ROUTLEDGE FRONTIERS OF POLITICAL ECONOMY

Freedom, Responsibility and Economics of the Person

Jérôme Ballet, Damien Bazin,
Jean-Luc Dubois and
François-Régis Mahieu

ROUTLEDGE

Freedom, Responsibility and Economics of the Person

The capability approach has developed significantly since Amartya Sen was awarded the Nobel Prize in Economics in 1998. It is now recognised as being highly beneficial in the analysis of poverty and inequality, but also in the redefinition of policies aimed at improving the wellbeing of individuals.

The approach has been applied within numerous sectors, from health and education to sustainable development, but beyond the obvious interest that it represents for the classical economics tradition, it has also encountered certain limitations. While acknowledging the undeniable progress that the approach has made in renewing the thinking on the development and wellbeing of a population, this book takes a critical stance.

It focusses particularly on the approach's inadequacy vis-à-vis the continental phenomenological tradition and draws conclusions about the economic analysis of development. In a more specific sense, it highlights the fact that the approach is too bound by standard economic logic, which has prevented it from taking account of a key 'person' dimension – namely, the ability of an individual to assume responsibility. As a result, this book advocates the notion that if the approach is used carelessly in relation to development policies, it can cause a number of pernicious effects, some of which may lead to disastrous consequences.

Due to its multidisciplinary nature, this book will be of interest to those working in the fields of economics, philosophy, development studies and sociology.

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Jérôme Ballet, Damien Bazin, Jean-Luc Dubois
and François-Régis Mahieu

1 Introduction

The present book is intended to present and develop thinking about the concept of the person in economics. Using this fundamental concept, we seek to enrich the economic analysis of an ethical reflection on responsibility and freedom. The relationship between freedom and responsibility has been the subject of numerous passionate debates in moral philosophy and politics. Henry Sidgwick's (1888) rereading of Kant has contributed to the confrontation of two opposing concepts. According to the first concept, freedom is equivalent to rationality; a person is therefore free to the extent that his/her acts are in accordance with Reason. A person is thus a free agent in proportion to his/her rational acts. As a result of this relationship with freedom, s/he is responsible for the consequences of his/her acts. According to the second concept, the freedom to choose can express itself irrationally, for example when choosing between good and evil. This is a moral freedom, i.e. that of the 'moralists'. It refers to the imperatives of the person's conscience, but is disconnected with rationality. Thus, according to Sidgwick, Kant causes serious confusion by using the term freedom to designate two different things. More, he leads us astray by combining moral attribution with moral freedom since a person can only be held responsible if s/he is acting in accordance with reason. This conclusion is irrevocable. The divorce between rationality and morality is final.

Having opted for an unavoidable reference to rationality, it is hardly surprising that economic science should have developed an amoral concept of the person, reduced to a rational calculation. By doing this, economic science has dehumanised the person, to the extent of only accepting a representative individual, a sort of calculating machine who is, consequently, predictable.[1]

Recent developments[2] have indeed started to challenge this amoral concept of the individual and have highlighted the feelings of sympathy or empathy of which s/he is capable, thus to some extent restoring a link with Adam Smith. Nevertheless, the reconciliation between the individual and the person is far from complete. We propose a methodological and applied reflection in order to bring about this reconciliation and re-humanise the person. This re-humanisation does not reject rationality. On the contrary, it restores it to its true place in relationship to morality.

Our approach is based on a twofold philosophical tradition. On the one hand the tradition of European phenomenology, and more specifically that of French

phenomenology, with philosophers such as Jean-Paul Sartre, Maurice Merleau-Ponty and Paul Ricoeur; on the other the philosophers who have renewed the thought of Kant, such as Christine Korsgaard. This dual origin allows us to propose a phenomenology of the economic person. Using this phenomenology of the economic person we argue on two essential purposes.

First, persons are immersed in a world from which they cannot escape.[3] This world consists of values and norms that create rights and duties for persons. Of course persons are not simply in servitude to this world. They also create this world, and contribute to reformulating its norms and values. However, people's actions cannot be dissociated from the rights and duties that are attributed to them, that they attribute to themselves, or that they reject. Economic calculation is consequently constrained. This does not mean that it no longer has any place. Quite the contrary, fulfilling one's duties means managing them and ordering them according to their priorities. Rationality is entwined with morality. For example, using income is not simply choosing between two types of goods for which the person has preferences. It assumes having accepted one's duties, sometimes by transferring part of one's income to other people for whom one feels responsible, even if this means sacrificing part of one's own consumption. The person can of course reject his/her responsibilities towards others by devoting all of his/her income to his/her own consumption, whilst assuming the social consequences that flow from it; and which cannot be reduced simply to appearing selfish, but may include sanctioning behaviour from other people. In all, the economic calculation forms part of a moral calculation that may not be angelic.

Second, the person cannot be dissociated from the practical identities that define him/her. But at the same time, these identities cannot be entirely divorced from the person's actions. A person is what s/he is in action. Actions of an economic nature thus forge the identity, or more exactly the practical identities, of the economic person. These identities are multiple. They are related to what other people expect, but also to how the person defines him/herself. Once again we find rationality in the handling of identities. In a given society these identities cannot escape the prevailing standards and values; practical identities, rights and duties are closely linked in a society. The economic calculation is carried out within a calculation of identity, which is also a moral calculation.

We construct the phenomenology of the economic person in a series of seven steps that constitute the next seven chapters.

In the second chapter we look at the idea of freedom. We want to demonstrate that freedom cannot be reduced to the use of reason, which would amount only to the simple rationality of choice. The capabilities approach, proposed by authors including Amartya Sen, has indeed extended the concept of freedom, but it remains trapped as a purely functional freedom. In the end it only extends freedom of choice. It is simply a set of characteristics external to the person. From this point of view, a person is little different from an object, which also has particular characteristics. The question of moral freedom is never raised and its corollary, self-constraint – which is found in Kant, but which Sidgwick has completely left out – does not appear at any time. This is a very unfortunate oversight, because freedom is not simply choosing

between two alternatives; it is also, and above all, power over others. Freedom is, above all, what I can do in the world I inhabit; the world in which I locate my interactions with other people. Without the freedom to constrain oneself, for example by seeking not to harm others, freedom can soon become monstrous. According to a long tradition, this problem is resolved by an entity external to persons, often designated by nebulous terms such as the 'State' or the 'Government,' but such a tradition in fact denies the capacity of persons to constrain themselves and to act in accordance with morality. It is this tradition that we think is fundamentally flawed. In addition, it only allows us to view responsibility from a very narrow angle.

In the third chapter, we will go on to discuss the notion of responsibility and its links with freedom. If freedom is equivalent to the use of rationality, responsibility is reduced to a calculation of the consequences of rational choices. In this case, we can speak of *ex-post* responsibility, because responsibility flows from freedom. This sequence will be more or less developed depending on whether the intentions of the agent, the weakness of his/her will, etc. are included in the reasoning, but it inevitably remains causal. From this point of view, the logic of the notion of agency has not radically changed. It simply expresses a capacity to use freedom. This concept of responsibility is problematic. Indeed it is necessary to be able to identify the beginning of the causal chain, and this beginning is the agent. Meanwhile, the agent is not a precise individuality. It is a point without thickness. The agent remains an empty concept defined in a circular manner with action. The action is attributed to an agent, who is him/herself defined by his/her capacity to choose actions freely. This means that the agent must be given some depth by assigning certain characteristics that lie outside the chain of causality. One way of conferring depth on the agent is to replace a purely causal logic by the logic of implication, which makes responsibility a defining characteristic of the agent. We take moral freedom and self-constraint into account. Responsibility no longer flows from freedom; it constitutes its foundation. In this case, we speak of *ex-ante* responsibility. Responsibility is understood as arising from a relationship of implication with the agent, and is synchronistic with freedom. Agency becomes the way the person uses his/her responsibility.

The agent cannot escape his/her responsibility. It is immediate. The agent is immersed in the world, but simultaneously personalises it by the way s/he assumes his/her responsibility. This responsible agent is designated a 'person.' In the fourth chapter we look more closely at this concept. It has two distinct meanings: on the one hand, that of the generic person, which differentiates the person from other living beings, and on the other, the particular person that each of us constitutes. Through identity, these two meanings combine to the point where it is no longer possible to distinguish between them. The person personalises the world at the same time as s/he personalises him/herself. We have both a personal identity as a generic person, and multiple practical identities as a particular person. And even though the practical identities are multiple and could potentially give rise to tension, they are resolved in the personal identity, which means that whatever I do, I remain a responsible person, and as such I cannot escape from my responsibility. I can only choose the forms that it will take by

my actions. Identity is forged by the manner in which we assume our responsibilities. It is self-esteem with responsibility towards oneself, recognition of others with responsibility towards other people, and acceptance of rights and duties with responsibility towards everyone. Identity is not a state, but an activity. Because identity cannot be situated outside time, it cannot be a fixed state, but must be conceived as an activity, the activity of constituting oneself as a unique person by taking on board the responsibilities in a pre-existing world. Identity is what we are in the action of constituting ourselves as a person.

Having thus established a concept of the person, in the fifth chapter we establish the methodology that allows us to give substance to this economic person. To do this, we use a form of individualism, because we think it is necessary to go through the person. However, this individualism accepts a form of contextualism, since the person is always located in a given context and the concrete responsibilities that s/he has to assume must be interpreted in this context. Such an approach leads us to defend a phenomenological form of contextualism. Such a methodological position consists of recognising that the choices and behaviour of individuals cannot take place outside a pre-existing context with the values that persons cannot avoid, while accepting that these values can have no meaning without the choices and behaviour of persons. The person is an entity in which social and personal values converge. This means that the person is indeed responsible, but must nonetheless be reasonable. The responsibilities that the person sets him/herself must be acceptable to society. S/he must also be rational, because the multiplicity of responsibilities implies constraints and the person must necessarily carry out arbitrations between his/her various responsibilities. Moral freedom and rational freedom are thus two different expressions of responsibility. We therefore express the modalities of managing responsibilities in terms of the rights and duties that reflect both the opportunities available to the person, and the constraints with which s/he has to cope.

In the sixth chapter we go on to provide some illustrations of the economy of the person. Here we show that results that would seem to be unexpected and counter-intuitive for the usual economic analysis can be understood through the economy of the person. This is true of the decrease in consumption that occurs when income increases, of the large amount of time devoted to work that does not permit the immediate and substantial increase of people's wellbeing, of lending at rates below the market rate, etc. These illustrations reveal two important characteristics of persons in context. On the one hand, their practical identities are also a vector of vulnerability. On the other hand, the rationalisation of practical identities can lead them to be fallible towards other persons. In the seventh and eighth chapters, we look in turn at these topics of vulnerability and fallibility. This allows us to conclude that the person is fragile, and the extreme forms of this fragility lead to suffering, forced migrations, death, etc. The economics of the person leads to questions about the events that render persons fragile. These events are not always natural; they can also result from deliberate economic and social policies. The ninth chapter concludes by outlining what an economics of institutions and of experts responsible to the populations could look like. This thinking will have to be pursued further in follow-up to the present work.

2 Freedom and the capability approach

According to a popular paradox, a free society cannot be fair – and a fair society cannot be free. This is a paradox often trotted out by bar-room pundits and others.[1] Liberal theories of justice resolve this contradiction, each in their own way,[2] on the one hand by proposing different criteria for justice, and on the other by giving a stronger or weaker consistency to freedom. Despite this, they all share the same interpretation of freedom based on the self-determination of individuals with regard to their way of life.

Freedom is a primary property of human beings as agents confronting the physical world. It refers to the self-determination of a subject possessing reason and will. This freedom does not only concern the choice of whether to do (or not to do) some daily activity, such as taking the car or walking to go shopping, but more fundamentally, the choice of a specific way of life that reflects ones values about what constitutes the good life.[3] For example, one may prefer to devote one's life to surfing or, in contrast, to work;[4] one may consider that a life worth living displays some specific direction, or reflects some specific value. Freedom is, therefore, above all, the choice of values that reflect the life one is living. Choosing to fast regularly, for instance, can reflect values that motivate an entire life.

However, an essential factor is the ability of individuals to make choices based on the values that direct their lives. This ability can be understood in at least two ways. The first way is that of the mental capacity to make a choice amongst a range of alternatives. The capacity to follow a line of reasoning can limit the choices that can in fact be made. The second way involves the capacity to choose from amongst a limited range of alternatives. If we leave to one side the first understanding, then the second poses a real challenge. As Amartya Sen has pointed out several times, choosing to fast if I am able to do so is very different from not eating because I have nothing to eat. The second situation refers us back to an inequality of *capability*.

Thus, capability opens the way to a conception of freedom as consisting of opportunities. This conception of freedom alters the understanding of poverty, which is thus understood as being the privation of freedoms, i.e. of opportunities. It makes it possible to make value judgements about social conditions that are much more detailed than is possible by a utility-based approach. It does,

however, run the risk of becoming a merely functional conception of freedom by focussing solely on the human condition and leaving aside a transcendental conception of freedom and of Man. Such a definition of the approach in terms of capability is particularly problematic if it becomes a normative project in the organisation of society.

2.1 Freedom in liberal egalitarianism

Self-determination

The various liberal theories may diverge considerably with regard to the nature and forms of redistribution towards individuals, but they are all agreed that individuals are best able to judge for themselves what is good.

One of the essential characteristics of all these theories, is the place given to the principle of self-determination of individuals.[5] This principle of self-determination is generally synonymous with rational autonomy. Although it is not easy to provide an exact definition of the notion of rational autonomy or self-determination,[6] we can start from the notion that self-determination refers to the idea that the individual is free to choose the way of life he or she wishes to adopt. John Stuart Mill was certainly one of the first authors to formulate this concept and give it central importance.[7] He stressed, for example, the right of individuals to interpret their own life experience and to choose the life they wish to live. Self-determination in this sense is fairly remote from the idea of being able to make free and untrammelled choices in everyday life. Instead, it refers to a capacity of individuals to make rational and reasoned choices about their way of life.

Denying this right to self-determination would amount to not treating all individuals in the same way, to thinking that some of them are not capable of choosing, or that certain lifestyles are not desirable.

Of course, liberal theories do accept that some people cannot choose for themselves; for instance, children or the mentally handicapped. But, they are unwilling to think that certain ways of life are necessarily better and can, therefore, be imposed by an authority external to the individual. However, this point of view must be understood correctly. It does not mean that all ways of life are equal, but rather that the lived experiences by individuals are specific to them and contribute to their conception of what is good. The problem is not, therefore, so much the choice of a way of life as the capacity to assess a way of life. Self-determination is linked to this assessment capacity. For example, in his *Theory of justice*, John Rawls stressed the fact that individuals possess this capacity to evaluate different conceptions of what is good, and also their objectives. Above all, he stresses the fact that individuals have the capacity to change their concept of what is good on the basis of how they evaluate it. Self-determination does not therefore concern the choice of a way of life, but the capacity to choose, i.e. the capacity to evaluate and re-evaluate one's choices. Of course, this capacity to evaluate and re-evaluate one's choices has meaning only in so far as the

individual is guided by a desire to live the good life, which in itself already proceeds from a particular concept of the individual. The importance given to self-determination only has meaning because the person is conceived as an individual whose main objective in life is to pursue the good life. Nevertheless, this does not signify that the judgements that individuals reach about different ways of life are infallible. All it assumes is that the individual develops a capacity to re-evaluate his or her judgement.

It could, of course, be objected that if the final objective is to achieve a good life, the State, or any entity external to individuals, could considerably facilitate things by constraining the choices of those individuals, thus avoiding the erroneous conceptions of the good life held by some of them. Liberal theories reject any such process in the name of the idea that a form of paternalism with regard to the good life would not be able to persuade individuals. According to liberal theories, convictions about the values that guide the good life cannot be imposed from outside. They have to be forged from a requirement for interiorisation (Dworkin 1989). There are at least three reasons for this. First, the State itself can get it wrong. Its expertise, quite apart from its intentions (which are to force individuals to opt for a particular lifestyle) can be at fault. Next, the very fact that individuals are subject to an external constraint may drive them to view the choice imposed on them as a way of life that makes no sense. Finally, the values that determine the choice of a way of life will only be taken on board if they are what the individuals want, which in the end makes an imperfect process of choice preferable, since it makes it easier for values regarding lifestyle to be internalised. Following John Stuart Mill, we can therefore hold that a society based on the autonomy of the people is to be preferred to a coercive society, even if the former is imperfect and the second would, in fact, in the end, lead to greater autonomy.

Freedom as a value

According to liberal theories, freedom has a twofold meaning. First, freedom is the freedom tc choose. Then it is the freedom to choose what makes sense in the eyes of individuals, what individuals have good reasons to prize in their pursuit of the good life. Thus, freedom makes it possible to acquire the capacity to evaluate the judgement about the good life by a mechanism of internalising this evaluation.

The central place given to freedom confers on it the status of a value. According to Dworkin (1989), it has the strange characteristic of being both a fact through self-determination, as a fundamental characteristic of individuals as agents, and a value as a social attribute that should be promoted. By 'value' here, we mean something to which we wish to give value. Freedom has both an intrinsic value and an instrumental value. It includes an intrinsic value, because without the freedom to choose our own way of life, life would certainly not have the same value as it would if we could choose the type of life we want. For example, we could be forced to devote our life to humanitarian aid. Such a

constraint would weigh on the value that we would finally give to devoting our life to humanitarian aid, even if we would in fact definitely have chosen this way of life, had we been free to do so. But, freedom also has instrumental value, because it allows us to promote other values.

However, although all liberal theories accept the idea that freedom can be a value and would agree about evaluative moral statements such as 'a life of freedom is better than a life without freedom,' they differ about the exact meaning to be given to the concept of freedom.

We can simplify this by dividing the various different theories into those that promote formal freedom and those that promote real freedom. To use the example given by Van Parijs (1991b), if I am in prison I do not have the formal freedom to go and catch a train. If I come out of prison, I do have the formal freedom to catch the train, but I may not necessarily have the real freedom to do it, for example, because I can't afford the ticket that would allow me to catch it. I would have the real freedom to catch the train if I were able to actually board the train, i.e. pay for my ticket, and also, if I happen to be disabled, have a system for boarding the train that meets my requirements as a disabled person.

This division is important, because to a large extent it is what determines whether liberal theories are more or less redistributive in nature. It is self-evident that theories that lean towards a concept of real freedom are more redistributive than those that stick to a formal concept of freedom. In the previous example of catching a train, giving value to real freedom entails setting up systems that improve access to trains, whereas these systems do not appear necessary in a formal conception of freedom. The same is true about access to education, to healthcare, etc.

Polyvalence of values and non-interference

Like other values, freedom is polyvalent. The Good can become the pleasure of a sated wealthy class, the Just can become imposing a fundamentalist constraint, Justice, an iniquity that runs counter to the will of the people concerned, Responsibility can become the pretext for some sort of murderous adventure, and Freedom itself can become domination or interference. Each value carries its contrary meaning within itself. This dialectic often crops up in literature: in the characters of *Justine* by the Marquis de Sade (1791) and of *Juliette* in Friedrich Wilhelm Nietzsche (2007). It also surfaces in the cinema, in Lars von Trier for example, in *Dogville* (2003). Grace Margaret Mulligan, alias Nicole Kidman (the heroine of the film), is initially protected by the community, which welcomes her in the name of solidarity and the common Good. Later, however, she is bullied by that same community in the name of the same values. Grace herself forgives those who bullied her, under cover of the good of humanity and the weakness of Man, but in the end she has the entire community exterminated in the name of these same values. In order to avoid the risk of the polyvalence of freedom, we therefore have to delineate its use.

John Stuart Mill proposed a first limitation of freedom with the No Harm Principle.[8] This principle requires the State to be neutral with regard to the ways

of life adopted by individuals. Under these conditions, political action sets out to promote the wellbeing or interests of all citizens, who are considered to be equal, and proceeds by a process of aggregating preferences. Restricting an individual's freedom can only be justified in order to stop him or her harming someone else.

The concept of negative freedom, 'my freedom stops where that of others begins', is a form of extension of the principle of Mill with regard to the risk of the polyvalence of freedom. This now classical distinction, first proposed by Berlin (1969), refers to the division within liberal theories, without, however, challenging the deeper question of autonomy. Whereas positive freedom is the freedom to act as one's own master, negative freedom is related to interference by other individuals, with regard to a specific individual. With regard to the question of autonomy, the distinction between positive and negative freedom remains of second ranking.

Going beyond this distinction, Pettit (1996) has recently proposed a concept of freedom as the antipower of the Other with regard to oneself. This concept of freedom differs from that of negative freedom, because it does not restrict itself to interference from other individuals, but extends to interference that can be caused by the power of others. In this sense, whereas positive freedom for Berlin is the freedom to be one's own master, for Pettit, freedom is antipower, and the freedom to be in a situation in which no one is or can be my master, and therefore use his/her power in an arbitrary manner. With this concept, freedom is not limited to the public sphere; it also interferes in the private sphere. One obvious illustration of this is the lack of freedom suffered by battered women, who are subject to their husbands or partners. Three complementary strategies for correcting inequalities of freedom can thus be envisaged. First of all, imbalances of power should be corrected by protecting vulnerable people against the arbitrary use of power by those who hold it. In the previous example, this would mean directly protecting the women. Next, measures intended to regulate the power held by the powerful should be implemented. For example, we know that one of the reasons why women are submissive to the arbitrary use of power by their husbands or partners is their economic dependence. In this case, the measures intended to regulate the inequalities on the labour market can have a significant positive effect in reducing the power of abusive husbands. Finally, restoring power to those who are powerless is a strategy of re-equilibration. In some cases, this strategy is certainly the most difficult to put into practice, for example in the case of battered wives, it is often easier to limit the power of those who are abusing their power than to increase the power of those who are submitted to the abuse. Freedom as antipower therefore pushes the demands of freedom further than freedom as non-interference.

2.2 The capability approach

An incontestable renewal in line with liberal theories

The capabilities approach proposed by Amartya Sen[9] has considerably altered the analysis of wellbeing. Wellbeing is traditionally measured, in economic

theory, on the basis of utility. Wellbeing is derived directly from the utilitarian tradition, and is measured on the basis of aggregating individual utilities. The problem, as Sen points out, is the focalisation on utility as the only informational base. This focalisation leaves aside many of the elements that are involved in wellbeing, such as rights and freedoms. At best, these elements are relegated to an instrumental role of increasing the utility. However, in the liberal tradition, for example, freedom has an intrinsic value for wellbeing, and not only because it makes it possible to attain certain goods that increase utility. The criticism that Sen makes of the traditional measurement of wellbeing is, therefore, its inability to take into account fundamental aspects, such as rights and freedoms. This implies that it is also incapable of measuring the deprivations to which individuals are subjected.

Furthermore, there is an incomparability of utilities, since the switch to ordinal utilities does not facilitate the comparative evaluations required for redistribution.[10] Ordinal utilities do indeed make it possible to rank individual utilities, but they do not allow comparisons. Under these conditions, it is hardly surprising that the measurement of wellbeing has focused on measuring revenues, a variable which is measurable, and which, in consequence, is held to reflect utility.

More specifically, Sen accuses the measuring of wellbeing from the perspective of utility of neglecting, on the one hand the capacity to have control over achievements, i.e. to have a capacity to act in view of an outcome (which can, of course, be measured in terms of utility); and on the other hand, of neglecting the reflective activity of individuals, which can also constitute part of their wellbeing; finally, ignoring the freedom to achieve things by focussing to an excessive degree on what is actually achieved.

With regard to the first aspect in Sen's criticism of measuring wellbeing by utility, the conversion of goods into utilities lies at the heart of the problem. It refers to the capacity of individuals, their physical capacity for example, to obtain a utility from a good.[11] To use an example that Sen himself often uses, an individual with a physical deficiency, which affects his or her capacity to feed him/herself, and who needs more food to achieve the same degree of nutritional satiety as some notional 'average' individual, will have to eat more, or eat different foods from other individuals. S/he will therefore obtain less satisfaction than other people from the same level of income. Equality of income would therefore translate into a fundamental inequality in the satisfaction of basic needs. However (paradoxically), the collective utility could be increased by abandoning those individuals who have the greatest difficulty in satisfying their needs. If redistribution were to be carried out from a purely utilitarian point of view, it would have to focus on those who have the greatest capacity to satisfy their needs. Such redistribution would simply increase the inequalities. It is therefore necessary to go beyond the framework of utilities and take into account the conversion capacity of individuals.

With regard to the second aspect of Sen's criticism, taking into account the reflexive activity of individuals, it is now recognised that poor people will tend

to be satisfied with what they have. They will display what are known as 'adaptive preferences.'[12] In contrast, people who are less poor are not satisfied with what they have. Paradoxically, therefore, a redistribution based on utilities would favour the people who are least satisfied, i.e. those who are less poor. It is therefore necessary at least to ask oneself about the value people would give to things if they were able to change their situation or circumstances.

Finally, the first two aspects of the criticism lead to the question of the freedom to achieve. This presupposes that the individual both has additional opportunities that modify the value that people attribute to things, and that they have a stronger conversion capacity, which implies being able to access new opportunities. The freedom to accomplish is therefore a real freedom. To complete the loop, certain opportunities can themselves become means to increase other opportunities. For instance, the level of education is an essential capacity in accessing employment.

The evaluation of wellbeing must then take into account the freedom that individuals really have to choose between different ways of life to which they may have reasons to confer value. We once more encounter the principle of self-determination of the liberal theories. In order to propose a concrete alternative to utilitarianism, Sen proposes an approach in terms of capabilities.

Capability and functioning

The approach proposed by Sen rests on the ideas of 'functionings' and 'capabilities.' A functioning is what a person does. To reach a given level of wellbeing, it is necessary to achieve a certain number of vital functionings, such as being able to move, to house oneself, to be in good health, to eat a balanced diet, to be socially recognised and respected, to be able to participate in collective decisions, etc. These functionings are therefore very varied and can have varying degrees of complexity:

> The relevant functionings can vary from such elementary things as being adequately nourished, being in good health, avoiding escapable morbidity and premature mortality, etc., to more complex achievements such as being happy, having self-respect, taking part in the life of the community, and so on.
>
> (Sen 1992: 39)

Sen often uses the example of the bicycle to explain the idea of a functioning.[13] It can be used as a means of transport, or it can be sold. One can run alongside it while someone else is pedalling, etc. It is therefore a physical means of achieving something. This may quite simply be the ability to get around, but also to prepare for running in a race, going out with the family, or getting into training for a cycle race, etc. The functioning is whatever each person achieves using the bicycle. This functioning can give rise to very different mental states or utilities depending on the individuals and the uses they make of the bicycle. Children

who are learning ride a bike despite being afraid, will certainly not enjoy a mental state that gives them a positive utility at the time, even if they manage to overcome their fears, are eventually able to balance on the bike, and get enormous final satisfaction from the self-esteem they feel. An experienced racing cyclist, who is breaking his/her speed record, will experience a positive utility from the use s/he has just made of his/her cycle, etc. Thus, according to Sen, what matters is the functioning, and not the utility provided by the functioning. We can accomplish functionings that are unpleasant at the time, but which are important for our future life.[14]

These functionings do, however, only constitute wellbeing in the form of accomplishment. Beyond this, there is the question of the possibilities opened by accomplishments. Thus, the idea of the capability to function 'represents the various combinations of functionings (beings and doings) that the person can achieve' (ibid.: 40). They can be compared to having a limited budget. In the same way that a budget constraint restricts the possibilities of purchasing goods, the capabilities restrict the possibilities of functioning. The less restricted one's budget, the more goods one is able to purchase. Similarly, the less the combination of functionings is reduced, the more the individual is able to accomplish the functionings he or she wishes to.

More precisely, the capabilities are linked to the wellbeing of the individual in two ways. First, because they determine the possibilities of functioning that constitute wellbeing. They restrict the possible choices. Second, because the possibility of having a wide range of choices is in itself a component of the individual's wellbeing. 'Choosing may itself be a valuable part of living, and a life of genuine choice with serious options may be seen to be–for that reason–richer' (ibid.: 41). In fact, capabilities should be understood as a set of real possibilities of functioning. Capabilities are therefore real freedoms, i.e. what individuals can really do. Whereas functionings are the elements that constitute wellbeing, capabilities are the freedom to choose and to accomplish these functionings.

> Capability is primarily a reflection of the freedom to achieve valuable functionings. It concentrates directly on freedom as such rather than on the means to achieve freedom, and it identifies the real alternatives we have. In this sense it can be read as a reflection of substantive freedom. In so far as functionings are constitutive of well-being, capability represents a person's freedom to achieve well-being.
>
> (Ibid.: 49)

In this sense, capability is a reflection of the concrete thickness of freedom.

Capability emphasises the capacity to convert the resources or means that individuals have into functionings. Thus, if an individual owns a bicycle, s/he can use it to accomplish a functioning to which s/he attaches value, for example going for a cycle ride with the family. From a pragmatic point of view, the capabilities approach assumes an analysis of the factors that block these conversion possibilities. These factors are of various different types. They can for instance

be individual, such as a disability, social and involving discrimination, or environmental and involving the weather or topological constraints. If going out cycling with the family is a functioning one wishes to accomplish, then the bicycle must not have a flat tyre (a condition of the resource: having sufficient resources), the person must not have only one leg (a conversion condition linked to an individual factor) unless the bike has been adapted for use by a disabled person (a condition of adaptation of the resources to the individual factor that is preventing the conversion), cycling must not be socially prohibited (a condition of social tolerance), cycling lanes must be provided to make cycling possible (a condition of social facilitation, even though this is not an essential condition, because it is possible to go cycling off cycle tracks, although having them does make it much easier to do by reducing the danger, particularly in the case of a family outing), the weather must also make it possible, for example the roads or lanes must not be icy (a conversion condition linked to environmental factors), etc. Capability is therefore intercalated between resources and functionings; it can facilitate or reduce the possibilities of functioning.

In this context, the aim of increasing wellbeing is to promote the capabilities of individuals so as to allow them to 'do' what they want to, and thus achieve desired 'states of being'. Reinforcing capabilities increases the possibilities of individuals to choose, and makes it easier for them to choose the life they want to live. In other words, the first thing to be done is to improve the capacity of individuals to fend for themselves and to control their own destiny, rather than seeking solely to satisfy their consumption needs, as a strictly utilitarian vision would have us believe.

The notion of capability is, however, essentially defined in generic terms. It corresponds to the freedom that we have, which enables to do what we have good reason to value. Two questions now arise. First, there is some lack of precision about the range of existing capabilities, and does any increase in choice automatically correspond to enhanced wellbeing? It is obvious that some additional choices have no impact on wellbeing. It is sufficient to think of the possibility of choosing between several different washing powders. Increasing the number of washing powders, and therefore increasing the possibilities of choice associated with them, will have no effect on the wellbeing of people, unless some new product radically alters the cleansing provided and would therefore enhance people's cleanliness. But, as a general rule, a series of superfluous choices does not increase a person's wellbeing. Given that some functionings are of little interest for an analysis of wellbeing, such as using some particular washing powder, the corresponding capabilities are also of little interest.

Second, some choices can substantially modify wellbeing, be of definite value, and yet not be desirable. Here we could envisage the functioning of being able to defend oneself against attack, which would consist of an option to provide all individuals with a weapon with which to defend themselves, without of course being able to control the actual use they would make of it. Such an option would reduce another option, that of being able to live in peace and tranquillity.[15]

Finally, can all functionings be viewed as equal? For example, if an individual is 210 cm (6′4″) in height and weighs 120 kg (8 st 8 lb), but is determined to be a racing jockey, can we hold that being able to do this has the same degree of priority as having enough to eat? It looks pretty obvious that this is not the case, even if, for the individual in question, accomplishing this functioning is a central part of his/her life. There is of course no question of rejecting this functioning just because it does not seem to be sensible given the characteristics of the individual in question. We must remember that one of the features of liberal theories of justice is precisely that we must not usurp the role of individuals in judging the value of ways of life. Nevertheless, it would appear absurd, for example, to oblige trainers and racehorse owners to engage an individual measuring 210 cm (6′4″) and weighing 120 kg (8 st 8 lbs). Their horses would be very likely to lose, and winning races is their aim. The functioning sought by an individual can conflict with the functioning sought by other individuals. It is therefore necessary to make distinctions between functionings, and agree about a set of functionings that are of priority value to the group as a whole. There are, therefore, capabilities that correspond to these priority functionings that should be promoted before anything else. It may in fact be important to draw up a classification or weighting system for capabilities in order to make it possible to carry out interpersonal comparisons of wellbeing between individuals.[16]

In his 1980 book, *Equality of What?*, Sen proposed the term 'basic capabilities' to designate the capacity to satisfy basic functionings of crucial importance, such as feeding oneself, having somewhere to live, avoiding preventable diseases and dying early, etc. Martha Nussbaum (2000) proposed a classification of the capabilities to solve this problem. She also used the notion of basic capabilities, but for her this term designated the potential capabilities that a person could develop rather than a limited set of fundamental capabilities. She nevertheless proposed a list of ten fundamental capacities, sub-divided into secondary capacities that could be used as a universal reference.[17] Meanwhile, such a list does not resolve the difficulty entirely. On the one hand, even if there are some capabilities that can be universally recognised as central human capacities, compiling a list is not the same thing as establishing a classification. The value accorded to the different capabilities may differ with the context, or depend on the individual concerned.[18] On the other hand, there are capabilities that are specific to particular aspects of the societies being investigated. In this sense, Amartya Sen wishes to keep some flexibility in the formulation of a list of basic capabilities. Rather than starting out by defining a universal list of them, he opts instead for justifying a set of capabilities by a democratic decision-making process.[19]

From freedom to freedoms

In the capabilities approach, the distinction between positive freedom and negative freedom is reinterpreted. Sen (2002) in particular prefers to include negative freedom within positive freedom. Positive freedom becomes the

capacity to act, taking into account both internal and external restrictions. Here we once again find capability as a space for possible functionings, in the sense that this space is defined both by factors external to the individual (social and environmental factors) and by internal factors (such as disabilities).

By means of this approach, Amartya Sen intends to give concrete thickness to freedom. In this approach, Freedom leads to freedoms. This thickness given to freedom amounts to a shift from freedom as self-determination, to freedom as a space for freedoms in the form of opportunities. This conceptual shift is justified to the extent that being able to choose in an autonomous manner, assumes being able to have various options to choose. Without any options, and therefore deprived of freedom of choice, choice has little meaning. Autonomous choice supposes the freedom to choose. Whereas self-determination focusses on the will to choose, in which freedom is a central element because it is impossible to speak of the will without free will, the capabilities approach shifts the centre of interest to the possibilities of choice. It does not deny the importance of free will, but seeks to go beyond this transcendental vision of freedom to give consistency in the form of opportunities. In this case, it is more accurate to speak of freedoms rather than of freedom.[20]

Three features pragmatically characterise and root this freedom as opportunities.[21] First, freedom here does not entail an effective choice, but a counterfactual choice if the individuals were in a position to be able to do something. If, in a counterfactual situation, the individuals involved were agreed about the value of doing one thing rather than another, and in fact made one choice rather than another, then what matters is giving them the opportunities that will allow them to really make this choice.

Second, freedom as opportunities does not require individuals to exercise direct control over choices. The actions of institutions that make it possible to reduce the constraints on the choices of individuals, and which open new opportunities to individuals, enhance their freedoms.

These two features finally make it possible to define freedom as the capacity that a person always has to obtain what he or she would choose, regardless of who really controls the levers of the operation. 'Many freedoms take the form of our ability to get what we value and want, without the levers of control being *directly* operated by us' (Sen 1992: 65). This capacity depends fundamentally on a series of freedoms as opportunities.

Third, in this approach, freedom appears to be a question of degree. To illustrate this point let us look at an example discussed by Crocker (2008: 175–176). Angelino lives Los Angeles, and is subject to a constraint with regard to his capability to breathe unpolluted air due to the polluted smog in the city. To improve his capability, he could of course move to another, less polluted, town or city. To understand Angelino's real freedom of whether to move or not, we have to analyse all the factors that affect his situation and his decision. Angelino may not have a car. Moving would therefore considerably reduce his capacity to get to his work in the heart of Los Angeles. Also, he may have a car, but be unable to give up his work in Los Angeles without running the risk of not finding

another equivalent job quickly. He would run the risk of experiencing a financial loss that would be difficult to cope with, at least for as long it takes him to find a job. But Angelino may also have car, have no real money problems, but not want to leave Los Angeles because he works as an agent for the stars of Hollywood, and he is afraid that if he leaves the city he would lose contact with his clients. This example illustrates that the evaluation of a situation has to take into account the various factors that confront the individual, and also carry out the cost-benefit analysis that the individual carries out when confronted by several different options.

The capabilities approach offers a framework that is very instructive about how to evaluate a social state. Of course, just as all capabilities do not have the same claim to being priorities, all opportunities are not of the same importance. Above all, what matters is to focus on the real freedoms or substantive opportunities related to the basic capabilities.

2.3 From freedom as a value to freedom as a norm

Values and norms

Freedom is raised to the status of a value through liberal theories, but it also soon becomes a requirement or norm in certain approaches, such as the capabilities approach. What had been evaluative becomes prescriptive.[22] This kind of methodological shift is very present in the capabilities approach. For instance, Amartya Sen (1999) proposes the application of his approach as a new way of thinking about development.

It is, of course, tempting to make norms out of values, but there is a clear difference between justifying requirements by appealing to values and deriving norms from values. Whereas the derivation process supposes a logical interaction between the two concepts, justification simply gives us a reason to believe that the norm or requirement is important.[23] This means that values and norms are different. One may attempt to defend the idea that any evaluative statement is simultaneously prescriptive,[24] but it is quite obvious that there are evaluative statements that can clearly not be considered to be prescriptive. For example, if we say 'this is beautiful', we do not mean that the beautiful thing has to be prescribed. An evaluative statement does not therefore involve a duty, unlike the statement of a norm. And if we admit that values have some independence with regard to norms, in the sense that the fact of expressing a judgement of value does not automatically imply a corresponding prescriptive statement, then moving from a value to a norm or prescription can in some cases imply a methodological shift. A methodological shift that we do, indeed, find in the capabilities approach.

