capabilities that I have in mind here. To clarify what is unique about the political domain is that it picks out all those capabilities that are primarily political. For example, campaigning for better reproductive health options would be a political functioning as well as a health functioning by extension. Similarly, we may speak of voting, running for election, organising protests and assemblies, getting involved with civil society organisations and so on as examples. By being obligated to provide individuals with capabilities in the political domain, the state is, therefore, obligated to allow individuals to exercise autonomy in the political domain – however their conception of the good sees fit.[17]

The political domain is meant to pick out all those ways of being and doing which have a public dimension and which involve coming into relation with public institutions. This way of defining the political capability domain may seem too broad, as it will invariably spill over into the other domains since, for example, an individual's access to certain health capabilities or her employment prospects may be tied to the particular political institutions she is governed by. This spill-over is consistent with the multi-modal and multiply divisible way of carving up capabilities that I have in mind here. To clarify what is unique about the political domain is that it picks out all those capabilities that are primarily political. For example, campaigning for better reproductive health options would be a political functioning as well as a health functioning by extension. Similarly, we may speak of voting, running for election, organising protests and assemblies, getting involved with civil society organisations and so on. By being obligated to provide individuals with capabilities in the political domain, the state is, therefore, obligated to allow individuals to exercise autonomy in the political domain.

Third, I argue for the domain of epistemic capabilities. I define these in greater detail in Part 3 of this thesis where I apply the capability approach to education, and to civic

[17] This seems like an adequate place to emphasise again that the phrase 'conception of the good' should always be read as if it was prefaced with 'reasonable' as is customary in liberal philosophy. This is to rule out conceptions of the good that would require, say, giving some individuals disproportionate political power or the power to enact violence. I take it that there will be examples of people holding intolerable views of how political power ought to be exercised. My account of justice need not humour these people by treating their claims as authoritative if they are opposed to liberal values like equality of persons.

education in particular. By the epistemic domain, I refer to the baseline of skills and knowledge that individuals require to engage in various activities of their choosing. In Chapters 5 and 6, I attempt to formulate certain baselines that all governments ought to secure to prepare for individuals for life in the contemporary world, but I take it that this baseline, however we wish to conceive of it, is also context-dependent and will further depend on individuals' conceptions of the good.

Fourth, the relational domain picks out capabilities to enter into and to sustain interpersonal relationships. In Chapter 6, I identify relational capabilities as the capabilities necessary to build social capital – a kind of capital which consists of ontological relations between individuals on the one hand, and some key normative constraints on those relationships that make them valuable, such as trust and reciprocity and non-domination. I argue that social capital is necessary for political capability, but the more general description of relational capabilities would be that they allow individuals to form bonds with one another for various ends.

Fifth, while some ways of self-expression will spill over into other capability domains, there is an important reason for delineating a distinct domain here for all those capabilities which range over pursuing one's values for the end of self-expression. This may refer to, for example, creative, professional, or religious endeavours or to the way an individual wishes to present herself to others, and what she wishes her life to mean.

Sixth and finally, the domain of work picks out all those capabilities associated with various kinds of work. Work can be done for several reasons, such as self-expression, or it can be done purely for the reason of subsistence and supporting a family. Claiming that states are obligated to provide adequate capabilities for work for all individuals means that they have to provide individuals with opportunities for fulfilling and rewarding work in a way that treats them with dignity and respects their values.

The capability framework presented here is continuous with Nussbaum's in some ways, but sharply divergent from it in other striking ways. This framework is still a sufficientarian framework of distributive justice in that it requires public authorities to secure individuals with a threshold level of capabilities in each domain. An upshot of the more flexible analysis of capability I have given here is that the relevant thresholds are more flexible, too. And because the selection and pursuit of capabilities causally depends on the possession of the meta-capability of autonomy, this creates a prior requirement on governments to secure individuals with the right environment for making decisions autonomously. This gives us an attractive account of what the goals of distributive justice ought to be: first, dismantling social structures and practices that are hostile to individual autonomy, and equipping individuals with the skills necessary for exercising reflective, introspective judgement freely,

and second, guaranteeing a range of opportunities for individuals to exercise autonomous choice across a range of domains of well-being.

An outstanding task, however, is to draw adequate thresholds for each capability domain. The baseline we draw here has to primarily be policy-guiding, so it cannot be sensitive to interpersonal differences to such a fine-grained degree that the above analysis would allow in theory. In Part 3 of this thesis, I take up this task for the domains of epistemic, political, and relational capabilities.

2. Relational Conversion Factors

In the previous chapter, I argued that a capability approach to justice can benefit from incorporating a relational analysis of autonomy, which can reveal the complex and interesting ways in which social practices influence people's effective freedom. It is now time to demonstrate how a capability account of justice can successfully do this in practice – by identifying social relations as a salient class of conversion factors.

Conversion factors refer to real-world variables which determine the degree to which an individual is able to convert a given resource into a functioning. Sen (1992) argued that conversion factors fill a conceptual gap between the opportunities to achieve certain ends and the fact of achieving those ends, and they also give an account for why some individuals may be unable to exercise capabilities despite having formal access to the appropriate resources and opportunities. Conversion factors can be internal to the individual, such as one's intelligence, skill set or physical conditions, as well as external, such as societal or environmental conditions and institutions and public policies. Recall from the Introduction that capabilities require a combination of internal capacities and external resources. For example, owning a bicycle does not necessarily grant its owner the capability of cycling for she must also possess the skill of cycling and live in a place of the world where cycling is not outlawed and so on.

For Sen, conversion factors are not just necessary for providing a conclusive causal account of the development and possible failure of capabilities. They also help to formalise the significant role that the social world plays in shaping people's capabilities. Sen stresses that "being free to live the way one would may be enormously helped by the choices of others, and it would be a mistake to think of achievements only in terms of active choice by oneself (Sen, 1993: 44). The social world, with its norms, practices and relations introduces a complex web of intersecting factors which ground individual capabilities.

We can now build on this observation and introduce conversion factors which enable or impede an individual's capability. For example, a Victorian woman may possess both a bicycle and the necessary skills to ride one effectively, but dominant social mores at the time dictated that riding bicycles was unfeminine and could cause severe health problems for women. By contrast, a contemporary Dutch woman would find riding a bike an empowering and socially and environmentally conscious choice, for which she may be praised by her friends and family. The difference in the pertinent social factors—both cultural and material—significantly changes the opportunities available to both women, and the value they may choose to place on their opportunities. Social conversion factors can, therefore, explain why relative advantages and disadvantages occur, even when all resources are distributed seemingly equally. I argue that a relational analysis of autonomy can suggest a series of relevant relational conversion factors.

Social conversion factors of this kind may be difficult to accurately measure. I take it that for large scale policy purposes, the level of analysis does not have to be so fine-grained to catch all the various relations that each individual stands in. Rather, what we should be concerned with here is recognising those widespread social practices which impede autonomy, and those which facilitate it.

As a starting point for formalising a workable list of relevant conversion factors, I propose the following list of relational features. For an individual to be capable of exercising the normative competencies associated with autonomy, she must stand in relations characterised by (1) normative recognition respect and (2) equality. Impediments to these two conditions can effectively function as impediments to capabilities by restricting the extent to which individuals have effective freedom to do particular things or to live in particular ways.

The first relational feature requires individuals to respect each other's normative authority. This feature may be lacking in certain types of relationships and social practices, which can damage an individual's self-respect or her capacity to exercise normative competencies, like volitional skills and self-nurturing skills (Meyers, 2005: 121). This, in turn, would diminish an individual's autonomous judgement and her capabilities. There will be relevant exceptions where the lack of normative recognition is not a problem for justice, such as in the relationship between a parent and a child, or in instances where individuals have certain mental or physical impairments which ought to limit the extent to which certain options should be available to them. In these cases, I take it that individuals will have guardians who are responsible for exercising judgement on their behalf to ensure their well-being is met to an appropriate standard.

Such exceptions notwithstanding, however, social relations that are characterised by a lack of normative recognition of individuals ought to be a prima facie problem for justice. For example, social practices which subordinate some people or groups as inferior or incapable must be treated as significant sites of injustice.

Second, individuals must stand in relation characterised by equality. The lack of this feature signals either the presence of selective laws or selective enforcement of laws, both of which can effectively relegate some individuals to second-class citizenship and rob them of access to capabilities either directly by making them formally unable to access certain freedoms, or indirectly by making them internalise beliefs which make people see themselves as unable to exercise capabilities that may be accessible to them. Social practices that go against the equality of people should then be treated as unjust.

These two features should provide philosophers and policymakers with a starting point for identifying and addressing social factors which act as causal impediments to people's capabilities. Social practices of this sort, of course, cannot be tackled merely by rewriting laws. For example, outlawing discrimination with the passing of laws that uphold equality is not likely in itself to end social practices that involve various kinds of discrimination. For one thing, there will be instances of discrimination that state institutions are not aware of, such as in families or religious organisations. Much more has to be done over and above the legal avenue to weed out unjust practices. This makes it all the more important for states and public institutions to be carefully attentive to dominant social practices in their communities, and how these practices may diminish people's capabilities.

It is worth pointing out the similarities that this account of justice shares with proposals made by relational egalitarians. Philosophers working in this field argue that the primary goal of justice ought to be 'democratic equality' (Anderson, 1999) or 'equality of status' (Miller, 1997 cited in Voigt, 2020) between individuals. Relational equality is defined in opposition to distributive accounts of equality, which hold that justice requires the equal distribution of some metric of welfare. For relational egalitarians, on the other hand, equality of relations is the primary goal. They argue that such a goal will help dismantle the unjust structures which hold some people in relations of domination and subservience.

The account of justice defended in this thesis—by virtue of adopting a concern for social relations as conversion factors for capability justice—ends up committed to some of the same claims which are made by relational egalitarians, albeit in a roundabout way. A key commonality to point out is that, like relational views of equality, I endorse the view that in order to achieve justice, we must go beyond thinking about the role of institutions; we should also be committed to change in social norms and practices (Voigt, 2020). Throughout this thesis, we have seen examples of how social practices can act as key conversion factors for

individual autonomy, and their capabilities in turn. It would, therefore, follow that the scope of justice ought to include widespread social critique and a break from a Rawlsian focus on the 'basic structure' of society in an institutional sense.

However, I take it that it is also worth emphasising how my proposal differs from relational equality. On my view, social relations play a significant role in the development and exercise of individual autonomy and, in turn, individual capabilities. But this role is (a) causal, and (b) it is one of many causal variables and, as such, relations are not the primary goal of justice. I take it that capabilities also require large-scale material distribution. It is not sufficient to dismantle oppressive social practices and hierarchies of power, individuals must also be given palpable opportunities to exercise their autonomy through their capabilities. People must be educated, and they must have social provisions in place which treat them with sufficient dignity. They must have child-care and access to self-expression and hobbies. All of these things have an unmistakeably material dimension. That is to say, they have a resource cost, which is why my proposal is nevertheless an exercise in distributive justice. For these reasons, perhaps the account of justice defended in this thesis could be best described as a hybrid account of justice which has both a relational and a distributive dimension (e.g., see Moles and Parr, 2019 for a discussion on hybrid accounts of justice).

3. Objections

In Chapter 1, I argued that Nussbaum's interpretation of the capability approach is internally inconsistent – contested value judgements appear to play an idiosyncratic role in its justification and its content in a way that is inconsistent with Nussbaum's commitment to political neutrality. Realigning the capability approach with comprehensive anti-perfectionism involves giving up neutrality at the level of the foundation of liberal philosophy, but retaining it at the level of policy content, thereby solving the supposed inconsistency by restricting what neutrality ought to range over when we theorise about justice.

However, the upshot of this move may be that we are merely replacing one inconsistency with another, or perhaps with several more inconsistencies. For this realignment to be plausible and coherent, we must now establish it as a consistent and stable position. To that end, I now address three significant objections to my account of capability justice.

3.1. The Subordination Objection

It may be argued that an approach to justice allied with a particular view about what is valuable is unattractive since it excludes those people who do not endorse this value. Nussbaum (2011a) makes such an argument: she claims that autonomy need not feature in every person's conception of the good, and that autonomy-minded liberalism, therefore, involves subordinating the dissenting individuals.

In formulating her version of the capability approach, Nussbaum took herself to be "[moving] beyond the merely comparative use of capabilities to the construction of a normative political proposal that is a partial theory of justice" (Nussbaum, 2000: 12). It is worth disambiguating two ways in which Nussbaum uses the qualifier 'partial': to refer to a minimum threshold of justice, and to refer to a political (i.e., not comprehensive) account of justice. She employs the first meaning when discussing the threshold level for all capabilities that, she argues, ought to be provided to all people by their governments. In this sense, her theory is partial in that it "simply leaves unaddressed the question of what social justice requires once those thresholds are met" (Robeyns, 2016). She makes a similar claim when discussing the content of her list of capabilities, which, she argues, is "facilitative rather than tyrannical" (Nussbaum, 2000: 96) and subject to "continued reflection . . . [a] proposal put forward in a Socratic fashion" (ibid, 77). However, there is a second sense in which Nussbaum describes her approach as 'partial' and that is in the sense of her list of capabilities constituting "emphatically a partial and not a comprehensive conception of the good" (ibid, 96).

If Nussbaum's contribution was to move the capability approach from an open-ended tool of interpersonal comparison of well-being to a partial theory of justice, then my proposed modification would be a move much further — to a *complete* theory of justice. However, it would be a move only in the second sense, that is, a move toward comprehensiveness, rather than toward complete specificity. The capability approach may still remain partial in the first sense, for it need not commit to an exhaustive set of parameters for justice. As I argued in the previous chapter, autonomy is a procedural and content-neutral value. Aligning an account of justice with this claim need not commit us to a fully specific set of ethical prescriptions. The resulting list of capabilities can remain open-ended, subject to change upon application in different contexts, and sufficiently Socratic for it not to significantly differ from Nussbaum's in that regard. I take it that it is this first sense of 'partial' that is more important to Nussbaum's overall project, for she recognises that inter-cultural differences, and variation in a host of external factors across the world would make committing to a maximally specific list of policy goals an impossible feat. For this reason, a

fluid, yet sufficiently robust, framework fares better than a grandiose and specific conception of the good.

However, Nussbaum does give reasons against comprehensive interpretations of liberalism, which suggests that the second sense of 'partial' I distinguished earlier may be more crucial to her argument than it first appears.

Nussbaum's argument here is directed toward Raz. Raz's conception of liberalism not only has a comprehensive foundation, but it is also perfectionist. Namely, Raz argues that liberalism is committed to the view that autonomy is valuable, which creates a duty on the state to provide citizens with a wide range of valuable options which Raz argues are necessary for achieving autonomy. Nussbaum does not make this distinction between these two features of Raz's theory, so when she refers to his view as 'comprehensive', a more precise way of reading that would be 'comprehensive-perfectionist'. Nussbaum argues that in practice, a comprehensive-perfectionist doctrine like Raz's would amount to "expressive subordination" (Nussbaum, 2011b: 35) if one happens to dissent from the conception of the good endorsed by the state. Since this looks antithetical to liberalism, her argument goes, we would do well to opt for a conception of liberalism which is political rather than comprehensive.

There are two ways to resist Nussbaum's conclusion here. First, we may clarify the distinction between comprehensiveness and perfectionism and show that Nussbaum's problem with Razian liberalism is due exclusively to the perfectionism of his view, rather than to the comprehensiveness. Raz's account of liberalism involves the active promotion of autonomy-conducive states of affairs (Raz, 1986). Autonomy for Raz refers to an individual's capacity to author her life with the presence of a range of valuable opportunities (ibid, 371). Nussbaum contrasts Raz's conception of autonomy with what Rawls calls "political autonomy" (Rawls, 1993: xliv-xlv cited in Nussbaum, 2011). She describes the latter as requiring "protection of the spaces in which people may leave one view and opt for another" (ibid, 36). Nussbaum states that this is not the same as Raz's autonomy "because no announcement is made by the state that lives live under one's own direction are better than lives lived in submission to some form of religious or cultural or military authority" (ibid.). The implication here is that Rawlsian autonomy is acceptable from a wide array of ethical views, whereas Raz's conception commits us to the unpalatable and unjustified conclusion that some lives have less value than others if they spurn autonomy. But this should only be cause for concern if we accept that autonomy is best promoted by perfectionist means. I defend the opposite view. Perfectionism is inconsistent with valuing autonomy in a second-order sense for reasons that I discussed in Chapter 3.

The second way to resist Nussbaum's conclusion is to point out that her aversion to comprehensive liberalism need not be due to the value of autonomy in general, but rather due to the particular content-specific conception of autonomy that Raz defends. Raz argued that autonomy is valuable only if it is practiced for the pursuit of independently valuable ends (e.g., Raz, 1986: 378). The conception of autonomy I defend here does not place limits on the content of individual's choices. I argue that autonomy consists of the exercise of a range of competencies, which, in turn, require individuals to stand in particular kinds of social relations. This conception of autonomy is procedural in that autonomy is a matter of satisfying a particular procedure of decision-making, rather than a matter of making particular choices. As such, this conception of autonomy is content-independent insofar as it focuses on the genesis, rather than the content, of individual preferences. Such a conception need not lead autonomy-minded liberals to the implication that some lives are less valuable by dint of the content of people's choices. It also does not suggest that the content of people's choices is a legitimate domain of contestation. Justice requires that people possess the meta-capability of autonomy, it does not require that people be compelled to make specific choices or discouraged from others.

But why think that autonomy is necessary? Elsewhere, Nussbaum has argued that autonomy need not figure in every person's conception of the good life and that "we should respect people who prefer a life within an authoritarian religion (or personal relationship), so long as certain basic opportunities and exit options are firmly guaranteed" (Nussbaum, 2005: 60).

I argued in the previous chapter that we are entitled to interpret Nussbaum as saying that autarchy need not be valuable since the choice of giving up autarchy can nonetheless be made autonomously. We can, therefore, read Nussbaum's argument against comprehensive liberalism as an argument against perfectionism and a content-specific conception of autonomy. Nussbaum's claim against comprehensiveness is that it supposedly leads to the subordination of those with dissenting views. But I have shown that there is nothing intrinsic to a comprehensive view of liberalism that would lead to such an unpalatable result. Nussbaum's argument, therefore, only applies to the two features of Raz's account that are extrinsic to comprehensive liberalism. Comprehensive liberalism need not be committed to subordinating individuals if (a) it is based on a conception of autonomy which takes no interest in the specific content of individuals' choices and (b) if it is coupled with a principle of anti-perfectionism. The comprehensive view I defend satisfies both conditions and, as such, it does not involve subordination of the kind Nussbaum worries about.

3.2. The Incoherence Objection

The liberal position of comprehensive anti-perfectionism has been dismissed by some critics as incoherent for attempting to accommodate two mutually exclusive commitments: to promote autonomy while simultaneously refraining to promote valuable ways of life (e.g., Nye, 2012; Porter, 2011; Rudisill, 2012). Critics argue that this is an incoherent combination of commitments, and one must be surrendered for the other one to be taken seriously.

To put this objection to rest, I must reiterate my claim that I take autonomy to consist of a second-order capability – a meta-capability which ranges over the exercise of capabilities, rather than specific first-order value claims. The upshot of understanding autonomy this way is that the promotion of autonomy us unlike the promotion of values simpliciter. This will allow me to argue that there is nothing inconsistent about promoting autonomy as a meta-capability, while remaining anti-perfectionist about values that make up individual conceptions of the good. On my view, the successful exercise of the meta-capability of autonomy is what enables individuals to pursue their chosen capabilities in a way that reflects their authentic desires and values, but autonomy itself has no bearing on the content of those desires and values.

This way of defusing the objection is similar to Colburn's strategy, which hinges on establishing autonomy as a second-order value while arguing that anti-perfectionism ought to only range over first-order specifications of value (Colburn, 2010: 57-60). I am sympathetic to this reasoning, but I argue here that phrasing autonomy as a second-order capability provides for a more convincing way of dispelling the present objection.

Recall that according to Colburn, we can distinguish between (at least) two orders of value, and corresponding levels of perfectionism. Second-order values contain variables (i.e., specifications of value) which can themselves contain nested variables, whereas first-order values cannot contain nested variables; "either [because] they are content-specific, in which case they contain no variables at all; or they are content-neutral but contain only variables incapable of having nested variables" (ibid, 64). In other words, first-order values are the sort of values that we may refer to in everyday speech with the referent 'value', while second-order values need additional reference for their meaning to be determinate.

Autonomy, Colburn argues, is a second-order value since it makes a *de dicto* reference to other judgements about what individuals may hold as valuable, rather than a *de re* reference to particular specifications of value. This is because Colburn conceives of autonomy as an agent's capacity to "decide for themselves what is valuable and being able to live their life in accordance with that decision" (ibid, 67). Autonomy is thus not a singular, content-specific valuable way of life, but rather one's capacity to negotiate with first-order

value claims in a meaningful way. Colburn goes on to point out that perfectionism is understood to range over claims in the first order. Therefore, the argument concludes, comprehensive anti-perfectionism is not incoherent.

Sebastian Nye (2012) has argued that Colburn's strategy turns on a merely structural difference between two levels of value, and any attempt to single out autonomy as a value that is unlike other values looks like an ad hoc exception.

I argue that phrasing an equivalent distinction in capability terms, rather than in terms of value, can help strengthen Colburn's general strategy if we take the merely structural distinction to be too weak. Conceiving of an individual's capacity for autonomy as a second-order capability offers a more robust justification for treating autonomy as analytically distinct from capabilities or specific functionings. The distinction here is not merely structural, it is ontological. When an individual exercises her autonomous judgement, she is asserting her authority as a free and rational agent. She is exercising a capability of hers, but the consequence of this exercise is indeterminate, since exercising autonomous judgement does not itself consist in a specific activity. If a state were to actively promote the exercise of creative endeavours or religious devotion for their intrinsic worth, the state would be endorsing a set of claims about the objective moral value of those ways of life. By contrast, if a state promotes the exercise of autonomy, it is not doing anything of the sort.

Suppose you ask me what my friend Joel has been up to since graduating university. I tell you that Joel has been exercising autonomous judgement, or that he has been living autonomously. Presumably, you stare at me wondering why I have stopped speaking mid-sentence. "But what is he *doing* though?" you may then ask. Suppose instead I answer in the following way: Joel has been pursuing a career in public relations and raising a family, while volunteering for his local chapter of the Green Party. The latter response has determinate first-order content and picks out a range of activities that let you infer Joel's conception of the good life. The former does no such thing. The former tells you about the *way* in which Joel has been conducting himself.

Autonomy refers to the capacity to make self-originating and authoritative judgements about how to live your life. As such, promoting this capacity is perfectly consistent with the principled reluctance of meddling in the content of people's decisions. Comprehensive anti-perfectionism is, therefore, a coherent set of claims to hold.