It is undeniable that the capabilities approach constitutes a new way of thinking about development, but its prescriptive nature arises first from the fact that freedom changes from the status of a value that can be sought, to the status of a norm through the formulation of a theory of justice founded on the right to

certain capabilities. Subsequently, the expansion of the capabilities space becomes a point of reference for the construction of tools that are used to evaluate the level of development or poverty of countries, and which very often leads to a classification of countries on this basis. The tool of measurement, of course, remains at the service of an evaluative judgement, and in this sense does not become a normative judgement, but the classification of these countries by means of the indicators adopted promotes transformations in favour of a change in the classification. Thus there is a subtle shift from an evaluative judgement to a normative judgement, from 'a country is' to 'a country must'. Let us discuss these two problems briefly.

From capabilities to the right to certain capabilities

The capabilities approach is not necessarily a normative approach. For instance, it concerns the multidimensional measurement of poverty or understanding situations of poverty on the basis of an analysis of deprivations of capabilities. In this sense, all it does is to widen the framework of analysis of inequalities and of poverty. However, it does become normative if it claims to found a theory of justice. Here we are stressing the normative aim of the capabilities approach, but we are not discussing its robustness in providing a coherent normative force.[25]

This normative aim is based on the concept of 'capability rights'. Capability rights are goal rights, i.e. rights that public action must attempt to procure. In contrast to consequentialism, which proposes an evaluation of acts on the basis of their consequences, and to deontologism, which judges acts not by their consequences, but on the value of the act in itself (the act is either good or it is not), Sen (1982b) proposes a third way in which respect for, or the violation of, rights forms an integral part of goals. The evaluation of situations must therefore take into account the consequences of actions with regard to the respect and violation of rights.

Let us look at an example proposed by Sen to illustrate this problem. Ali is a shopkeeper; he is confronted by a group of racists in his neighbourhood who have decided to lynch him that evening. Donna, a friend of Ali, finds out what is going to happen. However, she has no way of warning Ali, because he has gone out for the day, and Donna doesn't know where he is. She could warn Ali if she could find out where he is or how she can contact him. She knows that Ali has told Charles (another of his friends) where he has gone, by leaving message on the answer phone in his office. But Charles too has gone out for the day, and once again, Donna has no way of getting in touch with him.[26] Donna therefore goes to the police, but her story is not taken seriously. So she finds herself in the following situation: either she observes a deontological rule and does not break into Charles's office, in which case she knows that Ali will be lynched; or she does break in, will be able to listen to the message and then be able to go and warn Ali. It is intuitively obvious that Donna feels entitled to break into Charles's office, since by violating one right, Charles's property rights, she will be able to achieve another right, that of Ali to maintain his physical integrity – a right that takes priority over the former.

Sen uses goal rights to refine evaluative judgements about social states. And although he defends the idea that capability rights can provide sound arguments in favour of human rights, he does not use them to derive a theory of justice. Goal rights correspond to a set of imperfect duties (in the Kantian sense), i.e. ethical requirements that rise above the duties imposed by the law, so that 'The basic general obligation is that one must be willing to "consider" seriously what one should reasonably do, taking note of the relevant parameters of the cases involved' (Sen 2004: 340).[27]

On the other hand, the shift from an evaluative judgement of social states, to a normative judgement about what constitutes a just society is very clear for Martha Nussbaum (2006). The capabilities approach becomes a form of human rights approach. Nussbaum starts out from the list of ten basic capabilities that we have already mentioned above, and considers that the possession of this list of capabilities by every individual is a necessary condition for a just society. Each capability in the list is linked to the fundamental entitlements of all citizens. Although the possession of these ten basic capabilities by every individual is not a sufficient condition for a just society, it is nevertheless a necessary condition. This shift in what the capabilities approach involves makes it possible to use it as the foundation for all theories of justice. It also makes it possible to devise a multitude of ramifications on the justification of rights. The capabilities approach can then be used to justify various rights, such as the right to die.[28]

From the development index to development policies

The capabilities approach views development as an expansion of capabilities. To quote Amartya Sen, (1999: 3) 'Viewing development in terms of expanding substantive freedoms directs attention to the ends that make development important, rather than merely to some of the means that, inter alia, play a prominent part in the process.' Freedom is an end in itself. The means of development must be used to serve this end, which is freedom understood as the capabilities space. And as we have already pointed out, because capability remains something fairly generic, further details are used to specify the meaning to be given to development; it is mainly the expansion of basic capabilities, such as being able to feed oneself, being in good health (i.e. at least enjoying good healthcare), avoiding dying early, being able to receive an education, etc. The means are the traditional economic factors such as growth, but also a set of freedoms considered to be instrumental, which will facilitate the accomplishment of the basic capacities. Freedoms are both the end of development and the best way of obtaining it.

If development is the expansion of capabilities, poverty, in contrast, is measured as the weakness of capabilities. Such an approach substantially adds to the measurement of poverty and makes it easier to understand the phenomena associated with it. For example, the United Nations Development Programme regularly produces a report directly inspired by this approach, in which a panel of indicators is used to plot the situations of different countries.[29] The synthetic

index used to plot the situations of different countries is the Human Development Index. It can be used to divide countries into three categories: those with high human development, intermediate human development, and low human development, respectively. Amartya Sen does indeed take precautions with regard to the passage from the analysis of poverty to a classification. He notes for example that:

> Given the heterogeneity of distinct components of freedom as well as the need to take note of different persons' diverse freedoms, there will often be arguments that go in contrary directions. The motivation underlying the approach of 'development as freedom' is not so much to order all states-or all alternative scenarios-into one 'complete ordering', but to draw attention to important aspects of the process of development, each of which deserves attention.
>
> (Ibid.: 33)

Now, the existence of a classification easily leads to an orientation of public policy; in this case development policies, because national policies can be persuaded to promote the directions that alter the ranking of countries in the classification.[30]

Switching from an index that makes it possible to reach a value judgement to a classification that affects the elaboration of public policies amounts to switching from a comprehensive analysis of a situation to a normative goal. But, transforming a value into a norm soon leads to a risk of asymmetric power that infringes freedom, here in the sense of freedom as antipower (Pettit 1996); a policy of development aid which is orchestrated around promoting countries however praiseworthy the goals envisaged. By imposing values subject to conditions, we have moved from an evaluative judgement to a prescriptive statement.

The promotion of this approach by the United Nations incontestably refers to a normative vision, that of human rights. This is nevertheless a diluted message about human rights, despite everything it does ensure that social questions are integrated into economic phenomena (Fortman 2000).[31] It also refers to a concept of justice that is linked to human rights, of which the operational interpretation sets out to implement a strategy of expanding the basic capabilities. Alkire (2002: 180–181) proposes for example an operationalisation on the basis of four strategic elements:

1 to identify long-term valued capability goals and strategies (i.e. using participation);
2 to work in the short term to establish functionings instrumental to these goals;
3 to implement a strategy such that negative freedoms are safeguarded;
4 to mitigate the contraction of wider capabilities that occur as a result of expanding basic capabilities (and, where possible, to allow both to expand).

Operationalisation via a strategy of promoting capabilities corresponds to a normative intent, which even though it gives a practical consistency to the capabilities approach, does constitute a methodological leap from a value judgement to the promotion of a norm.[32]

2.4 Reconsidering freedom

Freedom as power

Liberal theories of justice and the capabilities approach conceive of freedom as an ideal to be pursued. But by so doing, they forget that there is no meaning in being free alone. As Bauman points out (1988: 9) 'For one to be free there must be at least two.' Freedom is no longer solely the attribute of an individual, but above all the characteristic of a social relationship between several people. It implies social difference. If we look at Foucault's reading (1995) of the work of Jeremy Bentham, he illustrates this characteristic of freedom in the *Panopticon*.[33] The Panopticon corresponds to a set of principles and a management plan for prisons, but also for hospitals, schools, factories, etc. It is based on the principle of 'seeing without being seen'.

In the Panopticon, the residents/detainees are observed by an inspector, who can see them without being seen. The inspector is thus free relative to the residents-detainees he supervises. The asymmetry of knowledge about the situation of the inspector by the residents-detainees, compared to the knowledge the former has about the latter, gives him every freedom to act. Conversely, the residents/detainees (not knowing whether the inspector is observing them or not) are definitely not free to act as they wish. The freedom on one side of the relationship (that of the inspector) corresponds to a heteronomy and a lack of freedom on the other side.

However, the inspector himself is under the control of the head-keeper, on the basis of the same asymmetry of information. The inspector is not therefore free to grant freedom to the residents/detainees; his own freedom is restricted by the control of the head-keeper. Pushing this line of reasoning further, the head-keeper himself is not free. He is also an entrepreneur; it is in his interest for his Panopticon to function as well as possible and become a profitable enterprise, in particular by the work done by the residents/detainees to produce goods. It is therefore in his interest to take care of the health of the residents/detainees. In such a system, the freedom of some is the counterpart of the lack of freedom of others. The head-keeper is forced to take care of the wellbeing of the residents/detainees.

Bauman (1988) considers that the *Panopticon* is a parable of real society. As in the Panopticon, individuals in society find themselves in contexts of interactions that go beyond a specific role assigned to one player, to involve reciprocal controls, which may indeed be greater or lesser depending on the individual and the interactions in which they are engaged, but which assume despite everything that each is, at a given time, confronted by the power of the other. In contrast to

the thesis of freedom as antipower defended by Pettit (1996), here freedom is power. 'Freedom is power, in so far as there are others who are bound' (Bauman 1988: 23).

This analysis of freedom shows that liberal theories of justice seek to liberate the individual rather than to consider his/her freedom. However, in so doing they conceive an individual who is profoundly a-social. The individual can indeed be a player, but s/he is not involved in any interaction. Thus s/he is the player of his or her own life, but lives outside society. S/he wants to become the Olympic 100 metres champion, but rejects the constraints imposed by his/her trainer and prefers to use drugs. This individual will be punished in the end. S/he rejects the constraints and, of freedom, sees only the image that s/he projects of him or herself. Freedom is indeed power, power that one can exercise over others, but at the same time, because of interactions, it is submission to the freedom of others. Everyone is both free, a holder of power, and constrained, submissive to power.

Functional freedom in the capabilities approach

The capabilities approach is typical of this attitude that idealises freedom. It tries to lead Man out of the human condition. But at the same time, it fails to stipulate how freedom is to be used. If freedom is power over others, then this question cannot be avoided, unless we conceive of a freedom outside society.

Amartya Sen insists on the idea that freedom as opportunities gives thickness to freedom, in fact he only proposes a functional conception of freedom. By rejecting a transcendental conception of freedom in favour of freedom as opportunities, he is simply associating characteristics with individuals. Just as an individual can be tall or small, have black hair or white, long hair or short, etc. s/he has the freedom to do one thing or another, or to be player of one or another sort.

This conception of freedom remains a freedom of a-social individuals, in the sense of individuals who are not involved in social interactions. They play roles, or want to play roles, but find themselves like an actor before an audience who may applaud or leave disappointed with the play, but do not engage in interaction, do not play the play together. Nothing is said about the use of freedom, due to the failure to situate the individual in a social interaction. The individual can become an actor in order to earn his/her living, but also use the fees s/he earns to contribute financially to humanitarian or charitable works, to finance a political party preaching discrimination, or to help to finance the organisation of terrorist atrocities, etc. S/he may want to amuse or move the audience, or to manipulate their minds.

The capabilities approach is not devoid of references to the notion of power, but limits its interpretation to the power of the person him/herself, and not to the power of the person relative to others in social interactions. Nussbaum (2000) proposes thus to take into account the potentialities of individuals, their own capacities to do things. So children have potentialities that have to be developed. They have the potentiality to walk, but have to learn to do so, they have the potentiality to read, but also have to learn to do so, etc. Each individual is

characterised by potentialities, what Nussbaum calls 'internal capabilities', which have to be developed in order to facilitate the accomplishment of functionings. These internal capabilities combine with external capabilities, i.e. with opportunities, and permit individuals to achieve functionings. The development of internal capabilities thus makes it possible to increase the freedom of functioning. According to this conception, power in the form of potentialities permits freedom. Power can be the power of being able to do, or the power to be. It is never power in relationships with others. On the contrary, the constraints imposed by others may either reduce the use of power, or facilitate its use, but always relative to oneself and never in relation to others. In the capabilities approach, potentialities are therefore *power of self over*, but not *power over* (others) *in* (the relationship). In this sense, one can consider that the capabilities disincarnate the individual from social interactions.

In the absence of a transcendental conception of freedom, which would also be a conception of Man, the capabilities approach settles for a functional conception of freedoms relating to the conditions of human beings and not of Man himself. Such a conception of freedom becomes problematic if it is no longer only used to evaluate social states, but becomes, as we have highlighted above, a norm that is imposed.

Dr Jekyll and Mr Hyde

Analysing development on the basis of privation of freedoms and of promoting freedoms are two very different things. In the former case, we are in a framework of comprehensive analysis; in the second, we are confronted by a normative framework. However, nothing guarantees that promoting freedoms leads to 'better' development. As in the famous novel by Robert Louis Stevenson, *Strange Case of Dr Jekyll and Mr Hyde*, published in 1886, capability can become negative.

Crocker (1992) suggests that the capabilities approach is not able to distinguish from amongst opportunities those that we have good reasons to cherish from 'evil capabilities'. This inability may be due to a failure to take into account the notion of the internal power of the individual, i.e. his/her potentialities. This is the case, for example, of smokers who poison themselves a bit more every day, but who still do not give up smoking. If smoking is simply considered as an opportunity, it is indeed difficult to see why one would go on smoking knowing that this practice leads to a substantial increase in the risk of early death. Taking potentialities into account makes it possible to resolve this problem, since the problem of addiction to tobacco can be seen as a reduction of potentiality, of the power to stop smoking. The transformation of Dr Jekyll into Mr Hyde suggests something quite different. The potentiality to do evil is markedly increased by the transformation of Dr Jekyll into Mr Hyde. An increase in potentialities can become the underpinning of evil capabilities.

Thus, increasing education can lead to envy and frustration if the labour market does not provide employment for educated young people. Increasing the

space of freedoms is a double-edged sword. This ambiguity was already present in Karl Marx's *Capital: A Critique of Political Economy*, with the concept of the 'free worker' (freier Arbeiter).[34] The free worker has gained the freedom to be exploited; exploitation replaces dependence. The capabilities approach focusses on the conditions of human beings, but ignores the concept of Man. However, this is an essential aspect if we are to be able to understand the use of the capabilities.

The necessarily beneficial and saving nature of freedom of choice is particularly clear in Sen (2006) with regard to the question of identity. Of course, he does not forget the context in which identity is forged; he also points out that it is not a question of going from a situation of no identity (from nowhere) to a situation of having an identity (to somewhere), but of swapping one identity for another. But, by making the choice of an identity-positive increase of freedoms, he adopts a prescriptive position. He focusses on the idea that identity is constraining and that this constraint generates discriminations, violence and other phenomena with a negative effect on individuals and societies. He completely ignores the rational choice of individuals in a given context. The decisions with regard to identity, the switch from one situation of identity to another, also result from rational choices, the consequences of which are not necessarily good in themselves.

The capabilities approach forgets that the subject can behave rationally in either a benevolent or a malevolent manner. Reinforcing capabilities, and therefore the modes of functioning, does not indicate anything about the choices of individuals and the use of their capabilities. And there is no reason to exclude the most monstrous uses. For example, my propensity to destroy others will be all the stronger if they have been 'denatured'; thus my freedom to take part in the crime will be facilitated by the characteristics of others: yellow star, blue ribbon, size, or particular information on ID documents. The capacity to destroy has thus been liberated and rationalised by the capability to 're-create' identity, all of which can, of course, be facilitated by the apparatus of State.[35] The conflict of identity makes it possible to free one's capabilities, for example to develop the superiority of one's identity (to be) and to develop one's economic capabilities (to do).

A major defect of the capabilities approach is its weakness in taking into account the interactions within which individuals find themselves. We do not intend to say that the capabilities approach does not take the social context into consideration. Precisely, starting out from the social context, it analyses the privations of freedom that affect the individual. Nevertheless, it becomes problematic if the objective becomes normative, and, starting out from the understanding of privations, it goes on to interfere with the objective of freeing individuals from their context. This liberation is not good in itself, because it can lead to the creation of new situations, of new contexts, the effects of which can be even worse than those of the original privations. It is therefore important to consider the role of freedom as power with regard to others in social interactions.

3 Freedom and responsibility

Enhancing freedoms has become an essential pillar of public and development policies, notably those adopted by international institutions (mainly the United Nations). This involves not only the promotion of economic freedoms, but also a set of 'freedoms-capabilities', in the sense that we assigned to this concept in the previous chapter. The reference to the Rights of Man constitutes a good example. Rights can be rights to do or rights to have; therefore, they are permissions.

This approach does not reject the idea of responsibility; rather it offers a specific vision of it. A person free from all forms of constraint can fully assume his/her choices and their consequences. This can only make him or her more responsible for them. S/he will choose the life that s/he wishes to live – with willingness to accept consequences stemming from it. Thus responsibility could be the counterpart of freedom. Progress towards this ideal provides the basis for a vision of human beings capable of living their lives, and of making choices for themselves and also dedicated to others.[1]

Freedom as power, which is where we got to in the previous chapter, now takes on a specific meaning through agency, since this reflects the capacity to live one's life made of choices for oneself and choice dedicated to others. This becomes freedom as power with and for others. The development of agency becomes a normative ideal with a positive connotation. It is not the power to deprive or to crush others; it is the capacity to be responsible; this faculty is the corollary of freedom. The concept of agency completes that of autonomy. In the previous chapter we highlighted the fact that autonomy can be understood as the capacity to make choices and to evaluate these choices. With agency, autonomy is associated with responsibility.

At the same time, responsibility becomes accountable. It is the object of evaluation, reflecting the way that individuals exercise their freedoms. The theories of social justice in particular have (over the last 20 years) included this question in debates over what constitutes fair compensation.

This approach tells us a lot about responsibility for choices and acts, but ignores considerations of the subject of morals.[2] The individual remains a point without thickness. The agent does indeed constitute the ultimate reference for evaluative judgements, but remains an a priori concept without raising the question of consistency of this concept. However, it is precisely through the notion of

responsibility that a certain consistency can be given to the individual. This makes it necessary to revisit the concept of responsibility as it is identified as a corollary of freedom.

In this chapter we propose to re-examine the relationship between freedom and responsibility and to reverse the relationship. Responsibility does not follow from freedom; rather it is the foundation of freedom. An individual is a responsible agent whose agency is simply the way this responsibility is exercised.

3.1 The agent's freedom

At the end of the nineteenth and beginning of the twentieth centuries, German philosophy was marked by a major debate concerning the opposition between the natural sciences and the human sciences.[3] This opposition is expressed in Dilthey (1923) and Weber (1922). The natural sciences are held to be explanatory and to refer to relationships of causality, whereas the human sciences are comprehensive and based on reasons. Davidson (2001) disrupted this dichotomy by pointing out that reasons can be understood as causal, and can therefore play an explanatory role.

If a person's action is causal, what distinguishes it from a causal sequence of the natural order? One answer is freedom. Unlike a causal sequence of a natural order, causal sequences of a social order, i.e. involving human beings, are marked by the freedom of people to act or not to act. Unlike Nature, a human being has the power at least to renounce his or her power, which confers a certain responsibility for what happens. Freedom and responsibility are therefore the two facets of the person having the power to act, i.e. the agent.

Action and agent

An action is an intermediate or a passage between the actual circumstances and the possible consequences. 'An action is therefore a way to convert circumstances into evaluable consequences' (Livet 2005: 13). An action is the progression of a causal sequence. However, all causal sequences are not actions. Causalities from an event and causalities issuing from an agent should be distinguished (Davidson 2001). For instance, if a strong wind makes an apple fall from a tree and if the falling apple squashes and kills a beetle, this constitutes a natural causal sequence, an event. By contrast, if someone shakes the tree to make an apple fall off in order to squash the beetle, even though other more rational solutions such as squashing it under his/her foot are available, and if the apple really does squash the beetle, then this causality is attributable to the individual. In this context, the concept of the individual is replaced by that of the agent in order to signify that the causal sequence is associated with someone who acts, and by definition, therefore, is an agent. Such an action can also be described as having the property of agentivity, i.e. it has an agent.

Nevertheless, for an individual to be described as an agent they must have intention; so that an individual is the agent of an act if what s/he does can be

described in a way that renders this an intentional act. Describing the intention behind the execution of an act amounts to attributing the action, because the attributions of intention and the attributions of acting are not mutually exclusive; saying with what sort of intention an act was performed is also – necessarily – to attribute the action (Davidson 2001). Causal sequences involving an agent and leading to an action assume an intention. An intention is interpreted here as autonomy in the choice of the action. This autonomy has two aspects: independence from external influences and the capacity to fix the objectives and the rules of action (Livet 2005). The causal sequence of the action is linear, it starts from the intention, passes through the action (its execution), and leads to the consequences.[4] The agent lies at the origin of the causal sequence, i.e. this sequence is not determined independently from what the agent intended to do. This amounts to saying that the agent has been free to act. In this way, the sequence can be reduced to the triad, freedom-actions-consequences.

Agent and agency

This conception of the agent also arises in the capability approach. Sen (1999: 19) sees an agent as: 'someone who acts and brings about change, and whose realisations can be judged in terms of her own values and objectives, whether or not we assess them in terms of some external criteria as well'. Such a concept of the agent differs from the usual meaning used in economic theory, in which the latter is merely an individual acting on behalf of a principal, in an information-asymmetric relationship. The difference between the agent in economic theory (principal/agent) and the concept of the agent developed by Sen, which we are examining here, resides in the degree of autonomy. In the principal-agent theory, the agent acts on behalf of someone else, even if s/he can to some degree manipulate the information about what s/he is doing, whereas in the concept of the agent we are considering here, the agent acts on his/her own behalf, even if the actions are intended to contribute to the wellbeing of someone else. In Sen's approach, the agent also differs from the individual in economic theory in the sense that s/he does not seek his/her own wellbeing alone. The agent seeks goals and objectives that can be distinguished from his/her own wellbeing. To use an example provided by Sen, a person who campaigns against torture in the world may spend time undertaking actions that in the end reduce his/her wellbeing compared to a situation in which s/he would not have to bother about this problem.

The agent is, indeed, a being who possesses the capacity to act in view of goals and objectives, and, so, whose actions will produce effects and consequences. The originality of the capability approach does not reside in this understanding of the agent, which in the end is fairly commonplace, but in the fact that it sheds light on the point that the agent has the capacity to be an agent, i.e. agency. This capacity to be an agent does indeed arise from the degree of freedom that the individual possesses. The more s/he is free to act and choose his/her acts, the more s/he will be in a position to be the agent of his/her own

life; so that in Sen, 'His normative ideal of agency is the basis for contending that individuals and groups can and often should run their own lives, rather than have them controlled by others or impersonal forces' (Crocker 2008: 161). People who do not exercise their capacity for agency are passive (subjected to the situations in which they find themselves) or under the influence of others. They do not live a life that corresponds with their own idea of the Good.

However, we should note that this is only one of the possible interpretations of agency. For example, for Giddens (1992) agency includes both the capacity to act and the propensity to project oneself into one's actions. Nussbaum (2000) proposes a conception of agency that contains both the capacity to make choices and the capacity for critical reflection about the choices made.[5]

According to Alkire (2008) the notion of agency has five characteristics. First, agency is by definition multiple, because it leads on to both goals and objectives. For each goal and objective targeted by the agent, the agent has a capacity of agency that is more or less strong. Furthermore, a goal or objective can correspond to several achievements. Thus, setting out to have a fulfilling family life can involve spending time with one's children, spending time to do cooking, etc. but also earning enough money to support the family – and therefore spending less time at home. The separate achievements are not always fully compatible, and the agency capacity of an individual is reflected also in his/her capacity to organise the conditions for the feasibility of various achievements.[6]

Second, agency includes both the effective power of the person or group of people to achieve their objectives and to control the accomplishment of the objectives. The notion of control recalls the capacity of a person to make choices and to control the procedure for directly realising choices, whether this does or does not result in the desired outcome. In contrast, effective power reflects the capacity to realise, whether the person does or does not directly control the choice and regardless of how it is realised. Effective power assumes, therefore, that social interactions are taken into account to the extent that a functioning can depend on the actions of others. The distinction between direct control and effective power makes it possible, in particular, to shed light on two stakes facing the capability approach. First, as we stressed in the previous chapter, institutions can play a major role in promoting freedoms in the capabilities approach. They can facilitate access to or create new opportunities. Thus, even if individuals do not have direct control over the procedure for realising choices, they nevertheless do obtain greater effective power to do the things they value. Next, within a group, the individuals may not separately have direct control over the procedures that permit realisations, but their effective power to achieve the things they value may be increased by the fact of belonging to the group. In this case, we could speak of collective capabilities or collective agency.[7]

Third, agency concerns the capacity to achieve both one's own wellbeing and that of other agents. Thus reducing torture or overcoming hunger in the world can be goals to which a person confers value. In this case, the person's agency also concerns the capacity to exercise direct control over this goal and/or to have the effective power to realise these goals. Agency concerns not only people's

individual wellbeing, but also the entire set of goals they set themselves. Some of these goals may concern the wellbeing of other people or of animals, etc. In general, agency is therefore the capacity to pursue and achieve the goals one sets oneself. The capability approach highlights the fact that what matters are the goals that people value and have good reason to value.

Fourth, agency is associated with the goals and objectives that people value, which means that everything that is done at least in part by a person in one way or another cannot be systematically attributed to his or her freedom of agency. A person has to value the achievement. For example, a person could go shopping for food in a mechanical and instrumental manner, solely in order to have something to eat without giving any importance to the act of going shopping. What this person values is satisfying hunger. We cannot say of such a person that going shopping stems from his or her capacity for agency. By contrast, another person may value going shopping, not as a way of getting food, but also as an opportunity to meet other people and foster a feeling of belonging. This makes it very likely that this second person will not go shopping haphazardly, unlike the former. This second person will tend to choose somewhere friendly, a place where contacts can occur, such as markets or small shops. The first person goes shopping for an instrumental purpose, and will prefer the quickest and most convenient solution – probably a supermarket. But being able to go shopping in markets or corner shops is what matters to the second person. The opportunities available that make it possible to achieve this are important. People in this second category can develop their agency capacity by organising their time so that they are actually able to do their shopping in markets and small shops.

Fifth, agency implies responsibility for this achievement or for the state of things. Thus, in addition to self-determination, which is an essential characteristic of freedom, it also involves responsibility for the realisations. In other words, agency is a way of evaluating responsibility.

In the light of these five characteristics, we can say that agency reflects, on the one hand, the agent's intention, through the goals and objectives s/he values. This brings out the notion of intentionality. As Crocker points out (2008: 156) 'We exercise agency or control not when our goals are merely realized but when, in addition, we "intentionally" realize or contribute directly or indirectly to the realization of our goals.' From this point of view Alkire (2008) stresses that autonomy must be distinguished from ability. Autonomy refers to people's capacity for action in the name of something they value. Ability assumes that people are capable of acting in the name of something that they are assumed to value. In addition, agency refers to the freedom or the degree of freedom of actions, whether these envisage the wellbeing of the person or something else. Direct control and effective power over the realisation of goals and objectives highlight this aspect. Direct control supports the idea that the agent has complete control over the actions s/he performs and stresses the relationship between freedom and action, whereas effective power stresses the relationship between the action and its consequences. Finally, agency implies responsibility for achievement, i.e. the consequences of the actions are attributed to the agent.

We can conclude that agency as developed in the capability approach, at least by Amartya Sen, fits in perfectly with the sequential theory of the action already examined.

Here we once again find the importance of freedom. As we pointed out in the previous chapter, in the capabilities approach freedom is a question of degree, because freedom is always situated in a context in which there are different alternatives. New opportunities must therefore be made available to agents so that they really can make choices. From this point of view, the actions of institutions are primordial to the extent that they increase the capacity for agency. This does not mean that we should not directly concern ourselves with the wellbeing of the agent, but that this is simply one aspect to be taken into consideration and that in addition, it is just as important to take into account his/her capacity for agency (Sen 1995). In such a concept, public policies seek to extend the freedoms of individuals, to develop their agency, and freedom itself becomes a social responsibility[8] of the society.

3.2 From freedom to responsibility

Agency is closely linked to responsibility. Alongside the triad freedoms-actions-consequences we should therefore add the fourth element of responsibility. This complement to the causal sequence may seem obvious; nevertheless it does require some further precisions. We will next look at how the theory of justice developed in the economic sciences uses this notion of responsibility, and then highlight a limit to this sort of approach.

Ex-post responsibility

At first sight, responsibility for carrying out the action and its consequences could be attributed to an agent, if the agent is acting freely (i.e. if no external force has constrained what he or she has done). This might be a rather rash conclusion. The fact that an action is hampered by some contingency external to the agent does not suffice to eliminate the responsibility if this external contingency does not alter the agent's intention to carry out this action. For instance, if an individual armed with a shotgun is ready to fire on a crowd in order to kill someone, but a police officer who happens to be present intervenes and disarms him/her, the individual in question has not achieved his or her goal, even though s/he has started to act, i.e. taken his or her weapon. The individual can still be held responsible and could, for example, be found guilty of attempted murder. The fact that he or she has not been able to fully realise his/her plan does not affect his/her responsibility (unless the expected consequences do not occur). What matters in this illustration is not whether the individual has been able to act freely, but his or her intention to kill someone.

Intention is therefore a fundamental determinant of responsibility. However, intention alone does not suffice. The celebrated accordion effect described by Feinberg (1965) provides a masterly example of the problem. Let us imagine

that an individual flips a switch, which puts on a light (thus lighting the house) and so frightens off a prowler. If the individual had heard a noise and had flipped the switch in order to put on the light so as to check whether there was someone prowling around (and if so, to frighten the intruder) then s/he is obviously responsible for the situation (with fortunate consequences for him/herself). But if s/he flipped the switch simply to go into another room and had no idea that this might frighten off a prowler, then s/he has not intentionally willed the consequences. However, s/he is still responsible for them, but certainly not on the same grounds as in the first case.

To take another example, let us suppose, as has happened in fairly recent conflicts, one of the parties engaged in a conflict decides to bombard a town in order to rout an enemy. Of course the party concerned is aware that in bombarding the town there is a risk of causing civilian casualties. If this bombardment is carried out and does indeed kill civilians, it is not possible to claim that the intention was to kill civilians. The plan was to target the enemy, who had taken refuge in the midst of civilians. It is nonetheless true that the attacker can be held responsible for the deaths of civilians.[9] Recent conflicts, such as the Gulf War, have seen the development of sophisticated weapons that will make it possible to target victims more accurately in the future. Nevertheless, despite these technological improvements, civilians still account for some of the victims. This is described as collateral damage, and in some cases has been followed by public apologies from the governments involved. This amounts to a way of acknowledging that a mistake has been made, and, therefore, of highlighting the unintentional nature of the action.

Without entering into polemical debates about what really forms responsibility, here we only have to recognise that responsibility is a question of degree, and that it is considered *ex post*. It is attributed to an agent after observing that something has been done. Intention increases responsibility. It is sufficient condition, but not a necessary one.

Let us consider one final situation that tragically hits the tabloid headlines all too often. Let us imagine that a man, let us call him Mr X, puts a loaded shotgun on a table in his home, a gun that a friend has lent him so that he can go shooting next day. Mr X goes out and his children find the gun and start playing with it. Unfortunately the gun goes off and one of the children is killed. In this case, it is obvious that Mr X did not intend to kill one of his children, and that his friend did not intend any of the children to die either. However, one can hold Mr X responsible, at least as a result of negligence. We could also hold his friend responsible as well, if for instance, he knew that Mr X is rather careless. However, we could also trace the chain of causality much further. The dealer who sold the gun to Mr X's friend shares some of the responsibility, as does whoever manufactured it, etc. If we follow the chain of causality too far back, we lose the traceability of responsibility, and come to the conclusion that as everyone is responsible, no one in particular is responsible.[10]

This example illustrates that responsibility is a question of degree. It also shows that following up nested causalities is often a vain attempt. Responsibility is therefore often evaluated in direct relationship with an immediate agent; in our

case, Mr X's friend cannot be legally incriminated, even though he may well blame himself. To demarcate responsibility, the agent has to be considered to be a limit of the world, a point without extension, to borrow the words of Anscombe (1975).

Responsibility is evaluated on the basis of intention, having a goal, aiming to achieve an objective; based on control over the action, in the meaning given above of control over the choice and the process that leads to the performance of the act; on the basis of effective power; here too in the sense mentioned above as a capacity for realisation.

If *agency* is a way of measuring freedom, it is at the same time a way of evaluating responsibility; the degree of responsibility flowing directly out of the degree of freedom as the *ex post* recognition of this freedom.

Theories of justice and responsibility

This responsibility approach is omnipresent in theories of justice. Since individuals are free to choose, they have to accept the consequences of their choice; they are therefore responsible for their choices and must answer for them. The problem of responsibility emerged notably in order to go beyond some of the shortcomings of John Rawls's theory of justice (1971). This inclusion of responsibility in theories of justice is particularly due to Dworkin (1981a, b). The conception of egalitarianism that he develops does indeed distinguish between the inequalities linked to circumstances that must be compensated for and those for which the individual is responsible and which s/he must assume. Responsibility thus introduces a demarcation line between what should be compensated for and what should not.

Let us consider a typical example. Let us suppose that two individuals are identical in every respect with regard to social and natural circumstances; they have the same natural aptitudes and the same social origins. One is a tennis enthusiast. He would like to spend his life in such a way as to devote most of his time to this activity. He may work, for example, in a sports shop, until he saves enough money to buy some land that he will convert into a tennis court and in order to earn enough to feed, house, and clothe himself. The other individual also works in the same sports shop, but he is hoping to buy some land so that he can take up market gardening and earn his living from this activity, by eating some of his produce and selling the rest. If they both receive the same salary (so that there is no difference in their resources), then after a few years they will have accumulated enough to buy their plots of land and take up their chosen careers, and therefore stop working in the sports shop. It is obvious that after a while, the tennis player will run out of money (unless he decides to give tennis lessons, a possibility that we will leave to one side for example, because he does not want to waste time playing with beginners), whereas the market gardener will accumulate money as a result of selling his produce.

From a standpoint such as that defended by Rawls, the most disadvantaged (according to the principle of difference) should benefit from redistribution;

which amounts to saying that the market gardener should support the tennis player. However, the inequality between these two individuals is not due to differences in natural or social circumstances. They arise solely from the way of life chosen by the individuals. Redistribution from the market gardener to the tennis player would amount to subsidising the preferences of the tennis player rather than those of the market gardener, which seems to be unacceptable. Why should we favour some options more than others? The differences in resources are directly attributable to the choices of individuals and they are responsible for them. Responsibility therefore appears to be an important factor, which must be taken into account in compiling criteria of social justice.

The standpoint described in the previous example is based solely on the effect of preferences on inequalities. Responsibility is therefore responsibility with regard to the inequalities that result from differences in preferences and ambitions. Meanwhile, a line of demarcation based on preferences is difficult to defend. Let us now imagine the case of a woman who decides to be a housewife. Does her choice reflect a genuine preference or does it derive from a preference constructed in a social context of discrimination towards women in the job market that drives her to this choice? If the preference expressed is due to pressure from the social context, it seems to be difficult to attribute the responsibility for a low wage, due to this preference, to the women who makes this choice. Following Mason (2006), let us imagine the case of a man with pacifist views, who finds himself in a region in which most jobs are related to the armaments sector. He will have less chance of finding a job than people who do not share this preference. It is difficult to maintain that if he is unemployed this is his own responsibility. His situation results rather from the lack of opportunities that are compatible with his preferences. In this case, as in the previous one, the attribution of responsibility to preferences is far from being clearly established.

For this reason, another line of demarcation of inequalities as a function of responsibility has been proposed. It is based on what individuals do or do not control. In the previous examples, neither the woman nor the pacifist controlled the opportunities available in society, which are determined by a specific social and geographical context. It is therefore necessary to take into account all the circumstances that affect preferences and choices, and establish responsibility on the basis of what is under the control of the individuals concerned.[11] The individuals are characterised by their talents or handicaps on the one hand, and their merits on the other, producing specific types and making it possible to calculate compensation as a function of responsibility. Thus, if Paul is born into a wealthy family and has received a good education, and if neither of his parents smokes and he has been told about the harm smoking does; but nevertheless he is a heavy smoker and ends up getting cancer, then to some extent we can think that he is responsible for his situation. In contrast, if Peter is born into a poor family, where both his parents smoke and, because of his poor education, he has only been able to find a job in a tobacco shop; and if he does not smoke himself, but has got cancer as a result of passive smoking, he cannot be held to

be responsible for his illness. In this second case, the need for social compensation seems to be obvious, whereas it is not in the first.

It is therefore important to consider what is attributable to responsibility and what is attributable to circumstances. The compensation is calculated taking into account all the information concerning these two factors. This approach has had great success, and has multiple applications in the fields of health, education, etc. and even in the granting of development aid. In this context, recipient countries have to provide statistics showing their current situation and the progress made. Each recipient is then encouraged to follow the advice of its aid donors about how to improve its situation.[12] This approach to responsibility runs into two serious limitations, which we will consider below.

From responsibility to the absence of responsibility and the Orwellian risk

As Fleurbaey (2008) points out, tracing a line of demarcation amongst inequalities, between those related to preferences and those related to circumstances, amounts to giving too much weight to responsibility. It is indeed difficult to bring the appropriate weight of the social and cultural context to bear on preferences. However, if the demarcation line of responsibility is based on what is under the control of individuals, we encounter the risk of considerably curtailing responsibility.

If the cultural and social context is taken seriously, how can we still claim that individuals control their choices? Should we not, on the contrary, accept that choices are always influenced by their context? Such an approach amounts to denying responsibility and falling into a form of determinism.[13] It is possible to reject determinism and accept some degree of responsibility, supposing therefore that individuals are able to go beyond their social and cultural conditioning, without completely denying the influence of context. However, even in this case, it remains a serious limit to the responsibility approach based on the idea of control.

As Roemer (1993) states, the theory of responsibility, as it is formulated above, sets out to be pragmatic. But, it implicitly supposes that the person has enough information to allow him/her to calculate the optimal compensation, because otherwise this would simply be a way to justify cuts in public spending that would primarily affect those who are in greatest need.[14] Meanwhile, being able to carry out an accurate calculation of compensation assumes that so much information is available that it soon leads to the paradox of a totalitarian society.