I imagine that this argument may not be immediately persuasive. The claim that autonomy—no matter how we elect to understand it—is a value in the first place is a normative claim, which could be disputed. As a result of this realisation, my reasoning here may strike the reader as a kind of transcendental trick: a way of rebranding an objectionably partisan value claim as an objective truth. Here is the bluntest way to phrase this worry: what

differences does it make if autonomy is a capability or a meta-capability, a first-order value, or a second-order value? What differences does it make if it is a normative and causal constituent of other values when autonomy is itself a value? Moreover, it is a contested value, one which need not be endorsed by everyone. Suppose I have no interest in living autonomously, and my autonomy never features in any of my thoughts about what the good life is. Suppose I wholeheartedly identify with social conventions that limit my choices and steer me toward a life path that has been tried and tested by my family before me. In such a case, I may not have any reason to think of autonomy as a special kind of value.

And indeed, there is no reason why such a life would be intrinsically bad or worthless necessarily. But such a life would also not necessarily be devoid of autonomy. It may be devoid of autarchy, or independence or detachedness from others. Autonomy is what enables the particular choices that I make. A person who identifies with the interlocutor's beliefs in the above case would thus not be holding a view that is inconsistent with mine. They would simply be making a category mistake in equivocating between autonomy and autarchy, which I have shown refer to two distinct concepts.

But even if the objector recognises their mistake and corrects it, they may nonetheless be puzzled why autonomy is objectively valuable in the second-order sense? This is, of course, a fascinating question, which I will not be able to answer here. Recall that the dialectic of this thesis does not require me to answer this question. I am arguing that insofar as we have reasons to think that the claims of justice ought to be phrased in capabilities, we should understand this claim to presuppose that autonomy is valuable. The distinct role of autonomy, therefore, is due to the way it enables the pursuit of other values. A practical upshot of this claim is that if an individual chooses not to exercise her autonomy, then that itself is an exercise of autonomy (so long as the choice was procedurally rigorous, of course). I take it that this practical upshot is sufficient to dispel the worry that promoting autonomy is inconsistent with refusing to promote valuable states of affairs.

3.3. The Collapse Objection

Even if my argument for the theoretical coherence of comprehensive anti-perfectionism is successful, it may still be argued that the view is unstable as a matter of practical consequence. Namely, there is a risk that comprehensive anti-perfectionisms may collapse into perfectionism. Quong argues for this risk, writing that "once liberalism is tied to some specific views about the good life, the liberal state will unavoidably be acting for perfectionist reasons" (Quong, 2011: 25). Quong does not take himself to be providing a conclusive argument against all versions of comprehensive anti-perfectionism, rather he is defending

the more limited claim that a comprehensive appeal to individual autonomy does not rule out perfectionism, making this particular form of anti-perfectionism an “unviable position” (ibid, 26).

Quong’s conclusion, I believe, rests on the supposed truth of two claims. First, he interprets the comprehensive antiperfectionist to be making a sort of ad hoc modification to the liberal principle of neutrality, namely that the liberal state ought not to act for perfectionist reasons “except considerations to do with the value of autonomy” (ibid, 24). And second, Quong takes comprehensive anti-perfectionism to only preclude some perfectionist action. Policies which “encourage citizens to lead more valuable lives without foreclosing any particular options” (ibid, 25) would supposedly be permitted, Quong believes, for such policies would not infringe on individuals’ autonomy, but they would nonetheless be perfectionist, and thus entail an unacceptable kind of paternalism (ibid, 100-3).

Quong is right to point out that the first claim amounts to a form of perfectionism, one that looks rather arbitrary. However, comprehensive anti-perfectionists need not accept such a claim. What distinguishes autonomy from other supposedly perfectionist, values is not an arbitrary normative judgement about its relative worth, but rather its second-order and, in, turn content-neutral nature for reasons that we have already seen.

In practice, autonomy can be promoted as a meta-capability through a range of policy options that are demonstrably not perfectionist. For example, redistributive policies aimed at curbing material inequalities will allow disadvantaged individuals to take opportunities that may have once been unavailable to them. Challenging and dismantling social practices that keep some people subservient to others will allow those individuals to make their own choices about their plans of life. Teaching students critical and imagination skills will give them the disposition to reflect on which of their beliefs are contingent on socialisation, and which ones they would rather rethink. And so on. Policies that take this form would not be perfectionist in that they would not be guided by the intention of promoting valuable achievements or encouraging people to make choices that are good for them.

Quong’s second claim poses more of a problem to my view, but this too can be resisted. Quong suggests that there is no principled constraint keeping comprehensive anti-perfectionism from effectively collapsing into perfectionism. That is to say, even if particular policies can be demonstrated not to be ad hoc exceptions to an anti-perfectionist principle, some of them may become practically unrecognisable from perfectionism by virtue of their consequences.

One way to reply to this claim would be to establish a principle that can reliably rule out perfectionism in practice. So, if we could identify a feature of autonomy promotion that would be practically inconsistent with perfectionism, then we could use this feature to

formulate a principle that would prevent the supposed collapse from happening. Colburn (2012) takes such an approach and argues that autonomy requires that individuals be responsible for their actions, and that perfectionist interventions in individuals' choices invariably diminish the extent to which people are responsible for the outcomes of their choices. For an individual to be autonomous under Colburn's view, she has to be responsible for achieving the ends she has given herself, that is to say, she must, as a matter of consequence, be successful in living the life that she has chosen for herself (Colburn, 2012: 22-26). According to Colburn, this necessary condition is undermined by attempts to encourage individuals to make good choices because such attempts either "reduce the relevance of our individual agency to both the explanation and the normative consequences of our actions" (ibid, 27) or coercion may change the nature of options available "to make all but one unacceptable to the chooser" (ibid.).

Responsibility thus provides Colburn with a principle that keeps anti-perfectionism in check, thereby denying Quong his conclusion. A perfectionist promotion of autonomy, according to Colburn, would diminish the extent to which an individual is responsible for how her life goes, which means her autonomy would be diminished in turn. And because comprehensive anti-perfectionism is concerned with promoting autonomy, the liberal state cannot be perfectionist. This puts firm parameters around the kinds of things the state can legitimately do.

The success of this retort will depend on whether the reader shares Colburn's view that responsibility of this kind is a necessary feature of autonomy. I do not take a stand on this issue here. However, I believe there is another pertinent feature of autonomy which we have already considered in this thesis: a relational feature of normative recognition. I do not intend to show that normative recognition is any less controversial a feature of autonomy than responsibility. Even if both analyses turn on accepting some controversial claim, the combined analysis, I take it, will have some disjunctive appeal in that the conclusion of my argument can be shown to be acceptable from at least two standpoints.

I argue that understanding autonomy as socially relational suggests a compelling *pro tanto* reason for why perfectionism is incompatible with valuing autonomy – perfectionism signals a lack of recognition respect toward an individual over her choices insofar as it consists of a negative judgement about the person's ability or likelihood not to make the correct decision. This is the reason we endorsed a presumption against paternalism in Part 1 of the thesis. In other words, perfectionism leads to the wrong sort of relationship obtaining between the individual and the state. I take it that this reason holds only in a *pro tanto* sense as it may be overridden by other considerations.

In this thesis, I defend the claim that individuals must stand in relations characterised by normative recognition and equality. The former requires 'recognition respect', or the kind of respect which entitles people "to have other persons take [them] seriously and weigh appropriately the fact that they are persons in deliberating about what to do" (Darwall, 1977: 38). Roughly, A and B relate to each other with mutual recognition if and only if A recognises B as having final normative authority over B's self-regarding decision-making and vice versa. This does not mean that neither person can influence the other's decisions in any way, but rather that both recognise that the final authority resides with the person whose life the decision refers to. For example, I may try to convince my reluctant friend to convert to Theravada Buddhism by appealing to her sensibilities and beliefs. But it would obviously be unacceptable for me to refuse to accept her unwillingness as authoritative and to trick her into attending a meditation retreat or to nudge her until she is too exhausted to continue resisting my influence. Doing so would damage her exercise of her autonomy competencies.

I argue that normative recognition provides the comprehensive anti-perfectionist with a compelling *pro tanto* principle which prevents autonomy promotion from collapsing into perfectionism. When the state promotes autonomy, it recognises the individual as having normative authority over her life, regardless of the particular choices she may ultimately make. By contrast, when the state promotes first-order valuable ways of life through perfectionist means, the state fails to recognise this authority; in some cases, it may actively undermine it. The practical implication of this kind of relation is that it puts individuals in a vulnerable position. The modern state wields enormous influence over its subjects, and if its policies fail to pay adequate recognition respect to citizens as normative authors over their own lives, then the state risks misusing that power by dominating them. Since, under my view, standing in a relation of normative recognition is necessary for the exercise of autonomy, political actions which fail to treat people as normative authorities over their conceptions of the good are inconsistent with autonomy.

However, does perfectionism always consist in a failure of recognising the normative authority of the individual? In the case of coercion, this seems plainly true. But liberal perfectionists are not interested in defending coercion, they hold that perfectionism can be promoted by non-coercive means, such as nudges, subsidies and discouraging certain options. I take it these are problematic too insofar as they work by circumventing the individual's conscious decision-making. I argue for the claim that all perfectionist policies are problematic in the end of Chapter 2. If my claim there is true, then there is no reason to think that non-coercive perfectionist policies of the sort defended by Raz and Wall could nonetheless uphold the kind of relation of normative recognition I defend here.

I have been emphasising that normative recognition only provides us with a *pro tanto* constraint on perfectionism. I take it that this constraint has considerable weight for the reasons I discussed above, but it could nonetheless be overridden by some other, more pressing consideration. For example, Mackenzie (2008) argues that a measure of perfectionism is needed to ensure individuals are given the relevant normative competencies to be capable of autonomy. I argued in the previous chapter that the competencies associated with autonomy can be defended as normatively thin, but even if we accept that a measure of perfectionism was necessary for the promotion of autonomy, this would be consistent with the *pro tanto* constraint on perfectionism I establish here. Mackenzie's claim that a measure of perfectionism is sometimes needed to equip individuals with robust enough opportunities is an overriding consideration to my claim, the strength of which will depend on the merits of the argument it is established with. Absent an argument, I hope it can be seen why I take perfectionist policies to run the risk of undermining individuals' normative authority over decisions in their lives.

Conclusion

This chapter has seen me propose and motivate my two-step capability approach to justice. This account consists of two normative principles: states must do what they can to ensure individuals are capable of autonomous judgement, and they must provide them with ample opportunities for this judgement to be exercised across a range of capability domains. My account of justice also significantly expands the range of conversion factors which should feature in our analysis of justice. Finally, I addressed three objections to my view. I argued that all three can be resisted by clarifying the concept of autonomy and recognising the unique role in my account.

Part 3:

Education

Chapter 5: Capability and Education

Education is a significant area of focus for social justice. If we take education to be fulfilling a purely instrumental role in preparing an economic workforce for the prosperity of society, then inequalities in education pose a problem insofar as they may lead to wider socioeconomic inequalities. If we take education to be intrinsically valuable, then inequalities in education are simply unjust as they entail that those members of society who receive a smaller share are deprived of a valuable good. Advocates of the capability approach argue that education also plays a unique causal role in the development of human capabilities.

In this chapter, I argue that the account of capability justice defended in this thesis offers novel tools for formulating an ambitious and transformative approach to education policy. Before I do that, I offer some reasons why the capability approach is a promising framework for thinking about education from the point of view of justice in the first place. I do this with a brief literature review of the intersection between the capability approach and education.

In Section 1, I provide a summary of the role of education in Sen and Nussbaum's work as well as in more recent literature—from both analytic philosophers and education scholars—which attempts to clarify the role education plays in capability approaches to justice. In Section 2, I distinguish three specific ways in which the capability approach can be brought to bear on education: putting epistemic capabilities into practice, promoting agentic competencies, and recognising relational impediments to education, respectively. Finally, in Section 3, I consider the role that anti-perfectionism ought to play in education. I look at some recent arguments in favour of perfectionist education and critically assess their merits from a capability justice standpoint.

1. Education in the Capability Literature

As an object of distributive justice, education has been a focus of the capability approach since its inception, and this is reflected in the writings of both Sen and Nussbaum. Despite this supposed focus, however, philosophers and education experts have since critiqued both Sen and Nussbaum for leaving education "largely undertheorised" in their work (Unterhalter, 2003: 10). Further work on clarifying this relationship has generated a dynamic literature on capabilities and education and their interplay in various theoretical and applied contexts.

For Sen, education plays a significant role in the capability approach. Sen (1992) picks out education as one of "a relatively small number of centrally important beings and doings

that are crucial to well-being" (p. 44). Sen takes education to be fulfilling three discrete roles in society. First, education plays an instrumental *social* role in that it promotes critical literacy which can foster public debate and dialogue about social and political arrangements. Second, it plays an instrumental *process* role by expanding the set of people individuals can come into contact with, thereby broadening their social relations and opportunities these may offer. Finally, education plays a dual *empowering* and *distributive* role in facilitating the ability of those who are disadvantaged, marginalised, or excluded to control their political environment by giving them the skills and social capital to organise politically. Parallel to these, education also has a redistributive effect between social groups, households, or even within families. This is because education can alter an individual's capability set to change her social powers and opportunities, as well as her standing in the social structure (Sen, 1999b). For example, children of immigrant families tend to be better educated and are, therefore, more able to navigate their new social environment and take advantage of opportunities that their parents would not have had access to. Through these effects, education directly enhances people's capabilities – it gives them the opportunities to do things they value that they might not have otherwise had. This is why Sen (2007) has discussed the need for investing in children to facilitate social and economic development and the protection of children's rights.

Madoka Saito (2003) has elaborated on Sen's claims by focusing not only on the direct enhancement of capabilities that education offers, but also distinguishing a further indirect effect: "the development of *judgement* in relation to the appropriate exercise of capacities" (italics mine) (Saito, 2003: 17). Education can thus not only equip us with opportunities directly, but it can also hone our judgment to make better use of the opportunities at our disposal. Education can thus be seen as a key causal variable in the expansion of individuals' capabilities.

However, Elaine Unterhalter (2008) has argued that Sen's treatment of education is somewhat vague and incomplete in comparison to his extensive analyses of policies meant for mitigating poverty and famine. This is further problematized by his principled reluctance to commit to an index of discrete capabilities and a view of how they may be secured in the form of fundamental social provisions. Given the purported importance that Sen attributes to this policy area, one may expect greater clarity here.

Unterhalter goes on to say that there is "remarkable homogeneity in the way Sen discusses education" (p. 490), insofar as he makes no mention of differences in form or outcome of education, nor of "different modalities of education – processes of learning, teaching, assessment and management – and their differing and sometimes contradictory consequences for different groups" (ibid.). For example, she criticises Sen for failing to

distinguish between education and schooling, a distinction which she argues is essential for getting a clearer understanding of the relationship between education and justice. Education refers to the successful process of acquiring knowledge and skills (be it through instruction or experience), whereas schooling refers to the formal instruction carried out in educational institutions or, in some cases, at home.[18] The latter should, if done successfully, constitute the former, however, education need not consist only in schooling, and, crucially, not all schooling will result to an expansion of individual's capabilities for three reasons.

First, schooling may simply be unsuccessful in achieving the constitutive aim of education by failing to facilitate learning. For example, if schooling is delivered in a language a student is not proficient in or by an instructor who has limited knowledge or skill then it is unlikely for the student to master the subject successfully. Second, schooling may fail to expand capabilities if it consists in inculcating students into a particular comprehensive way of life or even brainwashing them to accept certain beliefs without giving good reason or allowing space for critical dialogue. Such schooling would arguably not facilitate one's intellectual capacities, but rather force one to accept views one may not have good reasons to accept, possibly harming one's capability set instead of expanding it (ibid, 2003). Third, if students from disadvantaged ethnic or socioeconomic backgrounds may be routinely subject to verbal or physical violence by their peers. Or if the way they are represented in school curricula is demeaning due to prejudicial attitudes, students may suffer a net loss of capabilities by attending school. Failing to make a distinction between education and schooling simpliciter can, therefore, result in empirical findings and policy that is altogether blind to this impediment to people's capabilities.

Here is an example that can illustrate this point. Universal school enrolment rates may sound like an achievement for justice, but it need not necessarily lead to equal access to capabilities. Not only are enrolment rates a poor measure of the overall quality of education,[19] they may also obscure certain negative effects to individuals and communities. Unterhalter (2003) illustrates this with an example from South Africa where an increase in enrolment rates among black girls has been linked to an increase in rates of sexual assault and HIV transmission. Unterhalter also mentions rural village schools in certain states of India where girls are socialised into subordinate roles by, for example, being forced to sit at the back of the classroom in the dark and having fewer extracurricular activities available to them. A blinkered focus on schooling opportunities can, therefore, tell us an incomplete and

[18] Since the introduction of compulsory school attendance laws, home schooling is an exception to the dominant paradigm of schooling taking place in educational institutions.
[19] E.g., Nussbaum (2002) writes that years of schooling are generally thought to be an imperfect proxy for education (p. 73), arguing that the quality, rather than quantity, ought to be the appropriate benchmark.

misleading story about individual capabilities since formal opportunities do not always translate into educational opportunities. Recently published work on the capability approach attempts to rectify this problem by conceiving of education as a set of discrete, heterogeneous capabilities which need to be jointly secured by educational institutions.[20]

Nussbaum has written relatively more on education than Sen, but not always from the same theoretical standpoint – she has broached the subject as a capability theorist as well as a classicist and an advocate of liberal arts education. The fundamental assumption underlying her work is that education is unmistakably essential for the good life, that "human beings are creatures such that, provided with the right educational and material support, they can become fully capable of the human functions" (Nussbaum, 2002: 62).

Nussbaum (1997) has also argued for the merits of a specifically *liberal* education whose goal she attributes to Seneca as the "cultivation of humanity" (p. 8). Nussbaum distinguishes three capacities, which she argues are necessary for this end: critical examination of oneself and one's traditions, ability to transcend one's identity and see oneself as a human being tied to all other human beings and, finally, a narrative imagination, or the ability to place oneself in another's situation (ibid.). According to Nussbaum, these capacities are essential for the cultivation of intelligent citizens who are capable of participating in democracy and questioning the traditional mores of society. This sort of education is intended to hone people's innate capacity for questioning and reasoning and to allow them to transcend the contingencies of their identity and instead be guided by objective reason.

Nussbaum echoes the stoic thought that the primary aim of education is to "confront the passivity of the student, challenging the mind to take charge of its own thought" (ibid, 28). A passive individual is one who speaks and acts out of deference to tradition or at the whim of her parents or contemporaries. She is not governed by practical reason, but rather an "instrument on which fashion and habit play their tunes" (ibid, 29). According to the stoics, the solution to this docility is education – the cultivation of capacities which, in contemporary parlance, could be argued to constitute autonomy.[21] Nussbaum's work on liberal education is an attempt to provide a model for education that accomplishes this goal.

Nussbaum (2000) has also highlighted education in her index of ten central human capabilities, albeit indirectly. Education itself does not feature as a discrete capability in

[20] In a way that is not dissimilar to how Nussbaum conceives of her list of 10 central human capabilities, i.e., the capabilities are independent of one another and deficiencies in one capability cannot be made up for by excess in another.

[21] This reasoning is not dissimilar to how contemporary education scholars conceive of education, e.g., Edwards, Ranson and Strain (2002) who argue that learning is "the transformation of understanding, identity, and agency … the capacity to develop and sustain reflexivity" (p. 533 cited in Walker, 2007).

Nussbaum's list, however, it pertains most directly to the capability of 'Senses, Imagination, and Thought' since this includes the ability to think and to reason. She has also argued that literacy expands human capabilities and that historically, this has been denied to individuals from disadvantaged groups. Moreover, as we saw from Nussbaum's remarks on liberal education, it can also be seen to be highly relevant for the capability of practical reason. Nussbaum (2003) has also defended the value of education in the promotion of women's freedom across the world and, more recently, Nussbaum (2010) has argued for the importance of teaching humanities and liberal arts to cultivate democratic and civic virtues and to minimise the reductive perception of education as merely an economic tool for the improvement of a country's gross domestic product.

Despite affording more attention than Sen to the role that education plays in the pursuit of justice via capabilities, Nussbaum's remarks on education are somewhat lacking too. Nussbaum's capability framework includes the assumption that education enables individuals to think, imagine, and to exercise practical reason, but the account of how this comes about is not elaborated on. Another open question is why capability of education itself is not featured as a discrete entry in Nussbaum's index of central capabilities? Can we infer from this that the value of education is merely instrumental insofar as it causally contributes to the successful possession of other capabilities? In which case, is the contribution merely causal, or do some valuable ways of life constitutively depend on active lifelong learning? Nussbaum seems to imply that educative goods are teleologically valuable and that a life without education would lack humanity. The capability approach stands to benefit from a more thoroughgoing analysis of the role education plays in capability justice, perhaps in the form of discerning education-specific capabilities or clarifying the causal role played by educational factors on individuals' capabilities.

Because of the explanatory gaps in Sen and Nussbaum, there is an abundance of more recent literature on the interplay between capabilities and education, from analytic philosophers and educational theorists alike. This literature attempts to clarify the relation between capabilities and education and to offer ways of operationalising the capability approach in order to assess and inform education policy.

A particular point of focus in this literature is the causal pathway of capability acquisition. Formative experiences in early life are argued to be vital in determining the capability set with which an adult ends up since "adult skills and talents depend critically on childhood learning and experience" (Basu, 2011: xi). Conversely, this also means that capability failures that occur in childhood may be irreversible in later life and result in the stunting of certain capabilities. Expressing education in capability vocabulary can allow educators, researchers, and policymakers to identify key decision points in these causal

pathways in order to inform interventions aimed at improving children's access to capabilities and preventing capability losses. For example, a popular study by Hart and Risley (2003) found that the extent of children's vocabulary at a young age is a reliable predictor of the development of various cognitive and literacy skills and educational achievement. The study also found that there is a statistically significant gap between the number of words children get exposed to based on their socioeconomic status. Pre-schoolers from a working-class background had been exposed to thirty million fewer words (tokens, not types) than those from higher income ones, thereby giving them a positional disadvantage in their cognitive development. This happens for a number of related reasons: wealthier parents are more likely to have free time to spend with their children, engaging them in conversation, they are more likely to own books and read to their children, and so on. This creates positional inequalities in children's skills and self-esteem, which is problematic for their long-term education. Interpreting this set of causal relationships through a capability lens can allow us to identify the material and social conditions for the acquisition of capabilities, and to express relevant policy interventions aimed at redressing these inequalities as a matter of justice.