In *1984*, George Orwell describes the drift towards totalitarianism in the name of freedom. Freedom becomes surveillance and punishment. Under a totalitarian regime, the details of the lives of all the citizens are monitored by a central authority with its files, its cameras and its inspectors; this can sometimes begin by social surveillance, such as the famous 'Neighbourhood Watch', which is proudly proclaimed by signs as one enters many towns and villages. We are far from totalitarianism as the 'ideology and terror' of Hannah Arendt (1953), but

closer to her concept of totalitarianism as a modern phenomenon (1951), linked to the extraordinary progression of data processing. Objectivity about the situation in which the supposed beneficiaries find themselves (and therefore the possession of complete information about their personality in their past, present, and future) is needed.

Justice demands that everyone be kept under surveillance in order to collect as much information as possible. This information concerns the status of every citizen and his/her behaviour, so it is obvious that with regard to justice, every supposed beneficiary stands to gain by manipulating his/her status and the information about his/her behaviour, like Orwell's protagonists in *1984*.

Let us consider the example of a person infected with HIV, who is seeking compensation. Intimate information has to be sought about the possible part played by any extenuating circumstances (education, constitutional hyper- sexuality, transfusions, contacts, lack of information, etc.) and what can be attributed to the person him/herself (affective instability, possessive desire, perversion, etc.). One has to be able to find out the extent to which s/he should be kept under surveillance to prevent disease transmission – and perhaps to inflict punishment. Finally, this information will make it possible for some central authority to grant the appropriate compensation, for instance by paying for triple therapy. To do this, information has to be sought about the quality and frequency with which s/he has sexual intercourse, about previous partners, any history of sexual abuse (for instance within the family) and possible rewards and sanctions. In fact, we could carry this idea as far as to say that the central authority should know whenever the individual experiences sexual desire and monitor his/her behaviour step by step. This information must be complete, but it also has to be asymmetric: patients should not be aware of being under surveillance, otherwise they might alter their behaviour!

In addition, the individual must not be able to alter his/her classification/type, in particular relating to any initial disability, which implies the centralisation of information for example (to return to Orwell), by a 'Ministry of Love'. This ministry may decide that someone is a danger to society, or a pervert, and classify them as such. In this way, calculating responsibility, in the name of the freedom to act, actually leads to totalitarianism.

To avoid this impasse, we have to accept that responsibility concerns preferences rather than what people can control. Fleurbaey (2008) proposes that we retain a modified version of the role of preferences in responsibility, which is intended to avoid giving too much weight to preferences. He therefore proposes to base redistribution, on the one hand, on a set of basic freedoms that cannot be the object of a calculation of responsibility,[15] because they are considered to be indispensable for individuals; and, on the other hand, a calculation of responsibility based on preferences as long as this does not affect basic freedoms. He calls this form of egalitarianism equality of autonomy. However, it has lost its pragmatic capacity. From the point of view of public policies, it no longer involves evaluating responsibility, but allowing people to obtain basic freedoms. Responsibility is a residue in regard to these basic freedoms.

3.3 Responsibility reconsidered

Viewing responsibility as a causal relationship leads to a twofold problem. On the one hand, we have to be able to pinpoint the beginning of the causal chain – and this begins with the agent. The agent may not be a specific and precise individuality. If it is a point without extension, to use Anscombe's expression once again, it is also a point without thickness. Ultimately, it may be a moral fiction that makes it possible to ascribe responsibility.[16] Attributing intention to the agent does indeed make it possible to differentiate the agent from other living beings, which cannot have intentions, but the agent still remains an empty concept defined in a circular argument including the action. The action is attributed to an agent, who in turn is defined by his/her capacity to freely choose actions.[17] It is therefore necessary to give some degree of thickness to the agent by attributing to him certain characteristics that lie outside the causal chain.

From another standpoint (and pursuing this logic further) responsibility as a causal relationship implies having the information required to be able to calculate this responsibility. This need for information soon leads to totalitarianism and the negation of freedom, which lies at the basis of the causal relationship. Thus, paradoxically, recognising the freedom of the agent leads to strict control of this freedom, to the point where freedom is only freedom under surveillance. To avoid this problem, responsibility is reduced to a relationship based on preferences. But if preferences are not to be determined by the social context, individuals must have basic freedoms, which will guarantee them at least a minimum of autonomy. Responsibility appears to be just a residue of freedom. The more freedom individuals have, the more we can consider them to be responsible. However, we have already pointed out in the first chapter that this would be a purely functional view of freedom. Once more, this leads us to a conception of the individual without thickness.

We want to stress that, in a way, giving substance to the agent means replacing a purely causal logic by the logic of implication, which makes responsibility a defining characteristic of the agent.

Responsibility for the action and responsibility of the agent

Although it lies in a causal logic, responsibility, as we have analysed it in the second section of this chapter, is a-social and a-historical. It is pasted over a social situation, but not inserted into a social context. This leads to an extremely narrow concept of the actions of economic agents that entirely ignores their capacity to constrain themselves.

In a different conception of responsibility, there is no longer any question of starting from the act (or even earlier from the intention) in order to determine in a causal manner the consequences and therefore the responsibility. On the contrary, what is involved is considering responsibility as the actual foundation of the freedom to act. It is because we are held to be responsible that our acts can be assessed in moral terms. In a way, this involves switching from a conception

in which what is evaluated is whether the act is responsible, to one in which the responsibility of the act is evaluated, i.e. whether it is consonant with what is expected from the person to whom this act is attributed.

Strawson (1974) has quite rightly commented that our attitudes of approval or disapproval bear first upon the action before switching to focus on the agent who has performed it. But this judgement is only reached because we consider the agent from the outset to be responsible. When we say 'He shouldn't have done that', it is clear that this judgement refers to the act. But when we say 'So-and-so is a scoundrel' we are judging the agent and not necessarily an action of this agent. These two situations are very different. In this second situation, judging that so-and-so is a scoundrel, we do not expect him or her to carry out responsible actions; in contrast when we disapprove of an action, it is because implicitly we consider the agent who has committed the action as being responsible for it. In other words, because the agent is responsible, his or her action can be assessed as being moral or not, and can lead to approval or disapproval. Responsibility comes first as it is the basis for moral judgement. There cannot be any responsible action without a responsible agent.

The agent who contravenes a moral standard is a member of the moral community, and it is as a member of this community that the offence can be associated with him or her. Even when we condemn this agent, we do so only as a member of the moral community and because, as a member of this community, s/he can be held responsible for his/her acts. We therefore recognise the responsibility before recognising the offence, and we can only attribute the offence, because we have recognised the responsibility. If the person is not held to be potentially responsible, i.e. if s/he is not considered to be a member of the moral community, it would quite simply be impossible to hold him or her responsible for his/her actions. For example, the insane are not generally held to be responsible for their acts because they are not thought to be capable of reaching a moral judgement. In this sense, they are not part of the moral community, even if, in the wider sense, they are part of the community of individuals and this community adopts a protective attitude towards them (providing protection against them if necessary).

The essential characteristic of an agent is to be responsible. If we can calculate his/her responsibility this is precisely because s/he is responsible. Otherwise, there would simply be no responsibility. Agents are defined, therefore, less by their capacity to make free choices than by their capacity for responsibility. Their choices are free only to the extent that they themselves are responsible. In this conception of responsibility, the causal relationship is replaced by a relationship of implication.[18]

Responsibility and practical identity

Two opposite but complementary concepts of how to attribute responsibility associated with different traditions make it possible to enhance our understanding of a responsible agent. The first of these traditions is derived from

post-Kantian philosophy, the second lies within the sociological tradition of social roles. Both traditions imply a link between identity and responsibility.

In *The Sources of Normativity*, the philosopher Christine Korsgaard (1996) distinguishes between personal identity and practical identity.[19] Personal identity addresses the metaphysical question of 'what is a person?', whereas practical identity concerns morality, action and responsibility. It does not address the problem of defining a person, but, rather, it refers to a person who thinks of him/herself as acting, regardless of how the person is defined. In this sense, we can say that the actions of a person are above all the actions that this person believes s/he has done. Practical identity is therefore, above all, a relationship of the Self with itself. It reflects the consistency between what a person undertakes and the perception that this person has of what s/he does. Fundamentally, practical identity is the relationship that we have with our acts and our choices in so far as they reflect our identity. It therefore assumes that we think of ourselves as an agent acting in the world and that we look at our acts as acts that we are doing. Of course this means that we consider ourselves responsible for the acts we have performed and for their consequences, by an effect of reflexivity on ourselves, but also that we act because we are responsible. We can only consider ourselves to be responsible for our acts, because we consider ourselves to be responsible beings. We assess our responsibility on the basis of the standard of the responsibility that we have set ourselves. This conception of responsibility as linked to practical identity has the advantage of identifying a fundamental bias in the responsibility approach as causality. This latter approach only views responsibility from a standpoint outside the agent. It is not the agent who sees him/herself as responsible, it is the viewpoint of the philosopher, the judge, etc. Furthermore, it concerns evaluating responsibility, measuring it rather than actually being responsibility in itself. At the same time, it ignores the relationship of the agent with him/herself, thinking him/herself in the world, engaged *via* his/her actions, evaluating him/herself. The example of an individual acting under hypnosis clearly reveals this difference in conception. In a causal conception of responsibility, it is simply stated that the individual in question is not responsible, because s/he is the instrument of someone else; s/he has become the instrument that is merely performing an action brought about by someone else, the hypnotist.[20] But we can only use this line of reasoning because of the hypnotised state of the individual, who is no longer capable of thinking of him/herself as acting in the world. We therefore reject the responsibility of the individual under hypnosis fundamentally because s/he is no longer him/herself, in the sense of a moral self that no longer exists. The fact of stipulating that s/he is manipulated only permits a search for the causality of his/her action, because s/he is not recognised as being responsible, and illustrates the fact that someone else has to be identified as being responsible. In order to evaluate the responsibility linked to an action, it is therefore necessary to have already established that the person is responsible. And to be able to identify him/her as being responsible, we must first accept that s/he is capable of thinking of him/herself as being responsible.

The world is, of course, above all other people, so that the relationship of the agent with him/herself does not refer to an atomist conception of the world. The relationship of the agent with him/herself is inevitably mediated *via* other people.

In a sociological conception of responsibility, Fauconnet (1928) stressed that responsibility, is the aptitude to become a legitimate recipient of a penalty or sentence. We should note that the vocabulary of Fauconnet is very significant: we have switched from an agent to a patient. In other words, the individual is no longer characterised by his/her autonomy, as an agent, but by whether s/he can be the recipient of a sentence, i.e. whether s/he is potentially responsible and as such can be held responsible for his/her act.

The act is related to the 'author' (of this act), to whom it can be attributed because of his/her quality as a responsible person. We use the term author rather than agent, because an author does not need to have all the characteristics of an agent, notably in terms of autonomy. All that is required is that all or at least some of the consequences can be attributed to him/her because s/he is considered to have played a role. S/he has played a role, because s/he is capable of responsibility and the size of the role that is played will define his/her degree of responsibility. If several authors are involved, the degree of responsibility for the consequences of an act or a series of acts will depend on the size of the role each author has played. We should make it clear that the degree of responsibility is not linked to the role actually played, in the sense of a causal relationship, but to the role that is attributed. To follow Fauconnet, what matters is how the author is represented and the link between this representation and that of the effects for which the responsible party is sought.

The notion of representation suggests an imaginary scenario in which the authors are identified and the roles are attributed to them. Consequently, representation is closely linked to identification, i.e. to the identity of the authors whom one is representing to oneself. Identity thus becomes a central element in the degree of responsibility attributed. The social role forges the identity, which is itself the corollary of responsibility. Responsibility is, above all, a social attribute of the person. In other words, it is defined through relationships with other people.

This conception of responsibility has the advantage of stressing the expectations of other individuals and of society. Responsibility is not limited to a relationship between the Self and itself; it also involves other people's perceptions.

Of course, responsibility cannot be limited to other people's expectations; this would be to confuse a social norm with a moral norm. It is not impossible for these to be in contradiction with each other. Let us imagine, for example, that society expects that people who are caught red-handed in an act of stealing should be executed forthwith, so as to dissuade other people. Someone who sees another person stealing should, according to this social norm, either execute the thief him/herself or denounce him/her to the authorities so that s/he can be executed. However, it is possible that the person who sees the thief thinks that it is wrong to execute someone, for whatever reason, and so prefers to keep quiet

so that thief is not executed. In these circumstances, the agent will be forced to choose between following his/her own judgement and that of other people. This responsibility forces us to answer two questions: what must I do as a person capable of acting, with regard to what I think is good and fair or not, and what must I do with regard to what others expect of me?

3.4 Another conception of responsibility

By linking the problem of responsibility to the agent, we have highlighted the fact that it should not be conceived *ex post* from a relationship of causality, but *ex ante* as an inherent characteristic of the agent. This leads to a typical sequence of responsibility, and a revision of the idea of agency.

A typical sequence of responsibility

The agent is fundamentally an individual who thinks of him/herself as acting in the world. It is a fundamental aspect of his/her practical identity. S/he is responsible from the outset, because being present in the world requires action. In this sense, Heidegger (2010) distinguishes research on human beings from that on objects, because it involves our full human reality. Sartre (1995: 20), referring to this phenomenological approach, wrote: 'It is not unimportant that this human reality should be me, because, in the human reality, to exist implies accepting one's own being and being responsible for it, rather than receiving it from outside as a stone does.' The agent has no alternative other than to consider him/herself as being responsible, s/he is, from the outset, in the world, and must answer for what s/he does. We should note that a hermit who withdraws from the world is none the less present to the world. S/he is still be responsible for his/her situation, on the one hand because s/he has chosen it, but is also responsible for what happens outside his/her world, because the decision to leave the world is an act for which one has to accept the consequences, i.e. that of not acting on the world which one has left. The agent cannot escape his/her responsibility. We should also point out that the agent cannot think of him/herself as irresponsible. Thinking of him/herself as irresponsible is already a way of denying his/her responsibility and positioning him/herself concurrently to this responsibility. In this sense, by rejecting the responsibility that is incumbent upon him/her, the agent is simply acknowledging its existence. Only insane people and animals (or people under hypnosis) are irresponsible, because they are unable to think of themselves as being responsible, i.e. as acting in the world. Responsibility is then a central element in practical identity. But it is a potential. It is an 'a priori ascription' of the agent, an attribute that characterises him/her even before s/he acts, due to the simple fact of being present to the world and being capable of seeing him/herself within this world.

Agents have to assume this a priori responsibility; they are accountable for it. These choices will reflect the way in which they bear the burden of their responsibility. Not choosing is already a choice in itself; that of allowing events or other

people to decide in one's place. Responsibility is no longer simply an attribute of the agent, it is an agent in action who is accountable for his/her choices; it is 'accountability'. At this stage, just thinking of oneself as an agent in the world is no longer enough. The agent is someone who makes choices and measures the consequences that result from them. As a result, the agent has some degree of rationality.[21] Now, let us look at something important. The agent cannot reject his/her responsibility on the pretext of irrationality. The capacity of agents to make a rational choice does not affect their responsibility because, by their very nature, they are responsible agents. If the insane are not held responsible, this is not due to their lack of rationality; it is because, quite simply, they cannot think of themselves as being in the world as agents. In the sense of an ascription, responsibility cannot be attributed to them.[22] Anyone advancing the pretext of his/her inability to establish all the consequences of his/her act would not be any less responsible for it. One course, would, for example, be to say that s/he did not mean to do it, but s/he still remains responsible. For example, if Mr X is playing with a shotgun in the woods and shooting at trees, but unfortunately misses a tree and hits someone who is out walking, he cannot claim the pretext that he had not grasped all the consequences of his act. From a legal standpoint, his sentence will be less severe than if he had deliberately decided to shoot at passers-by, but his moral responsibility remains intact. The accountability of responsibility therefore refers to the degree of responsibility, but it cannot avoid the primary fact of actual responsibility.

Finally, because agents are not alone in the world, and as a result are immediately plunged into a universe in which their actions are bound to impact on other agents or be judged by other agents, they must answer for their acts to others. Their responsibility is 'answerability'. As we have already pointed out, it is quite possible that the expectations of other agents, or their judgement of the acts of an agent, do not correspond to the way the agent thinks and assumes his/her responsibility. The agent will find him/herself confronted not only by a moral conflict between his or her own opinion and meeting the expectations of society, but will in addition face one or more penalties. This stage in the sequence of responsibility that we have just outlined highlights the fact that responsibility is, by its nature, associated with a penalty. This penalty may be more or less severe, negative or positive, external or internal. It will be negative and external, for instance, if the acts of the agent do not meet society's expectations. It could take the form of a fine, a prison sentence, exclusion or merely a censure, etc. It is positive and external if the acts of the agent do meet society's expectations and could take the form of a reward, an honour, a citation, etc. It can also be internal and negative, involving feeling guilty, that one has done something wrong, etc. or, on the contrary, positive, with feelings of having done the right thing, feeling pleased with oneself, etc.

Of course, what the agent feels responsible for and what others hold him/her responsible for can differ; different sanctions can therefore be combined. For instance, the agent could feel guilty for having done something, even if the act itself is approved by society; or, on the contrary, the agent could feel proud of

having stuck to his/her convictions about what s/he should do, even if this leads him/her to receive a negative external sanction, etc. The agent is at the stage of answerability, in the phase of evaluating what is reasonable; reasonable with regard to other people and to the society in which s/he lives.

The reasonable nature of the choice can, of course, affect the rational aspect of the choice. Thus it is more rational to act so as to comply with a reasonable choice, to avoid potential external sanctions, even if this choice is not the best from the standpoint of the objective that is directly targeted.

Unlike the causal sequence of responsibility, the typical sequence that we have just outlined is not linear. Answerability affects rational choice, and the capacity to make a rational choice affects the degree of responsibility, even though responsibility comes first. Responsibility must therefore be understood on the basis of a relationship of implication with the agent, in which the responsibility is synchronous and simultaneously presents for the agent the properties of ascription, accountability and answerability.

Agency: the exercise of responsibility

Following this analysis, we can see that the agent is a point without extension but not a point without thickness. The agent remains a point without extension because s/he constitutes the ultimate reference of responsibility, but the thickness of the agent resides in his/her responsibility, the central aspect of his/her identity, both as a self looking at him/herself and as a self in the eyes of others. Because we are responsible, we bear the burden of exercising our responsibility. We assume our responsibility, on the one hand, by complying with what we consider to be a responsible act solely from our own point of view, and, on the other hand, by remaining reasonable in the light of the expectations of other agents in society.

In the first chapter, we pointed out that freedom is irremediably linked to power; a power in particular that we exercise over others, because freedom is always freedom with regard to others.

A responsible agent is therefore an individual who exercises his/her freedom, as power, in a manner that is consistent with his/her judgement and the judgements of others with regard to his/her responsible acts. We can see that it is not freedom that provides the foundation of responsibility as such; it is because we are responsible agents that we have this capacity to exercise our freedom. If an individual is considered to be insane, not only will he or she not be considered to be responsible, but he or she will not be considered to be acting freely. His or her acts are considered as being carried out in the grip of madness.

If other people expect us to behave responsibly, we remain free, as responsible agents, either to comply with their judgement or to follow our own. We assume our responsibility by the freedom we have to constrain ourselves. The counterpart of freedom as power is the freedom of self-constraint. Here we encounter a central element in the philosophy of Kant. Kant pointed out that, paradoxically, a person becomes freer as s/he constrains him or herself more.

Autonomy, in Kant's meaning of the word, reflects the capacity of a person to give him/herself the law to which s/he will choose to submit.[23] For Kant, this involves stressing the superiority of reason over sensory stimuli. Here we reinterpret self-constraint based on the faculty of the person to assume his/her responsibility. Unlike responsibility as a causal relationship, in which the degree of responsibility flows directly from the degree of freedom, here it is responsibility that provides the foundation for freedom; and since *agency* is a way of evaluating freedom, we can consider that agency is the use we make of our responsibility. Increasing the agency of individuals means allowing them to assume fully their responsibility, since increasing agency means extending the space of freedom and acknowledging that nothing external can constrain the freedom of self-constraint. In this sense, agency refers to the capacity to assume one's responsibilities from the person's own point of view and not by expediency with regard to social norms, which impose responsibility on the agent. It is therefore obvious that the implicitly positive connotation of agency disappears. Assuming one's responsibilities can involve multiple actions; for example, killing one's neighbour in the name of a cause in which one believes. This does not, therefore, in any way mean that we should consider the agent's own responsibility as something positive and the responsibility imposed on the agent by others as negative, although this can sometimes be the case. From a pragmatic standpoint, what we want to do is to analyse what arises from these two forms of responsibility and to understand the behaviour of people in situations in which these two forms of responsibility are implicated.

4 The person and responsibility

In the previous chapter, we stressed the idea that what characterises a person is not so much his/her freedom or agency, but his/her responsibility; agency being simply the expression of the exercise of responsibility. However, so far we have used the terms agent, individual and person as virtual synonyms, which is not a problem while we are using everyday language. Nevertheless, once we move away from these everyday expressions, and try to pinpoint exactly what is meant by the concept of the person, we need to clarify some details. This is the purpose of this chapter.

The concept of the person is not easy to define for two reasons. On the one hand, like other concepts, such as that of an elephant or a heap, we could simply say that it is difficult to define this concept. Indeed, it is difficult to define what an elephant or a heap actually is, even though when we see one, we recognize it.[1] On the other hand, it may not be obvious that when we see a person we will recognise him or her as such, unlike an elephant or a heap. We recognise an elephant, despite finding it difficult to define, because we can attribute certain characteristics to it (it is big, grey, has a trunk, etc.). Similarly, we can distinguish a heap (a heap of sand for example) from other things, such as a beach. One would not say that something is a heap of sand because what is designated consists of a set of grains of sand, but rather because this set takes a particular form that can readily be distinguished specifically from another. On the contrary, it is not at all certain that we can attribute to a person those characteristics that allow us to recognise him or her when we meet one. A person is an entity that cannot be defined by a set of physical characteristics, even though this set is ordered so as to form a specific physical entity, for example a human being who is tall with short hair, etc. So a person is distinguished precisely from an individual conceived as a numerical entity.

In this chapter we will characterise the person. We shall see that a person is both unique and multiple; that s/he is what s/he becomes. Temporality and identity are indeed at the heart of the person. It is through the temporal nature of identity that the modes of expression of responsibility are built.

4.1 The question of the person

The concept of the person has a long history, and we make no attempt here to provide a complete account of its evolution and its successive meanings. More

modestly, what we are setting out to do is to provide a framework for our reflections by taking a new look at the concept we are using.[2]

To the sources of the person

The philosopher Boethius (480–524) was the first to trace the genealogy of the concept of the person.[3] He points out that the word 'persona' was originally used in Latin to designate the mask worn by actors in the theatre. By wearing a mask, the actor becomes the 'persona' s/he is playing. According to Boethius, the Romans subsequently used the term 'person' for every human being, who they recognised from his or her face. Thus every man has his own mask, a unique mask that he cannot remove; the term person came to be associated with human beings, used to designate them individually, each one being unique.

We should note from the outset that, according to this meaning, the term person becomes a means of separating, of distinguishing between people. This separability can become a problem if the aim is, on the contrary, to find a unity intended to designate behind the concept, a specific category of being, which is, however, distinct from other categories of beings. This makes it necessary to distinguish between personality and personhood. Persons constitute a unified category of beings that can have different personalities. We will return to this topic in the following sections. For the present, we will simply look at how Boethius used this concept.

Boethius began by trying to resolve the theological controversy concerning the dual nature of Christ, both man and God. By introducing the concept of the person, he tries to exclude two opinions that he viewed as being heretical: that of Nestorius (one of the patriarchs of Constantinople) who holds that Christ, who has two natures, must therefore be two beings, and that of Eutyches, who holds that Christ has in fact a single nature and is therefore a single being. By introducing the concept of the person Boethius wants to demonstrate that Christ has two natures, but that these correspond to a single person. The divine nature and the human nature of Christ are indeed different things, but a single person possesses this dual nature, and this person is Jesus Christ. By adding the concept of personhood to those of being and nature, Boethius creates a distinction between the man and the person, and thus disconnects the person from his human nature. In this situation, the person plays a unifying role in uniting the different natures.

By contrast, the Christian controversy surrounding the Holy Trinity uses the concept of personhood as a way of dividing a single entity into three sub-entities.[4] The controversy concerning the Trinity does indeed raise the problem of a single, divine nature, which is simultaneously Father, Son and Holy Spirit. The concept of personhood, which dissociates the nature of a being from the person who is this being, means that a single nature can exist in three persons without making it necessary to speak of three individuals. A single being can, therefore, correspond to a multiplicity of persons.

What these controversies clearly support is a distinction between the nature of a being and his/her person, to the point where it is no longer necessary to be human to be a person; although a person can also have human nature.

Person and persons

This cleavage between the nature of a being and its person is perfectly illustrated by super-heroes. They are both ordinary men and supermen, i.e. they possess extraordinary powers. After Peter Parker was bitten by a spider, he developed extraordinary powers and became Spider-Man. The journalist Clark Kent is also Superman. The X-men are mutants (who have undergone genetic mutations), who have each developed specific capacities (an indestructible skeleton, ability to control time, telepathy, mastery of magnetic fields and the art of metamorphosis, etc.), and yet they are also persons.

These fictional characters raise two important questions related to our topic. First of all, does a person have to be human? The case of Superman is particularly interesting, because he is not in fact a human being at all, but an extraterrestrial (from the fictional planet Krypton). And yet he is a person. And then, is Clark Kent the same person as Superman? Is Peter Parker the same person as Spider-Man? They are persons because there is a certain unity of values within them despite their dual personality (they stand for Good, Peace, Justice). Clark Kent has the same values as Superman, etc. What defines the person is not, therefore, the state of belonging to a particular species (whether human or not), nor a set of biological and/or physical characteristics, but a relationship with morality. A person is a moral entity characterised by a moral unity.

Of course, one could object that super-heroes are only fictional characters from the fruits of our imagination, and not real people. But they do represent what we think a person actually is.

From this standpoint, these examples differ from that of Dr Jekyll and Mr Hyde, who have radically different personalities, to the point where one could say that they are not the same person, even though they are both persons. The case of Dr Jekyll and Mr Hyde raises a question about what we should understand by a person. Is a person a general concept that designates a being who possesses certain specific faculties or capacities, such as a capacity for self- awareness, rationality, etc., or a concept that reveals the person one is. In the first case, we could say that Dr Jekyll and Mr Hyde are both persons, in the second that they are different persons.

We could view this dual use of the term person as the source of an unfortunate ambiguity because the conditions of identity associated with the concept are not the same.[5] Let us take the case of a man who has had an accident. Let us suppose that he has had a serious accident, and that following this accident he has completely lost his memory and does not remember who he was previously. His ideas and his character are totally changed after this accident. If we use the term person in the generic meaning of a being possessing certain specific faculties, we still have the same person. However, if we use the term person as a concept that designates the type of person, then the man who has had the accident is undeniably no longer the same person. Many examples have been used to discuss this problem of definition.[6] What matters above all is whether we are in the presence of the same person. This problem arises as soon as we consider the

person as a unified Self, so that in the end we will be forced to choose between an ontological conception of the person as an individual substance possessing certain faculties and a cognitive conception of the person, which only conceives the person through the incarnation of these faculties.

This opposition between the ontological and cognitive conceptions of the person seems to us to be highly exaggerated, and to be based on confusion between the concepts of attributes and properties. For instance, a vase is assigned the attribute of being capable of containing flowers. For the same reason, an object incapable of containing flowers cannot be considered to be a vase. We can, of course, attribute the capacity of holding flowers to other objects. A glass can sometimes be used as a vase. In a sense, it then ceases to be a glass and becomes a vase. Attributing a capacity therefore assumes the recognition of previous existence. But this existence only takes on meaning through the attribute that is conferred on it. The attribute reduces the ontological concept to a functional form, to having a function.

Thus, property is detached from function; it is what makes it possible to fulfil a function. Therefore, one property of a vase is to have an aperture through which flower stems can be inserted. Another property is that, on the contrary, it is an object closed at one end and able to contain water. A glass, a jug etc. also possess these properties, and this does not make them vases, even though they can sometimes be used to fulfil this function for a time. They can then be said to lose their original attribute to become vases, because they have the same properties. In this sense, anything that can become a vase as a result of the properties it possesses is a vase. And although a glass is not manufactured for the purpose of being a vase, but for drinking from, it can become a vase; it can incarnate a vase temporarily, or even do so permanently, if in the end we think that a particular glass would make a good vase. We can say that the properties are the necessary, but not sufficient, conditions. The ontological conception is only a support that permits the incarnation of the person, so that the two conceptions are complementary rather than opposed. Superman is not a human being, he is a Kryptonian, i.e. an extraterrestrial, but he possesses the same properties as human beings, which gives him the capacity of being a person in the same way as human beings.

A person can possess certain properties, and indeed we can say that a person must possess these properties. But even if these properties are necessary, they are not sufficient. They only guarantee a capacity to be able to incarnate oneself as a person. We are now going to argue that the essential property of the person is his or her relationship with morality, his/her capacity to be responsible.

The question of the properties of a person

Starting from the definition given by Boethius, we can say that there is a dissimilitude between the nature of a being and his/her person. There are various different categories of beings; for example, animals, human beings, plants, etc., and within each category, divergences may also be perceptible. Two giraffes differ by their coat patterns, the lengths of their necks or of their legs. Similarly,

two human beings can differ by their height, the colour of their hair, their skin colour, etc. They belong to the same category of being, but are nevertheless numerically distinct. Since the nature of a being and his/her person are dissociated, it cannot be the numerically individuating differences of the same nature that can give meaning to person. If this is true, we could for example use the criterion of height as a distinctive criterion of the person, which would be absurd, since this would make giraffes persons to a greater extent than human beings. We must, therefore, be able to formulate a criterion of separation between their being, their nature and their persons.

For Boethius, what fundamentally distinguishes a person from a non-person is precisely his or her mode of being. A person possesses this specific capacity of self-awareness, and so of thinking and saying 'I'. Following on from Boethius, and going beyond him, Thomas Aquinas would provide an answer through rationality, understood as the capacity to be the author of one's acts:

> But the particular and the individual meet in an even more special and perfect mode in reasonable substances that have mastery over their acts: they are not simply 'moved', like the others, they themselves act; however, actions exist in singularities. Thus, amongst the other substances, individuals with a reasonable nature are called by a special name; they are known as 'persons'.[7]

So, a person is a 'hypostasis' that has a reasonable nature, the prerogative of the spirit; a being capable of thinking him/herself, and because s/he thinks him/herself, a being also capable of forming intentions and undertaking actions. A person is thus a being with a free conscience, who is capable of self-determination. Thomas Aquinas thus lifts the person above all other beings.[8] A person is a privileged being, a 'tantum', within which a reasonable nature develops.

We return here to the discussion in Chapter 2, where we pointed out that self-determination does not only mean being free to act, but being able to pass a value judgement on one's acts and of revising one's point of view. In other words, being free implies assuming some responsibility for one's acts and one's choices with regard to oneself.

Kant expressed this particularly well. According to Kant, a person is on the one hand a rational being who is able to think about him/herself, i.e. possessing the 'I' in his or her representation of the world and of him/herself, and, on the other, is autonomous, and therefore responsible for his/her acts:

> A person is a subject whose actions can be imputed to him. Moral personhood is therefore nothing other than the freedom of a rational being under moral laws (whereas psychological personality is merely the capacity for being conscious of one's identity in the different circumstances of one's existence). From this it follows that a person is subject to no laws other than those he gives to himself (either alone or at least in association with others).
>
> (Kant 1991: 397)

This particular twofold capacity of the person gives him or her a specific status, that of being an end in itself; because having him/herself as his or her own end, the person is also an end in him/herself for others in virtue of the maxim of universalisation: 'Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means',[9] which characterises morality. With Kant, the cleavage between the person and the human being is entirely achieved to the extent that a non-human being can be a person, and a human being cannot be a person. The notion of the person therefore attempts to characterise a being other than by his/her nature. As we have said, a person has a fundamental link with morality.[10] We still have to explain what we mean by this. We will establish this characterisation of the person in the third section of this chapter, after a brief deviation through the personalist movement, from which we will draw some lessons.

4.2 Personalism

Personalism: the person beyond the differences

In his *Democratic Vistas* (1867), the poet and humanist Walt Whitman was already using the concept of personalism, but the term assumed its full importance with the philosopher Charles Renouvier in 1903, who described his thought as having been influenced by Kant.[11] His philosophy does indeed say that '...knowledge of the person as conscience and will is the foundation of all human knowledge' (1903: II).

The personalist movement developed from numerous influences, thus giving rise to many different trends.[12] However, the common basis of the personalist movement remains the attachment to the notion of the person. Mounier (1936) defines personalism as a doctrine or civilisation that affirms the primacy of the human person over material necessities and over the collective systems that support human development.

Taking the notion of the person as our basis, we could expect personalism to propose one or more definitions of the person. But, as Mounier emphasises (1949: 9) '...one can only define objects that lie outside Man, and that can be looked at. Whereas, a person is not an object. There is indeed in each Man something that cannot be treated as an object'. Personalism is therefore based on the distinction between the human being as a species, the individual who constitutes a numerical entity of the human species and the person who '...is the specifically human mode of existence' (ibid.: 11). The person is above all an interior dimension 'A thousand photographs on display do not add up to a man walking, thinking and willing' (ibid.: 9):

> There are not therefore stones, trees, trees, animals – and persons, who are simply mobile trees or more intelligent animals. The person is not the most marvellous object in the world, an object that we can know from outside,

> like the others. It is the only reality that we both know and make simultaneously from within.
>
> (Ibid.: 10)

Nevertheless, we should not reduce this interior dimension to:

> an internal residue, a substance hidden beneath out behaviours, an abstract principle of our concrete actions: this would still be a way of being an object, or the ghost of an object. It is a lived activity of self creation, of communication and of adhesion, which grasps itself and knows itself in its action, as a movement of personalisation.
>
> (Ibid.: 10)

In this sense, we can say that in Mounier, the person is the effort that we devote to being a person. A person is therefore not an individual who has been super-individualised by his or her specific characteristics, but the freedom of interiority concretised in action and choice.

Personalism and freedom

Personalism makes freedom a dimension of the person, since freedom has meaning only through the person. Thus, in Mounier, we find a concept of freedom that is attached to two characteristics. First of all, Mounier adopts the phenomenological concept of the freedom of Merleau-Ponty. Mounier (1936: 78) says:

> I am not only what I do, the world is not only what I want. I am given to myself and the world existed before me. This is my condition, even within my freedom there is a multiplicity of gravities: that which arises from myself, from my particular being which limits it, that which weighs on it from the world, the necessities that constrain it and the values that press upon it.

He joins here with Merleau-Ponty (1945: 517) in pointing out that 'To be born is both to be born from the world, and to be born to the world.' The person is plunged into a world that already exists, but is never fully constituted. S/he is weighed upon and constrained by the world as it exists and, at the same time, is open to an infinity of possibilities as a result of existing. Freedom is necessarily localised, but takes on meaning solely through the personalisation of the world and of oneself. A person arrives in a world that pre-exists him or her, but which s/he makes his or her own and which s/he personalises. It is in this sense that the person is simultaneously both constrained and free.

Mounier goes on to distinguish between internal freedom and external freedom. Internal freedom is spiritual freedom. 'This is the freedom that the deported person still has when s/he seems to be imprisoned in servitude and

humiliation' (ibid.: 80). Our external freedom is our material freedom; it confronts economic and social constraints, it is our freedom situated within material conditions. In this sense, it is more accurate to speak of 'freedoms', in the plural, rather than 'freedom'. These two forms of freedom are closely linked. External freedoms are not indispensible for the exercise of internal freedom. But without these external freedoms, internal freedom risks becoming what Marx described as simply awareness of necessity. Conversely, focussing solely on external freedoms leads one to forget that freedoms have meaning only to the extent that they promote internal freedom. Forgetting about internal freedom and only considering external freedoms is to attempt to combat one kind of alienation by accepting another. Thus,

> It is true that Freedom must not lead us to forget freedoms. But when men no longer dream of cathedrals, they no longer know how to build fine houses. When they no longer have a passion for freedom, they no longer know how to build freedoms. We do not give freedom to men from outside, by making life easier or by Constitutions: they fall asleep in their freedoms and wake up slaves. *Freedoms* are only opportunities offered to the spirit of *freedom*.
>
> (Ibid.: 83)

Just as internal freedom cannot fully express itself without external freedom, so external freedoms have no meaning without the existence of internal freedom and its development. This observation has an important implication for the very concept of freedom, because freedom cannot be reduced to freedom of choice, which would lead inevitably from freedom to freedoms. And freedom already situated in a world pre-existing even the existence of the person is both liberation, by the personalisation of the world, and belonging, because one cannot be free outside the world in which we are plunged. Freedom is thus above all the freedom of a responsible human being.

Personalism, commitment and responsibility

Mounier summarises perfectly the relationship between freedom and responsibility in the following passage:

> Focusing attention to freedom on the power of choice alone, is to put a brake on freedom and soon to render it powerless even to make a choice, due to lack of sufficient thrust; it is to maintain this culture of abstention or alternation which is the spiritual ill of contemporary intelligence. Reducing freedom solely to the conquest of autonomy is to encourage this rigidity of the individual, which makes for opacity and lack of availability. The movement of freedom is also relaxation, permeabilisation, availability. It is not only rupture and conquest; it is also, in the end, acceptance. The free man is the man the world questions and who answers: he is responsible man.
>
> (Ibid.: 84)

Returning to a phenomenological concept, we can say that a being-in-the-world, already in an inhabited world and despite everything having a power of initiative in this world, is also responsible for it.

Ricœur (1983) clearly expressed the tension that personalism creates between freedom and responsibility, and which passes through commitment. On the one hand, commitment is situated in '... a circular relationship between the historicity of commitment and the hierarchy-establishing activity that reveals the debt-like character of the commitment itself' (Ricœur op. cit.: 200). In other words, to adopt a phenomenological position once more, commitment can only occur outside a pre-existing context consisting of values which the person cannot set aside, but at the same time to which the person gives meaning by his or her own commitment. Preferences are necessarily given priorities, because the person cannot remove him/herself from the world in which he or she exists. His or her commitment is therefore the prioritisation of his or her preferences, priorities to which the person subscribes by accepting values and giving them more or less weight. Of course, the person remains in control of this prioritisation of values, by accepting and allocating more or less weight to the values, without at the same time being able to challenge them.[13] The person is situated in a pre-existing world that he or she makes his or her own. Commitment is therefore responsibility.