Moreover, because the effects of education are so pervasive not just for individuals, but also for the functioning of societies and institutions, this causal narrative of capability acquisition has far-ranging implications for justice (e.g., Terzi, 2007). The capabilities of everyone in society depend on the sort of education they are capable of receiving and making use of. Walker and Unterhalter (2007b) point out that using the capability framework in education can aid us in thinking about a number of different general questions, such as: "justice and the distribution of schooling, gender equality, redressing poverty, politics, the link between school and the labour market, policymaking, education measurement, institution building, management and pedagogies" (p. 239).

Another strength of the capability approach is its focus on the opportunity to achieve ends, rather than on the ends themselves. According to the approach, individual well-being is a matter of having valuable opportunities available rather than a matter of having realised a sufficient number of them. People can always choose (not) to make use of some opportunities, and this choice ought to be upheld as a matter of justice, so long as the choice was made autonomously, that is. Education equips individuals with the skills needed to make meaningful, deliberate choices, thereby enabling them to make use of opportunities to live their lives in ways which they may not have realised were possible.

Comim et al. (2011) make a similar claim when they argue that the goal of bringing capabilities to bear on children's issues means treating children as "capable agents and to promote the active participation of children in society" (p. 9). According to Ballet et al.

(2011), children are seen as social actors in their own right, as active participants in their families and communities, rather than as passive objects of paternalistic management. It is a pertinent strength of the capability approach that it recognises the value of individual agency. Indeed, Walker (2007) points out that a focus on capabilities "directs our attention to any sources of unfreedom that might constrain genuine choices" (p. 192). The goal of education is, therefore to "increase students' freedom in the directions they reflectively value for their well-being and agency (Walker and Unterhalter, 2007a: 133). Finally, this emphasis on capabilities as freedoms also allows us to recognise that not everyone will choose to benefit from educational opportunities in the same way. Some individuals may not put their education to much use, or they may even repudiate it.

2. Bringing Capabilities to Bear on Education

This chapter so far has looked at how the capability approach can be used to frame education as a provision of justice. I now turn to the central task of this chapter: to argue that the particular account of capability justice defended in this thesis has exciting implications on education policy.

I will apply my claims from Part 2 of this thesis to the domain of education in order to defend three claims. First, we can formulate a threshold of epistemic capabilities as basic provisions of justice. Second, the discussion of agentic competencies necessary for autonomy discussed in Chapter 3 suggests a strategy for promoting individual autonomy through educational means. And third, the discussion of relational conversion factors can help us identify salient impediments to the development of children's capabilities.

2.1 Epistemic Capabilities

A promising strategy for formalising education as an object of capability justice would be to express education into a discrete capability, or a set of capabilities and include that as a provision of justice. This would be a way of refining the claims we saw capability theorists make in the previous section, as well making them more practicable. This way of expressing educational entitlements may also avoid the problems that a justice-based focus on enrolment rates or years of schooling was argued to entail.

Lorella Terzi (2007) argues that we ought to formulate a capability to be educated as a basic capability. Terzi makes use of Sen's notion of a 'basic capability', or one of a subset of capabilities that are "a relatively small number of centrally important beings and doings

that are crucial to well-being" (Sen, 1992: 44), such as the capability to be well-nourished and well-sheltered. This qualifier assumes that there are some capabilities that are "so basic to human welfare that they can be identified without any prior knowledge of the particular commitments that are held and expressed by an individual or group" (Alkire 2002: 154 cited in Terzi, 2007). According to Terzi, the capability to be educated is such a basic and fundamental entitlement. This category of capabilities differs from my coinage of meta-capabilities, since meta-capabilities constitute the exercise of capabilities, whereas a basic capability, as Terzi uses it, is one that is a small group of capabilities which are central to human welfare.

Terzi takes this to be a basic capability for two reasons. First, a lack of education constitutes an absolute harm to an individual as it denies her access to a range of opportunities. An educated individual is more likely to have more opportunities in, for example, the labour market or her personal relationships, or in the extent to which she can be involved in public life. At the very extreme end of this harm, lack of any form of education can result in neglected children who are unable to acquire cognitive and social skills later in life.

Second, Terzi takes the capability to be educated to play a causal role in the realization of several other capabilities. Therefore, this capability can be considered foundational for the entire framework, "and hence inherent to the very possibility of leading a good life" (ibid, 30). For example, a degree of education may be necessary for creative endeavours or for understanding how to control one's environment, and generally, how to achieve various ends that an individual has chosen. Terzi holds that the capability to be educated contributes to the expansion of human capabilities. Therefore, Terzi argues that the capability to be educated constitutes a "fundamental entitlement, and its provision becomes a matter of justice" (ibid, 25).

Drawing on Charles Bailey's (1984, cited in Terzi 2007) relative list of educational 'serving competencies' needed to achieve educational aims, Terzi goes on to formulate a preliminary list of seven educational functionings that she takes to be constitutive of the basic capability to be educated:

1. Literacy: being able to read and to write, to use language, and discursive reasoning functionings.
2. Numeracy: being able to count, to measure, to solve mathematical questions, and to use logical reasoning functionings.
3. Sociality and participation: being able to establish positive relationships with others and to participate in social activities without shame.

4. Learning dispositions: being able to concentrate, to pursue interests, to accomplish tasks, to enquire.
5. Physical activities: being able to exercise and being able to engage in sports and activities.
6. Science and technology: being able to understand natural phenomena, being knowledgeable on technology, and being able to use technological tools.
7. Practical reason: being able to relate means and ends and being able to critically reflect on one's and others' actions (Terzi, 2007: 37).

According to Terzi, what justifies the inclusion of these functionings is that the absence of any of them would constitute a disadvantage to the individual. This way of establishing the entitlements is similar to Nussbaum who holds that one cannot imagine a life that is simultaneously dignified and free and lacking in at least one central capability (Nussbaum, 2000:72-4). Terzi argues that none of the functionings she proposes look like they could be reducible to others, which makes her conclude that it appears "fairly exhaustive with respect to the foundational elements relevant to education" (Terzi, 2007:37). Terzi then goes on to independently substantiate each item on her list. For example, she argues that literacy is essential for communication, reasoning and expressing oneself, which are all intrinsically valuable, while numeracy enables the sort of logical reasoning needed to make sense of the world and one's place in it. Meanwhile, understanding science and technology can help us overcome natural obstacles.

Terzi points out that the value of these educational functionings can be understood as both intrinsic and instrumentally valuable for further goods. Nonetheless, whatever the type of value, a deprivation of each functioning would constitute an absolute harm to the individual.

According to Terzi, the main upshot of expressing education in capability language is the recognition of the foundational role education plays in the expansion of human capabilities "and hence to the contribution it makes to the opportunities people have for leading flourishing lives" (ibid, 41).

There is, however, an ambiguity in how Terzi uses the notion of harm and, on one reading, her claims are too strong. Namely, the claim that a deprivation of one of the listed functionings constitutes an *absolute* harm implies an odd conception of education, one that may be insensitive to variations across time and social context, which we should independently think of as fairly relevant for thinking about justice. In particular, some curious implications follow from her use of 'harm'. If a lack of any one of the educational

capabilities constitutes an absolute harm, then this means that, for example, everyone educated in the UK prior to the latter half of the 19th century were absolutely harmed by the lack of a scientific education since science was only included in the general public school curricula around this time. Were pre-1870s school children made worse off by the fact that they were not taught physics or natural philosophy; were they made worse off than they otherwise would have been?[22] It is unclear what could justify a claim this strong. It would be more plausible to claim that pre-1870s school children failed to receive the benefit of a more sophisticated understanding of the laws of nature, so in this sense they could have been better off otherwise. However, this is not the same as claiming that they had been harmed. However, rephrasing Terzi's argument to be about the conferring of benefits may have the disadvantage of weakening the justification of her argument since the forgoing of a benefit seems less of an urgent worry than the incurring of a harm.

Perhaps instead Terzi's claim ought to be qualified here by making it explicit that educational deprivations are *relative* or *positional* harms. A harm is relative, rather than absolute, if it makes one worse off than they were, relative to other people in a relevantly similar situation, or relative to some relevant standard. The temporal relativity is plain here, since the absence of a scientific education could only harm individuals relative to the contemporary benefits that such an education confers, and if there had been no such benefits at the time, we would not be able to speak of absolute harms. But more importantly, relativity to social variables ought to be made explicit, too. Education is often argued to be a specifically distributive concern because of the positional advantage that it confers to some individuals. Namely, it is the relative difference in education between individuals, rather than the absolute points of education, along which, for example, income disparity or other measures may fall in a society.

For example, if cognitive enhancement technology in the near future allows us to implant some manner of cognition booster in our brains, this would confer a massive benefit on those who receive them as it could enhance their employability in a range of fields. If, however, some members of society were unable to afford enhancements, they could be said to be harmed insofar as they were positionally disadvantaged by the sudden distance between their cognitive capabilities and those of the very wealthy. However, this would only be a harm relative to that distance between those without enhancements and those with. Failing

[22] I mention both a temporal notion of harm (i.e., being made worse off than you were before), and a modal or counterfactual one (i.e., being made worse off than you otherwise would have been). Lack of a benefit seems like it could count as a harm under the counterfactual view only, however, this would require a conception of desert or entitlement, which is missing in the present discussion. That is, if I wish to claim that you have harmed me by failing to benefit me, I will only have a claim against you if I was in some sense entitled to the benefit such that you failing to give it to me was a harm.

to qualify this harm in such a way would be coterminous to saying that, say, Marie Curie had been harmed by the non-existence of cognitive enhancement technology. This would, of course, be an odd and false thing to say.

Therefore, I take it that the supposed harm of educational capability failure ought to be made explicit as a function of social context, for it is in this context in which education gains its meaning as a significant object of distributive justice. This can be done by disambiguating the notion of harm as a foregone benefit that individuals were entitled to insofar as justice consists in clearing a particular threshold level of capability for individuals. The relative distance between people's capabilities, as we have seen, will influence the relative position of where this threshold ought to be drawn.

Nevertheless, Terzi's argument provides a plausible justification for the inclusion of education as a basic distributive good for capability justice, and the proposed components of education appear robust and exhaustive enough to translate into a clear baseline for sufficient education.

In Chapter 4, I proposed a capability domain which encompasses what I called epistemic capabilities, which I defined as consisting of the requisite skills and knowledge which individuals need in order to pursue various ends of their choosing. We have already seen one factor which influences where a threshold ought to be drawn: the individual's conception of herself and her life plans. Some pursuits are going to require relatively large investments into epistemic capabilities, while others will require very little. The baseline we draw here has to primarily be policy-guiding, so it cannot be sensitive to interpersonal differences to such a fine-grained degree. Therefore, I argue that the baseline for sufficient education ought to be drawn with reference to the social variables above, most significantly, the positional distance that tracks educational inequalities in a population.

Nonetheless, we can take this interpersonal variability as a good reason to support individuals in making autonomous decisions about the kinds of epistemic goods they wish to pursue above the threshold. On my view, the pursuit of capabilities is enabled by the meta-capability of autonomy, or the ability to select and pursue relevant capabilities in a way that reflects autonomous judgement about one's conception of the good.

Therefore, we should endorse a mandatory baseline across a range of epistemic capabilities—for example, like Terzi's list of educational functionings—and support individual choice for capabilities above this threshold. In the next chapter, I will formulate a specific threshold for a specific kind of education – one that prepares individuals to engage in the political domain, but I take Terzi's list, with the modification I have proposed above, as an excellent starting point for a universal baseline for the epistemic capability domain.

2.2. Teaching Autonomy

In Chapter 3, I argued that people's capacity for autonomy is best understood as consisting of the exercise of a set of competencies. Since competencies are learned, I argue here that this conception of autonomy can be implanted into an account of educational capabilities, granting us a promising strategy for promoting autonomy through education.

In this thesis I have endorsed Meyers' (2014) account of autonomy, according to which individuals must be endowed with the following normatively thin agentic competencies:

1. Introspection skills that sensitize individuals to their own feelings and desires, that enable them to interpret their subjective experience, and that help them judge how accurate their self-understanding is.
2. Communication skills that enable individuals to get the benefit of others' perceptions, background knowledge, insights, advice, and support.
3. Memory skills that enable individuals to recall relevant experiences – from their own lives and also those that acquaintances have recounted or that they have encountered in literature or other art forms.
4. Imagination skills that enable individuals to envisage feasible options – to audition a range of self-conceptions they might aspire to and to preview a variety of courses of action they might follow.
5. Analytical skills and reasoning skills that enable individuals to assess the relative merits of different conceptions of what they could be like and directions they could pursue.
6. Self-nurturing skills that enable individuals to secure their physical and psychological equilibrium despite missteps and setbacks – that enable them to appreciate the overall worthiness of their self-understandings and pursuits and to assure themselves of their capacity to carry on when they find themselves wanting or their life directions misguided.
7. Volitional skills that enable individuals to resist pressure to capitulate to convention and enable them to maintain their commitment to their values and goals (Meyers, 2014: 121).

I argue that all seven of these can be developed through education. If true, this claim has two exciting implications. First, it makes education even more central to theorising about justice. This is because my account of justice requires the promotion of autonomy as its first step, and education provides the most direct opportunity to carry this principle out.

And second, plugging in a competency-based conception of autonomy into the capability approach can give philosophers and policymakers a straightforward strategy for promoting autonomy through education.

Meyers points out that there is a need for autonomy-augmenting education in order to counteract harmful gendered socialisation which undermines women's agentic competencies. She writes that "successful education programs mobilize women's introspection and imagination skills" (Meyers, 2000: 485). But there are good reasons to think that education ought to be a reliable way of developing other skills that constitute autonomous personhood, too.

Skills 2-5 on Meyers' list look like the most direct targets for education. Communication and the skill to understand empathise with others can be developed not only directly through the study of literature, history, and culture studies, but also directly through interaction with peers. Inviting external speakers representing a variety of identities can also be helpful for this end.

Memory skills are central to education in a very direct sense since these happen to be what the majority of standardised assessment invariably test for. But the narrower sense that Meyers has in mind picks out the ability to "recall relevant experiences" (ibid, 121) from one's own life and the lives of others—both real and fictional—in order to lay out a sufficiently diverse array of life plans to choose from. Similar to communication above, this capacity can be honed by studying the lives of others via narratives through history, literature, and religious studies and also through art and music.

Imagination skills and the skill to "audition a range of self-conceptions" (ibid.) follows directly from this. This skill requires a sufficiently diverse set of feasible options that one could see oneself as choosing, which is something that the educational means above could provide in the form of exposing students to a range of identities and world views. But additionally, it also requires the virtue of open-mindedness or the ability to transcend one's own identity ascriptions and commitments in order to be able to imagine oneself as different. This would involve learning that one's identity is, to an extent, contingent rather than "an immutable attribute" (Sen, 2006: 353). This way, students would learn that differences in identity are not obstacles to cooperation, or cause for conflict. Analytical and reasoning skills can again be promoted directly through education, such as through philosophy, history, and mathematics. These skills allow individuals to critically assess the choices available to them and understand the causal means-ends relations of achieving them in practice.

Introspection appears more indirectly related to formal education, although Meyers herself points out that education can successfully promote this skill in her example of

gendered socialisation (Meyers, 2000: 485). There will no doubt be great variation in the exercise of introspection among educated individuals, and this capacity may be more closely related to one's learned behaviour, their upbringing, or the reigning social mores of where they live. However, as with imagination and memory above, understanding the viewpoints and motivations of others ought to enable curiosity about oneself and thus introspection. The means by which this skill could be promoted through education may be similar to Nussbaum's capacity of narrative imagination. By teaching students about the inner workings of the mind and the sometimes-opaque pathways by which we come to make decisions, they can be taught the skill of asking themselves for justification for their choices.

Finally, self-nurturing and volitional skills appear to be picking out two related aspects of what is sometimes termed psychological resilience, or the capacity to cope with difficulties of various kinds and to 'bounce back' without lasting damage. According to researcher Ann Masten (2014) who studies resilience in developing children, the most consistent factors that contribute to resilience in children are supportive parenting and close relationships. However, she also picks out effective schooling as a causal factor, as well as intelligence, self-control, and self-confidence – characteristics that are promoted by effective schooling and educational achievements. This means that these resilience skills could be promoted through environmental design in schools as well as through curricular design. For example, lauded as one of the highest-performing countries in education, the Finnish school system is explicitly aimed at levelling out social inequalities. This involves "free school meals, easy access to health care, psychological counselling, and individualised student guidance" (Partanen, 2011). Measures like this can build a robust support network that can be most useful for vulnerable students and contribute to their psychological resilience while in school.

If we take individual autonomy to be a matter of exercising certain agentic competencies, then it is clear that an important source of contributing factors in the promotion of these competencies is education. And the upshot of this claim is that if we want to promote individual autonomy through public policy, we must focus on education, specifically, the sort of education that enables individuals to critically reflect on their socialisation and decide how to respond to it appropriately.

This kind of educational proposal may, however, be vulnerable to the criticism that it may involve inculcating students into a particular way of life, thereby making it incompatible with the principle of anti-perfectionism which I defend in this thesis. Harry

Brighouse (2002) intimates a similar argument when he distinguishes between autonomy-facilitating and autonomy-promoting education.[23]

Brighouse's aim is to develop an account of a school choice plan which provides students with equal educational opportunities and an autonomous education. Brighouse believes that autonomy is instrumentally valuable – "other things being equal, people's lives go better when they deploy the skills associated with autonomy" (Brighouse, 2002: 80), skills like critical deliberation. Accordingly, these skills ought to be taught in school, but only in a way that *facilitates* their development "and does not yield any obligation to persuade them to deploy them" (ibid.). Facilitating autonomy means allowing people to reap the benefits associated with autonomy without necessarily holding it as a valuable way of life in itself. Promoting autonomy would thus be illegitimate since the truth of the claim that autonomy is indeed valuable may be disputed by reasonable individuals. Brighouse argues that it is not the proper goal of education to ensure that students employ autonomy in their lives "any more than Latin classes are aimed at ensuring that students employ Latin in their lives" (ibid.).

Brighouse argues that autonomy-facilitation differs from autonomy-promotion in education along two dimensions. First, it is justified differently: "the argument for autonomy-facilitating education does not appeal to the civic responsibilities of future citizens or to the intrinsically superior value of autonomous living over non-autonomous living" (Brighouse, 2002: 80-1). Second, the content is somewhat different in a way that reflects the justificatory difference: "the education is purportedly 'character-neutral', in that it seeks to provide certain critical skills without aiming to inculcate the inclination to use them" (ibid.).[24] Later he says that "a state which actively encourages its citizens to live autonomously undermines their ability to give unconditional consent, since it actively conditions their preferred way of life" (ibid, 82).

The problem is that Brighouse's supposed distinction does not work. Given some basic facts about the specific type of skills autonomy comprises, it becomes clear that facilitating autonomy in the way Brighouse suggests just is the same as promoting it as a value, albeit of a different order. Brighouse anticipates such an objection when he concedes

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[23] Whether or not Meyers' account of autonomy would favour promotion over facilitation, in Brighouse's use of the terms, is unclear. Meyers insists that her conception is procedural and sufficiently value-neutral to not entail the claim that autonomy is a substantively valuable way of life, however, Benson (2005) has pointed out that Meyers' account relies on a number of normative claims, dubbing it a 'weakly substantive' view. I wish to bracket this debate since I wouldn't be able to afford it proper attention, so Instead I will show that even if Meyers' account of autonomy as a set of agentic competencies is found to be sufficiently substantive and, in turn, my proposal for plugging it into an educational program is found to constitute autonomy promotion in Brighouse's view, this need not be a problem for liberals.

[24] To borrow terminology from the field of relational autonomy, the concept of autonomy-facilitation is to be understood as procedural (rather than substantive).

that, despite the theoretical differences, it may become difficult to distinguish between autonomy-facilitating and autonomy-promoting education in practice. He offers an analogy with sports: "it is hard to teach the skills without also communicating that the sport is worth playing" (ibid, 81). However, he argues that while this criticism may make it more difficult to win support for autonomy-facilitating education, it does not question the notable differences in the justificatory strategies vis-à-vis autonomy-promoting education.

He anticipates a second objection—which he dismisses—that autonomy-facilitating education may be outright incoherent. Accordingly, "it seems wrong to say of anyone that they have had real opportunity to become autonomous if, though having learned the critical skills associated with autonomy, they have failed to develop the habits of character that go along with those skills" (ibid.). According to this objection, the distinction between autonomy-facilitation and autonomy-promotion is a distinction without a difference.

In response to this objection, Brighouse argues that instrumental argument in favour of autonomy-facilitation "appeals only to the benefit for the opportunity to live well, and this benefit may well be gained by the person with the skills but not the habits [of autonomy], for two reasons" (ibid.). His reasons are, first, that recognising that people are differently constituted, some may simply be unable to learn the relevant habits or achieve the sort of autonomous character that is in question. And second, there may be other, "more affective, facets of personality which are relevant to learning how to live well, which may be undermined by trying to alter the characters of those whose constitutions are such that they cannot become fully, or habitually autonomous" (ibid, 82). Accordingly, the state only ought to aim at autonomy-facilitation and not to overstep.

I argue that Brighouse's distinction is indeed incoherent. It is impossible to teach children the skills necessary for autonomy without, constitutively through doing so, "inculcating [into them] the inclination to use them" (ibid, 80). This is because the skills for autonomy are not passive, they are not the kinds of skills which one can choose to switch off. Much like critical or reasoning skills, of which Brighouse speaks highly, skills associated with autonomy, once internalised, cannot be silenced at one's discretion. If I know that an appeal to authority is an informal fallacy, and I encounter an argument that matches this description, or I am encouraged to act in a way that is based on such an argument, I cannot choose not to notice this and be persuaded. The argument's fallacious nature is immediately apparent to me.[25] Similarly, if I possess the agentic skills necessary for

[25] I grant that there may be instances in which I may nonetheless be persuaded by such a fallacy. For example, I may be less critical toward arguments that support views which I already endorse. When I pass forward such an argument to someone whom I wish to convince, I may not be immediately aware of the fallacious nature of this argument. But I take it that the salient factor here is that I am using this capacity selectively.

autonomy, I cannot *not* be inclined to deploy them when reasoning about what decisions to make or whether those decisions are the result of authentic preferences. The kind of thing we do when we exercise autonomy is simply disanalogous to exercising other skills. When we exercise our capacity for autonomy, we are asserting our normative authority to make decisions. Imagine someone who possesses the necessary skills for self-authored choice, but subsequently tries to decline to exercise them. We would say of such a person that they are making a mistake about what they are doing. Namely, they are choosing no to choose. But this is itself a kind of choice. The skills and competencies associated with autonomy are therefore not analogous to other skills since they are transformative and pervade an individual's agency once acquired. Therefore, Brighouse's distinction, and his argument in turn, crumbles.