In addition, because commitment is situated in a series of pre-existing values, it sets up relationships between the interiority of the individual, his/her singularity, internal freedom, and the historicity of the values. The identification with pre-existing values confers his or her identity on the person. Identity is forged in the continuity of acceptance of something pre-existing and does not simply spring forth. At the same time, this identity is personal, because commitment is the personalisation of the world. Commitment is the recognition of values, but also an ordering of preferences. If I cannot free myself from the ordering of preferences, I can at least make this ordering of preferences my own, so that through commitment, identity is forged as identification and differentiation.[14]

Commitment is thus responsibility, at the same time as it is the reflection of internal freedom, because freedom is above all acceptance. To summarise commitment with Ricœur (op. cit.: 202), we can say that 'the only important thing is to discern in the right voice, what is intolerable today and to recognise my debt towards the causes more important than myself that requisition me'.

The personalist economy

The personalist vision is opposed to liberal individualism and to all forms of totalitarianism. It rejects the totalitarian philosophies, which tend to subjugate the person to institutional finalities that are exterior to the person. On this basis, it condemns industrialism, planism and, more generally, everything that could coerce the human person. Above all, Mounier's personalism is a criticism of capitalism, a criticism that sets out to be even more radical than Marxism. Marxist-inspired collectivism remains essentially materialistic. It therefore rules out the spiritual dimension of the person.

Situating his thought with references to the crisis of the 1930s, Mounier adopts several Marxist ideas. He stresses, for instance, that the organisation of society on the principle of the division between capital and labour leads to the domination of the financial sphere and makes unemployment the adjustment variable. He is more nuanced in his criticism of Marxism, because he sees in this movement the undeniable recognition of history and the weight of material life in the human condition. What Mounier holds against Marxism is its extreme materialism, which leads it to deny any spiritual dimension to Man. Marxism therefore fails to offer a vision of Man that is fundamentally different from that of capitalism. The point on which they disagree concerns the socioeconomic conditions that produce external freedoms, but neither of them ever considers internal freedom. However, as we have already pointed out, these two forms of freedoms are closely linked, and external freedoms cannot have any legitimacy in themselves. They have meaning only in their relationship to internal freedom.

For this reason, just as he criticises the capitalist mass production regime, which makes Man simply a potential customer, he also criticises Marxist materialism, which is Marxism mired in a struggle involving material contingences. In its extreme form, in which the separation between labour and the State[15] replaces that between capital and labour, Marxist-inspired collectivism leads to a totalitarianism that is the antagonist of a society of persons.

Whereas the concept of the individual refers to an abstract rational being, separated from the human community, that of the person strives to think in terms of unity with the Other, gripped by a sympathy that makes it possible to perceive the Other as an absolute. The person transcends nature by the dynamism of creative existence that rests on respect and sympathy towards the Other, thus opening the way to commitment. In this context, the freedom of the person does indeed involve satisfaction of his/her essential needs, but this is within an ethic of avoiding waste and of sharing, and also through the development of his or her creative capacities; capacities that are placed in the service of solidarity-based commitment in a vision of self-transcendence and of gift.

To transcend the tendency towards individualism in everyday life, the person needs a community of peers, with whom he or she shares common values. Within this community, others are not just a bunch of anonymous individuals, but fellow members who recognise each other mutually as persons. Thus each contributes to the other's ability to transcend individualism, while still seeking the universality of the community. The personalist economy is thus fundamentally an economy of gratuitousness.[16]

4.3 The person beyond personalism

This minor detour through personalism has allowed us to highlight two essential characteristics of the person. First, a person cannot escape from his or her responsibility. And paradoxically, it is by assuming his or her responsibility that the person becomes free. Freedom here means internal freedom. However, external freedoms can have no meaning independently of their orientation by internal

freedom. Second, a person does not simply 'take' the world, he or she personalises it. Although the person cannot except from what pre-exists, it is by acceptance that he or she gives meaning to it. It is through this process of acceptance that the person forges his or her identity. Responsibility and identity are therefore closely linked. Whilst going beyond the personalist movement, we will highlight this interconnection between responsibility and identity. We will begin by returning to the concept of the responsible person, and then go on to establish a concordance between responsibility and identity in the following section.

From the death of personalism to the return to the person

The influence of personalism waned between the 1950s and the 1970s, decades marked by the messianic pressure of materialistic, individualistic or collectivist philosophies, which relegated the person to the background. In 1983, Paul Ricœur wrote: 'personalism is dead', adding further on, 'but we are seeing a return of the person'.

Personalism had indeed developed in a context marked by the crisis of the 1930s, even if it cannot be reduced to this context and many earlier influences can be traced, as well as movements that developed later on.

However, this period undeniably marked personalism, or at least one of its basic currents, through Emmanuel Mounier. This rootedness is not neutral in the development of personalism, which was largely based on historical cleavages, thus manifesting its own history-based conception through the person, which in turn, could lead to a minimalising reading of the a-historical foundations of the person. Responsibility is always contextualised, and it is always a fundamental property of the person, who defines him or herself relative to values. There is no need to situate the latter in a historical engagement (or more exactly in politico-historical movements) to understand this property. There is no need to consider values as values that are intended to transform society. Two essential and concomitant contributions of personalism remain, with which we can apprehend the person: responsibility and values. Responsibility is always situated in a world characterised by values.

This allows us to adopt phenomenology in order to create a phenomenology of the person. The person is immersed in a world of values and cannot totally divorce him/herself from this world; to reject its values would simply be an expression of the personalisation of the world, an expression of one's responsibility with regard to it. In other words, the person cannot escape from his or her responsibility. If while being immersed in this world a person also participates in its transformation, his or her acts will simply reflect his/her responsibility in a world of values. And even if internal freedom is closely linked to external freedoms, responsibility is above all the essence of a capable human being.

The capable man

In a text of 1990, entitled *Approches de la personne*, Paul Ricœur proposes refounding the concept of the person. To do this, he defines four strata: speaking

man, acting man, narrating man and responsible man. These four strata are analysed by a crossover with a ternary structure of ethos: 'wishing for a life accomplished – with and for others – in fair institutions' (1990: 204). The crossover between these four strata, and the ternary structure of ethos, constitutes the structure and forges the whole person. We summarise his approach in Figure 4.1.

The first stratum of the person is that of speaking man; man capable of designating himself, but also of answering and thus switching from speech to conversation. But of course, '...speaking means taking on the totality of language as an institution that precedes me and in a way authorises me to speak' (ibid.: 212). To designate oneself or to reply to someone else, one has to use an existing language. Speaking man is born into a world where people have already spoken before him. This does not mean that Man cannot create a new language, but that he can only proceed with this creation to the extent that he situates himself in relation to what already exists. By using language, Man already inserts himself into a world of mutual recognition. The use of language is not a simple exchange but is, more fundamentally, an engagement because through words, trust is involved. The promise is the clearest illustration of this engagement in the world, because:

> the duty to keep ones promise is equivalent to the duty to preserve the institution of language, to the extent that this latter, as a result of its trust structure, rests on the trust each has in the word of the other...
>
> (Ibid.: 213)

The second stratum is that of acting man; man capable of acting and of designating himself as the author of his acts, but also man capable of interacting to the

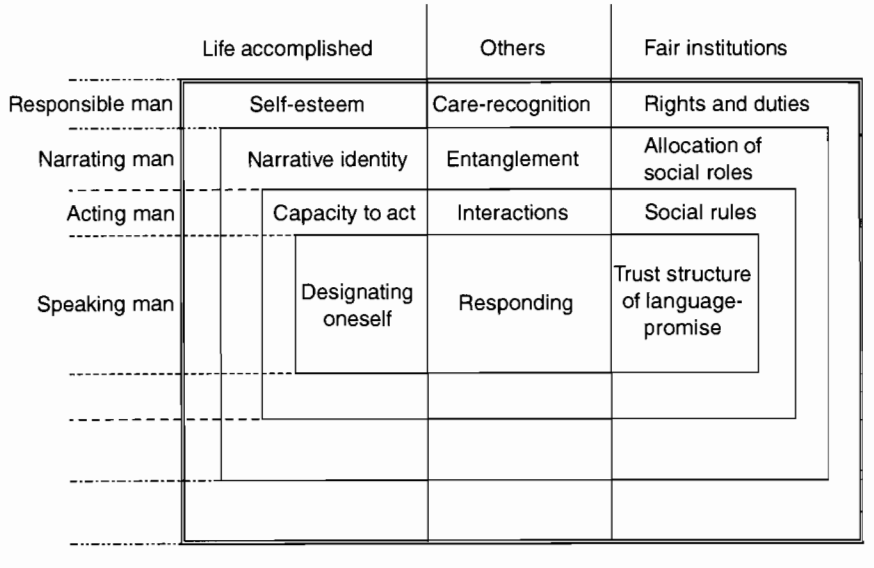

Figure 4.1 The whole person (source: constructed by the authors).

extent that human action is conceived above all in interaction, whether this takes the form of cooperation or of competition, or even conflict. And of course, action and interaction are always situated in a context that is constituted of existing rules. Acting man is a man who recognises the social rules within which his actions and his interactions are to take place.

We should point out that speaking man is simply a particular case of acting man, since words are a form of action. The latter includes the former. In both cases, the Self is involved, the Other to whom one can attribute a face (the one to whom one replies, with whom one interacts) and the rules that imply a multitude of others; rules that give meaning, in the absence of a face, to these multiple others.

The third stratum is that of narrating man. This involves the relationship between Man and his identity, that of the question 'who am I?' If speaking man designates himself through 'I speak', and recognises himself as the author of these acts through 'I act', he also asks the question 'who am I?' as a speaking and acting man. At this stage, 'The person designates him or herself in time as the narrative unity of a life' (ibid.: 219). The person identifies him or herself, we could say. This identification has meaning only in a relationship to the Other, s/he identifies him or herself as being him/herself, and at the same time recognises the Other. The person cannot escape from the entanglement of histories; the person is not a sort of Man Friday born on a desert island. His or her identity is necessarily the recognition of others as the same, as well as differentiation. Here too, s/he cannot extract him/herself from society, from the world in which s/he is immersed. The person situates him/herself in a world in which there are pre-existing rules, and these rules are associated with the distribution of social roles. The identity of the person, like that of others, is closely linked to social roles and to the rules that govern these roles.

Finally, the fourth stratum is that of responsible man. This encapsulates all the previous ones. Responsible man is a speaking, acting man who identifies himself in a world in which he finds himself. His capacity to designate himself, to act (and to identify himself) forges his self-esteem. At this first level, Man is man capable of self-esteem. However, Man is also, at a second level, capable of recognising the Other. He responds to him, interacts with him and identifies him. This recognition is also attention and care paid to the other. At the third level, man is capable of assuming his rights and duties. By being immersed in a world, he takes as given the institutions – in the sense of rules – that govern this world and are the source of the rights and duties that determine relationships with others. This man, in assuming his rights and duties, is responsible man.

We can draw several conclusions from the approach proposed by Paul Ricœur. First, the responsibility expresses itself in a triptych of responsibility towards Self, responsibility with regard to the Other and responsibility to everyone. Whereas the Other is an identifiable Other (one with a face) 'The everyone is a distinct person, but one I can only reach via the channels of the institution' (ibid.: 206). Second, responsibility is bound to identity. There can be no identity without responsibility. Identity is forged by the way in which we

assume our responsibilities. It is self-esteem with responsibility towards the Self, recognition of the Other with responsibility towards the Other, and acceptance of rights and duties with responsibility towards everyone. Third, because the person is immersed in a world that pre-exists him or her, s/he is from the outset engaged in this world. This engagement is responsibility, and therefore lies at the heart of identity.

Capacity and capabilities

As we pointed out in Chapter 2, the capability approach proposes a functionalist concept of freedom. This concept of freedom has the shortcoming of focussing solely on external freedoms. It omits internal freedom, even though this is the keystone of the ideas of engagement and responsibility. This oversight is all the more surprising, because Sen (1977) has insisted on the existence of committed behaviours. However, rather than attempting to elucidate the link between commitment and freedom, he settles for simply noting the existence of this type of behaviour, and does not see that by highlighting this fundamental fact he opens a breach in his own concept of freedom. To paraphrase Mounier,[17] by replacing the term freedoms by that of capabilities, and that of freedom by capacity, we can say that 'the capabilities are simply chances given to capacity'. Capability is thus an enfeebled version of capacity. It is reduced to the conditions that promote capacity, taken in the sense of the criteria of responsible man. Capacity is above all the capacity to be responsible, without which capability has no meaning. It is the internal freedom that gives meaning to external freedoms; to capabilities.

The way we have read Ricœur does indeed allow us to say that there is always engagement. The person cannot escape from his/her responsibility, because s/he is immersed in a world that pre-exists him/her. However, engagement takes many forms, and egotistical action is only one form of engagement amongst others.[18] In other words, the idea of a meta-preference can be considered as a general form in which the egotistical choice is but a particular case. The only thing that the person can do is to choose how to order values. S/he can reject certain values, but cannot deny that values exist. The ordering of values that the person adopts reflects his or her personalisation of values, his or her personalisation of the world. However, s/he cannot escape from the existence of values.

This concept of commitment calls into question the dichotomous character of commitment and compassion proposed by Sen (1977). According to Sen, compassion corresponds to the situation in which concern for the Other has a direct influence on the wellbeing of the person considered. In contrast, commitment corresponds to a situation in which the person considers that a state or situation concerning someone else is deserving of condemnation, without this having any effect whatsoever on his/her own wellbeing. To take the example often used by Amartya Sen, if the existence of torture makes someone feel ill, this is compassion; whereas if his/her own wellbeing is not affected by the existence of torture,

but s/he considers that this is simply an act deserving of condemnation (and that s/he is also ready to do something to prevent it), this is commitment. Apart from acts of compassion, there is no separation between people's wellbeing and their altruism.[19] By contrast, acts of commitment dissociate a person's wellbeing from his/her action. This latter may even have a negative effect on the person's wellbeing, for example because s/he has to devote him/herself to fighting torture, which requires devoting time or resources to it.

This dichotomous concept of the division between compassion and commitment reflects a concept of the individual with no thickness, as a simple function of choice. If, following Ricœur, we adopt a concept of commitment as Man's immanent immersion in the world then compassion is only a form of the expression of commitment. Thus, the opposition between commitment and compassion highlights the limitations of the idea of commitment in Sen, at the same time as it reveals a narrow idea of the conception of the individual with functional freedoms, whose notion of internal freedom has been eliminated.[20]

4.4 Action and responsibility

What characterises a person is fundamentally his or her capacity to be responsible. And as we have seen with Ricœur, responsibility is intimately linked to identity. Responsible man is also a man capable of identifying himself, of identifying others and of situating himself in a set of social roles. It is not possible to separate identity and responsibility in this way.

Person, personality and identity

Economic analysis has recently revealed the influence of identity on behaviour, particularly on compliance with social expectations and roles.[21]

These approaches consider identity in a static manner. However, as Ricœur stresses (1990: 217), 'The problem is the simple fact that the person exists only in the regime of a life that takes place from birth to death.' The temporality of life itself raises the question of the continuity of identity. Ricœur resolves this difficulty by distinguishing the concept of 'sameness' from that of 'ipseity'. Sameness refers us to the permanence of a substance over time. In contrast, ipseity raises the question of the maintenance of a self despite changes. According Ricœur, these two concepts form the dialectic of personal identity. They imply the entanglement of the question 'who am I?', which lies at the heart of ipseity, and that of 'what am I?', which is at the core of sameness, because it is not possible to ask oneself the question 'who am I?', without at the same time wondering 'what am I?'

In order to formulate a proposition about this entanglement, we can say that sameness is attached to the notion of the responsible person by definition, whereas ipseity concerns how the person personalises the world; the exercise of responsibility in context. We can find an interesting line of thought about the articulation of these two concepts in Christine Korsgaard, even though she does

not actually use these concepts as such. In *Self-constitution*, Korsgaard starts from what she calls the paradox of self-constitution. In other words, 'How can you constitute yourself, create yourself, unless you are already there? And how can you need to constitute yourself if you are already there?' (2009: 35). Her answer resides in the distinction between the person in the generic sense and the person that each of us is, since 'Every human being must make himself into someone in particular, in order to have reasons to act and to live. Carving out a personal identity for which we are responsible is one of the inescapable tasks of human life' (ibid.: 24). The generic person and the particular person, or sameness and ipseity to return to the terms used by Paul Ricœur, are combined through identity, so that it is no longer possible to distinguish the generic person from the particular person. The person personalises the world at the same time as s/he personalises him/herself. Personalism is thus transcended and deepened.

We should note that this reasoning also makes it possible to relativise the distinction between person and personality raised in the first section of this chapter. Even though the person is conceptually different from personality, this latter is what concretely gives meaning to him/her. Both are simply two facets of the same entity; one abstract and the other concrete. To return to the final point in our first section, personality is the incarnation of the person. Identity is thus the key to understanding the incarnation of the person.

Identity and action

We have just acknowledged the links between the responsible person and identity. The responsible person is a concrete person who personalises the world at the same time as s/he personalises him/herself, and forges his or her identity. To follow Christine Korsgaard, we can provide two details about the entanglement of the concepts of identity and responsibility.

First, because the person is above all a responsible person, there is no way he or she can escape from responsibility. We have already highlighted this fact. However, the relationship with identity makes it possible to affirm that assuming his or her responsibility gives the person a way to personalise the world, to create an identity in the sense that assuming his or her responsibilities is how s/he becomes a person. S/he creates his or her personal identity, i.e. his or her personality. Identity should not be interpreted as a state – the state of a person who has a personality. Identity is not a state, but an activity. Because identity cannot be located outside temporality, it cannot be a frozen state but must be understood as an activity, the activity of constructing him or herself as a singular person by accepting the responsibilities of a person in a pre-existing world. Identity is neither a choice of nowhere, nor the automatic acceptance of the rules of a society;[22] it is what we are in the action of constituting ourselves as a person. 'Action is self-constitution' (2009: 25). Once again, we rejoin Paul Ricœur about narrative identity. It is through action that the person creates an identity for him or herself, and it is not because the person has chosen a particular identity that he or she acts in a given manner. Action does not result in a causal manner from

identity; rather it is concomitant with it. It is not possible to separate identity and action:

> The intimate connection between person and actions does not rest in the fact that the action is caused by the most essential part of the person, but rather in the fact that the most essential part of the person is constituted by her actions.
>
> (Op. cit.: 100)

Subsequently, the entanglement of the questions 'who am I?', and 'what am I?', which refer us to the generic person and to the singular person, is founded on the articulation of personal identity and practical identities. By personal identity is to be understood what differentiates the person from other living beings and what, in the end, allows us to say 'this is a responsible person'. By practical identities, we should understand all the identities that constitute the social roles that we assume, and also how we assume them. Thus we have multiple practical identities, as the citizen of a country, as the father or mother of a family, as a worker, employee, company director etc. as friend or enemy. ... The manner in which we assume these roles through our actions contributes to constituting multiple identities. These identities can give rise to tensions because they are not always compatible with one another. For example, how can I head a Catholic business committed to charity and solidarity when the context forces me to sack some of my employees?[23] Although practical identities are multiple and the source of potential tensions, they are resolved in the personal identity which means that they are my actions, and I remain a responsible person and as such I cannot escape from my responsibility. I can only choose the forms that it will take through my actions.

By way of conclusion

At the end of this tour of the person, we have recognised the links between action, identity and responsibility. The paradox of man is that he is a responsible person from the outset, but at the same time he is what he is in action, in personalising the world. The word 'action' has to be understood here in its widest meaning, including the various different strata of the responsible person defined by Paul Ricœur. We return here to the concept of agency as we defined it in Chapter 3. Agency is the reflection of the capacity of responsible man. At the same time, we have recognised the close link between responsibility and identity. Man is unable to avoid responsibility, but he still remains master of how he assumes his concrete responsibilities. Through his actions, he creates for himself a personal identity of a responsible man, whilst inserting himself into a series of practical identities.

In the end, we can say that a person is fundamentally a moral entity with the capacity to attribute responsibility to him or herself. But at the same time, the person has meaning only through his or her incarnation as a person in a concrete

world, in the way in which, by personalising the world, s/he personalises him/herself as well.

The economic person is this individual personalising him/herself in his or her choices and actions of an economic nature. An economy of the person consists, therefore, of analysing this economic personalisation of the world through the personalisation of the person him or herself. In the following chapters we will attempt to outline this economy of the person.

5 Methodology of person-centred economics

In the previous chapters we saw that responsibility constitutes the basis of the person, and that this responsibility cannot result from a freedom that persons receive from outside. We now want to define the methodology that can flesh out this concept of the responsible person with a view to founding a person-centred economics.

There can be no responsible person unless we really accept that the person lies at the heart of the matter. The debate between individualism and holism has agitated the social sciences, but it has in fact been based on caricatures. We think that it is possible to defend a methodological individualism that is not methodological reductionism. We therefore intend to base ourselves on a form of individualism, in which we think the involvement of the person is unavoidable, while still accepting a form of contextualism in which the person is always situated in a specific context and so the concrete responsibilities that s/he must fulfil have to be interpreted in this context. An approach of this type leads us to defend a phenomenological contextualism.

This methodological approach recognises that people's choices and behaviour cannot take place outside a pre-existing context that involves values from which they cannot escape, whilst accepting that these values can have no meaning other than the meaning that persons give them by their choices and behaviour.

This confrontation between values that pre-exist the person and the meaning given to these values by the individual leads us to consider the responsible person as being where a personal conception and a social conception of what is good, just, etc. converge. The person is therefore not only responsible in the sense that s/he has to fulfil his/her responsibilities, but also that s/he has to be reasonable, i.e. the responsibilities that the person sets him or herself must not be something that can be considered to be unacceptable by society. A person must also be rational, because the multiplicity of responsibilities cannot all be carried out simultaneously and without constraint. A person is obliged to make trade-offs between his/her various responsibilities, whilst attempting to make these trade-offs socially acceptable.

We transcribe these approaches to handling responsibilities in the form of rights and duties that reflect both the opportunities available to the person and the constraints to which he or she has to adapt. This analysis allows us to go beyond the framework of the capability approach, which is rooted in opportunities but

ignores responsibilities, i.e. the constraints that the responsible person has to cope with.

5.1 Individualism and ethics

A concept charged with meaning

The term individualism is highly charged. As Max Weber (1904–1905) emphasised, it encompasses a variety of meanings. Historical influences endow it with diverse connotations reflecting the countries and traditions of its origin, traces of which are still perceptible today.[1] For instance, in France, the term individualism has traditionally had a pejorative connotation, linking it to anarchism and laissez-faire or to anomie and selfishness, thus undermining national solidarity. Individualism therefore differs from individuality, which has more positive overtones. The great French novelist and playwright Honoré de Balzac[2] makes a clear distinction between individualism, which implies anarchy and social atomization, and individuality, which refers to both personal independence and self-fulfilment.

This negative connotation was bound to travel beyond France, influencing the German Historical School for instance (especially Friedrich List),[3] but the meaning that prevails in Germany is somewhat different: 'While the characteristically French sense of individualism is negative, signifying individual isolation and social dissolution, the characteristically German sense is positive, signifying individual self-fulfilment and (except among the earliest Romantics) the organic unity of individual and society' (Lukes 1971: 57). Georg Simmel (1917) is a typical representative of this idea of individualism. He contrasts the old German individualism, which relates to atomisation and lack of differentiation between individuals, and the new German individualism, which is devoted to the individualism of difference, emphasising the depth of individuality in order to highlight the incomparability of individuals.

In the United States, individualism is closely associated with the celebration of capitalism and liberal democracy, but also with natural rights philosophy. So, even though the term has a similar meaning in the United States and in France, it is endowed with clearly different values in these countries. Thus, whereas individualism is seen as something positive in the United States, as we have seen, it has negative connotations in France. In the USA, Herbert Spencer and his theory of evolution has had considerable influence[4] and may have contributed significantly towards forging an American version of individualism as a symbol of national identity.

Beyond these discernible differences in meaning, the term individualism also takes us back to a general historical process of evolution, to the development of a modern ideology (Dumont 1983), or to a change of ethical system (Weisskopf 1951: 201):

> The new system of business behaviour, however, represented in itself an autonomous ethical system. The struggle was – and still is – not between a

> religious moral code on the one hand, and an ethically neutral economic attitude on the other. The struggle was and is between two ethical systems, two modes of life. One of them appeared openly as a religious and ethical system. The other, the economic way of life and thought, although to a large extent an ethical, normative system, was presented in the writings of the economists as a science. This appearance of a system of moral precepts in the disguise of a science has, with few exceptions, been accepted at its face value.

However, even if these different meanings still display a certain historical imprint and if, with Weisskopf and Dumont, we concede the ideological influence exerted by certain meanings of individualism, here we intend to defend a methodological approach. Our aim is not to discuss the underlying values of individualism, but to place methodological individualism at the heart of our reasoning. This shift amounts to leaving aside the normative effect that the term individualism may have had in the development of capitalism in order to focus on the positive aspects of this approach to economics, while insisting on neutrality of judgement as regards the value systems to which individualism refers.

Methodological individualism and ethics

The expression 'methodological individualism' was invented by Schumpeter. As Machlup points out (1978: 472) 'a Schumpeterian innovation which was wholly successful in the sense that it has been accepted by practically all modern economists is the distinction between political and methodological individualism'. Even though the Vienna school[5] has stressed the links between methodological individualism, political liberalism and moral principles, the two forms of individualism are clearly distinct.[6]

According to Dumont (1983), methodological individualism relates to a sociology that takes individuals as its starting point, and holds that society springs from the interactions between individuals. In contrast, methodological holism is based on a sociology according to which the global fact of society is irreducible, each society being described with its specific institutions and representations. Even though this opposition is commonplace, it provides only an imperfect reflection of the methodological challenge of individualism. Methodological individualism is obviously a form of reductionism that sets out to use an explanatory ideal in order to permit the analysis of the complex in simpler terms. Methodological individualism does not deny supra-individual identity. Thus:

> In the phrase 'France fears Germany', the first reference to a supra-individual entity (France) can in principle be eliminated by being replaced by a reference to the fears of individual French people. In contrast, the second such reference (to Germany) cannot be eliminated, because – and to the extent that – what individual French people feared was precisely a

> nebulous, supra-individual, and perhaps mythical entity, which does not prevent it from being a psychological reality.
>
> (Elster 1986b: 62)

Methodological individualism is used here simply as an explanatory reductionism. It does not deny all collective or social entities, to the extent that these entities make sense or take on meaning for individuals.

Elster (1986b) notes three misunderstandings that must be avoided with regard to methodological individualism. First, a methodological individualism does not imply any particular psychology of the individual, or any specific theory of motivations. Thus, there is no reason to affirm the primacy of the rational over the irrational or that of selfishness over unselfishness.[7] Second, individualism cannot be viewed as an atomist doctrine.[8] In this sense, methodological individualism cannot be assimilated to political individualism, in particular in its contractualist version. Methodological individualism proceeds to an explanatory reductionism, whereas political individualism, in the sense of a social contract, proceeds from constructivist reductionism. Third, methodological individualism must be distinguished from ethical individualism. According to ethical individualism, an ethical evaluation of societies can only be carried out on the basis of the happiness, rights or freedoms of individuals. In other words, the only thing that counts in the ethical evaluation of a society is the satisfaction of the preferences of individuals, regardless of the object of these preferences.

Following on from Elster we can, therefore, refer to a methodological individualism that is not reduced to a concept devoid of any reference to morality. On the contrary, our approach is based on the idea of the moral individual. The methodological individualism to which we refer here is universal; it can be applied to any analytical branch of economic theory.[9] It makes the universal being individual. At the same time, it acknowledges specificities and otherness by recognising different kinds of norm, where interpretation depends on the context. Here we are adopting the framework proposed by Elster. We recognise the existence of supra-individual entities, and we accept that such entities do indeed affect the behaviour of individuals, i.e. that they adjust to it; but despite this, these supra-individual entities can be understood only because they are used as references by individuals – because they have a psychological reality for them. In other words, we will not attempt to consider the individual outside the world. At any time and in any place, the individual is in fact in the world. Consequently s/he is confronted by current social and moral norms, and cannot act as though they did not exist, or at least, if s/he decides to ignore them, s/he will have to face the likely consequences. The individual is therefore able to carry out a calculation based on these norms and the sanctions that will result from failure to comply with them. The fact is that the individual is in the world and is constrained by social and moral norms. The individual's rationality can lead him/her to carry out a calculation based on these norms.

Such an approach allows us to go beyond the dualism between individualism and holism that Dumont (1983) considers irreconcilable. Moral norms make sense only because they are internalised by individuals or because the latter, by taking them into account, are forced to adjust their behaviour, even if such adjustments demand manipulations and strategic actions. We therefore intend to base our analysis on an approach involving the application of positive ethics to economics, defined as the analysis of economic behaviour or mores under moral constraint.[10] This standpoint involves reconsidering economic behaviour, and the consequences that result if the individual is no longer seen as an amoral being, but a person marked by responsibility.[11]

Such a shift can certainly be contested. The normative aspect of individualism has an undeniable effect upon the scientific approach. As Laval (2007: 188) underlines in the case of utilitarianism: 'It is above all important to remark that in reality, the economists' moral indifference is but the expression of a rethink of normativity whose calculus is the original form'. The scientific approach is entirely derived from an ideology or a normativity that imposes itself.

Of course, we fully recognise the close links between the normativity and positivity of any approach, as well as the unprecedented role that individualism and utilitarianism may have played in the foundation of a new anthropology of modern man (the fact, for instance, that individualism and utilitarianism contributed towards 'de-alienating' individuals from religious ascendancy). Nevertheless, we think that this theory goes too far for two main reasons. On the one hand, the utilitarian project, which consists in freeing the individuals from the old social ethics with a view to founding a new ethical system, has not been entirely successful. Religious beliefs are still deeply rooted in a high proportion of individuals. On the other hand, even if this project has been sufficiently advanced, so that individual behaviour is essentially guided by the search for personal interest, there is nothing to prevent us from postulating another type of hypothesis and drawing from it the relevant economic consequences. We shall more precisely suppose that ethics, whether religious or more largely social, has a major effect on behaviour. This assumption provides us with an analysis of economic behaviour that contrasts with the assumption that the individual is guided solely by his or her own self-interest. Of course, the importance of this hypothetical approach is all the greater because it actually corresponds to reality, and the utilitarian project has not been entirely successful.

The neutrality of judgement, which we broach here, means that we do not express any value judgement on society. It does not mean, however, that individuals do not have any values, nor that these values do not influence their behaviour. On the contrary, our aim is to develop the idea that individuals are imbued with values that affect their economic and social behaviour. In other words, we do not intend to take a stand on the fact of knowing whether, for instance, economic liberalism is a good concept in itself regardless of its context; but we shall look at how individuals' values affect the results of economic analysis. This obviously assumes going beyond the standard economic approach.

Going beyond the individual in economic theory

The individual in economic theory is almost devoid of any substance in the tradition of utilitarianism. As Sen and Williams (1982: 4) underline: 'Essentially, utilitarianism sees persons as locations of their respective utilities – as the sites at which such activities as desiring and having pleasure and pain take place.' A few lines further on, the authors go further: 'Persons do not count as individuals in this any more than individual petrol tanks do in the analysis of the national consumption of petroleum.' Likewise, Rawls (1982: 181) points out: 'Co-ordinal utilitarianism (and general utilitarianism) starts by regarding persons in terms of their capacities for satisfaction.' Utilitarianism thus makes individuals homogeneous by defining them as endowed with utility. Such an approach finally denies the person's very existence. As Bataille (1985: 159) stressed: 'According to the judgment of homogeneous society, each man is worth what he produces; in other words, he stops being an existence for himself: he is no more than a function of collective production, arranged within measurable limits.' And, when economic theory attempts to distinguish one individual from the others, it does so by attributing characteristics that certainly differentiate one individual from the others, but do not give the person any more substance. It endows individuals with characteristics in the same way as objects may be assigned characteristics. A vase can be blue or green, big or small, etc. Similarly, an individual may or may not have particular characteristics. Yet, as Arrow (1977: 222) underlines: 'Reducing the individual to a specified list of qualities (...) is denying his individuality in a deep sense.' So, even though economic theory postulates the individual as the basic entity, it in fact completely ignores individuality. The individual has the status of a quasi-object.[12] Economic theory rests on simplistic premises; it forgets human nature and gives up any attempt to provide a complete theory of it.[13] In this sense, economic theory does not lead solely to an explanatory reductionism, when it refers to methodological individualism it also implies an ontological reductionism. It empties the individual of all substance to reduce him or her to a general category.[14]

Economic theory has broadened considerably (especially with Gary Becker's work) as can be seen in the work on social interactions, marriage, fertility or discrimination, etc. Yet, this broadening does not originate from an enrichment of the notion of the individual, but rather from the use of an identical analytical grid – the most standard in economic theory – that is now applied to a greater range of human behaviour. Such an approach can be very useful as long as it is accepted that a great number of human behaviours, and not only those regarded as traditionally economic, can be described by means of rational calculus. However, it also has its limitations if human behaviour, including economic behaviour, is recognised as not being reducible to this type of analysis.

Our aim is not to enrich the analysis of behaviour beyond the purely economic (through the use of a standard approach in economics based on rational calculus) but rather to open up economic behaviour to an ethical dimension; postulating that persons are prompted by moral motivations, values and a sense of

responsibilities. This does not amount to rejecting all forms of calculating rationality, but rather to circumscribing it within a field of action restricted by the values and moral rules with which the persons are imbued.

5.2 Individualism and contextualism

Empirical individual versus moral individual

Our approach tests the theory of Dumont, who views individualism mainly as a modern ideology. Thus, according to Dumont (1983: 37), the term 'individual' has two different meanings; it can denote 'an object outside ourselves and a value'. As an object outside ourselves, the individual is defined as a 'talking, thinking and desiring empirical subject', who is representative of the human race. Conversely, the individual as a value is regarded as an 'independent, autonomous, and therefore essentially non-social, moral being', which is more representative of the modern ideology.

This dichotomy is very useful, since it shows that the individual can be studied independently of the meaning given to individualism. But it is also a caricature insofar as it does not see that the individual, as a subject of analysis outside ourselves, cannot be reduced to an empirical being who, unlike the individual as a value, would not be moral.

The dichotomous position of Dumont in fact reflects the radical separation between economics and anthropology.[15] In 1940, Herskovits published *Economic Anthropology: The Economic Life of Primitive Peoples*. This book looked at primitive economies by highlighting the interrelationship between the various different social sciences. It was initially well received by the critics – in particular by the anthropologist Ralph Linton, who prefaced the book and who considered it to be the first synthesis of the field of primitive economies. In 1941, Frank Knight responded to this publication by a radical methodological criticism. He differentiated economic science, which uses a hypothetical method and makes inferences based on clear and established principles, from the other social sciences, which use an empirical approach. The economic anthropology proposed by Herskovits can, therefore (according to Knight), be viewed as anthropology but not as economics. It is based on an empirical and relativistic methodology, whereas economics is a hypothesis-based and universal methodology. The parochial squabble between the chapels of the various disciplines has led to more rigid positions, thus promoting the decontextualisation of the economic analysis.

Yet, like Kant in the introductory course on anthropology that he taught for nearly 30 years,[16] we have to distinguish between a physiological knowledge and a pragmatic knowledge of Man. 'The physiological knowledge of Man tends towards the exploration of what nature makes of Man; the pragmatic knowledge of Man, as a being of free activity, makes or can make of Himself' (Kant (1991: 11). This pragmatic knowledge is based on a methodology that is both universal and contextual. As for Kant, an anthropology can be described as pragmatic

'when it includes a knowledge of Man as citizen of the world' (ibid.: 11). And further on: 'General knowledge must always precede local knowledge, if it is necessary for philosophy to order and direct it: without it, any knowledge acquired can only form a fragmentary trial and error and not a science' (ibid.: 11). In other words, we need a general knowledge of human nature before we can turn our attention to its local particularities. Empirical analysis and contextualism confront the general knowledge of human nature in order to enrich it. Where Herskovits, Knight and Dumont subsume an irreducible methodological cleavage, one can forge a pragmatic knowledge of Man by confronting a conception of human nature to empirical reality. What really matters above all is to investigate human nature and to propose a concept of Man. Our approach to person-centred economics consists precisely of considering the deep nature of Man, that of moral and responsible Man. What characterises a person (and in the previous chapter we made the distinction between the person and the human being, because Man shares this essential dimension with non-human beings, at least conceptually) is his or her responsibility. Of course, once this foundation has been laid, one has to go on to investigate this nature in specific contexts, so that as Kant suggested, general knowledge does indeed precede local knowledge. This general knowledge can be observed in various contexts and in variable forms. In other words, even though we stipulate responsibility, it takes various forms depending on the contexts.

On contextualism

As we want to highlight the importance of context, we should make clear our position with regard to the contextualist thesis. Overall, contextualism is the thesis that concepts have no meaning except in their context. If I say 'x is big' and 'y is small', the concepts of big and small do not allow us to draw any conclusion whatsoever about x relative to y. For instance, if I state that 'this zebra (x) is big' and 'this giraffe (y) is small', I cannot conclude from this that the zebra (x) is bigger than the giraffe (y). So, when I say that the zebra is big, what I mean is that it is big for a zebra, just as when I say that the giraffe is small, I wish to say that it is small for a giraffe, but not that the zebra is bigger than the giraffe. Similarly, if I say that Peter is the smallest member of his team, this does not necessarily mean that Peter is small, as if 'small' had some meaning outside this context. Peter may indeed be the smallest person in his basketball team – and still be bigger than the national average for young men of his age. Contextualism is thus the thesis that holds that concepts can be understood only in their context. A consequent attempt to interpret contextualism in social sciences has been proposed by Bhargava (2008: 117). He defines it as follows:

> One major aspect of the contextualist thesis is the claim that concepts must be understood in their social context, and *a fortiori* that they are social in the sense that they are possible and sustainable only in a social context.

He simultaneously rejects both individualism and holism, and sees contextualism as one of the approaches to be used by the social sciences. He holds that it involves examining beliefs and social practices in particular in order to understand behaviour.