To fortify the argument further and bring it in line with contributions made in this thesis, recognising individual autonomy as a meta-capability rather than a content-specific value gets us to the same conclusion. This is because the meta-capability of autonomy consists in skills that individuals have a reason to value despite the values that they hold or life plans that they wish to pursue. Consequently, the state cannot promote autonomy as a way of life since it consists in a set of tools needed to realise multiple, divergent, and possibly conflicting ways of life, and hence there is no acceptable alternative to which autonomy facilitation can be contrasted to. One can only equip individuals with the skills that constitute autonomy, thereby allowing them to make choices for themselves. Or one can fail to do so. There simply is no difference between autonomy facilitation and promotion in the way Brighouse suggests because a life of making choices freely is not a way of life in the same way that a life of religious obedience or unrestrained hedonism is a way of life.

In closing, it is commonplace in liberal philosophy to hold that children have "a right to an open future" (Feinberg, 1980 cited in Fowler, 2011: 88). Incorporating the promotion of autonomy in childhood education should then be a direct and attractive way of ensuring this goal in practice.

2.3 Relational Conversion Factors II

As we have seen, the capability approach recognises that individual capabilities are mediated by various kinds of conversion factors, which determine the extent to which people are capable of making use of opportunities available to them. To apply my argument from Chapter 4 to the domain of education, I argue that a capability approach allied with a socially

relational conception of autonomy can help attend to various practices that hamper individuals' educational attainments.

When students enter educational institutions, they are not escaping the social world. They are entering a space that is continuous with it. That means that whatever social power imbalances or corrosive relations exist outside the institutions will invariably permeate their experience of education, too. Walker and Unterhalter (2007a) point out that recognising conversion factors is advantageous in thinking about justice since "personal and relational differences set conditions for capabilities" (p. 9).

I cannot attempt to make an exhaustive catalogue of relevant conversion factor that are at play in education, not least because this would consist in extensive empirical work that I would be ill-equipped to undertake. However, in this section, I can sketch some preliminary principles that result from analysing examples of cases where relational factors are at work in education.

Particular conversion factors that are specific to education may include teachers and relationships with peers, as well as social and cultural attitudes (ibid.). For example, some parents may perceive education as irrelevant and pull their children out of schooling in favour of work or domestic responsibilities, thereby leading to a diminishing of the child's capabilities (Ballet et al. 2011). Attitudes about race, ethnicity, or gender can play a role too, such as in the form of discrimination. Such practices may actively exclude members of some ethnic groups from education, such as Roma children in South-Eastern Europe who may be screened out by discriminatory school entry tests and relegated to second-rate schools which they tend not to finish since their parents are aware of the low quality of education provided and opt out before they graduate (ibid.). Or in multilingual societies, the choice of language for instruction can entail barriers to accessing education (Unterhalter, 2008).

Another key example is gendered socialisation, which can reinforce existing inequalities and prejudices, and hinder the development of women's capacities. For example, in patriarchal societies, girls may be socialised to be reserved, obedient and to take up domestic duties and duties of care, whereas boys may be more likely to socialised to be independent, confident, and assertive and to take up careers outside of the home. The internalisation and replication of these beliefs through education can be expressed as a negative conversion factor insofar as it will result in adapting the preferences of both boys and girls. A girl in a patriarchal society may be taught to internalise the belief that she is not capable of independent thought or a say in how her political environment is controlled. And a boy in the same society may internalise beliefs about the inferiority or subservience of girls. This sort of socialisation harms everyone.

Recall that one of the components of the capacity for autonomy which I endorsed is the ability to imagine oneself as being someone else. Mackenzie (2000) argues that oppressive socialisation may impede autonomy by "restricting agents' imaginative repertoires" (p.124), and it is plain to see how this may come about in cases of socialisation. If young children are taught that their capacities and options in life are determined by qualities supposedly essential to them, like gender or class, they may be incapable of imagining themselves without such qualities. If they lack role models with whom they can identify, they may never imagine what opportunities they may have under different circumstances. Moreover, individuals may be incapable of relating to others with recognition respect if the essential qualities are correlated with subordinating relationships.

The move of expressing social and cultural attitudes—about race, ethnicity, gender, disability, or sexual orientation—as latent conversion factors which may impede an individual's development of capabilities, all other things being equal, is a useful one for an account of justice. Namely, it will illuminate obstacles to justice in a way that other accounts of justice may be less sensitive to. This also gives us a compelling narrative for why conversion factors of this kind are a target for intervention: if justice requires securing individuals with capabilities, then anything that can be shown to be a causal obstacle to full capability ought to be, in one way or another, challenged. And education looks like a domain where such factors hold the potential of having far-ranging ramifications.

Of course, challenging these conversion factors in practice is another task altogether, and it will be a formidable one. It will most likely not be possible by making direct changes in education law. Of course, changes in curricular and institutional design can be used to eradicate negative attitudes and to promote equality of opportunity for all students despite their differences. But, as I pointed out above, the classroom is continuous with the wider social world in an important sense, which means interventions aimed at challenging negative conversion factors in education will have to consist in other interventions too. The task of challenging conversion factors of this kind may require a pluralistic and diffuse approach that does not restrict its focus to education policy exclusively. We must be committed to removing unjust social practices and norms and unequal power hierarchies in practice.

A similar claim is made by Comim (2011) who argues that the task of promoting children's capabilities ought not to be limited to government policies; parental and school practices are an essential point of focus too, and so is allowing children various opportunities for self-improvement. Raynor's (2007) study on educational capabilities in Bangladesh can help motivate this point. She presents evidence of student's capabilities being promoted more reliably through non-formal education than from schooling. She studied adolescent non-formal education centres in Bangladesh which encourage reading, discussion, music,

and dance outside of school. These centres allowed girls to socialise openly about issues concerning their lives, allowing them to express themselves more freely than they would have been able to at school or at home.

We could, therefore, demand that governments invest in and support informal and non-formal education centres[26] or that they launch public education campaigns that challenge negative social attitudes and stereotypes. We could demand mandatory equality training for educators and public sector workers so they may be better equipped to identify and respond to biases—implicit and explicit—in their work. These are cursory suggestions, but I hope they illustrate the variety of options available to states for challenging negative conversion factors to the development of people's capabilities.

This proposal for containing social factors on a large scale may invite a somewhat familiar objection. Namely, working to challenge widespread socialisation may turn out to be overly demanding, or perhaps impossible in practice, if the targeted beliefs have been thoroughly internalised by individuals. Suppose an individual has come to endorse attitudes that effectively limit her autonomy, and her capabilities. According to an objection of this sort, efforts to remove harmful socialisation would entail transcending social influence in such a way which may not be possible for such "finite, socially located, embodied beings" as us (Christman, 2015: 147).

One way of phrasing this objection would be to say it may be too difficult to adequately separate beliefs and desires that are autonomous and ones that are due to socialisation of an autonomy-damaging kind. Plenty of beliefs and desires that come about from socialisation are consistent with autonomy. And even if we were to successfully identify some paradigm 'bad' cases that ought to be challenged, we would be committing ourselves to removing the influence of the social world while being situated in the social world. This would involve a kind of Munchausenian feat of pulling ourselves out of a swamp by our own hair.

There are two ways to resist this objection. One way would be to point out that, of course, not all socialisation is harmful and necessarily inconsistent with autonomy. Suppose I love playing the flute and have decided to pursue a career in an orchestra. Suppose that this choice had, in fact, been determined in large part by socialisation and implicit expectations from my family, all of whom play a musical instrument and think of a musical career as the highest form of professional achievement. Was my choice of career *necessarily* not autonomous? Of course not. So long as I possessed the necessary competences to endorse or repudiate this decision and so long as I was free of coercion or manipulation, there is no

[26] Whereas non-formal education refers to structured learning which lacks either a curriculum or a certificate upon completion (e.g., continuing professional development, sports programs, programs developed by scouts or guides), informal education consists in self-directed learning or learning from experience.

reason to think of this choice as inauthentic or not autonomous. If the bar for autonomy was drawn *this* high, it would render autonomy a vacuous concept altogether for no actual person could ever clear it.[27]

Instead, it is important that we distinguish between benign or harmless socialisation, and harmful or oppressive socialisation. The former either imparts us with the skills needed for self-government, or has no causal impact on it, while the latter limits our capacity for autonomy by, for example, alienating our acts or motivations from our reasoning (Taylor, 2013). And, as I have argued, this distinction can be made in practice if one has a clear conception of what each kind of socialisation consists in. I have endorsed such a conception of autonomy in this thesis. Therefore, if we can identify instances where the internalisation of certain derogatory attitudes is correlated with a lack of appropriate agentic competencies, we may be justified in treating the beliefs in question as lacking in normative authority and, therefore, targets of an intervention of some kind.

The second way to resist this objection would be to point out that a successful response to harmful socialisation need not consist in a wholesale transcendence of socialisation. I agree that this would indeed be an impossible task. I take it that responding to harmful socialisation ought to consist in a kind of education that reinforces the agentic competencies whose lack may have given way to internalising damaging beliefs, while encouraging adopting a critical kind of attitude toward the beliefs in question. It would be acceptable, therefore, if someone were to ultimately endorse the beliefs and attitudes which she was socialised into—so long as she has been given the requisite tools to do so critically and freely. One way of establishing why this kind of socialisation is problematic is because it consists of a covert influence which is necessarily hidden for the individual (Colburn, 2011:67-9). If the influence is revealed to her and she nonetheless chooses to endorse the belief in question, then socialisation of this kind could be argued to be consistent with autonomy. Moreover, according to my view, certain agentic competencies are necessary for individuals to be capable of identifying commitments and desires they would rather repudiate. Therefore, there is no reason to think that autonomy requires us to engage in a kind of Cartesian task of reflecting on, and ultimately relinquishing, all beliefs we have acquired through socialisation. Responding to harmful socialisation, therefore, ought to be a matter of fashioning an appropriately critical response to it – whatever the content of that response may be. And so, I take it, there is nothing impossible about that (or Cartesian for that matter).

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[27] Save for Robinson Crusoe or some other proverbial character who is sufficiently detached from other people.

3. Perfectionism in Education

As we have seen throughout this thesis, philosophers are divided on whether they believe state institutions ought to promote valuable ways of life. This division is especially striking in education where decisions about value can have significant implications for the beliefs and values of future people. The capability approach I defend in this thesis is committed to anti-perfectionism, or the view that the state must not promote valuable ways of life, and so I take it that this principle extends to educational provisions, too. That is to say, we should favour education that is anti-perfectionist. However, there have been compelling arguments published recently which defend a specific kind of perfectionism that is localised only to education. That is to say, this kind of perfectionism is consistent with anti-perfectionism in other domains. In this section, I will critically examine two arguments of this kind—by Timothy Fowler (2020) and Luara Ferracioli and Rosa Terlazzo (2014), respectively—and I will demonstrate why these arguments fail to be persuasive.

Before I do that, I will make a brief point on the use of key terms in this section. Some authors in the field of liberal education do not make an explicit distinction between comprehensiveness in the normative justification of the liberal state and perfectionism in the implementation of state policy. That is to say, they do not distinguish between two levels at which contentious value judgements could play a role: the level of justification, and the level of policy output. For example, Brighouse and Swift (2003) argue that education can never be a truly neutral activity since it must rely on at least some substantive views about what is good in human life and without such views, it "might seem vapid, even pointless" (Brighouse and Swift, 2003: 367).

This sounds like a reasonable claim to make. However, it is ambiguous between the following two readings: (1) education can never be neutral for it must satisfy some value, and (2) education can never be neutral for it must, in practice, promote some value. These claims are not coextensive. One may accept (1) and reject (2). I hesitate to comment on whether one may reject (1) and accept (2), however. At any rate, in this section, we will be concerned with the truth of the second reading of that claim. That is to say, must education promote some valuable ways of life?

3.1. Perfectionism for Children

Throughout this chapter, I have declined to offer an ontological distinction between adults and children. I have indicated some ways in which they differ, but, for the most part, I have

implicitly assumed children to be small-scale adults. However, perhaps not making this distinction does a disservice to the discussion. Fowler (2020) has recently argued that anti-perfectionism—even if it turns out to be appropriate for adults—is misguided and counterproductive for children. Ultimately, he also finds that anti-perfectionism is not appropriate for adults either. According to Fowler, justice requires a robust conception of children's well-being—one that goes above the liberal fixation on autonomy—and that without such a conception, we would, in fact, be failing to protect children's interests.

> It shows a child no disrespect to design their upbringing in order to guide them towards good ways of living, and in fact we show them disrespect by thinking of them as already beholden to the choices of their parents or the community into which they are born (Fowler, 2020: 61).

In other words, to assume that justice for children requires that their autonomy be promoted is to make a kind of mistake: a mistake of valorising independence and overvaluing the extent to which autonomy features as a normative desideratum in children's welfare. Children require a positive environment with a set of heterogenous goods that will lead them to internalise a "positive and plausible conception of the good" (ibid, xii). Anti-perfectionism, therefore, is a mistaken goal for education insofar as it consists in opposing the distribution of such robust goods.

Fowler argues for this goal in two steps. The first step is to resist anti-perfectionist thinking in general, and the second is to resist it in the particular context of children.

On the first step, Fowler endorses Raz and Wall's claims that perfectionist taxation policies do not constitute coercion, and so there is nothing about perfectionism in itself that is inconsistent with regarding individual autonomy as valuable. He writes, "a person's interest in agency is met so long as they have access to good options and no outside actor is trying to predetermine how they will live their lives" (ibid, 75).

On the face of it, this is puzzling because in Raz and Wall's vision of liberal perfectionism, there is indeed an outside actor—the state—and while it may not *pre*-determine individuals' choices in a causally robust *de re* way, it will invariably be exercising a degree of control over individuals' lives. For example, if the state makes it harder to pursue some ostensibly worthless options through selective taxation or actively encouraging its opposite, it will make pursuing that option harder. This is what this sort of policy intends to do. Let us assume that for any pursuit there is a baseline probability of failure. Say, if I take up parkour as a hobby, there is a non-zero chance I will give up eventually, perhaps I will injure myself, or other more exciting hobbies will come up, or I will just get bored of it. Now,

suppose my local council is responding to widespread reports of antisocial and dangerous behaviour, and in an effort to quell this, issues a fine for anyone caught doing parkour on public property. Invariably, this will increase the likelihood I will abandon this hobby. Suppose I find a gym that offers indoor parkour classes that entail zero risk with the authorities, but because of recent cuts to recreational budgets in my area, the nearest facility for this is an hour commute. With each incremental step in this narrative, the chance of me failing in my aspirations compounds, and while through sheer grit and perseverance I may still be able to see this hobby to the bitter end, this becomes more and more unlikely. Say, 90% less likely. That means for every ten people, nine of them will effectively had had the local council pre-determine their choices in a *de dicto* way. So, perfectionism is not off the hook yet.

Step two for Fowler is to claim that even if perfectionism were bad for adults, it is not so for children because of their unique nature as children. Children are vulnerable and malleable, and their future welfare is determined by the choices made by those responsible for them and the wider social context they are brought up in. This means that direct interventions in their lives are not impermissible as in the case for adults, and so “the scope to promote goods other than autonomy is significantly increased” (ibid, 76). In other words, the reasons that held in the thinking in the previous paragraph—that the state has no business determining individual choices for them—simply do not hold for children. Childhood is the one area where paternalism is, in fact, necessary to ensure children’s welfare. After all, the relationship between parent and child is where we get the very word ‘paternalism’ from.

The kind of perfectionism that Fowler thinks is necessary has to go above merely promoting autonomy for the reasons discussed earlier since autonomy is not the be-all and end-all value for children:

> Perfectionism for children is not chiefly about changing the incentives of those with reasonably stable sets of goals and plans; rather, it is about shifting the environment in which they form those goals. The hope is that exposing children to valuable activities, and giving them the skills and time to participate in these projects, will cause them to develop an appreciation for the value in question. If successful, this would include meaning that the child endorses this way of living (ibid, 76).

Here, I am largely in agreement with Fowler that the environment that children grow up in must be conducive to their future welfare, and that the state cannot be fully neutral

with regard to all possible environments. This will invariably have implications on education policy, family law and so on.

However, these implications need not be perfectionist if we conceive of them as requisites needed for laying the foundations for autonomy in adulthood. This is consistent with claiming that autonomy is the foundational value for political institutions, and in practice, it can be realised with a set of necessary and sufficient conditions for autonomy which I have provided in the form of a list of normative competencies earlier in this chapter. Perhaps the list of competencies I endorse could play the role of a criterion that Fowler alludes to for distinguishing between environments for children that are conducive to future welfare and environments that are not. In this way, the supposedly perfectionist goods which Fowler endorses as necessary for children's development would turn out to be coextensive with the second-order goods that my account of justice provides in the form of a meta-capability of autonomy.

According to my view, justice requires providing individuals with the capabilities necessary for them to live dignified and autonomous lives. If the state oversteps this boundary and provides goods that consist in encouraging specific functionings, it is no longer preparing autonomous adults, but rather inculcating individuals into particular ways of life – which, I argue, is an unjustifiable kind of thing to do. So, according to my view, the perfectionism for children that Fowler defends is only defensible if the values it is intended to promote can in fact be shown to be coextensive with the necessary requisites for equipping individuals with the meta-capability of autonomy. And since I take the necessary requisites to consist in normative competencies, whereas Fowler endorses a more comprehensive array of valuable activities, I take it that our agreement has ample shared ground. Anything over and above this shared ground, however, will be, I take it, inconsistent with respecting the normative authority of individuals, and thus ought to be rejected.

If adult autonomy is valuable, then, for the reasons that Fowler mentions, such as children being malleable and their early education determining their normative commitments in later life, perfectionism which does anything to determine future choices non-autonomously is impermissible. I showed how perfectionism can determine a choice in such a way, and I take this kind of effect to be unavoidable if we endorse perfectionism. Perfectionism for children —the way that I understand it—is, therefore, inconsistent with respecting autonomy for adults. But providing the necessary goods for children to grapple with learning the agentic skills necessary for autonomy is acceptable.

An interlocutor may point out that by arguing this way, I have effectively voided my claim above, in which I expressed agreement to Fowler's argument that considerations of children's welfare mean that we ought not to be neutral with regard to all possible

environments for children. I believe that the normative competencies for autonomy that I endorse are sufficiently robust to provide an autonomy-based principle for distinguishing between good environments and bad environments in a way that can still count as anti-perfectionist in my view. This is because anti-perfectionism refers to first-order values, and autonomy is a second-order capability. So, I believe my account of justice can accommodate the requirements for protecting children's welfare on the basis of autonomy and, therefore, without referring to specific goods in the form of valuable functionings.

This way of arguing preserves much of the impetus of Fowler's argument in favour of perfectionism for children. If we follow my account, we are not refusing to take a stand on what makes children's lives go better and what prepares them to have full capabilities in the future. Moreover, we are not slavishly upholding the value of autonomy like the liberals before us, without a thought of how our philosophy directly implicates children. On top of that, I believe that my claim that we should understand autonomy as socially relational can be used to soften the blow against Fowler's argument. Fowler takes the valorisation of autonomy and independence to be ill-fitting for thinking about what justice owes to children because children are not the "idealized autonomous subjects" (ibid, vii) which traditional liberal philosophy is concerned with. Children are vulnerable, interdependent, and social. If we adopt a relational analysis of autonomy, so are adults. Recognising this fact may be a further reason to see that anti-perfectionism of the kind I defend need not be hostile to children's interests in practice.

3.2 Political Perfectionism

Ferracioli and Terlazzo (2014) develop a similar argument for perfectionism in education, but theirs is made using a capability framework. They argue that a politically liberal, and therefore neutral and anti-perfectionist capability approach is not well-equipped to respond to oppression. They identify two ways in which a politically liberal conception of justice may end up tolerating oppression of its citizens: first, by failing to provide effective opportunities for marginalised groups to overcome structural prejudices and barriers. They mention women, persons of colour and those with disabilities as examples. The formal rights afforded by political liberalism are arguably insufficient to translate into meaningful opportunities in the face of structural power imbalances. Second, adaptive preferences may alter a person's belief in her own entitlement to exercise her capabilities, thereby making her less capable. The authors argue that the choices made in relation to valuable functionings ought to be "free of coercive pressure and preference deformed by either our surroundings

or our past" (Ferracioli and Terlazzo, 2014: 452), but this simply cannot be achieved by an account of liberalism which remains agnostic about the value of autonomy.

For this reason, Ferracioli and Terlazzo argue that the capability approach ought to be based on a hybrid account of liberalism which accommodates comprehensive autonomy. They formulate their proposal in the following way:

> In order to show respect for adults, its justification must be political; in order to show respect for children, however, its implementation must include a commitment to comprehensive autonomy (ibid., 443).

This proposal is, therefore, neutral in its justification, but perfectionist in its intended policy goals. They argue that we ought to ensure that children develop the skills they need to make meaningful, deliberate choices about how to exercise their capabilities. The resulting account of liberalism is one that is justified on sufficiently neutral grounds to be accessible to all reasonable individuals under conditions of pluralism, but its successful implementation requires "an educational emphasis on the development of a kind of autonomy that is normally associated with perfectionist liberalism" (ibid.,444). Ferracioli and Terlazzo refer to this account as "comprehensive, yet non-perfectionist" (ibid.) – a phrase that is used differently to how we have used it in this thesis, for reasons that will become clear in a moment.

Ferracioli and Terlazzo agree with Nussbaum's opposition to a Razian conception of autonomy for the reason that Raz's conception privileges some citizens' conception of the good, while disrespecting others. However, by distinguishing between Raz's *comprehensiveness* and *perfectionism*, the authors argue that it is only the perfectionism of Raz's account of autonomy that is problematic. I argued for a similar claim in Chapter 3, however, my argument relied on the *practical* difference between recognising that a moral principle ought to extend to the political sphere on the one hand, and taking that to mean that the state is in the business of campaigning for this moral principle on the other. Ferracioli and Terlazzo's reasoning for this claim rests, somewhat curiously, on an interpretation of Nussbaum's citation of Larmore. The authors state that Nussbaum omits a key phrase when she quotes Larmore's characterisation of comprehensive liberalism.

According to Larmore (1996), perfectionist liberalism is based on "ideals claiming to shape our overall conception of the good life, and not just on our role as citizens" (p.122), and in so doing, it makes contestable claims about "the ultimate nature of the human good (ibid.). However, when restating this definition subsequently in her own words, Nussbaum reportedly skips the reference to claims about the ultimate nature of human good, which

Ferracioli and Terlazzo take to be a way of softening the implications of extending a comprehensive principle into the political realm. They use this historiographical observation to arrive at the following definitions:

> **Comprehensiveness and perfectionism:** a political principle is comprehensive if it extends beyond the realm of the political. But it is only perfectionist if, in addition, it makes claims about the ultimate nature of human good (Ferracioli and Terlazzo, 2014: 446).