He distinguishes two forms of contextualism. The first is the contextualist explanation. According to this interpretation, the possibilities of action are causally determined by beliefs and social practices. Behaviour is then analysed as intentions mediated by the context, which gives them meaning in a causal manner. The second form of contextualism is the contextualist understanding. According to this second interpretation, social practices are to be understood collectively and in relationship to one another. This no longer implies any causal relationship, but simply a description of social practices and actions. From this perspective, Bhargava rejects any reference to the individual entity. As he stresses, 'Though essentially non-causal, this is not a speculative enquiry. It is at once empirical and conceptual. Practices are understood collectively and described in relation to other practices, not explained in terms of any individual entity' (ibid.: 225).[17]

Despite this distinction, we still think that Bhargava is wrong to reject all forms of individualism, in the sense we have proposed above for this term, i.e. the fact that the individual is an obligatory passage point. Indeed, what are social practices without the individuals who act? Even though social practices are firmly anchored historically and therefore rooted in a social context, they take on meaning only through the actions of individuals. It is entirely possible to adopt a comprehensive contextualist perspective (non-causal) whilst still recognising the role of individuals. The phenomenology of the person, outlined in the previous chapter, helps us to appreciate this point of view. As we have already indicated, the person is not simply someone who accepts the world; he or she is someone who personalises it, notably through his or her identity. Otherwise, this personal identity would have no meaning; it would be reduced to a conglomerate of practical identities socially defined by others. Furthermore, to deny the role of the person would also be to deny the very notion of internal liberty. A phenomenological contextualism thus stresses the important fact that social practices have meaning only as a result of the action of persons. Of course, this is not to deny that the weight of the past has forged social practices. However, we should not interpret this past as a datum that has arisen independently of individuals. Phenomenology, particularly that of Merleau-Ponty (1945), can help us here. There can be no objective conception of the times independently of the people who are living through them. 'Time supposes a view of time' (ibid.: 470). 'Time is this not a real process, a real succession that I can only record. It is born of my relationship with things' (ibid.: 471), because things are, they do not think themselves:

> In things themselves, the future and the past are in a sort of eternal preexistence and survival; [...]. What is past or present for me is present in the world. It is often said that in things themselves the future is not yet, the past

> is no longer and the present, to be rigorous, is merely a limit, so that time collapses.
>
> (Ibid.: 471)

Even if the continuity of time is an essential phenomenon, it is still not possible to confound the continuity of time and its unity, as Bergson did. One has to recognise that the agent possesses the capacity to project him or herself into time, because 'A past and a future spring forth when I stretch myself out towards them' (ibid.: 481).

Recognising temporality as a dimension of the human being is also to admit that: 'To be born is both to be born from the world and to be born to the world' (ibid.: 517). So that human beings are immersed in a world that has already been partially constituted, but is never completely constituted. They are called upon by the existing world, which at the same time opens itself to an infinity of possibilities due to their existence.

We can therefore use the definition of the social structure in anthropology as a system of relatively stable relationships between individuals based on norms and values,[18] whilst still accepting that this structure is never fixed, because it is the actions of persons that either will or will not make it last. Persons are in a world in which a social structure exists before them, but the very existence of persons is a permanent tension around the stability of this social structure. The social structure guides behaviour, but does not determine it.

Consequently, phenomenological contextualism attempts to recognise that the choices and behaviour of individuals cannot take place outside a pre-existing context that forms values from which persons cannot escape, but at the same time, to which they give meaning through their choices and behaviour. This makes it impossible to hide the obligatory passage through the person.

Contextualism versus relativism

Even though we plead for a phenomenological contextualism, one that takes into account the values existing in a society, we still do not accept a moral relativism such as that of Herskovits (1948) for whom judgements are based on experience, and each individual interprets this experience within the limitations of his or her own culture. We could summarise roughly by saying that relativism holds that absolute truth does not exist, and that judgements are necessarily ethnocentric, so that it makes it impossible to reach any moral evaluation of a different culture.[19] There can be no single objective truth and all morality has to be understood as being strictly culturally conceived.[20] In a way, there are no moral standards that hold 'true' for everyone, nor even any universal principles of duty or moral obligation. Thus, moral judgements are only valid within a given culture. They refer to compliance between the behaviour of individuals and the standards or norms of the society-culture within which they live, so that in the end morality is assimilated to compliance with social conventions. Relativism as we have just described it, cannot avoid certain pitfalls.

First, we would be committing the error of thinking that differences in the content of moral principles imply the relativity of the existence of moral principles. In other words, morality can be universal even though it takes many forms. This distinction allows relativism to avoid becoming nihilistic or remaining stuck in the idea that all moralities are equivalent.[21] Relativism is guilty of sophism if it claims that because the radical divergence in the ways human beings represent the Good has arisen anthropologically then this means that there are many incompatible Goods. Sperber (1993) invites us to distinguish between metaphysical relativism and anthropological relativism. The former consists of saying that there is not a single conception of the Good, but several incompatible conceptions. The latter simply allows one to say that individuals, depending on their experience and their culture, can arrive at radically different and incompatible ideas of the Good. Metaphysical relativism could be right and anthropological relativism wrong, or vice versa. The lack of moral imagination of individuals could lead them to believe that there is only one conception of what is Good; anthropological relativism would be in contradiction with metaphysical relativism, or on the contrary there could by only a single Good, but individuals could believe in a plurality of conceptions, which would bring the two forms of relativism into contradiction. Let us take two examples to illustrate the point under debate.[22] Some individuals, as a result of their beliefs, have so much respect for life that (like the Jains in India) they try to avoid doing anything that could lead to the suffering and death of any living being. Should we conclude from this that diametrically opposed conceptions of the Good and Goodness exist? No, because here the concept of goodness that remains the same in different societies would be respect for the life of the members of the moral community, but the boundaries of this moral community are not always defined in the same way. For Jains it includes all living beings; for others, it may include only the individuals who belong to a specific group and exclude those that are sacrificed. Behind these apparently different conceptions of the Good, it is possible to identify a single reading. Our second example is the description that Tornay and Tornay (1974) give of Nyangatom society in Kenya. They describe the following situation:

> the elderly Lokudele, a female relative of Loceria, the source of our information, had been declining for several months. When she was no longer able to gather her own food by herself, her own people began to make fun of her and refused to share their food with her. When she got dysentery, one day she went into a coma and immediately we were told: 'the old woman is dead'. Sitting in Loceria's outhouse kitchen she 'lived' for a few more hours, shaken by rattles and hiccoughs. The children played around her and shouted: 'She is dead.'
>
> (Tornay and Tornay 1974: 158)

Should this example lead us to accept metaphysical relativism? Certainly not, because once again nothing in this story tells us that the old woman was still considered to be part of the moral community of the Nyangatom. Their conceptions

of life and death may not have the same boundaries as ours. And although anthropological conceptions of the relationship between life and death are involved here, they do not undermine the idea that there is only one appreciation of the Good.[23]

Second, radical relativism leads to confusion between morality and convention; morality is assimilated to compliance with social conventions. It is obvious that there are some social norms that cannot be considered to be moral norms. Not killing someone is undeniably a moral norm, but polite turns of phrase, such as addressing someone using the word 'vous' in France may not be used in other countries where different forms of 'you' do not exist. The same is true of burping after a meal, which is rudeness to be avoided in some countries, but perfectly polite in others. On the basis of several studies carried out in the United States, Nigeria, Korea, India and Zambia, Turiel (1983)[24] showed that moral norms and social norms are acquired separately during childhood; in addition, he showed that moral and social norms are not only understood as being different, but also referred to in different ways. Turiel points out that unlike social norms, children do not assess moral questions on the basis of the existence of a regulation, a social consensus or even of orders from an authority figure. They form a concept of 'personal agency' concerning individual engagement and individual choice. Moral norms are not simply a reflection of a social convention, but reflect a personal attitude, particularly in the area of rights and justice.

This thesis has been severely criticised by Schweder *et al.* (1987). On the basis of an ethnographic study of the Oriya Hindu community in India, they defend the idea that the dichotomy between moral and social norms is characteristic of Western society (which bases its morality on rights) whereas in societies that base morality on duties, this distinction disappears. In duty-based societies, most of which are strongly marked by religion, like that studied by Schweder *et al.*, all norms are derived from a single source of legitimacy, i.e. a divine source. In these societies, legitimacy does not spring from two sources, one providing principles for moral norms and the other conventions for social norms; so this distinction no longer has any meaning. We do not think that this is a valid criticism, for two reasons. First, a study published by Nucci and Turiel (1993) on groups of children and teenagers, Amish-Mennonite groups and groups of orthodox and conservative Jews, supports the distinction between moral and social norms. Each of these groups considers its religious prescriptions to be mandatory. Nevertheless, they do differentiate between questions related to the moral domain (such as theft, calumny, etc.) and those related to conventional rules (such as the day of worship, baptism, the observance of kosher rituals, the obligation for women to cover their heads, etc.). The study shows that even strictly observed social or conventional norms are not interpreted by children and that teenagers are non-contingent imperatives. They depend on the Word of God, but this cannot be extrapolated to apply to people who do not share the same religion. They have to be interpreted within a social system. On the contrary, moral norms are assessed as being generally applicable and non-contingent. They are universally applicable, and are structured around the

notions of happiness, justice and rights.[25] Subsequently, Schweder *et al.* proceed to a caricatural opposition between societies of rights and societies of duties. As we have pointed out in the previous chapters, rights only take on meaning to the extent that persons are above all responsible. A society that values rights and justice can only do so to the extent that persons are already morally responsible for these rights and for justice. There cannot therefore be rights-based societies and duty-based societies. There are duty-based societies that give greater or lesser value to individual rights and to justice.

Radical relativism does not seem to us to be tenable. The universality of the responsible nature of the person cannot be avoided. This does not mean that there can be no differences in the way this responsibility is expressed. Quite the contrary, this responsibility is eminently contextualised. In other words, even though we reject relativism, we do admit a form of contextualism. It is essential to recognise both the universality of the responsible person and the differences of the concrete forms taken by responsibility.

To express our standpoint more precisely we can refer to the theory of universals of the philosopher David Lewis (1983). According to this theory, universals are classes of objects. For example the 'redness' of an object assigns it to a certain class of object. Similarly, 'being a pot' also amounts to belonging to a particular class of objects. If we now say 'a red pot', we have crossed two classes of object, but we still do not know what meaning to give to 'a red pot' outside a particular context. The 'red pot' in question could be a flowerpot, a pot for water, a pot for rubbish, etc. It is possible that the context is such that the pot initially produced to hold rubbish is actually being used as a flowerpot, etc. In other words, it is possible to recognise the existence of universals and still consider that these universals will take on particular forms depending on their contexts.

This is true of the responsible person. To be a responsible person is a universal, but the form taken by this responsibility depends on the context in which the person finds him/herself and his/her own interpretation of the context, as well as his/her individuality, or personality. In the end, responsibility is both a way of posing personal identity (the universal) and practical identity (the individual in a given social context).

5.3 Responsibility, reasonableness, rationality

To consider responsibility as both universal, because it is the foundation of the person, and as contextual, because it depends on context, opens up questioning about the forms of this responsibility. In the same way as we have just posed the problem of what a red pot is in a given context, when we implicitly said that this expression should be understood as related to the use of the object, we cannot now ask ourselves what it is to be a responsible person in context, i.e. that the use made of responsibility gives it a certain intelligibility.

In Chapter 2, we pointed out that responsibility should be understood on the basis of three synchronous characteristics: ascription, accountability and answerability. These allow us to specify the use of responsibility in context.

Responsibility towards oneself/responsibility towards others

Let us recall the main points of the foregoing chapters. We first showed that a person is characterised by his or her responsibility. Next we tried to show that there was little point in separating the generic person from the particular person since these two concepts merge through the identity of the person. We went on to say that assuming his or her responsibility is for the person a way of personalising the world, of forging an identity in the sense that accepting his or her responsibilities is how he or she becomes a person. Through action, the person forges him or herself an identity, and because the person has chosen a given identity s/he acts in a particular manner. Action is not derived from identity in a causal manner; rather it is concomitant with this. Personal identity and practical identities are fused in a single person.

Practical identities are the set of identities that constitute the social roles that we take on, and also the way we take them on board. We do in fact have multiple practical identities derived from the different social roles that we assume.

At this stage, we can say that responsibility is an a priori ascription of the person, an attribute that characterises him or her before s/he acts, due to the simple fact of his or her presence in the world and ability to think within this world, but that at the same time, this responsibility can only be intelligible through action, which forges practical identities.

At the same time, the person is not alone in the world, and is in fact immediately plunged into a universe in which his or her actions will have an impact on other people and will be judged by other people. The person has to answer for his or her acts with regard to others. The person is thus confronted by a requirement for *answerability*.

As we specified in Chapter 3, responsibility refers us to two questions: what must I do as a person having a capacity for specific action, in a given context, with regard to what I consider to be good, fair or otherwise, as a function of the values I accept? Furthermore, how should I behave with regard to what other people expect of me in a given context, which also bears the imprint of values?[26]

These two questions refer us to the use of responsibility, since this is what shapes the identity of the person – the way in which s/he thinks and how others perceive him or her. Obviously nothing guarantees that the way in which I think of myself, and subsequently, the responsibilities that I attribute to myself, correspond to the way that other people evaluate me and, consequently, the responsibilities that they expect me to assume. What matters therefore is to consider practical identities as the outcome of this dual movement, which can create potential identity-related tensions.

This dual movement calls for the management of responsibility. Since the person cannot abstract him or herself from the society in which s/he lives, he or she must seem to be reasonable with regard to this society and his or her choices must appear to be reasonable in the eyes of others, i.e. they must meet other people's expectations and comply with what other people are expecting. Otherwise, the individual must fully assume the consequences. This place assigned to

reason, in addition to responsibility, assumes that the person can establish rational choices in these responsibilities in order to benefit from the rewards from others and avoid penalties. Responsibility cannot therefore think itself without at the same time conceiving the sanctions and the reasoned and rational management of these sanctions. Here we encounter accountability once again.

From this point of view, we can see that a person who does not make reasonable choices can be considered to be demented.

A representation in the form of rights and duties

One of the challenges facing us is to propose a formulation of people's responsibilities in a given society in order to be able to assess their concrete repercussions. We can therefore consider that responsibilities correspond to duties towards the people in the society, whereas (reciprocally) other people's duties open up rights to the person in question.[27]

Thus at a given moment, in a given society, each person has a set of duties and rights that s/he has to handle. These rights and duties are linked to the partial practical identities that the person allocates to him/herself, but also those that other people assign to him or her. For example, in some oral societies, old people represent memory,[28] which gives them some specific rights. Similarly, sibling rank can, in some societies, confer rights in terms of access to land, whereas it simultaneously creates duties towards other members of the family, etc. Banerjee and Duflo (2011) propose a pertinent example of the rights and duties linked to the status of the person from Indonesia. Thus, they observed that the grandparents included in their survey were obviously poor, but that paradoxically they were responsible for their granddaughter, who seemed to be well dressed, well fed, etc. The child's mother was working abroad and had had a new concrete-built house built just beside the little bamboo construction that acted as the grandparents' house. Whereas the child's mother seemed to be relatively well off, the grandparents lived poorly and in addition had to look after their granddaughter when her mother was abroad. This asymmetry of solidarity within the family seems to result from the asymmetry of rights and duties linked to status. As it happens, in Indonesian society, a married woman no longer has to provide for her parents, which means that she has no duties towards them, whereas parents still have a virtually unending duty to help their daughter. Responsibilities are therefore asymmetrical and can lead to very marked inequalities, even within the family.

We can propose a more general representation of the sets of rights and duties of a person in the form of a chart of rights and duties. In Figure 5.1, the right part shows all the duties resulting from partial practical identities, where O_{ia} are the duties of person *i* associated with partial identity *a*, etc. In the same way, the left hand side illustrates the rights associated with partial identities *a*, *b*, *c*, *d*.

Such a representation does of course have its limitations. First, it is two dimensional, and so assumes that rights and duties are separable according to each partial identity. Nevertheless, it is easy to get round this limitation by a

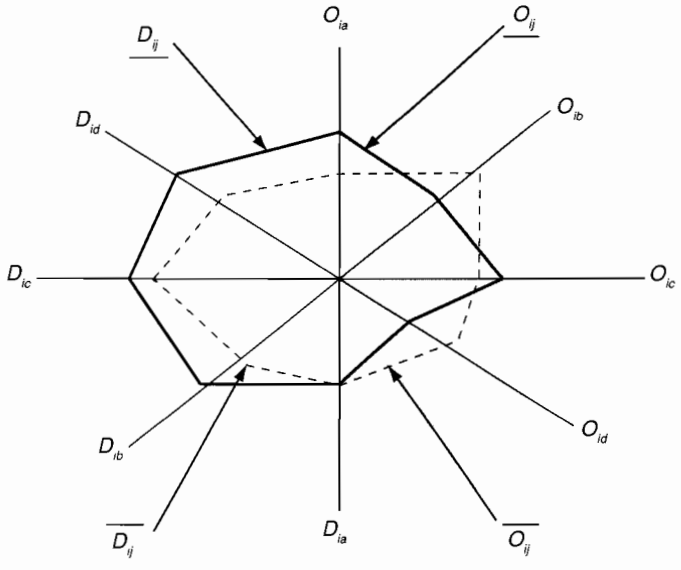

Figure 5.1 Chart showing the rights and obligations of a person.

representation in more than two dimensions. Next it raises the question of measuring rights and duties. Can these rights and duties be measured quantitatively or not? Once again, systems involving an equivalence scale can easily be devised to get round this difficulty. This can make it possible to provide a direct representation of certain forms of rights and duties, for example if we are trying to represent the transfers that a person must carry out according to his/her identity and the transfers from which he or she can benefit.

A diagram of this type undeniably offers a twofold interest. On the one hand it makes it possible to provide a simple representation of the rights and duties that a person assigns him/herself as a result of thinking of him/herself as a person with a multiple practical identity. We have denoted these sets $\underline{O_{ij}}$ and $\underline{D_{ij}}$ respectively for the duties of person i towards other people j and the rights of person i towards other people j. This gives us a simple representation of the balance or imbalance between rights and duties. On the other hand, it allows us to compare the full set of rights and duties that a person assigns him/herself to that which society attributes to him/her, with sets denoted here $\overline{O_{ij}}$ and $\overline{D_{ij}}$. This allows us to evaluate the tensions between the way the person represents him/herself and the way that other people represent him/her.

Handling responsibilities and rationality

When faced by the tensions between the duties the person assigns to him/herself and those that s/he has to assume because of other people's demands, the person

has to manage his/her duties on the basis of the consequences that his/her choices entail. If we denote O_{ip} the duties of person i associated with each practical identity p, for a set of actions A, where $A = \{a_1, \ldots, a_k, \ldots, a_n\}$, we will obtain a set of possible consequences related to the different actions. If we denote the set of possible worlds Θ, where $\Theta = \{1, \ldots, m\}$, then for each practical identity we have a function of consequences $O_{ip} = \gamma(A, \Theta)$, which will provide the foundation for the choices of the person that s/he will have to assume. The possible worlds are the sanctions, i.e. the reactions of other people to the person's actions. These sanctions can be positive (rewards) or negative (penalties).[29] Of course, the possible sanctions differ considerably depending on the societies concerned. Whereas in some cases the person can work out the probable consequences of his/her acts,[30] in others s/he cannot. For example, in a Savannah-based society, such as that of the Senoufo, violating the sacred wood is accompanied by codified sanctions. In contrast, and above all in a forest-dwelling society, the person him/herself does not know whether s/he is devoted to God or Evil, and so cannot work out the probable consequences of his/her acts. This community uncertainty means that the Good that one person may undertake will always be interpreted as the expression of Evil, and will make things worse for him or her. In such societies, each person will typically attempt to find out by means of consultations-sacrifices. Practices intended to provide such information are of course universal, but they take very different forms depending on the society concerned, ranging from the traditional consultation (shamans, witches, medicine-men) to psychoanalysis.[31]

In general, this leads the person to rationalise his or her obligations. If we assume that the responsible person is also rational, then he or she will also attempt to maximise the social yield of his or her obligations. In Figure 5.2, the social yield of obligations is shown by the curve *Rs*. Conventionally, we have a point at which the social yield of obligations is optimised at the threshold R^*.

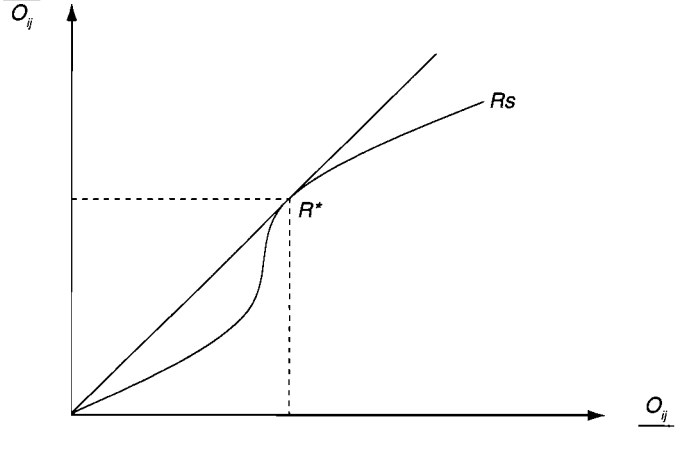

Figure 5.2 Social yield of obligations.

Beyond this threshold, satisfying the obligations that the person sets him/herself does not make it possible to achieve an optimum social yield, due to the relative social dissatisfaction of the other persons *j* with regard to the behaviour of person *i*. Beyond point *R**, the social yield of the obligations that person *i* sets him/herself declines, and this is because the expectations of the other people *j* are already relatively well satisfied.

Our simple representation allows us to return to two specific questions of economic analysis: the analysis of altruism and that of virtue. With regard to altruism,[32] it appears that beyond this and up to point *R**, the behaviour of person *i* is considered to be lacking by other people. In such a situation, it is difficult to know whether person *i* is acting in an altruistic manner out of altruistic motivations or solely in an attempt to maximise the social yield of his/her obligations, and so is acting in a purely strategic manner. Behavioural analysis does not allow us to draw any conclusion about motivations, and if the need to take into account various different motivations (beyond just egotistical ones) has become obvious in economic analysis, the analysis based on behaviour does not support one type of motivation rather than another.[33]

Furthermore, if due to the severe constraints that weigh on him/her, person *i* knows that s/he cannot attain the threshold *R** that guarantees optimum respect of his/her obligations, s/he can choose not to respond to any demands, rather than risk taking on board some of his/her obligations only to find that s/he is still negatively sanctioned. In such a situation, altruistic motivations can be blocked by the sanctions expected from other people, and lead to a total absence of altruistic behaviour.[34]

Beyond point *R**, the social yield of the obligations that one has set oneself declines, so that we can say that one's obligations are certainly linked to an altruistic motivation. This brings us to our second question, i.e. that of virtue. Virtue is the attitude of a person who does not seek to maximise the social yield of his or her behaviour.[35] For this same reason, a virtuous person can also be considered by other people to be 'nuts', precisely because his or her behaviour seems to be relatively inappropriate and excessive in terms of society's expectations.

Overall, the responsible person is the person who, in a given context, is immersed in a world of rights and duties that s/he has to handle as well as possible. A person can, of course, reject all the duties that are imposed on him or her, but will then have to handle the sanctions that result. Such a person both accepts and creates values through his or her choices. The person forges his or her practical identities through his/her choices.

6 Illustrations of the economics of the person

It is through his or her choices and actions concerning economics that a person is constituted. The actions of the economic person reflect his/her practical identities and form part of a system of contextualised rights and duties. Our objective is not to provide a full and final analysis of the economics of the person, but rather to provide some illustrations that make it possible to grasp what is at stake.

Our illustrations concern mutual assistance between people, constraints on their allocation of time and their relationship to the prevailing interest rate. These illustrations are based on examples from developing countries. This is not because these countries are more suitable for this type of illustration and that consequently the economics of the person is above all an exclusive and stereotypical form of economics specific to these countries. Quite the contrary, we tend to take a universal approach. As we showed in the last chapter, this universalism is compatible with a contextualism of situations. The fact that our illustrations have been taken from developing countries simply reflects the authors' previous field research.

In addition to case studies, we will propose a discussion of the more general implications about the use of income, consumption, and rates of interest. This radically challenges the usual economic analysis of certain economic relationships. For example, it allows us to understand why some people's consumption falls even though their income is increasing; why they spend all the extra money obtained as a result of additional production on a form of consumption that does not directly or visibly increase their well-being; why they lend money at an interest rate close to zero, whereas, according to a more usual economic hypothesis, the situation should lead them to demand particularly high interest rates, etc.

The economics of the person thus substantially revamps economic analysis and allows us to understand outcomes that can sometimes seem to be rather unexpected using the normal economic analysis.

6.1 Mutual assistance and responsibilities

Some economic surprises

Before analysing more precisely the role of rights and duties in the economics of persons, we will propose examples that may appear to be unexpected or even counter-intuitive.

Our first example concerns the famine that raged in the Sahel in the 1970s. This seems to have had astonishingly 'minor' consequences on the mortality of the local populations; in comparison, for example, the famine that ravaged Nigeria at the end of the 1960s is said to have caused about three million deaths, and the Indian famine of 1943 reportedly led to nearly four million deaths. In contrast the famine in the Sahel in the 1970s appears 'only' to have led to the deaths of 200,000 people. We could of course attribute these less drastic consequences to the famine's being less severe, or to more effective aid, but it appears that it was (above all) migration that made it possible to avoid a worse outcome. Migration is an acknowledged way of surviving in the face of adversity and many people did indeed seek refuge in camps, but many experts were surprised by how easy it was for people to migrate during this particular famine. In fact, migration was made easier by local systems of solidarity and mutual assistance. A study carried out amongst migrants in Mali (Amselle 1981) several years after the famine, revealed that two essential mechanisms allowed the migrants to survive. The first was the fact that they could find work when they reached their destination. Many migrants were hired by tradesmen, who saw them as a source of cheap labour. The second was the help the migrants received. Many people activated mechanisms of mutual assistance by gathering around traditional chiefdoms. Mutual assistance consequently played a major role in avoiding catastrophe.

Our second example concerns the relationship between income and consumption in Ivory Coast. In 1985–1986, the World Bank carried out a survey of standards of living in this country.[1] The survey showed that in the economic capital Abidjan, income increased by 7.5 per cent over the period of observation, whereas consumption fell by 4.5 per cent. Over the same period, in rural areas, income fell by 3 per cent whereas consumption rose by 2 per cent. This increase in consumption in rural areas cannot be explained by households' digging into their savings. In contrast, in view of the low average income in Abidjan, the fall in consumption in the city cannot be explained to any major degree by the fact that needs had been satisfied. How then can we explain this apparently curious situation in which consumption falls when income increases, whereas the usual economic analysis tells us that consumption increases with income?

A simple explanation of this phenomenon emerges as soon as we take transfers between households into account. Over this same period, urban households made numerous transfers to rural households. Solidarity between households explains why urban households, despite experiencing an increase in their incomes, still found themselves in a situation in which their consumption fell as

a result of the transfers that they were making to rural households, and that the latter were able to increase their consumption as a result of these transfers, even though their income had decreased.[2]

How can we interpret the mechanisms of mutual assistance that lead to these unexpected outcomes?

Insurance and reciprocity or rights and duties?

According to a first explanation of the mechanisms of mutual assistance, families support other families in the hope that they, in turn, will receive assistance if they need it. Mutual assistance is thus seen as a type of an insurance system in countries where official insurance either does not exist or is not available for poor families. Complex strategies may even be used to extend the system of informal insurance by spreading the risks. For example, in India, farmers may marry their daughters with this end in mind.[3] By marrying their daughters into families living rather a long way from the land they farm themselves, they may be seeking to reduce the risk that a natural calamity, such as flooding, will strike both their family and their daughter's in-laws simultaneously. Each family stands to benefit. If agricultural yields suffer a shock, the in-laws will be able to make transfers.

This theory of mutual insurance finds many echoes in the economic sciences.[4] It stipulates that informal insurance between people or between families allows them to maintain their level of consumption if shocks occur. Thus when a person or a family suffers a shock that affects their income, they receive support from other families or people. In return, when the other group of people or families are affected, then they will have to help them.

This first explanation does not stand up very well. Under many circumstances, such as health problems, households may see both their income and their consumption fall without receiving any transfers from other households to help them. For example in Indonesia, as in the Philippines, studies (Gertler and Gruber 2002; Fafchamps and Lund 2003) have shown that shocks affecting health had a direct impact on consumption, but were not compensated for by transfers from other households. When other types of shock occurred, such as those affecting harvests, the mechanisms of mutual assistance also appeared to be rather weak, so that households were obliged to turn to other compensation strategies such as selling assets or child labour.[5] These studies could, however, suggest that mutual assistance is indeed a form of insurance, but that it is a very inadequate form. Some facts undermine this explanation more radically.

Banerjee and Duflo (2011) tell the story of a woman in Java who had to borrow in order to pay for healthcare for her husband and who, deep in debt, found herself being given a television set by her daughter who had just bought it for a sum virtually equivalent to her mother's debt. Why didn't the daughter pay off her mother's debts instead? The answer given by Banerjee and Duflo is that mutual assistance is a moral obligation that arises only under certain circumstances – and not others. For example, if one family can see another family

dying of hunger, mutual assistance will readily be given as long as the family that helps out can do so without threatening their own lifestyle. By contrast, mutual assistance that implies major expenditure (as in the case of illnesses involving hospitalisation) does not materialise because the cost would have to be borne by several individuals acting in concert. A more complex social contract would be required to make it possible to cover such costs.

More complex transfer mechanisms sometimes exist. For instance in Mauritania, some tribes operate a solidarity system known as *Lawha*.[6] A member of the tribe may call on other members if certain specific events occur, such as a fire, a death in the family, a serious or chronic illness. The other members of the tribe club together to compensate for the loss, or to cover the cost faced by the individual who has been affected by the event. This involves paying the costs of repairs in the case of a fire, compensating for a loss of production, paying for treatment or hospitalisation in the case of an illness, contributing to the funeral costs after a death, etc. These costs can be very high, if, for instance, an illness involves buying an air ticket to take the patient to a country where s/he can receive care.

One of the specific features of Lawha is the mechanism used for deciding how much various different people have to contribute. Traditionally, the leaders of the tribe (the chiefs) meet to decide the total value of the community's contribution. This contribution is then divided into equal shares to be met by all the men who are old enough to fast (i.e. 18 years old), are physically capable of working, and who are members of the tribe. Each contribution depends solely on the value of the overall contribution decided by the chiefs and the number of contributors. Only situations involving infirmity can be advanced as grounds for exemption from contributing. By contrast, being unemployed or not working are not reasons for exoneration.

This form of solidarity is in practice extremely unfair. The chiefs generally decide the value of the contribution on the basis of the status within the community of the person affected by the event. An influential person is therefore entitled to more compensation than a person lower in the hierarchy of the community. In addition, the time allowed for paying the contribution is often very short (one or two weeks). Poor people consequently benefit less than rich people from this community solidarity (wealth being correlated with status), and they often have to sell material goods and assets if necessary (jewellery, mattresses, livestock, etc.) to pay their share. This form of solidarity curiously flows from the poor to the rich rather than the other way round. This example casts serious doubt on the interpretation of this assistance in terms of mutual insurance. Mutual insurance only has meaning if there is some equivalence between giving and receiving, or at least some chance that a balance will be reached over time. In the case of *Lawha*, it is always the poor who pay most for the rich. It would therefore be more logical for the poor not to participate in this type of solidarity, which, rather than protecting them against risks, actually tends to leave them even poorer than before.

Similarly, the study of the famine in the Sahel, to which we have already referred,[7] indicates that the solidarities that grew up around the traditional

chiefdoms created more extensive links of personal dependence. It is unlikely that these links of dependence do not reflect some sort of mutual insurance strategy. The traditional chiefdoms may have had a vested interest in creating such bonds (for example in terms of prestige, of labour, etc.), but they did not welcome and help the migrants in the expectation of receiving any help in return in similar circumstances.

A second interpretation of transfers is based on the idea of generalised reciprocal solidarity. According to Lévi Strauss (1963), this is totally different from a freely-consented mutual insurance. Platteau (1997) took up this interpretation[8] and stressed its difference from the approach based on mutual insurance. In a system of a conditional mutual insurance, the underlying principle is 'I help other people in the hope that they will help me if I run into difficulties in the future.' This principle corresponds to a system of redistribution between the lucky and the unlucky. Private transfers are then simply a way of compensating for the absence of an insurance market in the country, and are based on a logical strategy. In an approach that sees mutual assistance as a system of balanced reciprocity, individuals are either in credit or in debt to society at any given time, and a balance is achieved above all in the long term. This balanced reciprocity forms part of a social structure, i.e. a system of relatively stable relationships between individuals based on norms and values. Thus, individuals or households do not act in a solely strategic manner; their behaviour is also guided by values. We cannot reduce the behaviour of individuals or households to strategic behaviour; it also reflects respect for rules. The individuals are considered to be 'playing fair' if they keep the rules, but they can also behave like 'free riders' and attempt to exploit the system of relationships without contributing to it. It should also be stressed that literacy has allowed the populations to keep accountancy legers, which makes it possible to keep a record of how different people have behaved in terms of reciprocity. The constraining force of norms and values is now organised around the accounts of reciprocal responses with regard to these norms and values.

However, this notion of balanced reciprocity should not lead us to forget that 'balance' does not signify equality. In fact, the system of social relationships is marked by numerous different ways of staking claims, of power strategies hidden behind moral duties, but also by the place of individuals in terms of their status in the system of social relationships, the asymmetry of which stems from various characteristics such as age, gender, etc., thus giving rise to a system in which one person's rights and duties towards others are expressed in the form of community pressure. Otherwise it is impossible to understand, for example, the *Lawha* system that we mentioned. The poorest members of the tribe systematically contribute more than the others. The idea that mutual assistance eventually pays off is not enough to explain why the poor continue to contribute even though they do not stand to gain much from doing so. They contribute because it is their duty to do so as a member of the tribe; this tribal belonging is an important part of their practical identity and confers on them a feeling of moral obligation, a responsibility associated with their identity. So, when Banerjee and

Duflo interpret moral obligation as a free choice that can be exercised under certain circumstances but not in others, they completely overlook the fact that moral obligations are intimately linked to the identity of persons. To return to their illustration from Java, the daughter does not help her mother to pay for her father's healthcare, because as their daughter she has no moral obligation to do so. It is not a daughter's place to help her parents, but rather the reverse in the society they are describing. In fact, if the daughter were to help her parents there would be a reversal of practical identities that would not necessarily be acceptable at a given time. In other words, for the daughter this is not a question of choice, it is simply not her responsibility, and she should not do it; otherwise she could undermine her parents (who might feel ashamed, for instance).

Systems of mutual assistance do not correspond to either a mechanism of mutual insurance, or to one of balanced reciprocity. They are expressions of social structures that constitute rights and duties and that people have to accept as an integral part of their practical identities.

The example from Ivory Coast

We have just seen that transfers are an essential feature in the life of people, especially in a country where public transfers are very limited. Ivory Coast provides a good illustration of this phenomenon. In this country, surveys[9] have shown that more than 60 per cent of households engage in total direct transfers of money. These direct transfers correspond to only a small fraction of the transfers actually carried out by households. There are also, of course, transfers in kind, such as food. From these initial components it is possible to calculate the level of direct community pressure brought to bear on people. In addition to contributions for funerals, marriages, and to mutual funds and associations, indirect transfers include bearing the cost of child fosterage,[10] and educating or housing other people in their own homes. For example, surveys have revealed that in certain neighbourhoods of Abidjan (Abobo and Yopougon), the middle class finds itself facing considerable housing costs, sometimes for up to 18 people per home. Including all these indirect transfers, we can calculate the wider level of community pressure on the person.

Various surveys show that direct transfers account for only 15 to 20 per cent of the community pressure brought to bear on people. More than 30 per cent of those surveyed were subject to community pressure (and so had to make transfers) that exceeded their nominal income. This was particularly true of the middle classes, such as junior civil servants.

Under such conditions, households faced by very strong pressure from the community find themselves forced to look for other sources of income, for example child labour or corruption. For them this is a way of coping with the duties linked to their practical identities. These households are therefore very vulnerable to any change, which can lead them to react very violently. For example, this 'overdose' of duties relative to rights could explain to a great extent the riots amongst urban employees in Abidjan in 1990–1991.[11]

6.2 Time allocation and practical identities

Yet another economic surprise

In Burundi, the 1990 census highlighted an unusual demographic situation. In some provinces (Kayanza, Ngozi, Gitega), the population density had reached at least 300 h/km^2 and even exceeded 500 h/km^2 on some hillsides, such as Kayanza. Such population densities imply a situation of obvious poverty, which is also reflected by the fact that this country is classified by the World Bank (on the basis of the GNP capita) and the United Nations Development Programme (based on the Human Development Index) as one of the five poorest countries on earth. Incomes from farming are particularly low. Such a situation usually supposes either the presence of considerable food aid that makes it possible to offset a situation of endemic famine, or a rural exodus that makes it possible to return to a viable population/land ratio. But in fact neither of these things actually happened.

The food production index/inhabitant in terms of base 100 for 1979/1981 was 98 in 1989, and grain imports had stagnated at 6,000 metric tonnes for the previous 15 years. The rural exodus had not noticeably increased. The populations of the various towns had remained stable between the two censuses of 1979 and 1989. Within this interval, a tendency towards emigration from the centre eastwards had become apparent. Some hillsides had lost 50 per cent of their population to the centre, and at the same time, the hillsides of the east (Bweru, Buyogoma) had to be divided. But these migratory movements occurred suddenly, and did not correspond to the logic of a rural exodus.

How can we explain such a paradoxical situation? In this example we cannot invoke the mechanisms of family or tribal mutual assistance. In a context of difficulties, people turned first to their clients for help, in the form of advances (71.8 per cent of cases); the family was asked in only 15 per cent of cases. In contrast to other regions of Africa, where mutual assistance from the family or group plays a key role, it was virtually absent in Burundi.

In addition, the geographical isolation of the country also leads to economic isolation, so that very little formal work is available. The findings of a national survey carried out in 1991–1992[12] provide an answer. The survival of the populations and their persistence on the various hillsides is based on pluri-activity strategies – on having several activities.

Pluriactivity as a way of dealing with risk

Economic analysis generally considers pluriactivity as a way chosen by households to protect themselves against risks.[13] For example, when confronted by a risk of drought, populations will diversify their crops and choose crops that can cope with dry conditions. They may, for instance, combine growing rice (which needs lots of water) with growing manioc (which is more drought resistant). However, this strategy can have a perverse effect on households if this diversification means that

they have to sacrifice the productivity gains that specialisation would have permitted. Like the solidarities and family mutual assistance we have already looked at, this strategy is therefore viewed as an insurance system.

Of course this line of reasoning has to be tempered by a more nuanced picture. For example, in Madagascar, households can be divided into three categories: those who have diversified into several different farming activities and who are well below the poverty line, those who have specialised in rice production and hover around the poverty line, and those who are pluriactive, but who have non-farming activities and are located above the poverty line.[14] So what penalises households is not so much the fact of being pluriactive as that of having a purely farming-based pluriactivity. Pluriactivity can pay off if it allows people to develop non-farming activities.[15]

However, this type of analysis is far too narrow. Pluriactivity assumes a complex organisation of the use of time. The way time is used forms part of a system of rights and duties that affects the time available. Pluriactivity cannot therefore be totally separated from people's practical identities and responsibilities.

Pluriactivity and the social market in Burundi

Burundi is a typical case in which work is part of a system of social recognition that forges practical identities.[16] Pluriactivity can make it possible to double one's income in a rural zone, but it is also closely correlated with poverty. For instance, the Kayanza hillside, which holds the record for population density (526 inhabitants/km^2) and is known for its craftwork, has one of the highest levels of pluriactivity (27 per cent of people surveyed had at least three different activities).

In Burundi, in 1991–1992, the time allocation schemes show that when faced by poverty, people increase their pluriactivity. All the people surveyed had developed another activity to supplement their main activity, but nearly one quarter of them had in fact developed at least a third activity. Apart from pluriactivity itself, what interests us is how people organise their time in order to engage in this pluriactivity. Table (6.1) shows how several periods of time are combined in order to carry out the first supplementary activity. Nearly 50 per cent of the things produced (which are derived from a second activity) are done '123', i.e. three periods of time during the day are involved, which indicates severe time pressure.

In such a context, one could expect that the most profitable activities in financial terms would be those to which most time is allocated. In fact certain activities with relatively low direct profitability assume considerable importance in the allocation of time. This is true for instance of activities surrounding traditional beverages, in particular banana beer. The activities related to banana beer play a fundamental role in structuring the other activities. This type of product is above all part of a social logic, and then of an individual time allocation system. The daily rhythm is punctuated by going to look for this product and consuming it within the social group. The way it is consumed locates the individual within the

Table 6.1 Comparison of how the main periods of time during the day are allocated to pluriactivity in Burundi (1991–1992)

Significant associations for the first type of product cited	*Passage 1*	*Passage 2*
	as a % of observations	
1	5.5	ns
12	11.4	12.2
123	47.9	53.1
1234	7.7	ns
124	3.9	8.3
34	7.3	8.7
14	2.6	ns
4	4.5	4.5

Source: Mahieu *et al.* (1992).

Notes
The significant periods of time during the day are as follows 1: Mu Gitondo, the morning; 2: Ku murango, midday; 3: Ku muhingamo, the afternoon; 4: Ku mugoroba, the evening. To avoid cumbersome explanations, we will refer to activities as being carried out during '1' or '1 and 2' or even '1234' and all pertinent combinations, as appropriate.

social group (at what level is he invited, what quality of beer does he drink? etc.). The consumption of banana beer is consequently a social market in which individuals display their practical identities. In this market, the producers are also simultaneously consumers. The money they earn enters a closed circuit in which the profits from beer sales are used to pay for more beer. It does not provide a secure income: the conditions of production are such that the quality of the beer produced by each individual is always unpredictable. Furthermore, this market involves a product requiring several stages of production: germination, steeping and fermentation. This social market can only persist if the amount of time devoted to social activity is maintained; this is expressed in Kirundi by the term *gutembere*.[17]

Thus, the social activity involved in producing and consuming banana beer plays an essential role in structuring how people spend their time. Supplementary lucrative activities occupy a more limited place, but also depend on this social activity, notably as a result of discussions and 'customer relations'. This explains why, when difficulties occur, the first people one turns to are clients rather than family. Client relations associated with the social market forge a system of social integration from which people gain rights, but also have to accept duties. In such a framework, pluriactivity is a preferred strategy for reacting against demographic-economic constraints, and it is also easy to understand why activity carried out alongside agricultural work cannot develop in isolation. It has to interact with the social market surrounding the production and consumption of banana beer.

Such a system allows populations to survive, but remains relatively fragile. Social activity plays a major role; this leaves little room for manoeuvre in order to modify how activities are structured[18] or to devise financially more profitable

production strategies. Time seems to be in short supply, particularly when development projects are accelerating (such as 'tradable' or high work intensity projects). The severe restrictions on the time available for social activity, and more generally for a pluriactivity that may involve shuttling between several workplaces, is difficult to reconcile with development projects that would disrupt the way time is organised around social activities. This makes people very vulnerable to shocks resulting from development policies.

6.3 Obtaining credit where there are no credit institutions

Another surprise

Access to credit is a major problem for poor populations in many countries. Without access to credit they cannot invest in order to develop activities that would enable them to escape from their poverty. In India, successive governments have introduced various reforms intended to promote access to credit for the rural poor.[19] One major reform has been to propose preferential interest rates to landowners, regardless of how much land they own. However, this policy left out people who own no land, and the *dalits*, a particularly poor group, who have not experienced any improvement in their condition from this point of view.[20]

Microfinance appears to be an attractive alternative in such a situation. The proclamation of 2005 as the year of microfinance, by the United Nations Assembly General, and the Nobel Prize for peace awarded to Muhammad Yunus in 2006 for his work in this field, have enhanced its visibility and given it significant recognition. But unfortunately many poor people still cannot obtain credit.[21] The poor, therefore, have no other recourse than to turn to the informal credit market. This informal credit market consists of a multitude of lenders: the better-off people in the village, pawnbrokers, the village storekeeper or other shopkeepers, more or less close family members, etc. The credit granted is sometimes used for an investment, but more often simply to pay for everyday consumption or particular expenses linked to health problems, a wedding, a funeral, etc.

The extreme vulnerability of the households who borrow on the informal market – their pressing need for money and the absence of other alternatives – gives profiteers a great opportunity. As a result, it is not rare for interest rates charged on the informal market to be exorbitant.[22] Such predatory behaviour is consistent with the predictions of the economic analysis, when it describes selfish and amoral behaviour. However, such behaviour does not always occur, and many loans are provided at very low rates of interest, below the official rates, and sometimes even close to zero.[23] These results are more surprising; traditional economic analysis does indeed find this difficult to explain.

Access to credit in rural areas: economic analysis is found wanting

Economic theory analyses the rationing of credit experienced by poor populations in two complementary ways. The first observes that there are no credit

institutions in rural areas, which implies considerable travel costs for rural populations who have to go into town to obtain credit.[24] In this context, the informal market offers these populations an alternative. It also seems quite reasonable for the interest rate to be higher on this market, because it includes the transaction costs related to geographical isolation.

The second explanation is based on the asymmetry of information.[25] Lenders do not have any information about the repayment record of their borrowers; they choose to lend to their clients so as to reduce the risks and to obtain a more favourable credit portfolio. Formal financial institutions therefore limit the credit they will offer to households they think may fail to pay it back (on the basis of indicators of variable precision and reliability) and who cannot offer any guarantee. The households who cannot obtain formal credit are forced to turn to the informal credit market. But on this latter market, lenders will demand a high-risk premium to compensate for the risks that they are taking and that the formal institutions are not willing to accept. Consequently, economic analysis thus predicts that interest rates on the informal credit market will be higher than on the formal market, and is incapable of understanding why in fact it is often lower and indeed close to zero.

Access to credit in rural India

A study by Bhukuth *et al.* (2012),[26] of the finances of households in a small village in southern India, provides an explanation of our surprising observation. In this isolated village, there are no official credit institutions such as banks. There are no microfinance institutions there either. Households have no alternative other than turning to the informal market, or going into the nearest town. In fact, they rarely travel to the nearest town for the purpose of obtaining credit, and access to credit via formal credit institutions in town accounts for barely 1 per cent of all credit obtained. Financial transactions take place on the informal market in the village and the surrounding area and involve numerous lenders. These lenders do, of course, include members of the borrower's family and friends, but also the various shopkeepers, the better-off people in the village, the recognised and more or less official pawnbrokers (i.e. those who have a shop in the village), pawnbrokers who come to the village from time to time, but do not live there, and the *maistries* (who are intermediaries who arrange loans that will be paid off by the borrower's labour).

This study reveals three things. First, people rarely turn to their family or friends to obtain credit. This can be explained by the fact that, in general, many households are in a situation of poverty and are not in a position to lend more than very tiny sums to others. Second, the frequency of transactions with the lender does not affect the interest rate. This finding rules out an interpretation in terms of asymmetry of information, since in this case repeated transactions would provide more information about the ability of households to pay off the credit, which should logically lead to a link between lower interest rates and a greater frequency of transactions. Third, the social proximity of the lenders does

have a significant influence on the interest rate. The closer the lenders are socially to the household taking out the loan, the lower the interest rate. Social proximity is evaluated in this study from the likelihood of encounters or exchanges between the households concerned. Thus a village grocer is often socially very close to the households, in the sense that he has a lot of interactions with them and knows them well. This social proximity has no impact on the frequency of loans, and the frequency of loans has no effect on the interest rate, which means that we have to try to look for an explanation for the low interest rate in social proximity rather than in the usual economic analyses. The qualitative information of the study thus supports the quantitative results in concluding that what determines the interest rate is the feeling of duty that the households have towards each other.

Thus, the fact that we find interest rates that are low or even close to zero on the informal credit market can be understood as resulting from the systems of rights and duties in which the people involved are implicated.

6.4 Economic analysis and responsibilities

All the previous examples have suggested the importance of rights and duties in economic analysis. We can now propose a few more general thoughts about economic relationships and how people behave. In particular, we will look at three types of relationships that are affected by duties: the relationship with time and how it is allocated, the relationship between income and consumption, and finally the relationship with the interest rate or the renunciation of consumption.

Substitution between different times and transfers

As we saw in the previous illustrations, the way people allocate time and use their income is constrained by their duties towards other people. In systems of rights and duties, time plays a particular role. It can sometimes be used as a substitute for other goods. Sending money or presents can eliminate the need for a visit; but conversely, time can also be substituted for material goods. For example, I can have my children educated by means of a material investment (supervised study, boarding school, tutor, etc.) or I can devote some of my own time to this task. A money debt can be spread over time. In some countries, a town dweller may decide not to attend a funeral that forms part of his or her duties, but instead to send a representative to contribute material goods. In economies in crisis, if requests for money become too onerous, they can be replaced by cohabitation, and by affection. In many cases, constraints on goods and time can be substituted for a given level of duty. Absence from an important social event can be compensated for by sending money, or, if one cannot give a sum of money, this can be replaced by time, possibly completed by some material reparation.

This substitution can be illustrated by means of 'classical' microeconomic representations, such as indifference curves. Each curve expresses a given person's level of duty (Figure 6.1). This indifference curve expresses the potential

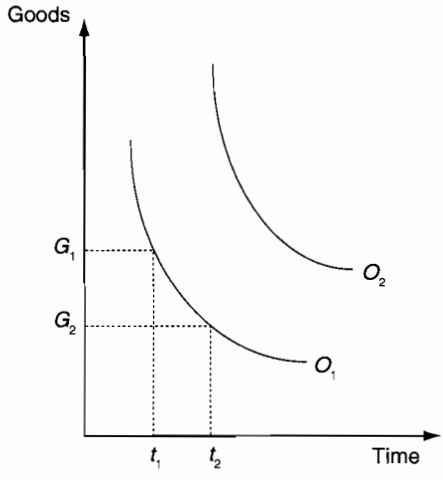

Figure 6.1 Indifference curve (goods/time) of duties.

goods/time substitutability for a person. The actual balance depends on society's preference for goods and time, and on the material situation of each person.

Depending on the assumed level of duty and the form chosen, the interpersonal balance with regard to reciprocal duty can also be represented in a classical form by an Edgeworth box, with a situation of strict balance (theoretical). As shown in Figure 6.2, the theoretical representation of a situation of imbalance with regard to reciprocal duty can take the form of considering a budget line DC, where point O expresses the initial endowment. Points A and B represent the

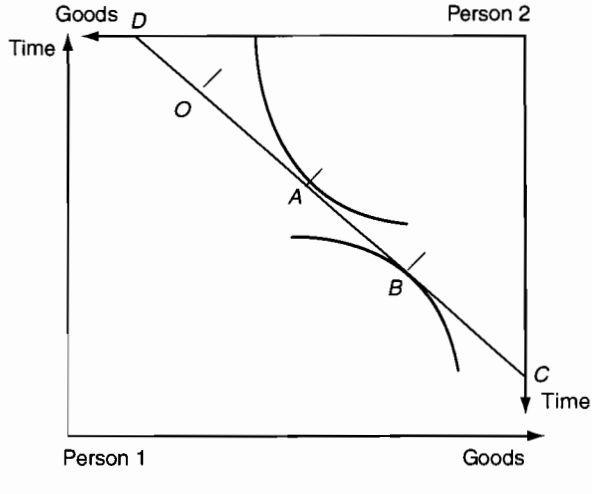

Figure 6.2 Imbalance between reciprocal duties.

maximum levels of duty that persons 1 and 2 can fulfil, respectively. The exchange of duties will therefore take place at the minimum level OA.

The balance may only be reached in the long term, even extending over successive generations; for example if the foster child does well, his tutor can hope that he will later be willing to take in one of his offspring, etc.

This first type of relationship allows us to understand why, even though every society has specific features with regard to how time is allocated, and income or goods are used, people can still strategically adjust their duty set so as to fulfil their multiple constraints as best they can. Context certainly determines how duty is satisfied, but people retain some latitude. This margin of manoeuvre describes the person's capacity to fulfil his/her duties, i.e. to maintain his/her practical identities while doing his/her best to adjust the responses s/he has to make to other people depending on events. This adjustment capacity is essential, because to a large extent it is what determines the vulnerability of people with regard to other people's demands (we will develop this point in the next chapter).

Consumption and responsibilities

One of the fundamental economic characteristics of responsibilities is that they affect the way income is used, and therefore the constraint on consumption. We can therefore modify the conventional relationship between consumption and income. A person's consumption is in fact incompressible, because they have to fulfil social duties (Figure 6.3).

The consumption, C_0, is inflexible compared to income as a result of transfers linked to duties up to a threshold at which the income Y_0 covers the minimum fulfilment of duties. However, starting from the relationship that we have presented

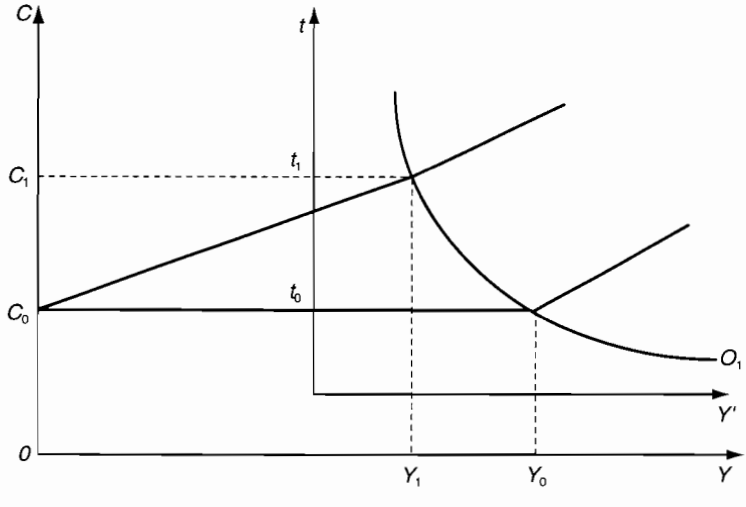

Figure 6.3 Priorities and personal consumption.

above, the person can modify his/her transfer constraint by substituting time for income, either by delaying duties over time or by changing the way time is allocated during this period. In this case, the person will consume more by switching from C_0 to C_1 and from t_0 to t_1. The income threshold Y_1 above which consumption grows is also lowered. A discontinuity is introduced into the change in consumption as a result of the person's priorities of choice, in which goods can be substituted for one another (time or money, for example). Y_1 and Y_0 must therefore be interpreted as thresholds that can be modified. They depend on how one can adjust one's duties in the society concerned.

More generally, transfers appear to be a significant variable that should be taken into account in the relationship between income and consumption. We could rewrite the usual identity of the use of income between consumption and savings ($Y=C+S$) in the form: $Y=C+S+T$, where T is the set of transfers linked to people's duties. More precisely, we can write for a particular person, the function $y=Lex[T, (c+s)]$, i.e. income is primarily a lexicographical function of transfer duties T, and only then of consumption and saving. The person satisfies his/her consumption and savings only after fulfilling his or her duty.

This allows us to understand paradoxes, such as that we looked at in the Ivory Coast case. When duties in the form of transfers increase faster than income, and if savings are low, then consumption can indeed decline when income rises. As in the case of Burundi, the gains obtained as a result of producing banana beer are immediately used for consuming banana beer, rather than for improving living standards, including in terms of obtaining other foods. This behaviour, which looks totally irrational to economists, becomes easy to understand in this context. In this case, transfers are replaced by time and the consumption of banana beer. The additional income is allocated to duty-related transfers, T, rather than to savings or the consumption of other goods. The use of income is constrained by the duties that the person must fulfil.

Relationship to time and the interest rate

As we have seen, the use of time is severely constrained by the need to fulfil one's duties. Consequently, the relationship with time is affected. As the Indian case has illustrated, duties can lead people to renounce savings or future consumption. Consequently, the times of renouncing consumption, or the subjective level of interest increases. This results in a mismatch between the official interest rate and the subjective interest rate. Thus, paradoxically, the subjective interest rate can be higher than the official interest rate but, at the same time, people may still lend at interest rates that are below the official rate.

By way of conclusion

So far, we have analysed the effects of duty on a range of economic relationships. We have seen that taking duty into account makes it possible to understand various paradoxes or unexpected findings that economic theory has

difficulty in understanding. We will now draw two conclusions that will be developed further in the following chapters.

First, people are implicated in systems of rights and duties linked to their practical identities, and this makes them vulnerable. These systems constrain people's choices. Other people's actions and reactions, as well as unexpected events, may well weigh heavily on people's capacities to fulfil their duties. In such a context, economic policies are events with effects that are hardly identifiable. For example, if I am being persuaded to spend my savings, I have to think about the duties that I have to fulfil; I have to arbitrate in the mismatch between the subjective interest rate and the interest rate laid down by the political and monetary authorities. The result is that a short-term investment may be preferred to a longer-term investment if interest rates are falling. There is a similar mismatch for other variables that are personal rather than individual. For example, a salary can become the lever for redistribution and protection. A pay cut, interpreted relative to responsibilities, will lead to a more than proportional fall in the official work provided; conversely, a pay rise may be refused if it would lead to a disproportionately great increase in the pressure of duties. The vulnerability of persons is combined with the relative ineffectiveness of economic policies.

Second, people can use economic policies or external events to modify their practical identities and the duties that flow from them, in particular if they think that these will be too burdensome. Apart from being inefficient, public policies affect the organisation of the social fabric via changes that occur in rights and duties. As Balandier has already quite rightly pointed out (1960), the social structure has to be seen within the changing characteristics of economic development and of the decisions of the public authorities that affect it. These changes create tensions between people. There is a considerable risk that people will fail to fulfil the duties that others expect of them; we are then talking about fallibility.

7 Vulnerability, identity and responsibility

Vulnerability is a methodological innovation that has been widely promoted since the early 2000s as way to obtain information about the potential damage that a particular event could cause if it were to occur. This term was initially used as a synonym of the risk of finding oneself unemployed,[1] and was subsequently extended with the aim of providing a dynamic approach to poverty, making it possible to distinguish between chronic poverty and transitional poverty. The first corresponds to that of a population that is living permanently below the poverty line,[2] whereas the second refers to a population in which the level of wellbeing sometimes dips below the poverty line, but does not remain stuck there.[3] The term was later used to designate any situation linked to an event that could harm the wellbeing of populations, and also more generally that of the entity observed (thus a town can be more or less vulnerable to flooding, a forest more or less vulnerable to fire, etc.).

In this sense, vulnerability is not only the likelihood that something could happen, but also the fact that the event that occurs does actually produce damage. Vulnerability does of course depend on the risk that an event will occur, i.e. the exposure to risk, but also the capacity to cope with the event, which in part will determine the damage that the event will cause. Vulnerability is thus a relationship between exposure to the risk and coping capacity.[4]

Such an approach undeniably makes it possible to update certain methods used in public policies, ranging from an *ex post* observation of situations that have to be managed or corrected to an anticipation of the situations that should be prevented; however it does have some serious limitations.

We would like to mention three major limitations of vulnerability. First of all, the relationship between vulnerability and the risk that an event will occur seems to give too much importance to calculating the risk. First, plausible or possible events can in fact be imaginable, even if we cannot determine their probability. For example in some parts of the world, an earthquake is plausible, but we cannot calculate its probability. Second, the capacity of people to cope[5] is often reduced to analysing their coping strategies, without considering their capabilities structure. It seems to us that the capabilites approach can offer a significant improvement in this domain. Nevertheless, the problem is not so much that of the full capabilities set, as that of the structure of this set. Finally, vulnerability

cannot be reduced to contingency with regard to external events; it is situated from the outset in relationships with others. Both events and capacities to cope with events are strongly linked to relationships with others, with rights and duties that people have towards one another.

We stress that although vulnerability is essentially vulnerability towards others, it has to be understood as a relationship of implication with the practical identities and the responsibilities associated with them.

7.1 Vulnerability and probabilities

Vulnerability, probabilities and the grey area

Vulnerability is usually understood as the probability that an event will result in a reduction of wellbeing.[6] However the type of event or shock is not specified. It may be an economic shock, a natural catastrophe, a health-affecting event, disability or physical violence. From this standpoint, the vulnerability of a person is the sum of their various different vulnerabilities. This means that it must be possible to compare probabilities. This is the source of all the difficulty of applying inductive logic in macroeconomics and the dismay of the econometrics that Hicks (1979) illustrates by returning to the old debate between objective (or frequential) probability and subjective probability. According to Hicks, objective probability, based on the vicious circle of probability/hazard (each being defined by the other), is too narrow to be useful to the economist; what the economist needs is a subjective assessment of the probabilities.[7] Hicks wonders whether a subjective assessment of probabilities is possible. He begins by casting doubt on Jeffrey's first axiom[8] (in view of the information provided, either one event is more probable than another, or they are both equally probable) by pointing out that there is a 'grey zone'[9] within which the probabilities of the two events cannot be compared. If this non-comparability occurs frequently, this means that the probabilities grey zone is large.

Nevertheless, the probabilistic approach remains central in economics; inducing the probable consequences of observed events is an essential task of the economist. There is therefore nothing surprising in the fact that the probabilistic conception of vulnerability is massively predominant amongst economists. The type of probability used is even thought to define rationality;[10] if not to order individuals in a hierarchy depending on the type of probability they are thought to use.[11] However, vulnerability cannot be content with probabilities and can also be translated into other modalities, such as what is plausible, possible, uncertain, or catastrophic.

From probability to plausibility and the uncertain

Shackle (1945) criticises the excessive role of probability, and tends rather to use possibility to the extent that probability, which is additive, is restricted to being a fraction of *1* and does not take into account counter-intuitive or unexpected events. Shackle's 'potential surprise' theory is based on the fact that the individual classifies an event, as either possible or not possible. The possibility is a variable that

can be perfect (potential surprise=0). This makes it possible to envisage an ascendancy of the individual over events (or zero-incredulity) as being the reverse of vulnerability. The ascendancy of the individual over events is thus an increasing function of his/her desire for an event, and a decreasing function of his/her potential surprise. The possible, even though it is reconcilable with probabilities, at least qualitatively, is not synonymous with the probable. It is related rather to what is plausible. The plausibility of an event is greatest when the potential surprise is smallest. Conversely, when the potential surprise is greatest, the plausibility is least great. Plausibility intervenes precisely when the data are contradictory and cannot yield probabilities, as happens in Hicks's grey zones.

Beyond what is plausible, certain events are marked by radical uncertainties that cannot be probabilised by definition or by the inability to predict. This makes it necessary to distinguish at least three zones in the representation of vulnerability: zone *A* (numerically probabilistic), zone *B* (qualitatively probabilistic) and zone *C* (not probabilistic). Vulnerability is shown as a black ellipse in Figure 7.1.

What the probabilities debate demonstrates is the fact that vulnerability cannot simply be conceived as the corollary of a probable shock. It must be apprehended as a situation in which events can occur, whether one can predict them or not. Nevertheless, it is futile to conceive of vulnerability solely as a situation contingent on an event without taking into account people's coping capacity. What in the end determines a considerable part of the peoples' vulnerability is their capacity to cope with events. From this point of view, the capability approach can help us to establish this coping capacity.

7.2 Capabilities and vulnerability

Vulnerability and internal capability

According to the distinction proposed by Chambers (1989), vulnerability is relative to external and internal phenomena. External phenomena consist of

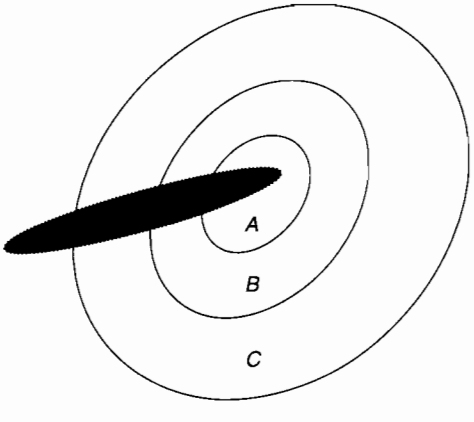

Figure 7.1 Vulnerability and probabilities.

physical, environmental, economic and social shocks or pressures. Internal phenomena consist of all the provisions and mechanisms that make it possible to react to external phenomena. Interpreted from the standpoint of the capability approach, the internal dimension of vulnerability makes it possible to affirm that a person's vulnerability depends on his or her set of capabilities,[12] i.e. all the real freedoms the person possesses and which allow him or her to develop coping strategies towards external events. Such an approach is still marked by an internal dimension of vulnerability, which still remains external to the person.

The distinction that Nussbaum proposed (1988), between the internal and external capabilities, makes it possible to advance somewhat towards a more satisfying conception of vulnerability. The internal capabilities or *I* capabilities are a person's constitutive capabilities. They reflect the person's capacity to choose and to reach a judgement about his or her choices independently of external circumstances. The internal capabilities are both an essential part of autonomy and a vulnerability factor with regard to choices if they are inadequate. These internal capabilities are closely related to basic capabilities.[13] It is these basic capabilities or *B* capabilities that allow the person, via education, to achieve the *I* capabilities. The *I* capabilities are therefore the capabilities that allow the person to govern him/herself. However, the *I* capabilities can only be exercised if the external capabilities, or *E* capabilities, permit it. These external capabilities are in turn the circumstances and contingences external to the person. Whereas the *B* capabilities depend heavily on social conditions, the *E* capabilities are related to social arrangements. If we take the example of voting, the *I* capability is related to the capacity of a person to identify and make a considered choice of candidate during an election. This capability depends considerably on the social conditions, and consequently the basic capabilities, which, via education, ensure an autonomous and considered choice. Nevertheless, for voting to be possible the social arrangements must permit it, i.e. make the right to vote a reality. Here the *E* capabilities correspond to the legislation about elections and the arrangements made to allow voting to take place.

On the basis of these distinctions, we can say that a person is vulnerable if s/he does not have sufficient internal capabilities or if s/he finds him/herself incapable of expressing these internal capabilities as a result of external circumstances that prevent the conversion of the internal capabilities into functionings. The internal capabilities reflect an internal vulnerability of the person, whereas the external capabilities underwrite both the analysis of shocks or events that act on the vulnerability of the person, in an external fashion, and the coping possibilities that this person can deploy. The internal capabilities contribute in a decisive way to the analysis of vulnerability. However, we think that the idea of internal capabilities proposed by Nussbaum is too restrictive. It reduces the vulnerability linked to the internal capabilities to a failure of these capabilities, in other words the fact that the person cannot govern him or herself, so that a choice made with insufficient internal capabilities is one that the person would not have made under different social conditions. She never suggests that the choice that the person makes is a choice that reflects some of his/her practical identities.

Practical identities are defined both by other people and by oneself, on the one hand through the rights and duties that other people attribute to us, and on the other through the rights and duties that we assign ourselves. Internal capabilities are not simply a functionality of the person, as envisaged by Nussbaum; they are the capacity to define oneself as a responsible person. Vulnerability must consequently be understood as an articulation of the external capabilities that we are allowed, and of the internal capabilities to define oneself and attribute responsibilities to oneself.

Vulnerability and the capabilities structure

The capability approach has focussed, to a considerable extent, on the set of capabilities a person may have. The attention paid to these capabilities has neglected the possible combinations of capabilities within this set. If we designate for a person i, its full set of capabilities, $X_i = \{c_1, c_2, \ldots, c_n\}$, the capabilities approach attempts essentially to find out whether n is more or less great and whether the individual is lacking certain capabilities, c_m. Meanwhile, it is just as important to analyse not the whole set as such, but the possible combinations within this set. At least four questions arise: (1) can one capability combines with another to form a third capability? ($c_3 = c_1 \cup c_2$); (2) does the intersection of two distinct capabilities produce a new capability? ($c_3 = c_1 \cap c_2$); (3) can one capability be replaced by another in order to reach the same objective O? ($O = f(c_1) \equiv f(c_2)$); and (4) does a capability have a threshold value below which it does not make any effective contribution to reaching an objective O? ($O = f(c_1)$ iff $c_1 \geq c_1^*$.?)

If we take into account all the possibilities of combinations of capabilities, we can claim not only that the vulnerability of a person proceeds from his or her set of capabilities, but also that vulnerability depends more precisely on how the capabilities are combined within a personalised structure that enables the person to cope with the risks s/he is running.[14]

This personalised structure cannot be reduced to external capabilities; it includes the rights and responsibilities related to the person's practical identities. Thus, the capability to spend money on leisure pursuits or on food affects a person's responsibilities towards others. Although I am allowed to spend my money as I wish, the responsibilities that I assign myself as a person with regard to other persons, for instance to my family, forces me to curtail my personal expenditure in order to provide for the wellbeing of others. The capabilities structure cannot be limited to real freedoms; it also reflects a person's duties.

The capabilities structure obviously varies from person to person, and depends on their level of wellbeing. Poor people who want to improve their standard of living draw more strongly on certain capabilities, such as work, because their endowments do not allow them to count on other forms of enrichment, such as financial capital. Their capabilities structure is often concentrated around a small number of capabilities, which does not usually make substitutions or complementarities possible. In such circumstances, in which the capabilities structure does not have much flexibility, the analysis of the vulnerability of

a capability tells us a lot about the person.[15] The destruction of a capability can potentially lead to the re-organisation of the capabilities structure, which affects the degree of vulnerability of the person. Some capabilities have been found to be more sensitive to shocks in a particular context than others. For example, the capacity to get a job depends on the person's qualifications, but these are sensitive to changes in the job market and in technology. In this context, very specialised qualifications, linked to a precise technology, or even to a particular company, are very vulnerable to new developments, whereas generic qualifications remain useful in all circumstances.

We cannot reduce the capabilities structure to external contingences. It includes the practical identities of the person. Consequently, the capabilities structure depends strongly on the rights that the person has, and the duties that s/he has to fulfil. The flexibility or rigidity of this capabilities structure is important for the analysis of vulnerability. Rigidity can be due to a lack of capabilities as such, which is often true of poor populations, but also to the impossibility of substituting or combining certain capabilities in order to produce a functioning. From this point of view, the rights and duties of the person contribute considerably to this rigidity.

What including rights and duties in the capabilities structure makes clear is that personal vulnerability depends on others. We will now look in greater detail at what this entails.

7.3 Vulnerability and responsibility

The lifeboat

Let us suppose that after a ship has sunk, some of the people on board are able to get into the lifeboats. These frail craft cannot carry more than two people without the risk of sinking. Let us suppose that two men are hanging onto this lifeboat and a third, dying, man calls out to them for help. What should the two men do? Try to save the third man and run the risk of sinking the lifeboat, or leave him to drown?[16] We could of course respond by saying that this is a purely hypothetical situation and so does not shed much light on human behaviour. Nevertheless, we can reply that on the one hand this type of case, unless providing an analysis of the human behaviour by going straight to the point, highlights numerous questions related to human choices; and on the other, that this type of illustration can be used metaphorically to situate various economic and social phenomena. For instance, the excess infantile mortality amongst girls in some countries can be illuminated using a metaphor of this type. Just as the fact that a lifeboat can only hold two people implies the sacrifice of a third, so poor families practice discrimination towards girls when they have no choice because they cannot feed all of their children.[17]

It was John Steinbeck who used this sort of dilemma particularly well in his scenario for *The Lifeboat*.[18] During the Second World War a German submarine (Unterseeboot) torpedoes an American ship carrying civilians and military

personnel. The ship goes down and the lifeboats are launched. They gradually fill up, and the film tells the story of the survival of the occupants of one of these boats. The disparities between the characters provide the basis of the scenes in the film. The worldly reporter who doesn't want to be separated from her camera, her typewriter and her mink coat, and (whatever it costs) continues to write her report, the rather loutish mechanic, a young female nurse, a wealthy man whose name seems to be familiar to everyone, the former wireless operator from the ship who has a very gentle face and seems to turn to the law for every decision, a tough crew member who has been injured, a woman who seems to have lost both her mind and her dead baby, and who the others try to protect against herself, a coloured man who tends to stand apart from the group.

This novella includes several scenes depicting shifts that are particularly relevant to the analysis of human behaviour. The first of these scenes is the moment when a German clings onto the boat hoping to be saved (we gather that the U-boat that has torpedoed the ship has also gone down); he is rescued by the people in the boat before they realise that he is a German, and once he is recognised as an enemy the loutish mechanic suggests throwing him back into the water. The others oppose this in the name of the principle of compassion and the rules of war (the Geneva Convention), which make him a prisoner of war who has to be treated appropriately. At this early stage in the story, apart from the mechanic, everyone seems to adopt behaviour that reflects respect for the universal human person. Further proof of this is the fact that the woman, whose dead baby has been taken from her by the others, is bound so that she cannot throw herself into the water as well (which does not prevent her from eventually managing to do so), as if this character had only been included in order to exhibit the humanity of the members of the group, including the most hostile, the mechanic.

The second scene occurs when the group discovers that the German has hidden a compass and is secretly trying to steer the boat towards the position of the German fleet. This passage is important to the structure of the story for three reasons. First, the group (after some doubts) discovers that the German does in fact have a compass thanks to the pick-pocketing skill of the coloured man, who remains in the background throughout the novella. We discover that this man had been a thief and that he has tried to turn over a new leaf. But here, it is the members of the group who first ask and then order him after his initial refusal to resort to theft, to steal the German's watch, which could be a compass (and which is in fact a compass and not a watch). This underscores the fact that values depend on context; stealing, something that it is punishable in certain contexts is laudable in that of survival in a lifeboat. This scene goes on to highlight the apparent stability of the characters. When the group discovers that the German has hidden a compass, the rough mechanic grabs a knife and is ready to kill him. The rest of the group prevents him yet again. Finally, when the group is divided over what to do about the German, a storm breaks out; the sea gets rough and huge waves sweep over the lifeboat, nearly overturning it. The boat survives thanks to the German, who takes command (he was in fact the captain of the

U-Boat) during the confusion and gives orders without meeting with any opposition from the others. This tipping point has the effect of completely reversing the situation. Whereas the survival of the Kriegsmarine officer (wartime naval officer) seems to depend on the decision of the group, now it is the survival of the group that depends on him, and he not only takes command, but also seizes the oars and steers the boat in every sense of the word.

The third scene takes place after an event that concerns both the death of one of the men in the group and renewed treachery from the German. The whole group is hungry and thirsty and during the night the crewman becomes delirious and falls into the water. The German officer, who is on watch, does nothing to save him. The other members of the group wake up to discover the situation. They also find out that the officer has hidden a bottle of water that he has been drinking while they were asleep. Faced by this renewed betrayal, they all throw themselves on him (apart from the coloured man) in order to beat him up and throw him overboard. The most peaceful of individuals have become murderers.

With this last twist the scenario enters its final phase. Directed by the German, the boat reaches the positions of the Kriegsmarine. But here they come under attack from the Allied fleet. A German battleship is sunk. The members of the lifeboat are once more confronted by the same dilemma. A young German sailor clings to the lifeboat hoping to be rescued. After their previous experience the people in the lifeboat seem to hesitate about what is the right thing to do. But as the discussion becomes heated, the young German sailor pulls out a revolver and threatens the group, which no longer has any alternative other than to accept him. However, he is soon disarmed by the coloured man (who always remains on the edge of the group, but actively contributes to each twist in the story). Confronted by the vulnerability of the young sailor, the group finally decides to keep him in the boat. This ending closes the story by a return to the original dilemma.

What this masterpiece shows us is the volatility of the behaviour of people facing a situation of extreme vulnerability. The protagonists, who had sprung to the defence of the rescued German, are the first to turn on him violently and help to drown him. Having become aware of their vulnerability with regard to him, they get rid of him. We can reach a first rapid conclusion about this situation. The dilemma of the lifeboat, as illustrated in this cinematographic novella, points out that vulnerability is located at least two levels. At the first level, vulnerability results from a particular situation, here the fact of being on a lifeboat. At a second level, vulnerability emanates from a relationship between people. In the first part of the story, the vulnerability of the German officer depends on the group's attitude towards him. But in the second part, it is the group's survival that depends on the officer's attitude, until the attitude of the members of the group veers around, and they lynch him. One conclusion is that vulnerability cannot be thought of independently of the relationships between different people. Let us now return to see in greater detail how we can interpret vulnerability.