These definitions are a little different to how philosophers typically define both terms. According to these definitions, comprehensiveness is assumed to be a necessary condition of perfectionism. According to Quong's definition, which I have made heavy use of in this thesis, comprehensiveness and perfectionism are orthogonal (Quong, 2011: 12-16). The present distinction, therefore, effaces the possibility of a political perfectionism. This is curious, considering that is exactly the kind of liberalism that the authors are ultimately defending—in Quong's terms—that is, a liberalism with a political justification but one which endeavours to promote value in practice.

Ferracioli and Terlazzo, therefore, can be seen to defend a 'comprehensive yet non-perfectionist' account of autonomy – one where the state endorses autonomy as a general good in the lives of individuals qua persons rather than only qua citizens, "but it need neither be the case that the value of autonomy will be treated by the state as a matter of moral truth, nor that it will be taken to be a good despite the consequences that it brings" (Ferracioli and Terlazzo, 2014: 446). This is justified with a Rawlsian defence; given that the world is complicated and questions of about the good are plagued by disagreement between reasonable persons (or 'burdens of judgement' in Rawls' terminology), a comprehensive view of autonomy helps the state secure individuals' interest to find one's value in life freely. And Ferracioli and Terlazzo believe this is possible and non-contradictory so long as the state takes the comprehensive value of autonomy to be instrumental. In this case the state is not making any kind of controversial claim about the ultimate value of autonomy. Rather it is acting on the claim that all people have an interest in being able to find meaning in their lives – which is both consistent with political liberalism and something which both authors take to be a solidly uncontroversial claim.

Having shown that comprehensive autonomy is not necessarily inconsistent with political liberalism, their next task is to show why it is justified and ought to be subsumed into a hybrid account. They do this with an argument about education. Ferracioli and Terlazzo argue that individuals' mental capacity for autonomy (something not recognised

by the purely political accounts of autonomy endorsed by Nussbaum) are a vitally necessary component of autonomy when considering the phenomenon of adaptive preferences as well as the role education plays in the development of the capabilities.

> Without educating children to be autonomous, the thin "political" conception of autonomy may succeed in providing some set of opportunities to children raised in a liberal society, but it will not succeed in empowering these children to actually take advantage of those options (. . .) instead, we claim that the education of children must emphasize the development of a mental capacity for autonomy that includes the critical and emotional capacity to see oneself as entitled to make certain choices in life, even when those choices grate against the social, cultural, and religious norms that those children may have been brought to obey (ibid, 448).

The authors try to avoid the claim that is unpalatable to many political liberals—that autonomy makes lives go better in general—and they opt for a self-reportedly less controversial claim that the skills associated with autonomy "make one's life less likely to go badly in general" (ibid.).[28] However, they recognise that the sort of education they have in mind may go against some people's comprehensive doctrines and their ideas on how best to educate their children. They argue that this is precisely the role played by state-sponsored formal education:

> if we cannot require parents to treat as morally acceptable those life options that conflict with their own conceptions of the good, then we must shift the burden onto the state and require, through its public school system, to develop programs in which children are taught to see themselves as genuinely entitled to choose different paths in the future (ibid, 450).

So, they conclude, the capability approach ought to promote comprehensive autonomy through education in order to meet its purported goals of securing individuals with capabilities.

For all its idiosyncrasies, I am largely sympathetic to Ferracioli and Terlazzo's argument that public institutions have an obligation to educate children for autonomy as a

[28] It is unclear whether this *actually* marks a substantial departure from the claim that political liberals would rather avoid, but since I take the claim to be true on either formulation (and since I am not interested in appeasing political liberals), I will let this slide without critical comment.

means of securing capabilities. I have argued for this claim earlier in this chapter. However, like I pointed out in the discussion of Fowler's argument, I believe this education can be pitched as anti-perfectionist, so long as what we are intending to accomplish in practice is the promotion of the meta-capability of autonomy via a set of agentic competencies, as opposed to particular content-specific and value-laden capabilities.

However, the way Ferracioli and Terlazzo go about arguing for this claim ultimately fails to be persuasive insofar as their proposal fails to carve out a stable middle ground in liberal theory. The normative heavy lifting of their proposal is supposedly done *not* at the level of justification of the liberal state, but at the level of decision-making, which makes a political agreement on their normative argument unlikely. Even if their reading of Rawls is plausible and the constitutive aims of political liberalism are, as it happens, best met by appealing to the instrumental value of autonomy, the conditions of autonomy must be agreed upon at the level of justification, rather than at the level of implementation for them to be legitimately and appropriately grounded. You cannot ask for signatures on a blank petition, the details of which have not yet been written, and go on to fill out its blanks with the confidence that all signatories will accept whatever gets written. Doing so would make a mockery of the trust the signatories have in the author of the petition. And that is what Ferracioli and Terlazzo's proposal amounts to – they wish to garner *political* support for autonomy in light of its instrumental value in minimising the risk that people's lives will go badly, but the controversial conditions of what autonomy requires are agreed upon by appeal to independent ethical argument after the fact of agreement. For this hybrid position to work as a liberal enterprise, the argumentative burden of their proposal must be shifted to the foundation of the liberal state, and this is where the authors must bite the bullet and accept that the liberal state is best understood as a collective endeavour aimed at securing *comprehensive* autonomy, rather than instrumental autonomy, alongside the controversial implications that this justification entails. Otherwise, the comprehensive content of the conception of autonomy that the authors are defending cannot be justified to citizens in a procedurally legitimate way.

Now, the authors could rephrase the requirements of political justification here, with a view of lowering the bar for assent, perhaps to correspond to what Quong calls the "internal conception of legitimacy" (Quong, 2010: 139). Accordingly, for there to be legitimate agreement on the fair procedures of justice needed for a politically neutral justification of the state, this justification does not need to be acceptable to the holders of *all* possible beliefs (including racist and illiberal beliefs). Rather, the justification needs to apply only to a constituency of people who already accept some minimalistic liberal platitudes about the freedom and equality of individuals and the assumption of the state as an enterprise for

mutual co-operation and so on. And since Ferracioli and Terlazzo already established that autonomy is instrumentally valuable for the end-goals of liberalism, perhaps this could be added to the list of minimal beliefs we assume our idealised constituency to have, thereby sneaking in their conception of autonomy to be rubber-stamped by this political agreement.

However, the conception of autonomy that Ferracioli and Terlazzo need in order to fashion an adequate response to the internal constraints of individual autonomy is, arguably, not that platitudinous. The conception they have in mind cannot plausibly be defended as a minimalist component of liberal commitments, like equality or the rule of law. And even if it were possible to pitch autonomy this way, that would effectively remove the problem Ferracioli and Terlazzo were responding to in the first place, making their argument unnecessary. Because if autonomy were such a minimalist value, political liberals would already have all the tools they need to identify and respond to injustices that come about as a result of autonomy failures.

So, for Ferracioli and Terlazzo to accommodate both of their purported commitments—to meaningfully secure capabilities and to avoid outright perfectionism—the hybrid position must be made hybrid in the opposite direction. As I have argued in this thesis, it must be comprehensively anti-perfectionist (in Quong's sense of the phrase, this time). I have argued that the promotion of autonomy need not consist in perfectionism since I take autonomy to refer to a meta-capability, rather than a particular way of living.

But it may be worth repeating why anti-perfectionism is a desideratum for liberal education. Anti-perfectionism affords sufficient respect for individuals to exercise normative authority over decisions in their lives. If autonomy is indeed valuable, then anti-perfectionism has to be true, and we ought to educate our children in a way that promotes their autonomy but refrains from encouraging them to make particular choices.

Conclusion

This chapter has critically examined education as a domain of application for the capability approach to justice. I started by providing a brief literature review of the ways in which capabilitarians conceive of education as a provision of justice. I then argued for three specific ways we could bring the capability approach to bear on distributing education as a provision of justice. First, I argued that we can express a baseline set of epistemic capabilities, or capabilities to be educated in Terzi's terms. Second, I argued that we can express a set of normative competencies that are necessary for the meta-capability of autonomy as educational goals in their own right. And third, I argued that we can formulate a list of

pernicious conversion factors which impede the attainment and development of people's capabilities. I gave some examples of how these can then be addressed in practice by both direct and indirect government policy. Finally, I critically examined two arguments for why there ought to be a measure of perfectionism in education. I demonstrated both arguments to be ultimately unpersuasive, although I argued that some of their more compelling claims can be assimilated into a comprehensive anti-perfectionist account of political morality.

Chapter 6: Political Capability and Civic Education

In the previous chapter, we saw how the capability approach can be used to formulate robust standards of justice for education which aims to overcome various kinds of injustices. In this chapter, I apply my claims to a particular capability domain—political capability—and I propose asset of practical policy guidelines for a civic education intended to equip individuals with the necessary capabilities for political participation in the contemporary world.

We rightfully take someone to be wronged when they are denied the right to vote, or if they are in some other way excluded from a decision-making process in which they have a stake. Such exclusion can either happen by design, as in instances of oppression or disenfranchisement, or due to other factors that need not be (but can nonetheless be) intentional. I will refer to the former as *disenfranchisement*, and to the latter as *alienation*, although both terms stand in need of disambiguation and refinement before I can put them to use. I will argue that the wrongs of disenfranchisement and alienation are both injustices insofar as they consist of political capability failures. In this chapter, I argue that a capability-based civic education is a promising means with which to respond to political capability failures.

In Section 1, I define civic education. In Section 2, I provide an explicit justification for the importance of civic education for social justice. In particular, I argue that a successful program of civic education must minimise and prevent disenfranchisement and alienation. In Sections 3 and 4, I propose two arguments for a capability-based civic education: an epistemic argument and a social relations argument. These arguments, as I will show, highlight two necessary features of political capability: knowledge and a set of skills on the one hand, and social capital on the other. In Section 5, I propose and defend a set of practical guidelines for the development of an autonomy-minded capability-based civic education. In Section 6, I revisit a familiar objection that the discussion in this chapter will inevitably invite: that such a proposal cannot be defended as anti-perfectionist. Putting this worry to rest will also allow me to make the more ambitious claim that my view provides a more attractive account of civic education than alternative virtue-based views of political participation which rely on controversial claims about the intrinsic value of political participation.

1. What Kind of Civic Education?

Civic education is typically understood as education intended to prepare individuals for discharging the responsibilities associated with being citizens. Democratic citizenship is typically understood to be a kind of privilege: it guarantees a range of privilege-rights, such as rights to hold property, stand for elections, and so on. However, these rights are also typically associated with a range of responsibilities, some of which are enshrined in law. These may include the duty to vote in national elections (such as in Australia or Venezuela), the duty to acquire education (such as in China or Dominican Republic) or the duty to perform military service (such as in Sweden or South Korea) and a range of others (Hodgson, 2003). Even in the absence of legally enforceable duties, it is generally understood that a democratic citizen will be expected to discharge some moral duties qua citizens. For example, the United States Government lists "supporting and defending the constitution, staying informed on issues affecting your community and participating in your local community" as responsibilities of any American citizen (*Important Information for New Citizens*, 2019), even though these responsibilities cannot be legally enforced without significant and possibly prohibitive costs, for example, to individual privacy.

One of the tasks of the public education system is to prepare citizens for the successful discharge of these duties – whatever they may be in any given jurisdiction. Indeed, this may have been one of the main driving forces behind mandatory public schooling in the first place (Kymlicka, 2001: 293). As democratic institutions have become increasingly technocratic, the nature of these duties has also become more demanding. Citizens of modern democracies are expected to make use of a bewildering repertoire of behaviours in the political domain. For example, we must navigate a dense and ideologically polarised mass media landscape to stay informed about political events and actors. We live in an increasingly interconnected world, so we must concern ourselves not just with our immediate communities, but also with how the consequences of our local actions will be felt globally. Come election time, we have to make electoral decisions. We must hold officials to account and ensure that they serve the public appropriately, and so on.

This list of political actions, however, would only satisfy a fairly minimal conception of public engagement – one that sees citizens primarily as electors in a representative democracy. On a more demanding, deliberative conception of democracy, citizens could be tasked with much more. For example, we would be responsible not just for electing representatives, but also for maintaining an active culture of discussion, deliberation, and day-to-day campaigning. This may involve, for example, attending public forums,

volunteering for non-profit organisations and civic associations and so on (e.g., Cohen, 2002, Guttman and Thompson, 1996).

Even in the minimal end of this continuum though, the responsibilities that citizens are expected to uphold require a significant level of competence. For example, understanding policy differences on technically complex issues, like global trade or climate change mitigation, will require at least some relevant knowledge for voters to influence election results in these areas. This is why *civic education* is crucial – it exists to endow individuals with the skills, knowledge base and dispositions that are necessary for successfully fulfilling civic duties and, in turn, allowing democratic institutions to function smoothly. Amy Gutmann (1987) argues that democratic societies hold a collective stake in the education of children since they will assume the demanding responsibilities of democratic citizens. As such, we "must educate all educable children to be capable of participating in collectively shaping their society" (ibid, 14).

Civic education is usually used either in a broad sense, or a narrow one. Broadly, civic education can be used to refer to all processes (intentional and otherwise) that contribute to people's ability to function as part of a community. For example, public forums and churches can serve this function as they provide an environment for communal engagement (making it civic) and they will inevitably transmit some values and norms to those involved (thus making it education). Under the narrow definition, civic education is used to refer to deliberate programs of instruction, usually within schools or other educational institutions. In addition to providing the necessary knowledge base for democratic participation, civic education can also be aimed at developing certain normative dispositions. These may include "allegiance, commitment, cohesion, and a sense of community" (Strandbrink, 20017: vi), "support for core democratic principles [such as] tolerance" (Hodgson, 2003: 638) or it should prepare [individuals] to be fully co-operating members of society and enable them to be self-supporting" (Rawls, 1993: 1999).

The specific content of the knowledge and dispositions that civic education ought to aim for is a controversial question in political philosophy. For a start, we need a common conception of what a good citizen is; we need to know what her virtues and dispositions are. After that, we need to agree on the kinds of methods that ought to be used to educate citizens in a way to replicate these qualities. Liberal philosophy, as we have seen throughout this thesis, is typically opposed to the micromanagement of people's lives, so political liberals may be especially reluctant to endorse civic education programs that, in their view, constitute an undue intervention in individuals' normative lives. For example, some individuals will endorse an account of the good which stipulates that political engagement is a necessary feature of a flourishing life, but it would be false to assume this account of the good will be

held by all reasonable people. Legislating a civic education program which attempts to inculcate a disposition for vigorous political activity may, therefore, be incompatible with the state's commitment to liberal neutrality.

On the other hand, philosophers who oppose this view (either from a comprehensive liberal perspective, or a civic republican perspective) argue that active participation in communities ought to be thought of as an intrinsically valuable feature of a good life. Under this view, individuals have duties to ensure the successful functioning of communities and communal institutions, and these duties are associated with a class of participatory virtues. This, in turn, creates an obligation on the state to educate for citizenship. For example, Gutmann (1999 cited in Crittenden and Levine, 2018) argues for such a view, while claiming that liberal philosophy is an inadequate source of civic commitment and civic education. This is because the principle of neutrality limits the state's capabilities of influencing individuals' normative beliefs. Critics of the liberal position argue that liberalism "cannot adopt a serious commitment to civic values that supersede individual interests" (Bull, 2008: 450).

There are writers aligned with the liberal tradition who have rejected this criticism, however. For example, Stephen Macedo (1995, 2000) has defended Rawls' political liberalism and argued that politically liberal societies can nonetheless identify and promote certain liberal virtues which are universally believed to be valuable. Accordingly, these would be conceptualised as 'civic' (rather than comprehensive) values insofar as they would be the result of a political agreement between reasonable parties that may hold incompatible comprehensive views. Recognising this class of values would, according to Macedo, constitute "liberalism with a spine" (1995). The extent of this agreement, however, and the extent of the civic education one could derive from it is a matter of debate (e.g., see Davis and Neufeld, 2007). On the other hand, some liberal philosophers have argued that the upholding of justice and the smooth functioning of democratic institutions is primarily the task of the state, which can be carried out by, for example, a robust system of checks and balances. According to this view, labour is divided in a democracy in such a way that the smooth functioning of institutions does not fall into the responsibility of the citizen. This would, in turn, obviate the need for a highly virtuous citizenry in the first place (e.g., Rawls, 1993).

The position of the capability approach to justice[29] in this debate would be that whether or not there are justice-based reasons for educating for citizenship will depend on whether

[29] It may be worth reiterating here that the capability approach is not, strictly speaking, a fully fleshed out philosophical position, but rather a framework with varying degrees of normative content depending on the

the capabilities enabled by such an education are sufficiently important for a dignified human life, regardless of the public good that this education may serve in the upholding of justice. This is because a capability framework phrases demands of justice as expressions of what opportunities people would need to live a life of value.

In Section 2, I will argue that there are significant justice-based reasons to educate individuals to be politically capable. A familiar caveat bears repeating here; capabilities are freedoms, meaning that a capability account of civic education need not concede much to the civic republicans in the above debate if it were to defend the value of political participation. This is because individuals need not choose to exercise their political capability; justice only requires that they possess this capability (albeit that they possess it in a robust sense, for it is not sufficient to have merely formal access to political functionings). If an appropriately autonomous and capable individual then goes on to deem political participation to be loathsome, or boring, or a waste of her talents, then it would not follow that her life will go worse or be less valuable than if she were to embrace political participation. Of course, her life *may* go worse as a matter of direct consequence of spurning politics for reasons I explore in the next section, but so long as the capabilities are met and this choice is made autonomously, it is generally understood that it would be the responsibility of the individual to weather these consequences. Similar claims can be made about any capability. The capability approach tells us that justice only aims at securing the opportunity to achieve functionings, not the functioning itself.

By contrast, the bulk of philosophical discussion of civic education is phrased in the language of virtues. It starts with recognising a class of virtues associated with citizenship—such as the virtue of public reasonableness (Macedo, 1990) or various virtues associated with civic republicanism (Dagger, 2002)—which pick out the exemplary behaviours of good citizens. Philosophers then argue for practical means for instilling these virtues in citizens. On the face of it, this seems like an attractive approach. After all, citizenship consists in exercising a certain repertoire of actions, and virtues represent the excellent exercise of actions. Moreover, it is an excellence achieved over lengthy habitual training and practical exposure, which makes it more reliable in a practical sense than theoretical directives taught from above which may not be appropriately internalised.

However, the language of virtues is not uncontroversial. Think back to the debate between liberal and republican thinkers. If we take the liberal side, inculcating virtues will likely turn out to be unjustified because the normative content of virtues will invariably run

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philosopher employing it. However, at a minimum, the valuation of individual freedom and well-being imply the claims I make here in a way that, I take it, is not controversial.

counter to liberal neutrality. However, if civic education is understood in terms of capabilities, the promotion of these need not consist in inculcation of this sort. This is for two reasons. First, promoting a capability does not commit one to particular claims about the relative value of the functionings in question, unlike virtues. Capabilities, in the way that I defend them, pick out significant domains of well-being where autonomous choices can be made. Recall that I defend capabilities as coarse-grained and not based on the implicit value of particular kinds of functionings, or sketches of the good life which make use of these functionings. Second, capabilities need not be exercised, for an autonomous choice within a domain may consist in forgoing the capability altogether. Therefore, justice only requires that individuals be made to be politically capable since this is one of the domains of well-being on my view. Justice, therefore, does not require that individuals be made to be politically virtuous, in a normatively demanding sense.

The difference here is not merely semantic. Capabilities need not be tied to substantive views about the good (unlike virtues), which makes a capability-based civic education compatible with a range of views about the good, and as such, it can be made to be subsumed under a variety of other educational goals. Moreover, promoting capabilities and promoting virtues will have different success conditions. The successful inculcation of virtues will mean that people will exemplify the relevant excellences, whereas the same need not be the case for capabilities. Of course, aiming at capabilities will make the policymaker's job slightly harder for these success conditions are harder to establish. As we have seen in previous chapters, there will be cases where an individual's lack of a functioning will be a direct consequence of barriers to access or even adapted preferences.

At any rate, the presumption against paternalism will mean that we must give people capabilities, not inculcate within them a set of virtues. This is because, as I argued in Chapter 2, paternalism affords a kind of disrespect to the individual, which is presumptively wrong. Therefore, if there are justice-based reasons to educate for citizenship, we ought to teach individuals to be politically capable, rather than to be politically virtuous. Let us now establish the antecedent of this conditional claim.

2. Civic Education and Justice

It is uncontroversial to claim that the benefit provided by civic education is a kind of public good – all members of a democracy are argued to benefit collectively from effective civic education. This is because the proper functioning of democratic institutions, such as elections, juries, plebiscites and so on, demand a certain level of competence on its

participants, as well as a certain set of values and dispositions, such as the belief that all people are equal before the law and so on.

However, regardless of the chiefly public good that civic education is argued to deliver, there is also an important sense in which educating someone as a democratic actor contributes to their individual good. That is to say, being politically capable is valuable *for the individual*. The capability approach gives us a compelling reason why – because political capability refers to a significant domain of well-being where individuals hold a strong interest in exercising their autonomous choice. The state wields colossal power over the daily lives of individuals, so it would follow that it is in people's self-interest to know how to influence this power or how to hold it accountable. As the Greek orator Pericles is quoted in a comment on Athenian citizens, "We do not say that a man who takes no interest in politics is a man who minds his own business; we say that he has no business here at all" (Thucydides, c. 490 BCE).[30] The opportunities for political participation should, therefore, be thought to be valuable – even if instrumentally.

If we take this line of reasoning, then it is clear that justice requires that everyone have appropriate opportunities to participate in public life, even if some individuals will eventually forgo these opportunities. The state is, therefore, not only providing a public good when educating for citizenship, but it is also upholding its justice-based obligation to provide people with the capabilities necessary for a life of well-being. This dual focus on individuals and society may create a novel kind of justification for civic education that can help illuminate the ways in which individual claims of desert are tied up with successful discharging of their duties in the public sphere. As I pointed out in Section 1, the benefits of citizenship are typically understood to be conjoined with certain costs, such as the time and energy that citizens have to volunteer to the state. If the benefits of citizenship are socialised and diffused evenly in a democracy, then it would seem reasonable to suggest that the same should be true of the costs. And this goal can be achieved elegantly with a system of public civic education that identifies and targets the knowledge base, competencies and agentic traits that are necessary for individuals to bear the costs of citizenship.

However, the reader may need more convincing of the appropriateness of an educative intervention for this end. Perhaps we can get the benefits of political participation through other means, in which case I need to say more about why I take education to be the focus for political capabilities. I argued in the previous chapter that education holds significant potential for shaping individual capabilities by strengthening the necessary internal

[30] Sometimes apocryphally quoted as "Just because you do not take an interest in politics doesn't mean politics won't take an interest in you", however there is no evidence Pericles ever said that directly (but it certainly makes for a pithier saying).

resources, so I am extending this claim to the domain of political capabilities. Moreover, as I will argue in the next section, there is a significant epistemic dimension to political capability insofar as having opportunities in public life require a degree of knowledge and skills. For these reasons, I take it that civic education is a promising delivery method for justice in this regard.

It is time to now sharpen this claim further and support it with argument. I argue that the kind of education that justice requires is one that is able to prevent and contain the negative effects of two phenomena that are inimical to the successful possession of political capabilities: disenfranchisement and political alienation.

By disenfranchisement I mean the intentional exclusion of individuals from various aspects of public life. For example, this can happen explicitly in apartheid states where members of minority ethnic groups are denied voting rights or rights of assembly, or minority groups may lack legal protections, either by law or through deliberate lack of enforcement on the part of the authorities. But it can also happen in more surreptitious and quotidian ways; for example, through voter ID laws in the United States which have been extensively shown to constitute selective voter suppression (e.g., Daniels, 2020: 63-65). The logic of disenfranchisement need not be phrased in repugnant claims about the inferiority of some groups of people which is all too familiar from 20th century history. Most contemporary examples of this phenomenon are arguably closer to being instances of realpolitik – namely, self-interested ways for elites to consolidate power by strategically dampening the electoral power of those they deem to be their biggest threats. For the Republican Party in the US, this happens to be ethnic minority communities. The Hispanic community is the fastest growing demographic in the US, and also one of the least democratically active, and since their politics tend away from the anti-immigration rhetoric of the right, it is in the strategic interests of the GOP to ensure that as few Hispanics as possible take part in elections (ibid.).

Now, the space for civic education to respond to outright top-down oppression may seem limited; so much so that perhaps talking about education at all in this context would be somewhat misleading as it may falsely suggest that democratic failures of this sort are, in fact, failures of education, or failures of the individual, rather than what they really are – abuses of power. It is beyond the scope of my project to give a comprehensive account of social change; however, I think that it is plausible to claim that power must be demanded from the bottom-up, rather than imposed from top-down for it to be a stable gain in the long run. I take it that f power is handed over by an enlightened and benevolent ruler, or if it is secured by way of third-party advocacy, then this power is precarious; it depends wholly on the continued benevolence of the ruler, or the continued benevolence of the third party. The

political capabilities of individuals in such a situation are not secured indefinitely and are therefore vulnerable to domination.

There is no shortage of historical examples to support this claim, such as the suffragette movement in the first half of the twentieth century and the civil rights movement in the second half. As Dr Martin Luther King Jr. wrote, “Freedom is never voluntarily given by the oppressor, it must be demanded by the oppressed” (1963). There is much more to be said to support this claim as indisputable, of course, but to the extent that the reader agrees with me (and Dr King), they have reasons to give education a central place in the fight against oppression. This is because education represents an intervention that aims at strengthening the internal resources of individuals, thus making them more capable, among other things, to demand and exercise political power. In this way, civic education can aid people in the process of challenging disenfranchisement and oppression. Moreover, because of the importance of directionality of power transfers, I argue that this sort of intervention is one that is more likely to result in stable, long-term gains for democracy – as opposed to benevolent power transfers, or transfers through third party advocacy.

I turn now to the second obstacle of political capability – political alienation. Alienation refers to “attitudes of estrangement between oneself and some salient social object” (Olsen, 1969: 289), so I use political alienation to refer to an attitude of estrangement between an individual and a political object, for example, political systems or institutions.

Alienation finds its biggest roots in the writings of Karl Marx. Marx identifies an economic type of estrangement as one of the most significant injustices of capitalist economies – an alienation between a worker and their products that results in “a loss of reality for the worker” (Marx 1975: 324 cited in Sayers, 2011). Similarly, we can speak of political alienation, for example as Reef and Knoke (1999) define it, as “a social condition in which citizens have or feel a minimal connection with the exercise of political power” (p. 118). Alienation can take the form of persistent feelings of powerlessness, meaninglessness and guidelessness as experienced against some external object (Olsen, 1969). One of the most prevalent causes of political alienation is resentment. Katherine J. Cramer (2016) interviewed people in rural communities in Wisconsin and found that one of the most common grievances among rural communities was the feeling of being overlooked by political and business leaders making decisions that affect them. Coupled with economic strain, this can lead to a persistent feeling of alienation that fuels conflict.

> When people feel unsure and insecure about the amount of money available to go around, the situation is ripe for a politics of resentment. People are especially likely to rely on their group identities in situations of uncertainty.

> When people perceive that they are not getting their fair share and that others are but do not deserve to, the emotion of resentment is a likely result. The combination of a reliance on social identities and the emotion of resentment can create a situation in which people regularly view politics in terms of opposition to other social groups (Cramer, 2016: 21).

Olsen further distinguishes two forms of alienation: incapability on the one hand, and discontentment on the other. Incapability is involuntarily imposed on the individual by her social environment which prevents her from participating in political life. For example, many African Americans believe that the criminal justice system in the United States is disproportionately unfair toward them, so they may experience a sense of futility and hopelessness when having to come into contact with the law. Discontentment, on the other hand, is a voluntarily adopted attitude toward a social or political system, which occurs as a response to perceived failings. For example, a study by Miller and Listhaug (1993) finds that people on extreme ends of the political spectrum report the highest levels of alienation from the political system. This is because they see no value in political participation if it does not speak to their particular viewpoints, so they voluntarily spurn it.

It is the alienation of the former kind that I would like to focus on and argue that it is a problem for justice insofar as alienation is the cause of an individual lacking political capability. I take voluntary discontentment to be less of a concern for justice, so long as we understand voluntariness in a robust sense, that is to say, if an individual can be said to reach the threshold of autonomy that I defend in this thesis. For example, suppose I adopt an attitude of discontentment toward the democratic system in my country because it fails to accommodate the specific political position I hold. Suppose further that I believe the world will come to an abrupt violent end in 5 years' time and, therefore, humanity's collective goal in the remaining time is to live lives of unabashed hedonism and decadence. It would be misguided to treat this discontentment as an indication of some kind of political failure, or as an injustice. The goal of justice is not to remove all political discontentment, for this would be impossible, and, stronger still, scarcely seems like its proper goal. So long as the political position I hold is not itself due to a capability failure, such as an instance of manipulation or brainwashing, then the mere fact of my discontentment over it being spurned is not a cause for intervention.

Involuntary alienation, on the other hand, usually signifies a political failure of some sort. Alienation, insofar as it consists of the absence of an individual's political capability is an injustice. This is because justice requires that individuals be secured with capabilities in the form of opportunities over significant domains of choice. And political alienation of the

involuntary sort that I am talking about here refers to a kind of capability failure – a lack of meaningful opportunity for individuals to exercise the sorts of choices that are owed to them. Alienation empirically leads to lower levels of civic engagement (ibid.), and it can create a "fertile breeding ground for populists" (Chwalisz, 2015: 13). If individuals feel like their political representatives or the wider system they operate in has failed them, they may become apathetic or turn to potentially dangerous extremists who promise to break the cycle of 'politics as usual'.

If disenfranchisement captures the intentional exclusion of individuals from a political process, then alienation refers to all those failures that need not be by design. The distinction here is not intended to be exclusive. There may well be instances where public authorities fail in their duties to remove obstacles to people's access to political participation intentionally, and as a result, individuals suffer alienation. Functionally, this would count as an instance of alienation, but if we have inferential reason to treat this as intentional, such a case could be double counted as a form of disenfranchisement, too.

Both disenfranchisement and alienation are hostile to the possession of full political capabilities, and since they, for the most part, refer to distinct causal pathways of hostility, justice requires that we fashion an effective response to both. I will argue that civic education can provide an effective response to both. I do not take this to be the only response, or indeed the *most* effective among all alternatives. To reiterate, I take civic education to represent an attractive kind of intervention for the reason that it consists in strengthening individuals' internal resources that are necessary for possessing political capability. Other interventions may be attractive for their own independent reasons in a way that is consistent with my claims here. I do not, therefore, intend to rank my proposed educative intervention above or below any others. I show that it has independent merit.

I will discern and investigate two necessary constituents of the domain of political capability: epistemic capabilities and relational capabilities. I will then argue that these can be promoted via civic education.

3. Political Knowledge and Epistemic Capabilities

The epistemic dimension of political functionings has become a significant area of interest for philosophers and non-philosophers in recent years. The state of political discourse of the latter half of the last decade has been described by some commentators with labels like *post-truth* (e.g., Fuller, 2018, McIntyre, 2018) or *truth decay* (Kavanagh and Rich, 2018). These are intended to describe "circumstances in which objective facts are less influential in

shaping public opinion than appeals to emotion and personal belief" (OED cited in Blackburn, 2018: 5).

The striking feature of this phenomenon is not that it consists in challenging truth (for which there is ample historical precedent), but that "[truth] is being challenged as a mechanism for asserting political dominance" (McIntyre, 2018: xiv). In the resulting vacuum, truth is argued to be supplanted by "ideological supremacy" (ibid, 13) which compels individuals to hold certain beliefs and perform certain actions by appealing to their emotions, prejudices, and ideological commitments directly, thereby attempting to circumvent epistemic norms like truth, burdens or proof or rational persuasion altogether.

The extent to which this is a uniquely contemporary phenomenon is disputable, although it could be said that the speed and density with which communication happens in the contemporary world exacerbates post-truth tendencies and makes them easier to identify in a unified kind of way. Before we can consider the supposed epistemic harms of post-truth trends, we should be careful to disambiguate the concept and clarify exactly what we mean. The phrase 'post-truth' itself is used to refer to several distinct practices at once.

One of the most obvious ways in which norms of truth can be subverted is by public actors intentionally making false and misleading claims. Perhaps the most striking contemporary example of this is the US President Donald Trump whose surrogates have appeared on media outlets presenting "alternative facts" (Swaine, 2017) and who himself has been recorded making 18,000 false or misleading claims in his first 1,170 days of office (Kessler, Rizzo, and Kelly, 2020). However, as the most obvious way of subverting truth, this may also turn out to be the least interesting one. There is no shortage of historical examples of authority figures making false utterances. This may simply be an inescapable feature of the kinds of political systems that have been prevalent in human history, where the power of persuasion is an indispensable tool for governing.

Rather, the arguably unique feature of contemporary post-truth trends is that there is a number of structural drivers which are compounding and exacerbating the effects of disinformation in unique ways. I will highlight three structural drivers of disinformation which will be relevant going forward: (1) technology, (2) populism, and (3) individuals' cognitive biases.

First, advances in information technology have made people vulnerable to certain kinds of deceit. Fuller (2018) argues that social media facilitates the erosion of truth. For example, he points out that people are increasingly consuming news through social media like Facebook, whose user design effectively blurs traditional distinctions between various types of sources of information. For example, a news story from the newspaper The Guardian may appear on a Facebook user's feed alongside a story from a private blog with

a hyper-partisan ideological agenda. It would be easy for a social media user to afford these sources with equal credence, despite potentially stark differences in how truthful or accountable their authors were. According to Fuller, this way of consuming media has the effect that "people are provided with either conflicting news accounts, which they are then forced to resolve for themselves, or simply the news account that corresponds to their revealed preferences as a social media user. In either case, they are rendered more confident to decide matters of truth for themselves" (Fuller, 2018: 3).

An increasing reliance on social media for disseminating information entails another problem. The algorithms that social media companies have in place are tuned to a singular end – to compel users to spend as much time on their platform. This means that the algorithms will deliberately elevate content that social media architects expect the user to have a strong reaction to. This, in turn, means that social media users will consume media that has been specifically curated for their specific set of beliefs and prejudices. This may solidify some beliefs, even if they have little factual basis, and introduce users to the beliefs of fringe groups (O'Neil, 2016: 180-5). Moreover, the resulting polarisation may make dialogue between different ideological groups more difficult by making agreement on a set of shared facts less likely. For example, if you think your political opponent is involved in a child sex trafficking scheme, there is reason to think that you will be interested in seeking a consensus or a dialogue with them.

The second structural driver of disinformation is populism. Populist political movements have grown in influence in recent years, and part of their success comes from challenging the authority of traditional political actors and institutions. For example, this has been evidenced in the deliberate dismissal of traditional epistemic authorities. Tom Nichols (2017) has coined the phrase 'death of expertise' for this phenomenon: "a rejection of science and dispassionate rationality' (Nichols, 2017). For example, this was a tactic used by Secretary of State for Justice Michael Gove when he dismissed expert testimony on a televised debate about EU membership, claiming that "the people in this country have had enough of experts" (Mance, 2016). Populist pressures are, therefore, challenging traditional epistemic authorities as collateral damage in their efforts to amass and consolidate power.

Finally, the existence and exacerbation of individuals' own cognitive biases mean that people are often not passive victims of disinformation or deception. Rather, the values and desires individuals hold may make them more receptive to certain kinds of false beliefs. Yale University researcher Dan Kahan (2010) argues that group values have a significant influence on individuals' risk perception and belief formation; he calls this process 'cultural cognition'. Kahan argues that individuals' need to belong to communities reliably overrides facts of science and causes them to deal with new evidence in a selective way. He writes:

"People endorse whichever position reinforces their connection to others with whom they share important commitments" (Kahan, 2010: 296). For example, individuals who value initiative and economic enterprise will be more sceptical toward evidence which supports human-made climate change since such evidence would imply the need for restrictions on economic activity. Kahan continues: "People find it disconcerting to believe that behavior that they find noble is nevertheless detrimental to society, and behavior that they find base is beneficial to it. Because accepting such a claim could drive a wedge between them and their peers, they have a strong emotional predisposition to reject it" (Kahan, 2010: 296).

Together, these structural drivers contribute to an increased uptake of conspiracy theories and false and misleading news, increased disagreement about matters of fact, a blurring of the distinction between opinion and fact, as well as a decline of trust in traditional sources of knowledge (Kavanagh and Rich, 2018).

It would be a truism to argue that some degree of knowledge and skill is necessary for taking part in the political process. For example, no one would deny that citizens must understand the political process if they are to take part in it. They must have some information about policy disagreements between candidates in an election in order to cast an informed and autonomous vote.[31] However, as recent developments in political communication have made clear, this kind of minimal conception of political knowledge is becoming increasingly irrelevant. Minimal knowledge offers no tools for resisting manipulation or radicalisation. For example, understanding the explicit policy differences between the Purple and Orange party will be of no use if the Orange party strategy involves buying targeted advertisements that track your internet search history and moulding its content to complement your views and prejudices and convinces you through lies that the Purple party is incompatible with your beliefs.

What should be the relevant standard of knowledge then? What skills and knowledge should an epistemic agent possess if we want to be confident that she will be capable of identifying and resisting misinformation? I argue that the kind of epistemic training necessary for this end is one that (1) descriptively exposes people to the multitude of ways their political will may be co-opted, and (2) teaches them to stand in appropriately critical relations with new information and epistemic authorities. That is to say, epistemic capability in the political world requires a degree of knowledge about the world, as well as a critical disposition.

[31] The converse of this statement would be either a vote that is uninformed, and thus random, or non-autonomous, for example, voting for a political party because everyone in your immediate social circle votes for that party.

Some philosophical work in this area has focused on factive knowledge alone, that is, knowledge of facts about the world. For example, Jason Brennan has argued influentially that democracies should institute voter qualification exams as a way of delimiting the electorate. Individuals with insufficient factive knowledge about history and politics, or other relevant topics constitute a liability for democracies, and as such should be barred from voting (Brennan, 2009, 2016). This sort of knowledge is no doubt necessary for understanding democratic processes and making decisions that accurately reflect the state of the world. For example, without prior knowledge of historical and contemporary authoritarian practices, a government's decision to yield more power to the executive branch of government may not seem all that alarming, especially if it is pitched to the public as a matter of national emergency, as was the case in Hungary during the COVID-19 pandemic in early 2020 (Walker and Rankin, 2020). A citizen with the relevant knowledge base would be, I take it, far more likely to treat this move with suspicion and alarm, and more likely to voice their concern and be ready to mobilise in order to hold the government to account. The citizen without this knowledge would be, I take it, more likely to accept the government's justification for the expansion of executive power as necessary for the common good, or even inevitable. Crucially, however, the opposite of that may be the case – an observer could have abundant historical knowledge of authoritarian leaders consolidating their executive power under the guise of emergency, but fail to have a reason to be alarmed by this particular instance.

As Brennan points out, there are other costs to ill-informed voting. For example, citizens who vote without sufficient reason may elect political representatives who will enact harmful policies, such as "racist and sexist laws, unnecessary wars, lower economic opportunities, lower levels of welfare etc. (Brennan, 2009: 541-2). Since I am primarily interested in individuals' capabilities to resist oppression and alienation, I am focusing on a particular subset of these costs only – lack of political knowledge which (directly or indirectly) endangers an individuals' political capability set.

On the other hand, we may phrase epistemic capabilities in terms of a set of critical skills. Critical thinking or 'reflective thinking' has been lauded as the leading goal educational goal since at least John Dewey (1910) but arguably leading back to enlightenment thinkers like Rousseau, Bacon and Locke. Dewey argues that the immediate acceptance of an explanation one is presented with is "uncritical thinking, the minimum of reflection" (Dewey, 1910: 13 cited in Crittenden and Levine, 2018). Applying this to the contemporary problem at hand, perhaps the measure of someone's political knowledge in the face of a supposedly post-truth political landscape ought to be critical reasoning skills, rather than factive knowledge. Perhaps we can minimise or contain various malign

influences on voters if we teach them to be good critical reasoners. That is to say, if people were to ferociously question the sources of information, and in turn the motivations of the actors behind those sources, and so on, they would be much more likely to spot disinformation and manipulation and, therefore, not fall victim to it.

I argue that the factive and normative component are jointly necessary for political capability in the contemporary world. Factive knowledge without critical introspection may result in individuals being formally able to recognise malign influences, but unable to discern when to be on their guard, thus leading to higher probability of error. More generally, merely agreeing with one another on matters of fact may not be sufficient for engaging in political debate.

On the other hand, individuals with an abundance of critical thinking but a lack of knowledge may not be better off either. Instilling a dogged vigilance directed at anyone in political power may lead individuals to conspiratorial thinking, which in turn can erode norms of trust in society (Cassam, 2019). Sunstein and Vermeule (2009) argue that conspiracists suffer from a kind of "crippled epistemology" (p. 204). People are seduced by conspiracy theories not because they are irrational, but because they have "a sharply limited number of (relevant) informational sources" (ibid.).

Therefore, I argue that a combination of both pertinent political knowledge and a critical cognitive skillset is necessary for political capability in the contemporary world. But this opens up a host of further questions, such as what sort of knowledge should we emphasise and how can it best be taught? How do we impart critical reasoning skills without giving way to the erosion of epistemic norms and trust via conspiratorial thinking?

A helpful caveat to make at this point is that our expectations of the success of any kind of educational outcome ought to be managed by recognising the imperfections of human cognition. Behavioural psychology tells us that human beings are social animals with finite mental bandwidth (e.g., Kahneman, 2011). For example, our basic need to belong to communities is reflected in the flexibility of our belief formation, which gives way to errors. For example, the famous Asch (1951) conformity experiments found that individual error rates in answering simple cognitive and observational questions went up from 1% to as high as 36.8% when done next to actors who were instructed to give the wrong answer on purpose. In other words, individuals tended to conform to the majority opinion, even when it involved making obvious errors (cited in McIntyre 2018).

These examples help illustrate not only our imperfections, but also the ways in which they can be weaponised for political gain. If political actors can capitalise on cultural cognition by, for example, sowing fear and distrust among ideologically partisan, or national or racial lines, then a political capability set must include, as a minimum, the capability to

recognise this kind of influence for what it is – a way of compelling someone to act in particular ways for non-epistemic reasons.

Let me motivate both desiderata—that we need an appropriate knowledge base and a normative critical stance—with a case study of a contemporary political phenomenon known as *firehosing*[32] and suggest how we may fashion an adequate response to it and bolster political knowledge in the classroom.

Firehosing refers to a novel kind of propaganda that has gained notoriety in recent years. It refers to a deliberate and sustained strategy of deception which consists in overwhelming audiences with a large volume of lies, as if being sprayed with a firehose. Firehosing thrives on familiarity – the more a claim is repeated, the more audiences are willing to believe it, even if that claim is a transparent, blatant, or demonstrable lie. Frustratingly, common anti-propaganda methods, like debunking and fact-checking, only serve the firehoser's purpose by amplifying the claims further.

According to researchers at the USA-based RAND Corporation think tank, "repetition leads to familiarity, and familiarity leads to acceptance." (Paul and Matthews, 2016). This is explained by what psychologist call the "illusory truth effect", namely, the phenomenon whereby individuals are more likely to believe statements that they encounter multiple times. Fazio et al. (2015) write that "repetition makes statements easier to process (…) relative to new statements, leading people to the (sometimes) false conclusion that they are more truthful" (Fazio et al., 2015: 993).

Moreover, if stories invoke emotion this further adds to their sway and increases people's response. Firehosing is characterised by "high numbers of channels and messages" and "a shameless willingness to disseminate partial truths or outright fictions." (Paul and Matthews, 2016). Firehosing is not intended to persuade, hence why there is no need to present the claims as plausible, rather "it's to rob facts of their power" (Maza, 2018). Firehosing thus erodes standards of truth and succeeds when disagreement is reduced down to merely positional warfare: I assert X, my opponent asserts Y. That is all there is to it, there is no objective arbiter capable of adjudicating this disagreement.

There is an abundance of recent examples of this technique being used. The RAND researchers focus on Russian transgressions, such as their repeated lies that there were no Russian soldiers deployed to Crimea during the 2014 Crimean crisis. More recently, in 2016, the Vote Leave campaign for the United Kingdom exiting the European Union printed a now infamous slogan on one of their campaign busses: "The UK sends the EU £350m a week. Let's spend that on the NHS instead" (Quinn, 2019). This figure was demonstrated to be

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[32] Short for the phase 'a firehose of falsehoods'.

false, but in spite of how many times it was formally refuted, the messaged had been circulated so widely by media outlets themselves and amplified further by irreverent campaigners sticking to the message, that it may have played a role in the referendum on EU membership. A study found that 42% of the public believed the controversial claim months after the referendum (KCL Policy Institute and Ipsos Mori, 2018).

Firehosing represents a formidable stress test for democracies because without robust checks on the freedom of speech, this tactic can go on to deal a tremendous amount of damage to our common epistemic environment, and in turn, sow distrust, chaos, and conflict. A steady stream of deception can effectively erode individual capabilities too by dulling their capacities to distinguish between truth and lie, as well as their capacities to adjudicate trustworthiness of epistemic authorities in real time. This, in turn, can alienate individuals from the political process, and if weaponised toward particular social groups, it can effectively disenfranchise them. This is why I take firehosing to be a pertinent threat to capability justice.