Domination or responsibilities

How should we interpret the case of the lifeboat? A first exegesis consists of summarising this type of situation in terms of domination. De Herdt and D'Exelle (2007) thus propose to analyse vulnerability towards others in relationship with domination. They make a distinction between dependence and domination. Whereas dependence is the simple fact of depending on someone else, domination refers to the control of the situation. One person can therefore be dependent on others despite controlling their will, so that (in fact) he or she dominates them. Thus, in the case of the lifeboat, we can say that until the second scene, the German officer depends on the rest of the group, but he actually dominates them. He controls their will or rather uses their will to his own advantage. While attempting to reach the coast, the group believes the claims of the German sailor who feeds them false information and is actually bringing them nearer to the German war fleet. In this type of situation, as De Herdt and D'Exelle point out, trust is primordial. It is because one of the partners involved in the relationship trusts the other that the latter can abuse this trust by cheating. The second scene, in which the German officer takes explicit control of the group, reveals the true face of domination. Too sure of his domination, and forgetting his dependence on the group, he finally makes a mistake. The third scene, when he is beaten up and thrown into the water, shows that the group has completely withdrawn their trust in him. Paradoxically, the dominant party is also vulnerable, because he is intrinsically dependent on others.

Although such an analysis is enlightening, we think that it overlooks something essential to the story: the responsible person. It recounts a situation in terms of relationships in the form of a domination game, without taking the singularities of the persons into account. De Herdt and D'Exelle in fact drift away somewhat from the problem of dominance to that of responsibility in the examples that they choose. To take up their example, an NGO (non-governmental organisation) that cares for malnourished children thinks that it is their responsibility to do so, but this is counterbalanced by the responsibility of parents to feed their children by means of this food aid. This involves a sharing of responsibilities. Of course, some families may not face up to their responsibility and leave their children in a state of malnutrition. They may even put themselves in a situation of continuous dependence on food aid by systematically neglecting their children. In this sense, even though they are dependent on aid, they still dominate the situation. In other words, their setting aside of their responsibility is interpreted as a wish to obtain aid. Of course, they run the risk that the NGO may stop providing aid if it decides that it is no longer serving a useful purpose and that the parents are cheating.

This recalls the situation in the lifeboat. Whereas the members of the group displayed responsibility towards the German officer, the officer betrayed them and exploited their vulnerability. Instead of accepting his share of responsibility towards the shipwrecked community, he broke his bond with the community by betraying it. This led him to find himself in turn in a situation of vulnerability

that would lead to his death. Such an interpretation has left out an element that is decisive for understanding the situation: the responsibility that the German officer assigns himself with regard to his practical identity. Indeed, the perfidy of the officer with regard to the group was carried out in the name of his naval and patriotic responsibilities. He continued to act as a naval officer, seeing himself as facing enemies and not shipwrecked companions. In other words, there was no treachery, no betrayal because he had never really belonged to their community, but instead unwavering loyalty to his uniform. Whereas the members of the group, apart from the loutish mechanic, assume a responsibility that derives from a practical identity as a universal person, the German officer puts his practical identity as a serving naval officer before that of the universal person. This leads to conflicting responsibilities. Analysing the situation in terms of dominance and dependence simply reflects strategies related to practical identities and to the resulting responsibilities. Limiting the analysis to these strategies without identifying the origins of identity and responsibility amounts to reduce individuals to simple opportunists, which is exactly what they are not. Even opportunistic strategies are only one form of the rationalisation of responsibility.

The dilemma of the lifeboat remains a hypothetical case. One could object that this is a fiction deliberately constructed to demonstrate a theory, and that real-life situations are very different. Although it is hypothetical, we still believe that this narrative sheds a remarkable light on all real-life situations. We will nevertheless analyse some extreme real situations, such as those experienced by people deported to the concentration camps.

7.4 What the economies of the concentration camps have to teach us

Situation of the problem

The economies of the concentration camps were based essentially on what these camps produced and their contribution to the national economy during the period of their existence.[19] The question that we are asking does not concern the contribution of the camps to the economy. We are trying to elucidate queries about the relationships between vulnerability and responsibility. Our question carries within itself an enigma about the person. Does one remain moral in all circumstances?

In this section, we do not attempt to investigate the behaviour of the camp guards, but to understand that of the victims of these atrocities.[20] From reading the testimonies of concentration camp survivors,[21] the portrait of dehumanisation is such that, to paraphrase the Polish writer and journalist, Tadeusz Borowski (1976: 168), himself an Auschwitz survivor, morality and human dignity 'fell from man like rotting rags'. The testimonies of the concentration camp survivors all insist on the inhumanity of the camps and the immorality provoked by the deprivations. The accounts of the survivors of the Nazi camps: Jean Améry, Primo Levi, Elie Weisel (Auschwitz survivors),[22] the testimony of survivors of

the Russian Arctic death camps: Varlam Tikhonovitch Shalamov[23] (who spent 17 years at Kolyma (Gulag)), Evgenia Semionovna Ginzburg[24] (who was imprisoned for 20 years at Kolyma) and Anatoly Tikhonovitch Martchenko[25] (deported to Mordovia) all converge to testify that extreme survival conditions led the inmates to abandon all morality. Everyone was ready to do anything that would increase his or her chances of survival: the son snatches a crust of bread from his father's hands,[26] the mother pretends not to recognise her child,[27] the prisoners in charge of cleaning the wagons of deportees are pleased to see the new convoys arriving from which they will be able to extract some slight benefit,[28] the prisoner who becomes a Kapo and then inflicts inhuman treatment on others in order to keep his or her place,[29] etc. This picture sheds light on a unique experience of which we should above all stress the dehumanization, but it also bears witness to the darkness of humanity. It is a demonstration of what the camps were. Nevertheless, particular examples selected from here and there reveal the complexity of everyday situations and moral dilemmas (Des Pres 1976). There is never any question of denying the total dehumanization intended by authoritarian regimes and the privations that led to them, but to stress that this goal has never been completely achieved, because people remain rooted in their humanity (in the sense that we gave to the term of the person in Chapter 3) regardless of their circumstances.

We will now look at this in greater depth, drawing on two major works[30] for testimonies concerning living conditions in concentration camps: *Atemschaukel* (*The Hunger Angel*) by the winner of the Nobel prize for literature Herta Müller (2012)[31] and *Se questo é un uomo* (*If This is a Man*) by the writer Primo Levi (1969).

These are remarkably powerful testimonies about the capacity of people to survive because, precisely, the aim of these camps is to drive out any possible reference to a human world. The prisoners are treated as though they are replaceable objects, they have a number tattooed on their forearms and their death is of no importance (they can be immediately replaced by others). And yet, these accounts also stress that this dehumanisation has never been fully achieved, and that when confronted by the extreme, people go on referring to rules that preserve their personal identity.

Testimonies

In *The Hunger Angel*, the novelist Herta Müller describes the living conditions amongst the German-speaking populations of Romania, deported by the Soviet regime to labour camps after the war in order to work for the reconstruction of the USSR. Huge numbers of people perished in these camps as a result of the privations to which they had been submitted.

The author retraces the ruses of survival, and sometimes their absurdity. A considerable proportion of these strategies take place around bread, in three essential forms: steadfastly holding back, swapping and saving. As Herta Müller (2012: 110) describes:

> Everyone gets caught in the bread trap. In the trap of being steadfast at breakfast, the trap of swapping bread at supper, the trap of saved bread under your pillow at night. The hunger angel's worst trap is the trap of being steadfast: to be hungry and have bread but decline to eat it. To be hard against yourself, harder than the deep-frozen ground. Every morning the hunger angel says: Think about the evening.

Swapping for survival is based on an illusion. 'In the evening, over cabbage soup, bread gets swapped, because your own bread always appears smaller than the other person's. And this holds true for everyone' (ibid.: 110).

In addition to these daily strategies, there is a fourth that arises when the opportunity presents itself: that of stripping the dead of their meagre possessions:

> This is what allows you to act so fast when you're the first to discover a dead person. You have undress him quickly, before the body gets too stiff to bend, and before someone else makes off with his clothes. You have to take his saved bread out of his pillowcase before someone else beats you to it. Clearing away the dead person's things is our way of mourning. When the stretcher arrives in the barrack, there should be nothing to haul away but a body.
>
> (Ibid.: 138)

Through its narrative, this book offers subtle reflections about the concept of the person and on the capacity to remain a person even in a situation of unequalled deprivation. A person cannot reply to others by a mechanism, even if this is a mechanism of justice. Describing the person distributing the bread, Herta Müller adds:

> Fenya's sense of justice, this combination of bitter resentment and accurate weighing, made me utterly submissive. There was perfection in her very repulsiveness. Fenya was neither good nor bad; she was not a person but the law in a crocheted sweater.
>
> (Ibid.: 100)

A person is always in relationship with others and this relationship makes him or her vulnerable. But at the same time, the person cannot totally remove him or herself from the rules that ensure the permanence of the community, even in a survival situation. Nor can such a person completely extract him/herself from what makes him or her a person, i.e. his/her relationship with morality. Two passages in this book perfectly depict this twofold rootedness of the person, relative to the community and relative to him or herself.

The first passage that we have chosen illustrates the moral rule that outlaws theft, even in a situation of distress, precisely because other people are themselves in a similar position and permitting theft would mean that everyone would

lose out. The situation is that Albert Gion has kept some scraps of bread hidden under his pillow. Having been out at work all day, he comes back and finds that the scraps of bread garnered with so much suffering have disappeared. The only person who has been in the hut all day long is Karli Halmen. He is immediately designated as guilty by Albert Gion and everyone else in the hut. Karli Halmen is lynched without any sort of trial:

> Albert Gion's bread wasn't there, and Karli Halem was sitting on his bed in his underwear. Albert Gion positioned himself in front of Karli Halem and without saying a word punched him in the mouth tree times. Without saying a word, Karli Halmen spat two teeth onto his bed. The accordion player dragged Karli by the neck to the water bucket and held his head under water. Bubbles came out of his mouth and nose, then gasping sounds, and after that it was quiet. The drummer then pulled Karli's head out of the water and choked him until his mouth started twitching as hideously as Fenya's. I pushed the drummer away, but then I pulled off my wooden shoe. And I raised my hand, so high I would have killed the bread thief. Up to that moment Paul Gast the lawyer had been watching from his upper bunk. He jumped on my back, tore the shoe out of my hand, and threw it against the wall. Karli Halmen had wet himself and was lying next to the bucket, spitting up bready slime.
>
> (Ibid.: 102)

This passage illustrates the violence with which any infraction of the common rule is punished. And if Herta Müller says further on 'You cannot approach the bread court with conventional morality' (ibid.: 102), this does not mean that no moral rule applies, but rather that the situation of extreme deprivation sometimes pushes people to behave in an unrestrained, 'inhuman' fashion, when confronted by an infraction of the common rule. This lack of restraint and of judgement, 'The bread court does not deliberate, it punishes' (ibid.: 103), is not an absence of morality, but rather an expression of morality in a survival situation. Further on:

> Karli Halmen spent two days in the sick barrack. After that he was back with us in the mess hall just as before, except with pus-filled wounds, swollen eyes, and blue lips. The business with the bread was over; everyone acted in the same way as before. We didn't hold the theft against Karli Halmen. And he never held his punishment against us. He knew he had earned it.
>
> (Ibid.: 103)

The second passage that we have chosen describes the existence of a similar rule that consists of not betraying anyone more vulnerable than oneself. It describes a situation in which a woman, Katie Senti, is abused and robbed by another prisoner during the bread swap 'Katie was born feebleminded and all five years in the camp she had no idea where she was' (Müller 2012: 91). Someone called

Konrad Fonn swaps his scrap of bread with Katie Senti for a piece of wood. Katie, who is to say the least gullible, does not notice this trickery and bites vigorously into it. It is then that the prisoners who have been watching the scene intervene, so that the poor soul gets her fair share back. All of them, without exception, turn on Konrad Fonn, in particular Karli Halmen. The insistence of Karli Halmen is interesting here, because it shows that despite his previous 'fault', he too does accept moral rules. Even if he has been at fault, what he has done has not excluded him from the community.

The explanation put forward by Herta Müller for how this situation is resolved illuminates the relationship between persons and morality, even in this extreme situation of the labour camps. To quote the passage in full:

> Everyone gets caught in the bread trap. But no one is allowed to take Katie Senti's cheek-bread. This, too, is part of the bread law. In the camp we've learned to clear away the dead without shuddering. We undress them before they turn stiff; we need their clothes so we won't freeze to death. And we eat their saved bread. Their death is our gain. But Katie Senti is alive, even if she doesn't know where she is. We realize this, so we treat her as something that belongs to all of us. We make up for what we do to one another by standing up for her. We're capable of many things, but as long as she is living among us, there's a limit to how far we actually go. And this probably counts for more Katie Senti herself.
>
> (Ibid.: 112)

This passage illustrates that the swap must always obey the rudimentary rules, in this case not exploiting a totally vulnerable person. This respect is not only the respect due to other people, but it also reflects that which we all owe ourselves, and without which one could not consider oneself to be a person. We find here a fundamental aspect of Kant's idea of the person. A moral community has meaning because every person is worthy of respect and respecting the dignity of the other is also to respect oneself as a person. This passage also casts light on the duality of vulnerability: vulnerability with regard to a context and vulnerability with regard to others.

The second testimony is that of Primo Levi, in particular in *If This is a Man*. In this major work on the concentration camps, he testifies about his life and that of the other prisoners in the Monowitz labour camp, which was part of the Auschwitz complex of camps.

Like the previous witness, Primo Levi describes the perpetual hunger pangs the prisoners endure: 'But how could one imagine not being hungry? The Lager is hunger: we ourselves are hunger, living hunger' (Levi 1969: 80). In the same way, he describes the illusion that everyone has of having less than his or her neighbour:

> Some, bestially, urinate while they run to save time, because within five minutes begins the distribution of bread, of bread-Brot-Broid-chleb-pain-lechem-keynér, of the holy grey slab which seems gigantic in your

> neighbour's hand, and in your own hand so small as to make you cry. It is a daily hallucination to which in the end one becomes accustomed: but at the beginning it is so irresistible that many of us, after long discussions on our own open and constant misfortune and the shameless luck of others, finally exchange our ration, at which the illusion is renewed inverted, leaving everyone discontented and frustrated.
>
> (Ibid.: 46)

Primo Levi devotes a whole chapter to describing the economy of survival in the camp where he was imprisoned.[32] At the heart of this economy is the 'Exchange' where all possible possessions are exchanged against bread or soup rations:

> Here scores of prisoners driven desperate by hunger prowl around, with lips half-open and eyes gleaming, lured by a deceptive instinct to where the merchandise shown makes the gnawing of their stomachs more acute and their salvation more assiduous. In the best cases they possess a miserable half-ration of bread which, with painful effort, they have saved since the morning, in the senseless hope of a chance to make an advantageous bargain with some ingenuous person, unaware of the prices of the moment.
>
> (Ibid.: 84)

Apart from swapping, the only other way to obtain objects or food is obviously to steal them, either from the factory where the prisoners are sent, or from within the camp itself. The picture painted by Primo Levi is even darker than that recounted by Herta Müller.[33] Stealing, and exploiting the vulnerability of others are ways of ensuring ones survival. Finally, the economy of this type of camp seems to be based on all possible ways of ensuring ones survival:

> Many were the ways devised and put into effect by us in order not to die: as many as there are different human characters. All implied a weakening struggle of one against all, and a by no means small sum of aberrations and compromises. Survival without renunciation of any part of one's own moral world – apart from powerful and direct interventions by fortune – was conceded only to very few superior individuals, made of the stuff of martyrs and saints.
>
> (Ibid.: 98)

And Primo Levi concludes:

> We now invite the reader to contemplate the possible meaning in the Lager of the words 'good' and 'evil', 'just' and 'unjust'; let everybody judge, on the basis of the picture we have outlined and of the examples given above, how much of our ordinary moral could survive on this side of the barbed wire.
>
> (Ibid.: 92)

Even though this testimony powerfully describes the absence of all humanity in the camps, it still reveals some traces of the existence of a human community beyond the unimaginable. We would like to look at two passages in this testimony to highlight that even if moral rules have taken the most rudimentary form possible, they have not entirely disappeared amongst the prisoners. The first passage follows on from the previous quotation about the exploitation of the vulnerability of others at the 'Exchange'. Primo Levi points out:

> Some of these, with savage patience, acquire with their half-ration two pints of soup which, once in their possession, they subject to a methodical examination with a view to extracting the few pieces of potato lying at the bottom; this done, they exchange it for bread, and the bread for another two pints to denaturalize, and so on until their nerves are exhausted, or until some victim, catching them in the act, inflicts on them a severe lesson, exposing them to public derision.
>
> (Ibid.: 84)

This passage clearly describes that exploiting the vulnerability of others leads to a reversal of the situation and to a moral judgement. The person who exploits vulnerability is him or herself placed in a situation of vulnerability by the condemnation of others, which consists finally of recalling that all are equal and that someone who thinks that others are vulnerable is as vulnerable as they are.

The second passage deals with stealing between the prisoners. In this type of offence, '(...) but the punishment strikes the thief and the victim with equal gravity' (ibid.: 92). Should we not see in this attitude too a way of preserving the idea of a human community? The person who is robbed is also punished, because he has allowed himself to be robbed, he has allowed the thief, vulnerable under the pressure of hunger, to destroy equality. All have a duty to prevent others from falling into inhumanity. And in situations of this type, the responsibility of the person robbed can be considered to be as great at that of the thief. Though the rules here take on an even more rudimentary form than in Herta Müller's account, it is still not possible to totally reject their existence. In the Afterword to his book, Primo Levi concludes with the words:

> And, finally, I was also helped by the determination, which I stubbornly preserved, to recognize always, even in the darkest days, in my companions and in myself, men, not things, and thus to avoid that total humiliation and demoralization which led so many to spiritual shipwreck.
>
> (Ibid.: 398)

Lessons

What these testimonies have in common is that they describe the face of the person in extreme conditions. They reveal the vulnerability of people in such circumstances, but at the same time they cannot abolish all form of responsibility

towards the human community within which they find themselves. If under such circumstances, the rational strategies developed take the form of inhuman choices, it is because one's first responsibility is to save oneself. In such contexts, what is reasonable is reduced to its most rudimentary expression and reduces choices only to their smallest possibility in extreme inhumanity. Precisely because what is reasonable no longer has any meaning in such a context, responsibility itself is reduced to its simplest expression: saving oneself. Despite this, minimum moral rules still pertain. There is still a place for the responsible person.

What these testimonies also illustrate is that vulnerability cannot be reduced to a set of external circumstances independent of human beings. People deported to the concentration camps are in a state of extreme vulnerability precisely as a result of having been deported. And this is simply the expression of the power that other people have over them. Similarly, within the camps, the vulnerability of persons is also closely linked to the behaviour of other people. Like Kati Senti, the vulnerability of the person depends on other people's attitudes towards him or her. In an analysis of vulnerability, we need to consider the interdependence between people and, more specifically, the responsibilities that each has towards others.

8 Fallibility and fragility

The evidence presented in the previous chapter showed that vulnerability cannot be conceived of solely as a situation contingent on the occurrence of an external shock of natural or economic origin. These examples show us that vulnerability exists within a context and via social interactions. A person's vulnerability is indeed linked to an economic, social and environmental context – but in this context, the actions of some individuals affect the vulnerability of others. When Konrad Fonn swapped Kati Senti's morsel of bread for a piece of wood, we can indeed say that Katie Senti was vulnerable due to her mental deficiency, but we can add that this vulnerability had no concrete effect without Konrad Fonn's attitude. This did not involve an external natural or economic event, but the attitude of one person towards another. Once again here we have the question of freedom as power that we outlined in our first chapter; in this example, the freedom of Konrad Fonn. We therefore also need to analyse the capabilities structure of persons, the reasons that drive some people to try to deceive or to dominate other people; in other words failing to take care not to harm others, but also more generally not helping them.

According to Ricœur (2009: 37), acting wrongly is specifically human and corresponds to the 'non-coincidence of Man with himself'. He stresses that it is the 'disproportion of self to self' that leads to fallibility. However, fallibility is an ambiguous concept in this philosopher's thought. It expresses both error (and *a contrario* being infallible means not being able to commit an error or mistake – e.g. Papal infallibility) and the propensity to do evil. This double meaning leads to a problem of consistency, since evil can result from an infallible process.[1] It is therefore necessary to dissociate fallibility from the propensity to commit faults, the capacity to engender evil. By fallibility we mean that a person fails to meet all his/her obligations. Meanwhile, we will not analyse fallibility as being an error, but rather as the practical incapacity to fulfil one's obligations. In contrast we will express through the word 'fault' the propensity to commit faults, i.e. to engender evil. We then create and use the word 'faultivity'. Faultivity is a capacity or a negative capability, a freedom to do evil to oneself and/or to others. Unlike Ricœur, we will not analyse fault via the constitutional weakness of Man. We propose the idea that fault is linked to the fragility of the person; in which fragility derives simultaneously from a lack of proportion in the structure of

rights and duties that leads to fallibility, and vulnerability. We will begin, therefore, by setting aside the hypothesis of constitutional weakness, either due to dualism between reason and the senses, which allows the latter to dominate the former, or to instability of character. We will see that the practical identities of persons lie at the heart of both fallibility and faultivity. We will use the term 'fragility' to designate the combination of vulnerability and fallibility.

8.1 Freedom as power over another and identity

On the nature of evil

The fact of acting wrongly, i.e. of harming someone else in any way, seems to be a characteristic of human beings, if we are to judge from the daily and numerous abuses that people perpetrate on other people. Should we conclude that malevolence is a characteristic of Man, in the same way as goodness? In a text entitled *Über das radicale Böse in der menschlichen Natur* (On the radical evil of human nature), Kant proposes the following answer: 'The proposition: "man is evil" cannot [...] mean anything other than: "he is conscious of the moral law, but despite this includes in his maxim the fact of deviating from it (occasionally)"' (Kant 2010: 34). This answer calls for two comments that will give the term 'occasionally' its full meaning.

First of all, evil cannot be a corruption of reason that abolishes the very notion of the moral law. Since for Kant what characterises a person is a capacity to freely constrain him/herself to observe the moral law, to say that evil is the absence of moral law is not logical. It would amount to saying that the person is not a person. If a dog bites someone, we do not conclude that the animal has acted wrongly. We say that it is bad-tempered, fierce, ferocious, etc. We thus describe the dog for what it is and not for what is has done. This description refers to what we think a dog should be like. Similarly, if we say that a man is 'bad', we are not characterising his actions, but his person, even though we can judge the bad character of a person on the basis of what s/he has done. The fact that someone is described as being bad does not in any way detract from the fact that s/he is a person. And if s/he is a person, this means that we think of him/her as belonging to the moral community. To say that evil proves the absence of the moral law would amount to thinking that the concept of the person is devoid of meaning, i.e. that the person has not freely chosen to act as s/he has done. This would mean that we could not attribute to him/her any responsibility for the evil that s/he does, which would indeed amount to suggesting that s/he is not a person. Evil is necessarily the evil done by a person to whom this evil can be attributed. In this sense, evil is a deviation from the moral law, but not its negation.

Subsequently, evil cannot be viewed simply as the sensory nature or disposition of the person. This would once again be to deny the very concept of the person since a person's responsibility is what can be attributed to him or her as a free being possessed of reason, someone capable of fixing his/her own moral

law. Recognising that evil comes from the senses or dispositions amounts to admitting that Man is not capable of establishing his own law, i.e. that he is not an autonomous being, but one that reacts to sensory impulses. To return to our example of the dog, we could say that it was frightened and reacted by biting, just as we could advance the pretext that a man or woman was frightened and killed his/her neighbour. But when we say such a thing, we are in fact saying that the man or woman is not a person, that s/he is an animal in the same way as the dog is, and that nothing distinguishes them. We cannot therefore attribute to this man or woman any responsibility for what s/he has done. To attribute responsibility we have to recognise that the man or woman is a person, and that his/her evil deeds were committed by someone who is a person.

Thus for Kant, the person can only escape the moral law by a free choice; otherwise the person would no longer be a moral and free subject. Evil cannot be determined pathologically by sensory dispositions, it must be a choice in favour of these sensory dispositions. Evil is thus the state of freely preferring to satisfy sensory dispositions rather than observing the moral law. Evil is not, therefore, the fact of having sensory dispositions, but rather of choosing to satisfy these dispositions.

The thesis defended by Kant seems to us to be particularly pertinent to our considerations here. The responsible person remains responsible for the evil s/he carries out. This evil cannot be attributed to someone who is not a person. And it is because we can say that s/he is indeed a person that we can attribute responsibility for the evil s/he commits. Compared to the thesis that we defended in the previous chapters, where it was assumed that responsibilities and practical identities are intertwined, this enables us to highlight the fact that committing an action considered to be bad also implies a stain on the person's practical identity. What Kant did not see is that a person is identified with his/her acts, i.e. the person is what s/he is in his/her actions, and that this also implies a sense of duty. This can indeed be a sense of duty that is not universally applicable, but which nevertheless contributes to his/her identity. Thus, choosing to satisfy one's sensory dispositions to the detriment of the universal moral law is made all the easier if the obligation to comply with the universal moral law is replaced by some other obligation with which the person identifies him/herself. In other words, which becomes part of the identity of the person through his/her engagement with regard to this other obligation. The example of the Nazis sheds light on this thesis.

On the banality of evil

Gilbert (1950) summarises the evidence given by Seyss-Inquart, the former governor of Austria – who was one of those condemned by the Nuremberg Court – by pointing out that killing in a sadistic rage inevitably imposes numerical limits, whereas executing people in a cold and systematic manner in the name of a military categorical imperative abolishes all limits. The evidence of the survivors of the camps confirms that most of the camp guards were not particularly

sadistic,[2] and that those who were, were not particularly well-regarded by the people running the camps; to the point where Himmler, even though he was known as the 'murderer of the century' (*Jahrhundertmörder*) is said to have given personal orders that officials who found pleasure in hurting people should be moved.[3] Although some of them could be described as being sadists or monsters, most of the people who committed the atrocious acts were in fact just ordinary people. How can we understand such a paradox?

One of the most celebrated theses of the banality of evil is that of Arendt (1965) concerning Eichmann.[4] Arendt did not attempt to prove that evil is banal; it never is, and the Nazi extermination camps can never be described as simply 'banal'. What she was trying to highlight by this striking expression is the fact that it was ordinary men and women who committed these atrocities; that it was not an inhuman evil, in the sense of something committed by non-human beings, but, on the contrary, something profoundly human. It was indeed ordinary human beings who performed these deeds. She distinguishes 'radical' evil, which is inhuman in nature, from 'extreme' evil perpetrated by human beings. To end what we have to say about Eichmann: 'the problem with Eichmann, is precisely that a lot of people were like him and who were not perverse or sadistic, who were, and still are, terribly normal' (ibid.: 303).

Stating that it was ordinary people who committed these atrocities still does not explain anything. Quite the contrary, it shows that it is necessary to understand why they could have acted like this, once we have eliminated the pleasure of making others suffer as their motivation.

Todorov (1996) proposed attempting to understand such behaviour on the basis of the integration of people into a system; a system constructed so that people are depersonalised to the point where they become merely instruments. This depersonalisation was initially that of the victims who were totally dehumanised. They were given numbers, so that each became just a number, they were herded totally naked; when they were stripped they lost part of what they were, unlike the guards who remained fully clothed; they were starved, so that finding food became their only aim in life, making them more like animals, etc. All these dehumanising mechanisms facilitated the subsequent atrocities, because it was easier for a person to act wrongly towards another person if s/he did not acknowledge that this victim was a person. The dehumanisation of the victims undeniably contributed to the barbarity.

The guards too were depersonalised, for they saw themselves as simply cogs in a wheel. During the Nuremberg Trials, the phrase 'we were only obeying orders' was a recurrent phrase on the lips of the accused. The questioning of Adolf Eichmann (head of the Central Security Office of the Reich), the autobiography of Rudolf Hoess (commandant of the Auschwitz-Birkenau Camp) and the memoires of Albert Speer (the Reich's Minister for Armaments and Munitions) all seem to confirm this blind obedience.[5] Such a degree of depersonalisation must have been made possible by the dislocation between the private sphere (which enabled the camp torturers to continue to be good parents, sensitive to music and to culture, etc.) and the public sphere (in which obedience was blind),

implying that there had to be a division between the two spheres so that no pity could interfere with the line of command of obedient acts. Thus Hoess affirmed his entire submission to Hitler and to Himmler and thought that it was unimaginable that either he himself or any other member of the SS would have disobeyed an order. This blind obedience led to a sense of duty, the duty to do one's best to carry out Hitler's orders. Eichmann's duty was to organise the deportations, he did this by 'loading the wagons', without concerning himself about what subsequently happened to the Jews. Hoess's duty was to run the camp as efficiently as possible, without asking himself why, or rather because this was a military order and it was his job to carry it out. Speer's duty was to procure as many weapons as possible, regardless of what they were to be used for. A story Hoess tells in his autobiography provides a remarkable idea of his sense of duty and how he interpreted it. During the final evacuation of the camps, some soldiers were amusing themselves by shooting at the convoys of prisoners. Hoess says that when he saw one of these soldiers killing a prisoner, he asked him why he was doing this. The only answer he got from the soldier was a laugh. Hoess took out his pistol and executed the soldier on the spot. The detainees were his responsibility, and he would not allow anyone to undermine his duty. He had dispatched thousands of Jews to the gas chambers for the same reason; because it was his job to do so.

Overall, we accept Todorov's theory that a system is created that dehumanises the victims and leads the torturers to think of themselves as simply agents in a line of command, who fully assume their responsibilities to this line of command in the name of perfect obedience to Hitler. But we also think that this idea of depersonalisation is ambiguous. We do not think that depersonalisation means that personhood is abolished; on the contrary, it involves a change in personhood, i.e. the acceptance of a part of the person's practical identity. This is not a minor semantic difference. We think that the Nazis' sense of duty should not be seen as a loss of identity, but rather as something new added to their identity. Admitting that various Nazis were only cogs, to the point that they could only obey, would also be to admit that they had no room for manoeuvre; that they were not allowed any initiative. In fact, as Kershaw (2000) has clearly shown, the lack of organisation inevitably meant that various links in the chain of implementation did in fact have opportunities for initiatives.

Responsibility, identity and evil

Like a Rudolph Hoess, an Adolf Eichmann, or an Albert Speer, did all Nazis accept this role because of their culture,[6] or did they freely take on this role and the responsibilities that went with it? We are more willing to accept the second hypothesis. Nevertheless, the voluntary acceptance of responsibilities can be interpreted in two ways. It can be based on identification with a charismatic authority. This first interpretation is compatible with the thesis advanced by Todorov that we have just looked at. It also makes it possible to deal with the criticism that the various links did have some room for manoeuvre in their

decisions and so they were not simply cogs. They could be considered to be cogs, albeit cogs in an imperfect machine that forced them to make imperfect choices and simultaneously to make choices that seemed to them to be fully obedient to the orders given by Hitler by their conformity with what he represented and his orders. This room for manoeuvre does not mean that they were able to do anything that had not been ordered, but more narrowly, that they had the ability to interpret the orders given without challenging their appropriateness.

The second interpretation of the voluntary acceptance of responsibilities is based on the consistency of the choices made with regard to oneself. Bouvier (2004) advanced this thesis in the case of ethnic and nationalistic conflicts. On the basis of the principle that 'he who says nothing consents', the consistency of choices relative to oneself stipulates that an action of an engagement, even if it is something trivial, can lead to more important actions or engagements. Thus if someone does not speak out at a meeting to oppose the leader, he or she can be considered to have acquiesced implicitly. The actions carried out by this leader will subsequently encounter less opposition, because they were not contested at the outset. In other words, if someone accepts the point of view of another, then he/she finds him/herself engaged in a process of adhesion to this other person. And this adhesion will affect his/her practical identity. In a way, this person has chosen his/her identity by adhering. It will be all the more difficult to beat a retreat, because the multiplication of innocuous actions drives him/her to confirm his/her practical identity. Adhering to an idea, to an authority, engages the person for other future actions, whether by performing actions that will allow this idea to take concrete form or abstaining from actions that would challenge this idea. Following Bouvier, we can thus consider that the Nazis embraced the ideology of the Third Reich via a series of small steps: initially by accepting the message, then by committing themselves to undertake actions that may sometimes have been banal, on the basis of being consistent with themselves, until they finally reached the most blameworthy actions. Even in this case, it was not so much their identification with Hitler's authority as consistency with themselves that led them to accept responsibility for atrocities.[7]

Whichever interpretation one accepts, they lead to similar conclusions with regard to the relationships between identity and responsibility. People forge their practical identities, which are associated with certain responsibilities. These responsibilities can lead to atrocities. However, these acts are also a way of complying with choices of identity. To return to the Kantian question with which we started: evil emerges not from a deliberate decision to satisfy one's sensory dispositions rather than obeying the universal moral law, but from a deliberate decision to assume one's identity via the responsibilities that are associated with it. It is therefore founded on the basis of a duty, duty to oneself, including that of complete identification with an authority, but which nevertheless deviates from a universal duty.

8.2 Situationism and responsibility

Some experiments

In 1963, the psychologist Stanley Milgram published the results of an experiment concerning human obedience that was to mark a turning point in social and moral psychology. The experiment consisted of asking ordinary people (men between 20 and 50 years of age from various different social backgrounds and with a range of levels of education) to administer electric shocks to a patient in an experiment apparently intended to test the changes in his/her memory capacity after these shocks. The experiment involved three roles (the student, the teacher and the experimenter) in which the experimenter and the student were, in fact, played by actors, whose reactions were therefore simulated. The electric shocks were also faked. After recruiting people via small advertisements in the local press to take part in an experiment on the development of mental faculties and memory and selecting subjects who did not display any of the specific characteristics of submission or sadism, the experimenter ordered the people selected to deliver the electrical shocks by pushing a button. The shocks inflicted increased progressively (15 volts more each time) up to a maximum of 450 V. The experimental subject, an actor collaborating with the real experiment, simulated reactions of pain and ended up begging for the experiment to stop; even pretending to experience agonising pain after receiving shocks of more than 255 V. Of the 40 subjects who took part in the experiment, 25 kept going to the end, i.e. nearly two-thirds of them. The question that arises is obviously how can ordinary people inflict inhuman suffering on other people?

In 1973, the psychologist Philip Zimbardo and his colleagues published the results of a revealing experiment investigating human behaviour.[8] The experiment consisted of simulating imprisonment, in which the people recruited to take part in the experiment were to play the role of either a prisoner or a warder. Having reconstituted the conditions in a prison, the subjects were recruited by an advertisement in the press, and the people selected had no history of previous offences and no tendency towards submission or sadism (out of the 75 people who answered the advertisement, 24 were selected and in the end 21 actually took part in the experiment). They were randomly assigned to one of the roles. The observations reported by Zimbardo *et al.* are instructive. Those who found themselves playing the role of a prisoner soon adopted a pattern of passive responses to the orders given by those who were playing the role of warders, whereas most of the warders soon began to display aggressive and inhuman behaviour towards the prisoners.[9]

In the same vein, Albert Bandura, with his colleagues at Stanford (1975), asked four students to administer electric shocks of varying intensity to three other groups of students, two of these groups being designated as 'nice', and 'animals', respectively, and a third nameless group, suggesting that the character of the students receiving the shocks could be guessed from these names. Out of the three groups, the 'nice' group received the fewest and the least powerful

electric shocks, the 'animals' group were given the most and the most powerful shocks. The nameless group was intermediate between the other two. The simple fact of perceiving other people as being 'nice' or 'animals' influenced the way the students behaved.

Experiments of this type led to the thesis known as Situationist theory.[10] This sets out to demonstrate that the idea that people have a moral character, i.e. one that is unchanging, is a chimera, and that the situations in which people find themselves have a decisive effect on their behaviour.

Interpreting the situationist theory

More precisely, Doris defines the three central tenets of Situationism as follows:

i Behavioural variation across a population owes more to situational differences than dispositional differences among persons...

ii ...Whatever behavioural reliability we do observe may be readily short-circuited by situational variation: in a run of trait-relevant situations with diverse features, an individual to whom we have attributed a given trait will often behave inconsistently with regard to the behaviour expected on attribution of that trait...

iii Personality structure is not typically evaluatively consistent. For a given person, the dispositions that operate in one situation may have a very different evaluative status from those manifested in another situation so that evaluatively-inconsistent dispositions may 'cohabit' in a single personality.

(Doris 1998: 507)

Situationism seeks to highlight the fact that traits of character cannot be used to predict how people will behave and that, on the contrary, situations have a major influence on their behaviour.[11] Situationist behaviour clearly gives support to the idea of the banality of evil, for instance, the collaboration of people with totalitarian and oppressive regimes, and still more the direct participation of ordinary people in war crimes and genocides.[12] Nevertheless it does seem to offer a very different interpretation from that proposed above.

Does Situationism annihilate all consideration of the responsible person? Doris (2009) defends this point of view.[13] Situationism does indeed reject the idea that the person, in the sense of an agent, is capable of making conscious choices; that s/he exercises self-orientation, even though the choices the person makes do seem to reflect external contingencies. In other words, the day-to-day choices made by a person throughout life are not determined by conscious and considered intentions, but by a mental process that takes place unconsciously under the influence of the environment within which it is immersed.[14] This rejection of the concept of the person only concerns that of the person defined on the basis of a causal sequence of moral responsibility; precisely what we ruled out in Chapter 4.[15]

We think on the contrary, that Situationism makes it possible to highlight the plurivalence of responsibility, without rejecting the notion of the person as we

define it. The people who took part in the experiments took their responsibility towards the experimenters who had signed them on very seriously. The people who pressed the button to administer an electric shock did not stop, despite the unpleasantness they experienced, precisely because they felt an obligation towards the experimenter with whom they had reached an agreement. Failing to administer the shock would also mean failing in their undertaking and therefore in their responsibilities. In the same way, the people who took their role as a prison guard 'too' seriously did so because they had agreed to play this role and did not want to renege on their undertaking. The role they played led them to adopt inhuman behaviour, but this behaviour simply reflected the meaning they gave to their responsibilities. Situationism does not allow us to reject the notion of the person; rather it simply casts doubt on the person as a moral agent developed from a causal chain extending from the intention to responsibility for acts. It tends rather to support the conception of the person as a being immersed in a pre-existing world from which s/he cannot completely escape, and who has to assume the responsibilities in which s/he finds herself immersed as a result of interactions with others. Situationism therefore fits rather well with a phenomenology of the responsible person.