The success of firehosing is not a death knell to our epistemic credentials, however. In fact, this sort of manipulation *relies* on our capacity to distinguish between truth and falsehood, but it also relies on the natural limits of this capacity given a large enough volume of information. Firehosing works not because we are bad at discerning truth from falsehood, but because we are conditioned to thrive in epistemic environments of trust. Human beings are not used to environments where familiarity is weaponised against us. This suggests how we should respond to this and other similar tactics. We should neither double down on our truth discernment capabilities or adopt a stance of hyper-scepticism about new information. Our response instead should be a conscious effort to be cognisant of attempts to corrupt our epistemic environments and the intentions of the actors behind these attempts. The response to the erosion of truth needs to be conscious vigilance of *how* these norms can be eroded, and how they have been eroded in the recent past, not education on the specific claims that are being challenged. And I argue that we can do that with a civic education program that is honest both about the limits of our rationality, and the lengths that some public actors will go to in order to serve their interests.

The RAND report on firehosing suggests that instead of fact-checking, we ought to instead try to bolster the internal resources of those that have been firehosed so they can be protected from similar attacks in the future. This is why educational interventions are promising – they can equip people with the skills they need to become resilient to lies and manipulation. Citizens need a sort of epistemic immune system in order to fight off intrusions, and for this immune system to be effective, it needs to be built up and regularly tested against novel attacks.

Undoubtedly, this carries implications which fall outside of the remit of this project, such as regulating social media companies. A Pew Research study found that US adults who consume their news from social media are less knowledgeable and less politically engaged, as well as more likely to fall into the sway of conspiracies (Mitchell et al, 2020). While educational interventions are indeed promising for the reasons I mentioned above, they may also have to be coupled with comprehensive regulations on the business practices of internet companies, although that is not a claim I'm prepared to say anything more about here.

To conclude, in order to strengthen our epistemic immune system, we need civic education that gives individuals both an appropriate knowledge base and the skills required to identify and resist misinformation. In Section 3, I will argue that the first goal can be accomplished by history and politics lessons, specifically a history of power relations, while the latter can be met by media literacy classes and philosophy and debate. The former will give students a playbook of known practices that constitute political power and how it may be corrupted, while the latter will refine their capacity to make use of that playbook and to identify instances where their political will may be co-opted in real time.

4. Social Capital and Relational Capabilities

Epistemic capabilities of the kind I outlined above may turn out to be insufficient to combat the effects of truth decay, and political incapability in turn. It is possible that individuals may possess the appropriate epistemic capabilities, but they may nonetheless fail to have a reason to exercise them in the appropriate way due to other overriding reasons. In this section, I will argue that there is an additional necessary constituent of the political capability domain—relational capability—which, as I will show, has interesting implications on the way we understand the role of knowledge in politics. I will loosely model my conception of a relational capability on the concept of *social capital*, although I will define social capital in a way that departs somewhat from its traditional usage.

I have argued in this thesis that we should understand individual autonomy as socially relational in nature, that is to say, as flourishing under relations characterised by reciprocity, mutual respect, and care, and wilting under relations characterised by distrust, subservience, and uncritical deference to tradition. There is an additional good that social relations serve, specifically in the political context, which is not entirely reducible to the causal effect they have on individual autonomy. Namely, social relations afford individuals with social capital. Social capital refers to the value of social relationships and networks that individuals operate

in. This concept has been popularised by Robert Putnam (2000) who introduces it in the following way:

> Whereas physical capital refers to physical objects and human capital refers to the properties of individuals, social capital refers to connections among individuals – social networks and the norms of reciprocity and trustworthiness that arise from them (2000:19).

Straight away, we can discern two distinct components of Putnam's definition of social capital: an ontological component and a normative component. The ontological part of the definition refers to "connections among individuals" (ibid.) simpliciter. An individual possesses social capital in the ontological sense insofar as she is a node in a larger network of individuals who are acquainted with one another. The more connections an individual has, and the more connections those individuals have in turn, the higher her ontological social capital.

The normative component, on the other hand, picks out "the norms of reciprocity and trustworthiness that arise from [the connections]" (ibid.). These norms are what make social relations valuable above the merely ontological acquaintance knowledge that exists between people. In practical terms, it is not sufficient to know people, who know people (and so on) to make use of the connections that exist between them. Social capital requires "investment and use of embedded resources in social relations for expected returns" (Lin, 2000: 786). These resources can include, for example, trust, mutual respect, and reciprocity. For example, it may not be sufficient for me to simply know another person if I wish her to do something for me. There must also exist some kind of a valuable normative relation between us which would enable the expectation.

The ontological component of this definition is straightforward. However, the content of the normative relation stands in need of some clarification. Putnam speaks about norms of reciprocity and trustworthiness as the normative relations which account for this being a form of capital. However, it is unclear if these are sufficient for valuable social relations. Trustworthiness and reciprocity can both be present in relationships characterised by asymmetrical power relations, or even domination, in which case we ought to be reluctant to call this kind of relationship a form of capital. A may trust B to φ but only insofar as A holds power over B which makes not *φ*-ing prohibitively costly for B. Similarly, A's *φ*-ing may be reciprocal on B's *φ*-ing, but the nature of each party's obligation may be asymmetrical. For example, a kidnapper may trust their victim with metal kitchenware or

even reciprocate kind gestures in their own way, but it would be absurd to suggest there exists a kind of social capital between both parties.

To refine the normative requirements of social capital, I will draw on the relations discussed in Part 2 of this thesis, which I argued are conducive to individual autonomy, and in turn, individual flourishing. I argue that it is relationships that meet these normative requirements that are constitutive of social capital. Namely, relations must consist of mutual normative recognition and a sense of equality among all people. This is the way in which my usage of 'social capital' from now on will differ from Putnam's, or that of other philosophers and political scientists. For the sake of theoretical cohesion, we may also treat social capital as a special subset of relational conversion factors. In Chapter 4, I argued for a significant class of conversion factors which mediate the conversion of resources into capabilities. We can think of social capital as referring to the value of all those relational conversion factors which have a net positive value on individual capabilities, that is, relations characterised by normative recognition and respect and equality.

We now have a rough working definition of social capital, so the next task is to establish why social capital is necessary for political capability and how it can be strengthened via civic education.

Putnam argued that social capital not only enriches the lives of individuals, but also enables the functioning of societies. Where social connectedness dwindles, according to Putnam, people's engagement with the democratic system suffers alongside. This has to do with a number of functions that social capital plays that we ought to pick apart. I will identify three key functions: (1) it contributes to social trust, which is a necessary condition for successful co-operation between members in a society, (2) it fosters self-respect for individuals, which is a necessary condition for individual autonomy, and (3) it pools together individual bargaining power, allowing individuals to access power they would not have been privy to had they not been connected.

Trust is an indispensable necessary feature of human co-operation. Trusting someone means having a particular kind of attitude toward them – an attitude which involves vulnerability and reliance on the other person to be willing to do something (McLeod, 2020). Without mutual trust, we cannot enter into any kinds of agreements or conventions with other people, and we would have to relegate ourselves to a Hobbesian state of nature. In short, "trustworthiness lubricates social life" (Putnam, 2000:16). Social capital consists of relations characterised by trust, and this is essential in the realm of politics insofar as politics relies on cooperation between people.

Second, possession of social capital is good for the individual as it contributes to her self-respect. Entering into social bonds over shared identities creates self-respect for

individuals. Rawls (1971) argued that self-respect is a primary good, a key distribuendum of the basic institutional structure of society. For Rawls, self-respect consists in “a person's sense of his own value, his secure conviction that his conception of the good, his plan of life, is worth carrying out,” and it implies “a confidence in one's ability, so far as it is within one's power, to fulfil one's intentions” (ibid, 440). Self-respect cannot be attained in isolation of other individuals, and it is a key feature of the normative conditions of social capital.

Finally, having social capital amplifies an individual’s political effectiveness. The ontological and normative connections between individuals can rally people together under a common cause, thereby increasing the political bargaining power that each could have enjoyed as an individual acting alone.

For these three reasons, it is clear that social capital is bound up with political capability. To refine and motivate this claim, I argue that a necessary constituent of exercising choice in the political capability domain is the possession of relational capability, roughly, the capability to enter into social networks that are characterised by trust, reciprocity, respect, and non-domination. This capability enables individuals to co-operate with one another under terms that treat each node in the network as free and equal and worthy of respect.

Let us apply the claims on social capital and relational capability to a case study of the LGBTQIA+[33] community (for the sake of brevity, I will henceforth use the word ‘queer’ as a stand-in for the acronym) around the world. This is a transnational community that up until very recently in human history could not have said to exist as a discrete, coherent community. Rather, it endured as isolated pockets of individuals and small groups of individuals shared by their divergence from ostensibly traditional norms regulating gender and sexual expression. A key corollary of this being a nascent community is that without common identity ties in communities, queer people tended to have very little political bargaining power. In short, they lacked any kind of social capital. As a result, issues concerning the rights and welfare of queer people were not matters that could be introduced to mainstream political agendas. For much of history, there could be no systemic change, no educational programs, no political protections, or even much of an awareness of the lived experiences of queer people outside hurtful stereotypes.

The American science fiction author Samuel R. Delany has written about his experience of coming to age as a black gay man in New York City. “In the fifties,” he writes, “homosexuality was a solitary perversion. Before and above all, it isolated you” (1988: 268).

[33] Lesbian, gay, bisexual, transgender, questioning, intersex, asexual. The ‘plus’ symbol indicates a placeholder for further inclusion of identity terms not explicitly included.

Queer people were either forced into denouncing their sexualities altogether, assuming instead a 'clean' asexual persona, or they would risk their safety for fleeting moments of intimacy with strangers in public areas chosen for casual sex.

He recounts a vivid episode that challenged this leading narrative. There was a truck stop in the New York harbour that had been popular amongst gay men looking for casual sex. One night as Delany was there, a group of police marched across the street, blowing their whistles, and attempting to arrest the men in attendance. As Delany fled and turned around, he was suddenly able to see the sheer number of men that had been at the dockyard truck stop, hidden from sight. Some were arrested, but most, nearly two hundred according to his estimate, scattered and got away. At that moment, it struck Delany that the institutions that gay men had been sequestered to – gay bars, public toilets, and bath-houses – cut up their community and their sexual behaviour into tiny portions. But "no one ever got to see its whole" (ibid, 268).

> But what this experience said was that there was a population—not of individual homosexuals, some of whom now and then encountered, or that those encounters could be human and fulfilling in their way—not of hundreds, not of thousands, but rather of millions of gay men, and that history had, actively and already, created for us whole galleries of institutions, good and bad, to accommodate our sex. (ibid.)

Delany's epiphany about the sequestering of queer bodies is an apt illustration of an emerging community of individuals who lack social capital and, in turn, lack the tools needed to resist or negotiate the coercive power of the state which polices them under the guise of public safety.

Had the men in Delany's truck stop been unified under a common name, and had reciprocal trust to defend each other, and had they seen themselves as victims of arbitrary state violence and possessed the necessary self-respect to see this violence as illegitimate, they would have been, I take it, more likely to assert their collective will and resist police violence collectively. A similar thing did happen at the end of the next decade in the now famous Stonewall riots that marked a crucial watershed moment in the queer liberation movement in the United States and (Bronski, 2012: 209-10). Global justice for queer people is, of course, an ongoing project, but events like Stonewall set against the backdrop of queer isolation that Delany writes about illustrate that the fight for justice is sometimes a fight for social capital. There are still countless queer people around the world languishing in isolation

and unable to contribute to meaningful change because they are isolated, in more ways than one.

According to Putnam, "a society of many virtuous but isolated individuals is not necessarily rich in social capital" (2000: 16). Even if a virtuous individual passes the threshold for autonomy and can demonstrably enjoy the competencies associated with autonomous personhood, her lack of social capital will mean that she will have numerous additional hurdles to clear if she were to try to bring about social or political change in her community. Political engagement is like bowling in Putnam's famous example – an activity that is best done with others.

The reason I highlight relational capability alongside epistemic capability in this chapter is not just because of the independent features that make relational capability necessary for full political capability. It is also an attempt to try to compensate for the potential failings of epistemic capabilities to adequately respond to truth erosion on their own.

The common assumption behind the discourse on post-truth seems to be that certain bad beliefs can be dangerous insofar as they may lead to bad actions. For example, harmful beliefs about ethnic minorities may lead to targeted violence, or false beliefs about the intentions of political actors may lead to increased support for extremist political movements. This assumes that beliefs influence actions in a causally determinate way. We could, for example, express this counterfactually by claiming that had people not been mislead about, say, the outcome of the 2020 US presidential election, there would have been no, or a smaller degree of, violence at the US Capitol on January 6th. And if we accept this causal reasoning, we ought to appeal to individuals' reason and show the relevant beliefs to be false, or, as I have argued, we should equip individuals with the internal tools they need to identify false beliefs for themselves.

However, the persistence and stubbornness with which some individuals cling to disputed claims suggests that this causal assumption may not be fully accurate. That is to say, beliefs may not be causally fundamental – they may themselves be reflections of individuals' already existing normative commitments and allegiances in the world, rather than causes of these commitments. This means appealing to individuals' epistemic faculties may not be sufficient to correct political incapability. There may be further, entirely non-epistemic reasons why individuals come to hold certain beliefs, and moreover, it may turn out to be that successfully correcting individuals' beliefs would have no causal impact on their subsequent political behaviour.

If we accept this more complicated model of the interplay between political belief and political action, then we must admit that epistemic interventions into truth decay must be

supplemented with some additional measure. I argue that they ought to be supplemented with relational interventions – interventions aimed at securing individuals with the capability to enter into the kinds of relationships that are incompatible with holding false and truth-insensitive beliefs.

But how do we formulate a relational intervention of this sort? Social capital is not something that we can teach. However, I argue, it is something that we can foster through educational means by teaching people the skills that are necessary for exercising relational capability. That is to say, we can teach people the skills and dispositions needed to forge bonds of trust, reciprocity, mutual respect, and non-domination. Nussbaum has argued that our education policy could turn to stoicism for help in bringing people together and strengthening relations that transcend identity differences: “Stoic writers insist that the vivid imagining of the different is an essential task of education; and that requires in turn, of course, a mastery of many facts about the different” (Nussbaum, 1994). She also points out that “One of the greatest barriers to rational deliberation in politics is the unexamined feeling that one’s own current preferences and ways are neutral and natural” (ibid.). This feeling gives way to an uncritical stance toward one’s normative allegiances in a way that would make them hard to question or repudiate. In turn, if these allegiances depend on holding a set of beliefs about the world that are not sensitive to evidence or truth, then we can begin to see the need to teach individuals to stand in the appropriate critical relationship with their normative commitments.

In the next section, I will suggest that relational capabilities can be taught in practice by teaching history of power and oppression, and through service learning that exposes students to the diverse social world outside of the classroom.

Before moving on, it is worth addressing a problem that my discussion of the good of social capital may invite. The above discussion may suggest an overly optimistic or moralistic understanding of social capital as an unconditional good, or as something unequivocally good for justice. The truth is that social capital, like any capital, can be used for a variety of ends, including malicious and violent ones. A world where no individual is lacking social capital is not necessarily a good one in and of itself. Social capital is what enables cults, terrorist organisations and extremists. Political extremists of the contemporary world increasingly recruit online, and they prey on people who are disillusioned and alienated, people who lack social capital, and they offer it to them in exchange for internalising dangerous ideologies. So, it would be false to suggest that justice is *merely* a matter of connecting individuals in the appropriate ways. However, this is a key component of individuals’ political capabilities, which, like any freedom or any tool, can be used for malicious ends.

How might we combat the potentially pernicious effects of increased social capital then? Recall that I supplemented the normative component of the definition of social capital with two relational features. I argued that interpersonal relationships should be guided by mutual normative recognition and a sense of equality between all people. We can appeal to these normative requirements to effectively rule out the kind of social connections between people which would frustrate, not advance, the requirements of justice. Under such an analysis, even if it may be instrumentally valuable for the political extremist to have access to a functional social group which would allow her to become an even more effective political extremist, it would be false to say that granting such an access should be a provision of justice.

In closing, full political capability requires individuals to be capable of building social capital, understood as the capability to enter into valuable relationships with other people on the understanding that each will respect each other's normative authority and equality.

5. Guidelines for Civic Education

After identifying the justice-based need for civic education and the capability goals that such a program should serve in contemporary democracies, it is time to turn to the practical question of how to devise a successful civic education program that can deliver on these goals. In this section, I will propose and defend four practical recommendations borne out of the discussions in the first two sections of this chapter. These are recommendations intended for inclusion in state sponsored primary and secondary education curricula, and they will be pitched at a considerable level of generality. This is to allow for successful application across diverse contexts where social variables may markedly differ, or to allow policymakers to tie these recommendations in with existing curricula and existing educational goals.

The four pillars of contemporary capability-based civic education I will defend are: (1) content literacy, (2) philosophy and debate, (3) depoliticised history of power, (4) and service learning. I do not intend this list to be exhaustive or authoritative. Rather, I take it as a promising starting point for accommodating the lessons gleaned from the discussion in this chapter.

First, the case study of firehosing and the discussion on the 'crippled epistemology' of conspiratorial thinkers suggests that in order to strengthen citizens' epistemic capacities, they must be taught to stand in an appropriate critical relationship with new information. I call this pillar 'content literacy' to be inclusive of various kinds of content that we could be

literate about, that is to say, appropriately critical toward. However, primary and secondary education already promote various kinds of literacy by design. For example, Mathematics promote numerical literacy, and English promotes literacy of the written word. The kind of literacy that I wish to emphasise here is one that has only recently been advocated – *digital literacy*, or literacy about internet content.

Much of human communication in the last two decades has moved to online spaces, which makes disseminating political messages easier as well as amplifying their reach. As I argued in this chapter, justice requires that individuals possess the capabilities to evaluate internet content, including political messaging, and make appropriate judgments on their veracity. Young people are already spending a considerable amount of time online, including on social media networks, so it is essential to equip them with the pertinent skills early on – ideally as part of their primary education.

This and similar proposals have gained popularity in recent years. For example, the journalist Matthew D'Ancona writes:

> Information overload means that we must all become editors: sifting, checking, assessing what we read. Just as children are taught how to understand printed texts their critical faculties should be trained to meet the very different challenges of a digital feed (D'Ancona, 2017: 78).

Digital literacy classes would, first, involve showing students how to critically scrutinise the source of internet content, as well the affiliations of its authors and their relevant epistemic credentials. In the previous section, I noted that social media algorithm design makes it harder to identify differences between various sources of information. This problem all but disappears if users are taught to follow the stories to their ultimate source and ask a series of critical questions about what they see there. For example, is the author a journalist associated with a reputable news organisation? Can this story be corroborated by other sources? Have the accompanying images been doctored? And so on. Internalising this set of behaviours early can allow students to be on guard with respect to new information in online spaces, and to ultimately avoid being duped by misinformation.

Second, students must also be taught how to critically read coded or ideology-laden language. Outright fake news are only one subset of potential disinformation found online. Disinformation is a common tactic among various political extremists, whose communications often involve language characterised by double meaning, such as dog-

whistles,[34] subtext or even symbolism. So just as we expect children to read between the lines of Jane Austen and Charles Dickens, we ought to teach them to do the same for texts that suggest, say, that Western values are under threat by increased migration to Europe or that left wing activists are funded by George Soros as dog-whistles for Islamophobic and antisemitic sentiments, respectively.

Third, we must also be cognisant that topics that are controversial and politicised are handled appropriately, as part of digital literacy teaching and more generally. Earlier in the chapter, I mentioned the extent to which cognition can be mediated by cultural ties. Dan Kahan (2010) advocates for two methods for minimising this effect and containing the polarisation that it causes: to present information in a way that affirms, rather than threatens people's cultural values, and to present information and evidence in a way that it appears as though it vouched for by a diverse set of experts. I believe both of these claims have implications for content literacy, not least because disinformation tends to concentrate around controversial and politicised issues, but also because students will invariably enter the classroom with some set of beliefs and prejudices that they have acquired at home or elsewhere. For example, cultural cognition may cause conflict when students who were taught at home that climate change is a myth are now expected to critically dissect climate denial communications.

Therefore, we need to ensure that that students hear from a variety of voices and be exposed to a variety of viewpoints as they grapple with acquiring critical literacy skills in controversial subject areas. When new information threatens your deeply held allegiances and commitments, it is natural to reject this information and imagine that an adversarial force is behind it, and to imagine that authority figures, like teachers, are surrogates of it. But this adversarial perception can be challenged by showing that convergence on controversial topics can transcend diverse world views. For example, you do not have to be a 'cultural Marxist' to support queer rights, and you do not have to be sympathetic to the practices of the pharmaceutical industry to know that vaccines do not cause autism. Moreover, Miranda Fricker (1998) has argued that experts, in addition to their epistemic credentials, must possess "indicator properties" (162-3). In other words, experts must successfully come across as experts to those they are communicating with. To combat the continued politicisation of knowledge, we must design our curricula in such a way to highlight not only the relevant indicator properties of cited experts, but also to highlight their diversity of

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[34] A dog-whistle is a coded statement that is intended to be taken up by the target audience only, the same way an actual dog whistle produces a sound at such a frequency that it is only heard by dogs and not humans.

identities, and to dismantle existing narratives of conflict between different epistemic communities.

The second pillar of my capability-based civic education is philosophy and debate. I argued that epistemic capability requires standing in the appropriate critical relationship with new information and with one's own normative commitments. The critical skills associated with philosophy and debate can aid us in both of these goals, and they can be complementary to the skills gained from digital literacy above. We must teach students to construct, identify, assess, and formally refute arguments. This can be achieved with a multi-pronged approach.

Philosophy lessons can function as an introduction to critical reasoning, equipping students with the basic skills of reading and assessing arguments. These lessons can vary considerably in their content. Schools with a strong historical and literary tradition may choose to design philosophy classes around historical thinkers like Plato and Aristotle. Alternatively, philosophy lessons could be light on historical texts and focus instead on deductive logic and argument construction. Perhaps instead of Socratic dialogues, students could instead read the speeches of politicians. Whatever the specific content, designing a philosophy curriculum around the core of critical reasoning skills would allow students to then use these in various applied contexts.

Moderated discussions and formal debates can then be incorporated into the curricula of subjects whose content lends itself to justified disagreement, such as history, politics, literature, or psychology. I take disagreement to be justified if it there is some sort of rational merit in defending dissenting views. For example, there is rational merit in arguing the position that the fall of the Roman empire was due primarily to political corruption, rather than military or economic downturns, not least because this was a complex event with numerous causes, but because constructing and scrutinising an argument of this sort can be a useful exercise in organising a large amount of information. There is no rational merit, on the other hand, in arguing the position that the shape of the Earth is a flat disc, or that vaccinations cause autism. Taking an alternative side on the latter two questions would involve arguing in bad faith. Moderated discussions of the former kind would be a valuable exercise in the sorts of critical skills that I have argued are constitutive of epistemic capabilities in the political realm. And evidence shows that moderated discussions of current, controversial issues increase students' knowledge of civic processes, their skills at engaging with other people, and their interest in politics (e.g., Kawashima-Ginsberg and Levine 2014 cited in Crittenden and Levine, 2018).

Third, we must strive to teach students an honest and depoliticised history of power relations. By 'depoliticised history of power relations', I mean a history of the exercise of

political power between state institutions and groups of individuals which is presented with as little ideological bias as possible.

I qualify this third pillar with 'strive' because I realise what an arduous task this may turn out in practice, not least because of the tendency for polarisation around some political questions. For example, an explicit goal of the educational policies of many countries (including the UK's) is to foster in students a sense of national identity. Such a goal will invariably come into conflict with my proposal if the latter involves exposing students to the ways in which national identities may be tied up with historical wrongdoings and abuses of power. For example, in 2019, The New York Times launched the 1619 Project, an educational initiative to reframe American history as a history centred around colonialism and slavery. This was met with fierce backlash from conservative politicians and commentators who saw it as an attack on the values and institutions at the heart of the country (Ellison, 2020).

Conflicts like this are inevitable in the social world, so the educational goal of a depoliticised history of power will invariably become a site of extreme contestation. In such conflicts, we should, of course, take the side of truth, even if this is awkward or comes with a political cost. This may sound naïve to the reader, not least because such a claim relies on the assumption that it is possible to accurately separate what is true and what is ideological in the first place. For example, Michael Sandel (2020) has recently argued that the act of framing political facts itself is a political act. "Political debate," he writes, "is often about how to identify and characterize the facts relevant to the controversy in question. Whoever succeeds in framing the facts is already a long way to winning the argument." (Sandel, 2020: 110). If we engage in this kind of reasoning, then it may not even be possible to speak of a depoliticised history of power, let alone strive to achieve it in practice.

However, at the risk of starting an argument I may not be prepared to see to its end, I take it that Sandel's argument overstates the phenomenon at hand. The framing of political facts is a political act, but that should not necessarily tie any inquiry into political facts to a kind of relativism about truth. We should be careful to extricate the truth values of claims from their political significance here. Moreover, if the principle we use for framing particular facts, say, as part of a supposedly neutral history of power relations, is a principle that is uncontroversial, or minimally controversial, then perhaps we can afford to bite the bullet on this. So, if we agree on a simple principle that distinguishes between legitimate use of power and illegitimate use of power (perhaps we appeal to consent or non-domination to motivate such a principle), and if we take this principle to be acceptable to a broad coalition of people, then the subsequent framing of facts using this principle need not be controversial. Or rather, it need not be so controversial to doom the very possibility of my proposal. I take it that it is

possible to formulate such a minimally controversial principle of legitimacy, although I leave open the content of such a principle.

Whatever the specific criterion for deciding between legitimate and illegitimate use of power turns out to be, I believe it will have little practical bearing on the kinds of abuses of power we would want our education to speak about. For example, former imperial powers like the United Kingdom ought not to not shy away from teaching children about the role that enslavement and colonial exploitation has played in its history and in its present material wealth. Colonial history is often taught in a sanitised, even euphemistic fashion, which downplays the responsibility of colonial powers by framing key events as inevitable, or by erasing how these events affected the lived experiences of colonial subjects. We must reframe how events like this are rationalised. An honest history of power relations, therefore, must involve looking at how political power and authority was wielded over its subjects and how it affected their lives. History lessons should not shy away from inconvenient truths, and they cannot be made subservient to nationalistic norms. Otherwise, the history we teach younger generations absolves us of our wrongdoings, and it does very little to ensure such wrong doings are not considered legitimate tools of statecraft in the future. And, more relevantly for this chapter, it fails to teach students how they may negotiate political power exercised over them.

I take it that this does not have to be a radical transformation to the way that history is already taught. The significant change I am proposing is a change in framing. Historians have access to an abundance of different sources for any given event, but which sources are selected to tell a particular story, especially in a classroom, involves a number of choices made by historians, authors, teachers, as well as those charged with designing the curriculum. For example, Soviet history textbooks framed the occupation of the Baltic states in 1941 as an act of international benevolence as it liberated them from occupying German forces, even though subsequent repressions resulted in the forcible deportation and execution of thousands of people (e.g., Pettai and Pettai, 2014:55). This is an extreme example of selective framing of facts, but arguably similar tendentious framing happens when colonial powers are framed as having agency and transformative aspirations for less developed nations who are framed as having little to no agency. I argue that the remedy for this is to frame these events in terms of power relations between institutions and people. Whether or not these relations were legitimate or justified is another question, arguably a more involved question, but the crux of my claim here is that the way we report these events in the first place must be free of tendentious framing and must instead be cognisant of how power was wielded and how this power was met.

Another way to correct ideological tendencies in teaching history would be to elevate the voices of marginalised and overlooked communities. For example, in 2018, Scotland became the first country to embed queer history in its teaching curriculum (Brooks, 2018), paving way for conversations about how power has been wielded over a community of people that had been all but invisible for most of history. Similarly elevating the experiences of ethnic minorities and women is necessary for understanding past injustices and the structures of power, as well as the choices of individuals that enabled them.

The fourth pillar of my civic education proposal involves introducing an additional practical dimension to curricular changes – a service dimension. This would involve giving students the opportunity to participate in public life in some capacity outside of the classroom. This would not only equip them with the knowledge base of how political processes play out in the world, but also highlight the value of social capital in cooperative endeavours.

There is much to be said in favour of this recommendation. The distinction between knowledge and skills I made in Section 2.1 suggests that there should be an experiential element in addition to traditional pedagogy. While students may learn how democratic processes work through civics and history classes and while they may learn the cognitive skills necessary for engaging in these processes through philosophy and debate, service learning may help them internalise these lessons in a way that will guide their behaviour as citizens. Moreover, empirical evidence suggests that experiential and practical education is effective at inculcating the traits associated with civic learning (e.g., Damon, 2001 cited in Crittenden and Levine, 2018).

This practical dimension can be realised in a number of ways. For example, younger students can attend tours of various public institutions or civil organisations to get a sense of the work they do, whereas older students could be encouraged to shadow people in various positions of civil work. If regular outings outside the classroom are too costly or there are other prohibitive reasons against them, such as distance, external speakers could be invited into the classroom to represent diverse voices from various parts of public life. This would also have the added benefit of exposing students to a diversity of cultural, religious, or ideological viewpoints.

In closing, I take these four recommendations—content literacy, philosophy and debate, depoliticised history of power, and service learning—to be a promising starting point for thinking about devising a program of civic education that secures the capabilities that I argued are necessary for autonomously exercising choice in the political capability domain.

6. Indoctrination (or Perfectionism in Education II)

The educational proposal I have laid out is ambitious in scope. The reader will be forgiven for being a little puzzled at this point. I started this chapter with the intention of laying out a normatively thin, anti-perfectionist set of educational guidelines that would be consistent with the capabilitarian's (and the anti-perfectionist liberal's) belief in the primacy of freedom over impact. The claims that I have gone on to defend, however, look like they may be a lot more perfectionistic than what was originally intended. That is to say, the educational guidelines that I have laid out look like they may be picking out an array of objectively valuable functionings rather than capabilities, and thus overstepping the line that I have drawn for this project.

The most direct way of articulating this objection would be to say that my proposal may amount to indoctrination. According to this objection, the proposal that I am defending would consist in compelling students to accept a number of claims that may be controversial and that they may have good reasons to reject. If it turned out that the proposal does in fact rely on the truth of controversial claims, according to this objection, it would make my proposal an illegitimate exercise of power. For example, Brenda Almond (1991) has argued that decisions concerning education ought "to the maximum possible extent be in the hands of the child's own family" (Almond, 1991: 202). If my proposal runs counter to the freedom of parents to determine the ethical views of their children, then it can be argued to be inconsistent with respecting parental freedom, according to this objection.

The position behind this objection is not uncontroversial. For example, Matthew Clayton (2006) argues that parental conduct should be regulated by the same restrictions as political conduct. Therefore, the permissibility of enrolling children into comprehensive views may have to pass the same threshold in parental conduct as it would have to in political conduct (Clayton, 2006: 94). Nonetheless, I respond to the to the stronger claim implicit in the objection above which assumes that enrolment can be wrong if it runs counter to the views of the parent. I do this in order to show that my proposal does not amount to comprehensive enrolment at all, and that parents in such a case would not have a claim against me even if we assume Almond's position to be correct.

It will be helpful to disambiguate between two ways the word 'indoctrination' can be used – an ordinary language usage and a more technical usage. According to an ordinary language usage, indoctrination is sometimes used as a pejorative term to refer to the act of teaching something that one has a strong disagreement with. According to this use of the word, a teacher may be accused of indoctrinating a child if she was to, for example, tell the child something that a parent disagrees with. For example, a parent may accuse biology

textbook authors of indoctrination if they were to acknowledge that gender is a social category, instead of a biological one, or if they were to dedicate space to talking about transgender identities.

In autumn of 2020, the UK Government's women and equalities minister Kemi Badenoch told the House of Commons that teaching students that white privilege exists in the UK as an uncontested fact would be illegal as it would run counter to neutrality and consist in indoctrination. She argued that schools should not openly support "the anti-capitalist Black Lives Matter group" (Murray, 2020) – a group which she sees as being responsible for advocating this idea. She also added that a goal of the country's education system is to give everyone "a sense of belonging within British culture" (ibid.) – a goal which, presumably, becomes harder to accomplish if we openly articulate critiques of said culture.

I take both of the above examples of the use of indoctrination to be done in bad faith. Neither the parent with essentialist views on gender, nor Kemi Badenoch are primarily concerned with demonstrating that the claims in question are empirically false, or that their truth of the matter is not yet settled. If they were, both would have a much harder time arguing their case. Instead, they are primarily concerned with identifying the claims in question with some ideological movement which they have independent reason to be hostile to. And because the claims are, in some sense, associated with the ideological movement, they feel themselves entitled to dismiss the claims. Some anti-racism activists are also anti-capitalist, and some biologists are progressive allies of the queer community. But these alliances are contingent, and at any rate, entirely irrelevant to the truth of the matter. Most biologists today contend that gender, unlike sex, is a socially constructed category (e.g., as evidenced by The World Health Organisation's official communications) and claims of white privilege are empirically verifiable in absence of any kind of ideological underpinning. For example, a review by the Equality and Human Rights Commission[35] in 2010 found that black people in the UK were up to six-times more likely to be stopped and searched by police than white people (EHRC, 2010).

For this reason, I will not be concerned with considering whether any part of my proposal could be objected to in this kind of way. As we have seen, due to cultural cognition and other phenomena, people routinely politicise claims across a number of subject areas, and I take it would be sufficient here to simply refer to our best understanding of the facts

[35] The EHRC is a public, government-funded body, so it is unlikely to be formally associated with any renowned anti-capitalist groups.

of the matter to disarm any claims of supposed indoctrination on controversial educational proposals.

However, there is a more interesting and more troubling way we could understand my proposal to amount to indoctrination. According to the more technical usage of the term, we can understand indoctrination to refer to enrolment into a conception of the good. According to this way of articulating the objection—which should be familiar from Chapter 4—my proposal either collapses into perfectionism or is virtually indistinguishable from it. The risk of collapse would entail the risk of conceding to the state a tremendous degree of power for controlling the normative behaviour of its citizens. As such, one may argue (and I do) that civic education should avoid promoting controversial value claims.

This latter reading of indoctrination would consist of compelling students to accept controversial normative claims, such as claims relating to one's conceptions of the good. Suppose a religious education teacher was tasked with teaching her class about all of the religions of the world, but she designed her lessons in such a way to give an unfair advantage to the religion she herself subscribes to, say, Swedish Lutheranism. Suppose she would explicitly profess the truth of Swedish Lutheranism and also denigrate all other religions. By doing this, she would be compelling her students to accept a comprehensive world view. Unlike in the example case above, parents of these students would have a legitimate claim to make against her. The truth of religious teachings is not an empirical matter, and parents would arguably have the right to make these kinds of enrolment decisions themselves (assuming we endorse Almond's view above).

Understanding indoctrination in this way, is my educational proposal guilty of it? Does it involve compelling students to accept the truth of controversial normative claims such that dissenting parents would have a legitimate case against it? In a sense, it appears that it does. I am, after all, arguing that students should be taught to stand in specific kinds of relations with new information, their normative commitments, as well as with other people.

In order to finally lay this objection to rest, I will restate a familiar claim and use that to formulate a more ambitious one – that my proposal, in fact, provides a more attractive account of civic education than popular virtue-based views of political participation which rely on claims about the good that are considerably more controversial than the one I defend.

The conception of individual autonomy that underlies my capability approach, and this educational proposal in turn, is normatively thin. In Chapter 3, I argued that autonomy is constituted by the possession of a list of agentic competencies, such as self-reflection and imagination. These competencies are consistent with a vast array of normative choices. This makes the possession of autonomy consistent with a vast array of life choices – including ones that, on the face of it, look like they may be inimical to the very idea of autonomy. This

means that when we defend practices on the basis that they have the potential of promoting individual autonomy, we are not making normatively controversial claims with the intention of shoehorning individuals into living lives of, say, detachment or freedom from others or creative expression. We are saying instead that these practices equip people with competencies that they may use for any purpose they wish – even if that purpose is to denounce those very same competencies and choose not to exercise them.

In other words, the extent to which I have to bite the bullet on the claims in this chapter being controversial is already the extent to which I have bitten the bullet in previous chapters to argue that autonomy is the justifying principle of liberal institutions and liberal justice. All the purportedly controversial claims that render my proposal indoctrination in this chapter—critical agentic skills, relations of care and respect and non-domination and so on—have already been established as constituents of the account of individual autonomy that I argued is at the heart of this entire project. Moreover, I have also shown that these claims can be defended in a way that is consistent with anti-perfectionism. This is because I do not take any of them to compel individuals toward specific kinds of content-specific choices. The difficult argumentative concessions made in previous sections have the fortunate consequence that there is nothing further needed here: the key claims have already been made and justified.

There is more I can say now, however, to disarm this objection. Recall from the start of this chapter that the educative goals I am proposing are phrased as capabilities, that is, as opportunities for individuals to do things they value, understood as autonomously exercising choice across a range of domains of well-being. Therefore, capabilities with which we have been concerned in this chapter—relational and epistemic capabilities—refer to opportunities in those domains. If individuals choose not to act on these opportunities, justice does not require use to compel them to. For this reason, I take it that the educational proposal I am defending is perfectly consistent with the goals of liberalism and do not entail a problematic kind of indoctrination.

However, the same perhaps could not be said about civic education that is phrased in the language of virtues, which tends to be the traditional currency in discussions of civic education and political participation (e.g., Dagger, 2002). Virtues are perfectionist insofar as they refer to the habitual exercise of objectively valuable actions, and they are content-specific insofar as they pick out specific ways of being and doing. Moreover, virtues are stable character traits, the possession of which is argued to be essential for the discharge of whatever civic duty that is associated with them. Political capabilities, on the other hand are freedoms to participate in the political sphere in whatever capacity the individual chooses to.

I take it that this proposal, in fact, provides a more attractive account of civic education than civic education proposals which trade in virtue.

One immediate problem with this kind of qualification is that it may in effect run counter to my ambitions. Perhaps it is not merely sufficient to equip individuals with the necessary capabilities for resisting deception and alienation. Perhaps we have to encourage that these capabilities be routinely exercised to actually prevent and contain the problems with which I have been concerned in this chapter. To revisit the metaphor from Section 2.1, what good is an epistemic immune system if it is not continuously tested by being put to use on real epistemic bugs and viruses? Perhaps we do have to cultivate a normative allegiance to the kinds of behaviours I have mentioned in this chapter. This would, in effect, entail rejecting the 'standard move' from Chapter 1, which is an argumentative move that attempts to defend the neutrality of capabilities in absence of their normative content by pitching capabilities as freedoms and allowing space for non-participation. I cannot answer this question here. However, even if a capability-based intervention in curbing disenfranchisement and alienation will indeed turn out too weak in practice, I take it that aiming at capabilities may still be all that we can do from the standpoint of justice. Whatever benefits we could gain from fostering the kind of normative allegiance I am gesturing at here may turn out to pale in comparison to the cost of allowing states to meddle into the normative behaviour of their citizens. So, if we take state overreach to be a formidable problem for legitimacy, a capability approach might be the better approach we have for tackling injustices which alienate and disenfranchise people, even if it is an imperfect approach in light of the above considerations.

Conclusion

This chapter has critically examined a way that the capability approach to justice can be applied to civic education in order to formulate educative interventions to tackling problems associated with the intentional and unintentional exclusion of individuals from various political processes. I outlined two capabilities which I argued are particularly significant in the political domain—epistemic and relational capabilities—and I argued that they play an essential role in resisting disenfranchisement and alienation. I then formulated four practical suggestions for primary and secondary education curricula that could help strengthen these capabilities in practice. Finally, I looked at an objection to my proposal which states that it would involve an unacceptable kind of indoctrination. I argued that this proposal need not consist in indoctrination, and the only values it presupposes are already the values that I have argued in this thesis should be foundational to our best account of justice.

Summary and Concluding Remarks

In this thesis, I have proposed and motivated a novel kind of capability approach to distributive justice. I started the thesis by identifying a troubling kind of tension in Nussbaum's capability approach. While it is committed to an interpretation of liberal theory which allows its claims to trade in prescriptions of political morality only, it seems to overstep this boundary by advancing prescriptions that cut across several areas of individual life. For this reason, I argued that Nussbaum's capability approach finds itself in an awkward position which straddles a divide in liberal theory. I argued that such an inconsistent capability approach is impracticable and may lead to inconsistent application of laws.

I then argued that this tension suggests a kind of dilemma: in order to remove the capability approach from the awkward position it finds itself in, it might seem prudent for it to either double down on a robust principle of neutrality or to embrace a liberally perfectionist conception of political morality. As it happens, neither of these options is particularly attractive for an account of justice. The move toward neutrality robs the capability approach of its normative strength in delivering justice to the world's most disadvantaged people. Political liberalism overestimates the extent to which uncoerced individual actions are free. A principle of autonomy is, therefore, needed to adjudicate whether individuals enjoy effective freedom or not. On the other hand, the move toward liberal perfectionism fails too as it has the implication of disrespecting individuals. Perhaps such a move would also add fuel to those critics of Nussbaum who accuse her of attempting to export cultural imperialism to the developing world. But then again, I suppose my proposal may be vulnerable to the same kind of critique. I also suppose such critics would be wrong for they would be misunderstanding what autonomy means.

By clarifying the neutralist-perfectionist divide in liberalism and referring to Quong's (2011) taxonomy of liberal theory, I was able to claim that this dilemma is only an apparent one. This suggested an alternative move into reconciling the normative tension of the capability approach – by realigning the approach with an interpretation of liberalism known as comprehensive anti-perfectionism. I argued that we should understand capabilities to be normatively justified by the value of individual autonomy – the capacity of individuals to lead their own lives by making decisions about value and fashioning appropriate responses to the social relations they stand in. The particular nature of this claim, in turn, entails a presumption toward anti-perfectionism, which is a principle that I argued Nussbaum and other capabilitarians ought to endorse in order to formulate a principle for legitimate interventions in people's decision-making. Namely, the principle of anti-perfectionism

means that public authorities cannot act in ways to promote or denigrate some individuals' reasonable conceptions of the good, and that the extent to which they can interfere in individuals' decision-making is outlined by state's duty to promote and uphold individuals' autonomy – a capacity that I conceptualised as a meta-capability, or a capability to pursue and exercise other capabilities.

This cleared the way for me to develop a two-step capability approach to justice. Its first step—which takes lexical priority over the second—requires states to secure individuals with the meta-capability of making autonomous judgement about their plans of life. The second step of this proposal requires states to provide individuals with a sufficient threshold of adequate opportunities across six domains of well-being.

I also argued that this reimagined capability approach to justice can allow us to make sense of social practices as conversion factors and their subsequent effects on individual volition and capabilities. I argued that the socially relational conception of autonomy I endorse can help us identify social practices which we ought to protect, and social practices which we ought to strive to dismantle. I showed that this task will involve substantially more than merely passing and upholding laws. It will involve coaxing some individuals out of unhealthy relationships, and reforming social practices in a way that enables people to challenge unjust norms. I pointed out that this move also bridges the gap between distributive and relational approaches to justice. I take it this could be an avenue for exciting future work.

In the final part of this thesis, I applied the capability approach to education and argued that my account of capability justice has practical implications for education policy. In particular, I argued that we can promote capabilities, as well as autonomy, through a number of educational means. I argued that this can be done while retaining the principle of anti-perfectionism. I then tested these claims with a case study of civic education which aspires to prevent and mitigate the effects of various contemporary phenomena, such as fake news, conspiracy theory uptake, and propaganda. I argued that people's political capabilities can be promoted with an educational program that teaches them a set of relevant skills, gives them a baseline knowledge base, and teaches them how to enter into healthy and valuable social relationships.

One of the main tasks that this thesis undertook, above the ones I have already mentioned here, was defending comprehensive anti-perfectionism as an attractive and compelling interpretation of liberal political morality. This task involved defending it from various critics who see it as incoherent, unstable, or involving a kind of subordination of those who dissent from the comprehensive doctrine endorsed by the state. I argued throughout this thesis that the transformative aspirations of the capability approach are best delivered with an approach to justice which holds at its core a specific and demanding

conception of individual autonomy. Moreover, I argued there need not be anything incoherent about a liberal state which promotes autonomy while refraining to promote first-order claims about moral value. I reiterated this claim specifically in the context of my education proposal by arguing that it can be shown not to involve an indoctrination of a problematic kind.

When we think about the demands of justice, we ought to begin by asking – what are people capable of doing and being? Are they succeeding in what they have set out to do? As we have seen, these questions are not easy ones, and the specific variables that we would need to understand in order to answer them are not easy to measure. Every opportunity that an individual gives herself or forgoes exists within a complex social web of meanings and expectations that may impact the extent to which she was free to choose. The things that people are capable of doing and being, therefore, cannot be formulated in a way that is ignorant about this social web. This suggests that capabilities have to be understood as expressions of people's autonomous judgement. Governments all around the world must, therefore, give themselves the task of promoting autonomy in its various expressions in human life. Only by doing so will they be able to secure individuals with the capabilities needed to live well.

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