8.3 Fallibility, disproportion, fragility

Fallibility and the structure of rights and duties

In the experiment of Zimbardo *et al.* (1973), involving prison role playing, those who were playing the role of warders took the role so seriously, or at least the way they played it, that they were soon indulging in merciless and inhuman behaviour. We have interpreted the findings of this experiment in terms of a form of identification with a role and its responsibilities. The fake warders accepted their responsibilities, just as the guards of the concentration camps accepted theirs.

Practical identities, and the corresponding responsibilities, can thus lead to a lack of proportion or mismatch between the Self and others that constitutes a source of fallibility. But fallibility must not be interpreted as acting wrongly towards other people. It is simply accepting certain responsibilities (but not others) in a manner that is disproportionate with regard to other people's expectations. In some cases it is impossible to face up to ones responsibilities, which are thought to be too heavy to bear. As we stressed in Chapter 6, Mahieu and Odunfa (1988, 1989) showed that in Ivory Coast, community pressure on the middle classes in the form of transfers is so strong, i.e. the sum of the transfers can sometimes be greater than the incomes of the individuals in this social class, that this 'overdose' of duties relative to rights could explain to a large extent, the rioting by urban workers in Abidjan in 1990–1991. Fallibility arises as a consequence of the structure of rights and duties. This fallibility can lead people to carry out acts that will have a negative impact on other people. In this latter case, we could use the term 'faultivity'.

Capacities structure, fragility and faultivity

It is now time to start assembling the pieces of the puzzle that we have constructed in this book. Figure 8.1 shows the links between the various elements. Practical identities correspond on the one hand to a capabilities structure, including the rights and duties linked to these identities; and on the other hand, a structure of rights and duties that can be dissociated from the capabilities structure. We designate this dual structure: the 'capacities structure'. Capacity is a wider concept than capability. Capability is always based on a question of content (what?) and never on a question of the personal subject (who?). In this sense, capability is a weaker version of capacity.[16] As we pointed out in Chapter 2, the functional freedoms of the capabilities approach do not allow us to specify the subject who carries these capabilities. The capable subject is a person who possesses the capacity to be responsible (Chapter 4). This responsibility finds concrete expression in a structure of rights and duties associated with practical identities. However, these rights and duties in turn influence the capabilities structure.

The capabilities structure can display some rigidity linked to the impossibility of adapting this structure, either because the various different capabilities cannot replace one another or because threshold effects limit the different uses that can be made of a capability. More importantly, rights and duties do not allow the capabilities to be used in any proposed structure (Chapter 6). But this structure of rights and duties can lead to forms of disproportionality between the Self and others. We therefore have on the one side, vulnerability linked to the rigidity of the capabilities structure and on the other, fallibility associated with the disproportion of the Self, compared to others. We designate this twofold characteristic of the person as his or her 'fragility'. This fragility can lead the person to commit a fault, i.e. to fail to fulfil his responsibilities with regard to others, or even more radically to harm others.

This representation of the fragility of the person calls for an example to provide a more concrete illustration of the process at work. We will use the case of the genocide that took place in Rwanda in 1994.

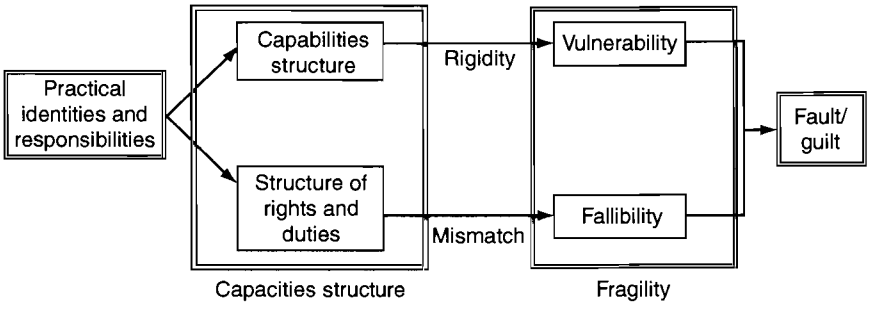

Figure 8.1 Fallibility, vulnerability, fragility and faultivity.

An illustration: the 1994 genocide in Rwanda

In 1994, about 800,000 people perished within the space of barely three months in the Rwandan genocide that followed the assassination of President Habyarimana. This genocide has already undergone some very pertinent analyses.[17] First, we will limit ourselves to highlighting the context of the vulnerability in which the populations found themselves. Next, we will consider their situation of vulnerability with regard to others (which led to a change in practical identities that were associated with a duty to kill ones 'neighbour') [18] and therefore with the fault.

This event appears to start with the fact that the context did indeed amplify the vulnerability of the populations via at least three economic factors. First, the population density rose sharply, and young people therefore had little chance of ever owning land. The customary rules that granted land rights in exchange for work were then challenged by the youngest generation, who were laying claim to exclusive rights by inheritance. The challenge to customary rules was further amplified by the development of a property market, which saw that its already rosy future would be even more secure if populations were subjected to shocks and forced to sell their land in order to meet their essential needs.[19] Second, the development of agriculture for the exportation of coffee and then of tea, which had replaced the subsistence banana crop, had disrupted the social tissue. The subsistence cultivation of bananas, apart from the inputs that it provided in the form of natural fertilisers, required strong social links between the populations. Banana cultivation does not consist simply of banana production, but also implies methods of distribution and consumption (notably in the form of banana beer) that constitute a culture that truly united the populations. The disappearance of banana plantations, under pressure from the Habyarimana regime, to make room for coffee growing, which generates foreign currency, thus destroyed a major part of the social tissue, leaving the way open to hostilities.[20] Third, the Rwandan regime bought the loyalty of the peasants by subsidising coffee growing. Since 1986, following the liberalisation of the international coffee market and the disappearance of the quota system, income from these exports plummeted. From 1990, the subsidies paid to the peasants slumped, driving them to reconsider their loyalty to the regime.[21] The economic context deteriorated markedly during the decade preceding the genocide, making the populations all the more vulnerable because of the lack of any alternative ways to survive.

In such a context, vulnerability towards others played its full part. To maintain their control over the production of food crops for export and to control the exasperation of the population, the Rwandan regime continued to buy the loyalty of the Hutu population by payments in money and in kind (appropriation of land belonging to the Tutsi, enslaving their women, giving them permission to steal Tutsi property and practice other abuses, distributing free beer to Hutus, etc.).[22] Vulnerability to the economic context was thus combined with vulnerability towards others through division of the national identity into two distinct population groups.

In the context of this extreme tension, the assassination of President Habyarimana triggered a murderous rationalisation. The extremist fringe of Hutus got rid of the more moderate Hutus, and then set out to persuade the rest of the Hutu population that killing their Tutsi neighbours was in fact a collective responsibility that was justified by the fact of belonging by affiliation to the Hutu group. Extremist Hutu propaganda, the fear of the population that they would be punished if they did not obey the extremists' orders, and the fact that part of the Hutu population had really identified themselves with this duty and sometimes not flinched from committing crimes and acts of banditry against the Tutsi even before this drama, led to this genocide. Of course different identity groups had existed before this tragedy, the colonising power having made it obligatory to indicate ethnicity on ID cards; but ethnic identity did not play any part in the relationships between peasants before it was instrumentalised, first by Habyarimana's regime, and then by the extremists.[23]

What this sombre example teaches us is that the articulation between contextual vulnerability (economic factors) on the one hand, and vulnerability, on the other, through identification with a group and the authorisation of abuses against the other group, and finally the fallibility of people caught in their practical identities who assume the murderous responsibilities of these identities, leads them to commit offenses. This example corresponds to an extreme situation, but it has the merit of bringing together all the pieces of the puzzle that we have constructed. More generally, the cases that regularly crop up in the papers, such as unemployment leading a man into depression and then to killing his own family and committing suicide, are simply another expression of the fragility of the person that we have just described.

Our analysis of the person consequently culminates in his or her fragility. This fragility depends on the responsibilities that this person sets him/herself and those that other people attribute to him/her. The person thus also possesses a capabilities structure, the use of which is constrained by duties. In a paradoxical manner, one extreme way of freeing oneself is to develop negative capabilities, through the practical identities that give rise to duties, such as those to kill (as illustrated by the examples that we have used). The choice of extreme forms of negative capabilities results from policies that make this possibility acceptable, or even desirable. Thinking about the responsible person thus leads us to another question: that of the responsibility of the political decision makers and the institutions in charge of implementing the policies.

9 From the economics of the person to the responsibilities of institutions and the social precautionary principle

In this book we have sought to defend the idea that an economics of the person must take into account the responsibilities of persons, and the fact that these determine their actions, and also render them vulnerable and fallible. Thus, we oppose these levels of responsibility to a capability approach that seeks to promote freedoms. In the capability approach freedoms are purely functional. This approach is therefore interested in what a person can do, but fails to ask questions about the person. It asks the 'what?' question about the freedoms, whilst ignoring the 'who?' question. This omission is all the more damaging, because in seeking to 'free' the person, it forgets that unfettered freedom can be 'monstrous'. Freedom is, above all, power over other people (Chapter 2), and should be the freedom to constrain oneself, i.e. to set one's own moral law. What characterises a person is not so much his or her freedoms, which would make a person not fundamentally different from an animal, but in fact his or her responsibilities. Responsibility is the foundation of freedoms and not *vice versa* (Chapter 3). Thus, the person is a responsible being, but one with multiple practical responsibilities. These responsibilities apply to the obligations that other people attribute to us, and also to those that we set ourselves (Chapter 4). In such a context, we need to go beyond the individual of economic theory in order to develop a concept of the person in a context, having rights and duties (Chapter 5). This set of rights and duties affects many types of economic behaviour, such as transfers between persons, how time is allocated to various activities, etc. and leads us to rethink certain economic analyses, such as those of how income is spent (Chapter 6). Such an analysis also leads us to rethink vulnerability. This can no longer be interpreted as simply vulnerability to external shocks; it is above all vulnerability to others, and to the actions of others (Chapter 7). It also leads us to the formulation of a concept of the fallibility of the person as a lack of proportion between self and others, i.e. as a choice of identities within multiple practical identities that either result in acts that harm other people, or in giving up any attempt to fulfil certain duties (Chapter 8).

Our analysis leads us to the conclusion that vulnerability and fallibility are intertwined, and that this is what gives rise to the fragility of the person. Numerous questions arise in the context of the fragility of the person. In this chapter we would like to look at some of these questions, without attempting to provide

detailed or developed answers. Instead, we will try to put down markers to guide further reflection and arouse debate. These markers concern the three elements that are intended to answer the overall question: 'How should we react to the fragility of the person?' This first element recognises that a fragile person is someone who is suffering, and that political and economic decisions can have serious repercussions by increasing this suffering, which can justify the term 'economic crime'. The second aspect involves recognising that institutions have responsibilities for their decisions, and that they can therefore be held responsible for the consequences of these decisions. The third aspect involves considering that there is a precautionary human and social principle: that one should do everything possible to avoid adding to this distress.

9.1 Looking back at the tragedy of Rwanda

The heartbreaking situations to which the fragility of persons can lead, demand a serious study of the mechanisms that could make it possible to avoid them. The tragedy of Rwanda highlights the responsibilities of political leaders. But, international institutions also carry a heavy share of the blame. Identifying the responsibilities for the resulting suffering and distress therefore constitutes the first step.

In the case of Rwanda,[1] the structural adjustment programme imposed by the IMF (International Monetary fund), which was adopted by the country in 1990, had two critical impacts on the economy, destroying a system that was already very vulnerable.

First, the drastic reductions in the funds injected into the Rwandan economy and the budgetary restrictions imposed in exchange for aid, both of which were intended to apply pressure in favour of democracy and to purge the economic situation, in fact resulted in cuts in the subsidies paid to coffee producers and undermined the policy of guaranteed prices. As a result, the price of coffee and therefore the purchasing power of farmers both fell. In 1993, the payment received per kg of coffee produced would only buy one-third of what it would have bought in 1986.[2] The Rwandan regime's policy of buying loyalty therefore had to take other forms, including ethnic repression and permitting atrocities.

Subsequently, the double devaluation proposed by the IMF in order to boost coffee exports led to further impoverishment of the peasants. In a context of the liberalisation of the international coffee market, which had also been imposed by international institutions, the lower export prices linked to the double devaluation were not offset by any increase in sales volumes.[3] The impoverishment of the population, with a 40 per cent fall in the per capita GDP (gross domestic product) between 1989 and 1993, exacerbated existing inequalities in the access to land (from which the urban elites profited considerably), to the detriment of the rural populations, via the development of the land market.[4] The differences in the patterns of consumption between rural populations and the urban elite triggered by these inequalities led to feelings of frustration and envy, which gave rise to malevolent acts between individuals.

The case of Rwanda demonstrates clearly that international institutions, and above all the IMF, were directly responsible for the tragedy that occurred. The policies imposed by these institutions exacerbated an existing situation of vulnerability, which was already severe, and which heightened or facilitated antagonisms between different populations. They resulted in considerable suffering and distress, to the point that we are justified in using the term 'economic crime'.

9.2 Considering suffering and economic crimes

Giving an authentic place to suffering

Inappropriate policies can sometimes have very serious consequences: conflict, dependence, genocide, migrations and losses of capacity to mention but a few. More generally, they involve suffering for populations. This has been hidden in the economic analysis, due to the hedonistic illusion that increasing wellbeing will automatically and mechanically result in the reduction of suffering. This symmetrical relationship is vastly exaggerated. Someone can be distressed and suffering without necessarily being devoid of wellbeing. The assimilation of wellbeing to utility (and that of their contraries: loss of wellbeing and disutility), has led people to believe that distress is automatically reduced if wellbeing is increased. However, suffering cannot simply be reduced to disutility. Disutility is not identical with suffering, but to the idea that we find a choice unpleasant and these two concepts do not correspond to the same reality. Suffering more strongly designates harm to the life of persons. Suffering appears as a result of mental and physical degradation, due for example, to work or to enforced unemployment, to problems related to living conditions (lead, asbestos), to poor nutrition, to the loss of solidarity, to a lack of recognition, to discrimination or to fear. Ricœur (1994) distinguishes between suffering (affects open to reflexivity, language, relationship of the Self and to others) and pain (affects located in the body, whether local or generalised). Suffering appears in the relationship to self and to others, but cannot be assimilated to disutility.

Ignoring suffering in this way is not acceptable, since the economy can produce suffering as a result of the choices it makes, via its day-to-day activity and its decisions (unemployment, inflation, famine, etc.). This makes it possible to increase wellbeing at the same time as increasing suffering, if only by increasing the availability of material goods for individuals at the cost of employing working methods that lead to greater suffering.[5] The Miringoff and Miringoff social health indicator (1999) illustrates this trend perfectly. Since 1973–1974, the growth in GDP has been accompanied by the degradation of social health as measured by their indicator (which includes infant mortality, child abuse, child poverty, suicide amongst young people, etc.).[6]

If suffering is not the opposite of wellbeing (as it is currently measured, obviously), four possible combinations can be envisaged for a society (see Table 9.1).

Suffering can increase simultaneously with either an increase or a reduction of wellbeing (situations 2 and 3), and, conversely, can decrease simultaneously

Table 9.1 Combinations of wellbeing and suffering

		Suffering	
		↘	↗
Wellbeing	↘	1	2
	↗	4	3

with either an increase or a reduction of wellbeing (situations 1 and 4). Situation 2 (an increase in suffering and a reduction in wellbeing) can correspond to situations involving an economic crisis. However, it would seem that in general, due to the prevailing hedonistic illusion, developed societies have embarked on mechanisms of production and consumption that on the one hand facilitate access to a greater good for more people, but on the other accept work-related pressure that means that suffering can only increase. This choice appears to be particularly repugnant, because reducing suffering can also go hand-in-hand with increasing wellbeing. In other words, excessive focalisation on wellbeing is associated with consumption, whereas exploitation in the production sphere increases suffering.

From a normative point of view, this once again poses the question of the model of society and the policies to be adopted. If rational individuals were under a veil of ignorance *à la* Rawls (1971), they would chose to minimise the most disadvantageous situation. They would therefore opt for minimising suffering (choices 1 and 4). In this case, priority would be given to reducing suffering rather than seeking wellbeing. This would give us the following order of priority: $4>1>3>2$.

The hedonistic illusion leads to a concept of erroneous choice, because it is limited to the opposition of two alternatives, i.e.: $4=3>1=2$. This assimilation makes it possible to opt for situation 3; a situation that should actually be rejected since situation 1 is socially superior (without even considering situation 4, which is itself superior to situation 1, but is assimilated to situation 3). Taking suffering into account therefore radically changes the normative assessment of societies and of economic and social policies that we may make.

Recognising economic crimes

Primitive sacrifices, such as the blood ceaselessly poured out at the sacred sites of the Aztecs, now seem unacceptable to us. To ensure that harvests would be good, and society would be preserved, a crime had to be committed, for example by cutting out the hearts of a line of prisoners. However, our present-day society is not fundamentally very remote from this picture of the world. Development always demands its train of sacrificial victims (the poor, the unemployed, the marginalised, etc.) for the objectives of productivity to be achieved. These are all crimes committed against human beings and against Nature. These crimes may be explicit (deliberately increasing unemployment in the name of

competitiveness), or implicit (accepting the existence of poverty).[7] This suffering often results from decisions concerning economic policies. Does this lead us to recognise the notion of economic crime?

Several institutions (United Nations, Council of Europe, OECD, etc.) have accepted the idea of economic crime as a failure to respect good economic and financial practice: fraud, bankruptcy, insider dealing, counterfeiting, etc. These are all offences against economics and its institutions, rather than harm done to individuals. In this sense, economic crimes essentially affect economic institutions. The notion of economic crime implies that criminal responsibility of an economic order can exist in both senses of the word crime: minor offences, but also serious felonies such as murder.

The word 'murder' means killing someone or allowing them to die. In the situation with which we are concerned, it designates a murder committed using an economic weapon: the market, consumption, employment, etc. If a causal link is confirmed between an economic decision and the death of one or more people, then the person responsible for the decision does indeed bear criminal responsibility. More generally, economic crime could be used to designate the effects of economic decisions on populations in terms of suffering. This makes it necessary to be able to establish the responsibility of the person or persons making the decision.

9.3 Recognising the responsibilities

Consequently, responsibilities have to be identified in the various different situations leading to poverty and suffering in populations. The recognition of responsibilities is based on three principles (Karlsson, 2007): the culpability principle, the capacity principle and the concern principle.

The culpability principle

The culpability principle seems to be the most obvious. This stipulates that a person or an institution is responsible if it constitutes a causal element in the series of actions that has led to the devastating consequences observed. Nevertheless, it is not always easy to identify the causal relationship. And this is for at least three reasons.

First, due to the length of the chain of actions, and the entanglement of these actions, it is easiest to blame the person or institution that performed the last action in the series. To return to the tragedy of Rwanda, the policy imposed by the IMF certainly contributed to the deterioration of the economic and social context, but some people could object that it was the policy of the Rwandan regime, which set out to purchase loyalty by permitting atrocities, that was the decisive element and that if the Kigali regime had opted for some other policy the same effects would not have occurred. However, the policies imposed by the IMF undoubtedly did reduce the options available to the Rwandan regime. In this sense, the IMF bears a true responsibility, because we can justifiably

suppose that without these policies the situation would have been quite different. One solution to this problem is to recognise responsibility whenever a previous action has markedly reduced the opportunities for action by other persons or institutions.

Many other examples do in fact confirm the devastating effects of structural adjustment policies. By way of illustration, on the basis of data in the Demographic and Health Surveys in 33 African countries, Garenne (2011) has shown that the Body Mass Index (BMI) of adult women increased steadily from the 1940s to the 1990s, but that there has been a reversal of the trend for the cohorts born during the 1990s. This tendency is closely correlated with the change in the per capita income of adolescents in the various different cohorts. The structural adjustment period that occurred in African countries in the 1990s has therefore had severe consequences for the nutrition of women, which in turn has had an impact on their BMI.

Second, assigning blame assumes that one has information. It is obvious that manipulating information is a way of avoiding responsibility. The amount of information required can be so great that it makes it very difficult to assign responsibilities. Even without having all the relevant information about each particular case, it is possible to recognise the effect of certain practices in general. For example, the effects of structural adjustment policies are known. And even if it is not possible to establish a direct causal relationship in a particular case, due to a lack of information, it is still generally accepted that these policies can have devastating effects. It is not therefore essential to be able to establish the causal relationship in every case; it suffices to recognise that practices of this type generally have damaging effects. Beyond the relationship between actions and consequences in each specific case, we can suppose that the consequences are attributable to given practice, at least in part. Under these circumstances, blame does not have to be proved by identifying strict causality. It suffices to establish the consequences.

Third, institutions can duck their responsibilities by shifting the blame onto the experts who took the decisions, and these experts can in turn shift the blame onto the culture of institutions or even the prevailing dogma, so that their responsibility vaporises. Two arguments can be advanced to counter this lack of good faith. First, experts can only escape responsibility if they have no margin for manoeuvre, which is difficult to believe; and for institutions to avoid responsibility, they would have to have no political orientation, which is also unlikely. In fact, responsibility is shared between the institutions that dictate the policies to be implemented, and the experts who define and steer these policies within the institutions.[8] Furthermore, even if institutions are primarily held responsible, experts can also sometimes be held morally to blame depending on whether they had any capacity to act otherwise and what contribution they made to defining the policy implemented. Although this is not culpability in a legal sense, they do indeed bear some moral responsibility.[9]

The capacity principle

The capacity principle states that those who have the capacity to solve a problem effectively should be held responsible for failing to do so, even if they are not a priori guilty of causing the problem. This principle can therefore be distinguished from the culpability principle to the extent that it is not necessary for the person or institution to have played a causal role in this situation. It is sufficient that they could play a role or could have played a role, even if in fact they did not. This assumes that it is possible to identify the institutions that have a capacity for action. It is absolutely obvious from the standpoint of this principle, that international institutions such as the IMF do have the capacity for action in the choice of policies. They were able to impose policies of austerity in various different countries in exchange for aid, but they could have acted differently. Of course, such a principle must not free national governments, for example, from their share of responsibility. They also have some specific capacity of action, if only that of refusing to submit to the diktats of international institutions.[10]

The concern principle

The concern principle indicates that persons or institutions, even if they are not directly implicated in the causal relationship that produces a situation, and do not have any capacity to modify this situation effectively, should nevertheless feel morally responsible for what happens to other people. The philosopher Peter Singer (1979), in particular, has defended the idea that even if we are not responsible for situations of deprivation, or even of famine, that prevail in the world, and even if no individual action has any real capacity to change things[11] – in other words no individual person can be held responsible in the sense of culpability and capacity – we do share a real collective capacity to change them. Consequently, we have a moral responsibility in situations where suffering is experienced by other people. In most cases, it would be quite possible for us to agree to help others without sacrificing anything of any real value in our lifestyle. Singer takes the example of the time one may devote to someone else or of the donations that can be made. If they are considered individually, these are insignificant in changing things, whereas collectively they can make a huge difference. Not even trying to do anything would amount to being responsible for what happens.

It seems to be more difficult to apply this reasoning to institutions. It is not absurd to think that a government or a country that is not directly implicated in a situation can nevertheless make no secret of its disapproval of the policies dictated by international institutions with regard to another country. And nothing prevents countries from refusing to stick to the rules of the IMF during periods of structural adjustment, and helping other countries where populations are suffering. In addition to strategic reasons, we can also consider that governments bear moral responsibility for doing nothing.[12]

9.4 For a social precautionary principle

An active search for the consequences of policies

Recognising responsibilities is the first step. Nevertheless, we also have to take the next step and propose a human and social precautionary principle. Whereas in the environmental field, a precautionary principle has already been widely debated, revealing the risk that certain human actions may go beyond the thresholds above which the natural capital can no longer reconstitute itself, nothing of the sort has been discussed in the social field or that of human suffering in general. However, a preventative or social precautionary principle could be applied when there is a risk of suffering. Such a principle would consist of simulating, of sharing the responsibility and sanctioning it.

Prudence (phronesis) was explored at length by Aristotle and Thomas Aquinas, but has since had varying fortunes to the point of disappearing altogether at certain points in history. Prudence combines ethical knowledge and the determination of virtuous behaviour. Historical developments have identified three components of prudence, and these turn out to be the three components of the precautionary principle: knowledge of situations and likely outcomes, skill, in particular, in assigning responsibilities, and judging any possible derogation from prudence.

The human and social precautionary principle involves the uncertainties of events in the social domain. This uncertainty derives from the components of social interaction, the degree of altruism, for example, of a person or a community, the hoped-for utility attached to actions and to their human consequences. Due to the repercussions of policies on people and on society, the precautionary human and social principle is necessary for politicians as well as for experts. Thus, if it is not possible to calculate all the possible outcomes, the worst possible scenarios must be taken into account. The precautionary principle does not therefore amount to doing nothing, but rather of acting 'as if' the worst could indeed happen. The decision would thus probably not be the same in this situation as in that in which the harmful consequences, and notably the worst of them, had been underestimated. This amounts to adopting a maxim in principle in political decisions, i.e. maximising the situation of minimum harm. In other words, selecting the policy that is likely to result in the least bad situation amongst the possible outcomes.

The human and social precautionary principle is therefore active: research into the uncertainties should be accelerated, the possible harm evaluated and the solutions identified by comparative scenarios. This opens the way to the responsibility of experts and institutions with regard to uncertainty about the social milieu itself and how it will react to shocks.

Precautionary criteria

The social precautionary principle can be associated with various different criteria. We propose two that are related to suffering[13] completed by a principle of

non-opportunism. The first is an extreme criterion of prohibiting the generation of suffering, the second a weaker principle, which accepts compensation:

- either a strong non-suffering principle that will not accept any decision that could increase any person's suffering;
- or a weak non-suffering principle that condemns any action that would increase the sum of suffering, beyond a certain threshold.

It is obvious that extreme suffering can be present within this sum. We can, for example, imagine that in the field of employment this principle would justify the application of a sort of job multiplier: for one worker dismissed, for instance, three jobs would have to be created.

- Finally, a principle of non-opportunism is necessary to avoid considering that a 'wonderful unhappiness' should be held to be indispensable for resilience. Thus some people think that suffering is a necessary pre-condition for success.

What sanctions?

The social precautionary principle implies sanctions. If the criteria have not been observed, the people responsible should be punished. A first type of sanction could be based on establishing an ethical code for political decision makers and experts.[14] The creation of an ethical code of this sort, which is accepted when the person assumes his/her office, would give some weight to potential victims in the process of making economic policy decisions. This code would have to be accompanied by appropriate legislation envisaging possible exclusion from the community of economists or of political decision makers, financial compensation for victims, penal sanctions etc.

Obviously, the application of such a principle would require a more thorough thinking through than the outline we propose here. As we pointed out at the beginning of this chapter, we are trying to put down markers for the future rather than attempting to propose fully thought-through solutions. Nevertheless, we hope that this short discussion may stimulate discussion, and lead to a real attempt to take suffering into account in economics.

Notes

1 Introduction

1 Sen (1977) has also proposed the ironical name of 'Rational Fools' to designate the individual of economic theory.
2 See Harsanyi (1976), Hausman and McPherson (1993), Lewis *et al.* (1995), Ballet and Bazin (2006), Farina *et al.* (1996).
3 Even suicide is an action in this world and not just a withdrawal from the world, since it has an impact on the people who are in contact with the person committing suicide.

2 Freedom and the capability approach

1 To use an expression from Mahieu and Bukhuth (2009).
2 The best-known means being that proposed by John Rawls (1971) of carrying out a lexical classification of the values; freedom taking priority over justice, which in turn takes priority over efficiency.
3 Of course the fact of taking the car or walking to go shopping can be acts that fully translate the essential values of a chosen lifestyle on a day-to-day basis. However, it can just as well simply reflect the wish to walk, for instance on a nice sunny day.
4 This choice is discussed in the article by Van Parijs (1991a). It has given rise to lively discussion. Amongst others, see the reactions of Torisky (1993), Meckled-Garcia (2002), Lecce (2009), and Birnbaum (2011).
5 This point is particularly well developed in Kymlicka (1992).
6 Faden and Beauchamp (1986) propose discussions about the definitions of the concept and stress its variability.
7 The philosopher Onora O'Neil (1980) stresses, for instance that the notion of autonomy is not, as is often thought, derived from the philosophy of Kant, but is in fact derived mainly from John Stuart Mill's book *On Liberty*.
8 To use the name used by Joel Feinberg. In particular, see the discussion in Feinberg (1987).
9 In particular, see Sen (1980, 1985, 1987, 1991, 1992).
10 Without going into the detailed definition of utility, we should remember that it corresponds to a mental state reflecting a certain degree of satisfaction. It is also accepted that we cannot penetrate into the mind or feelings of an individual, and so he or she alone can appreciate it, and no outside entity can evaluate different utilities in order to compare them with one another in a cardinal manner. For example, see Robbins (1938) and Arrow and Scitovsky (1969) for these arguments.
11 Note that this first aspect of the criticism also applies to all the post-welfare theories of justice, including that of Rawls (1971).
12 On this problem see for example Elster (1985a, 1999), Nussbaum (2001), Burchardt

(2004), Teschl and Comim (2005), von Weizsäcker (2005), Halleröd (2006), Bruckner (2009).

13 Sen (1985) for example.

14 One question remains to be settled about the link between accomplishing a functioning and the intentionality of the individual to accomplish this functioning. We do not discuss this problem here, in order to limit ourselves to the idea of accomplishment, whatever the intentionality. From this point of view, there do seem to be differences between the thought of Amartya Sen and that of Martha Nussbaum. Whereas Sen does not necessarily accept a link with intentionality, Nussbaum does establish this link. For a discussion, see Crocker (2008: 164–168).

15 We should note that Sen (1992: 63), following comments made to him, notably by Beitz (1986), Arneson (1989, 1990) and Cohen (1989, 1990), pointed out that increasing the number of choices is not a good in itself. It does not necessarily lead to greater freedom, either because the extra options do not have any real value (as in the case of additional washing powders), or because, although the extra options are of real value, they could lead to a reduction of the option of living in peace and tranquillity (as in the case of providing the population with weapons).

16 See Beitz (1986), Arneson (1989, 1990) and Cohen (1989, 1990).

17 See Nussbaum (2000). These ten basic capabilities are:

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, thought*. Being able to use the senses, to imagine, think, and reason-and to do 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, literacy, 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, ad to avoid non-necessary pain.
5 *Emotions*. Being able to have attachments to things and persons 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 and 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 own life. (This entails protection for the liberty of conscience).
7 *Affiliation*

   a being able to live for and towards others, to recognize and show concern for other human beings, to engage in various forms of social interaction; to be able to imagine the situation of another and 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 freedoms 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, protection against discrimination on the basis of race, sex, religion, caste, ethnicity, or national origin.

8 *Other species*. Being able to live with concern for and in relation to animals, plants, and the world of nature.
9 *Play*. Being able to laugh, to play, to enjoy recreational activities.
10 *Control over one's own environment*.

a Political. Being able to participate effectively in political choices that govern one's life; having the right of political participation, protection of free speech and association.
b Material. Being able to hold property (both land and movable good), 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. In work, being able to work as a human being, exercising practical reason and entering into mutual relationships of mutual recognition with others workers (Nusbaum 2000: 78–80).

18 Biggeri *et al.* (2006) provide a good illustration of this problem in the case of the capabilities valued by children. The list remains the same, but the order of the extent to which they are valued changes with age, reflecting changing concerns.
19 From a pragmatic standpoint, several procedures intended to establish a set or list of basic capabilities, are possible. Alkire (2002) provides a good discussion of the alternatives and the questions and challenges associated with them.
20 On this displacement of the question, see, amongst others, the controversy between Cohen (1994) and Sen (1983), and see Kaufman (2006) for an update.
21 On these two aspects, see the further details provided by Amartya Sen in Sen (1982a, 1993).
22 Conversely, in the theory of social choice, a deontological norm is written as if it always applies. For example see the critical article by Mahieu (1991).
23 For further discussions of the relationships between norms and values, the reader could usefully consult the work of Ogien and Tappolet (2008).
24 This is the case of Hare (1972).
25 For such a discussion, see the article by Martin van Hees (2012).
26 It is obvious that this example has changed with the use of mobile phones.
27 The distinction between perfect and imperfect duties in Kant has given rise to many questions and discussions. However, we can say that for Kant overall perfect duties are the duties that have to be accepted in compliance with the law, whereas imperfect duties depend on the discretionary will of individuals. For a discussion of the relationships between human rights and the capabilities approach, see in particular Sen (2004, 2005). For a complete discussion of this topic, see Vizard (2006).
28 This argument is developed in Anand (2005).
29 The 2006 report includes the following passage: 'Human development can be expressed as a process of enlarging people's choice', (UNDP, 2006: 49).
30 As Nussbaum (2011) reminds us, Mahbud ul-Haq, the initiator of the Human Development Index, proposed such an index because he thought that political decision makers who are used to league tables would be more likely to take notice of an index than of a multidimensional report. This does not mean that he hoped that this would attract attention to the constituents of this index. Furthermore, in the same work Nussbaum, stresses the idea that in the end it is one thing to give good reasons to promote the capabilities approach and quite another to advocate intervention in the affairs of a nation state, even if this state does not attain the objectives of this approach.

31 In addition to Fortman's article, a good discussion of this topic can be found in Gasper (2004: Chapter 7) and Gasper (2007).
32 We should note that Alkire (2002: 177–181) discusses two normative interpretations of the capabilities approach. The first is the equality of capabilities; the second is the expansion of capabilities. She highlights the contradictions between the two interpretations and proposes adopting a formulation in terms of the expansion of capabilities, which from an operational point of view takes the form of the four strategic elements that we have described above.
33 The full title of this book by Jeremy Bentham is *Panopticon, or, the Inspection House, containing the Idea of a new principle of Construction applicable to any Sort of Establishment, in which persons of any description are to be kept under Inspection and in particular to Penitentiary-house, Prisons, Houses of Industry, Work-Houses, Poor-Houses, manufactories, mad-Houses, lazarettos, Hospitals, and Schools: with a Plan of Management adapted to the Principle*. See Bentham (1995).
34 See more precisely, Chapter 24: *Die sogenannte ursprüngliche Akkumulation*, 4th section: *Genesis der kapitalistischen Produktion*.
35 As was the case in Rwanda for example, leading ultimately to genocide in 1994, or during the Occupation of France during the Second World War, culminating in the deportations.

3 Freedom and responsibility

1 From a liberal standpoint, the individual who makes choices that take others into account is obviously different from the one who makes choices on their behalf. In the latter case, we are in a paternalistic framework, even if it is well-intentioned, whereas in the former, the framework refers to a form of altruism that is value neutral.
2 We have already proposed this concept in Ballet and Mahieu (2009). We will develop it further here.
3 For a good presentation and discussion of the debate, see Taylor (1985).
4 Note that between the intention and the performance of the action volition can be inserted, which makes it possible to open a wide debate about the weakness of will, without fundamentally challenging the sequential logic. Research in neurosciences has reopened the question. What is known so far does not make it possible to draw any conclusions. See for example Gazzaniga (2005).
5 For an argued comparison of agency in Nussbaum and Sen, see Crocker (2008).
6 This problem is rarely discussed in the capabilities approach. We find a first attempt to tackle it in Ballet *et al.* (2005) through the notion of the structure of capabilities. We will return to this question in greater detail in Chapter 7.
7 We will not develop the topic any further here, but this is a profound challenge facing the extension of the capability approach. See Ibrahim (2008), Lallau and Dumbi (2008), De Herdt and Abega (2008) and Kabeer (2008) for studies developing this aspect.
8 This was used as the title for a French translation of a lecture given by Sen, which was published in the journal *Esprit* in 1991.
9 For a detailed discussion, see Anscombe (1981).
10 Max Weber in *The Methodology of Social Sciences* (1949) forcefully pointed out that the search for causalities results in an impasse to the extent that the chain of causality is potentially infinite. He therefore made a plea that a comprehensive approach should be adopted rather than an explanatory one in the social sciences.
11 For example, see Arneson (1989, 1990), Bossert (1995), Cohen (1989), Fleurbaey (1994, 1995), Roemer (1985, 1986, 1993 and 1996) amongst others.
12 The integration of the responsibility of the recipients of aid as a condition for its continuation over time is a response to the classic problem of the Samaritan's dilemma. On this point see Gibson *et al.* (2005).

13 This point of view is clearly expressed in Scheffler (1992) and Phillips (2006).
14 It is often used for this in situations with a more political connotation. See Barry (2005) for some good illustrations of this.
15 The idea of a list of freedoms is related to that of a list of capabilities. The difference between the approach described by Fleurbaey and that expressed by the capabilities simply lies in the addition of responsibility to the basic freedoms-capabilities framework.
16 This point of view is developed in detail by Hart (1948).
17 If we say that an egg is something laid by a hen and that a hen is an animal that lays eggs, we still don't know what a hen is. And we could easily confuse a hen with a duck or an ostrich.
18 A relationship of implication cannot, of course, be assimilated to a causal relationship. See Quine (1959) on this and other fundamental aspects of logic.
19 We will not discuss in detail the question of identity and economy here, nor the more philosophical problem of identity as Self. For the first aspect see Akerlof and Kranton (2000, 2010), Davis (2003) and the special issue of *Ethics and Economics* (volume 3, issue 1) devoted to the work of Davis. For the second, see the debate on the continuity of the Self, in particular in Parfit (1973, 1986), the contributions in the work published by Elster (1986a) or in Bazin and Ballet (2006).
20 Like the insurance agent who burgles his clients under hypnosis in Woody Allen's crime comedy film, *The Curse of the Jade Scorpion* (2001).
21 It does not matter what type of rationality we have to refer to. Whether this is a substantive or procedural rationality makes no difference to the reasoning. Reference to one type of rationality or another simply makes it possible to express the manner in which the individual proceeds to make his/her choices, and may make it possible to explain these choices, but the individual remains entirely responsible for these choices.
22 It is interesting to note that recent research has highlighted the fact that the most rational people tend to be those who experience the most severe depressive disorders. From this point of view, their apparently irrational acts are in fact, quite the contrary, a reflection of exacerbated rationality. Alloy and Abramson (1979) had already proposed this hypothesis. See also Alloy and Abramson (1988).
23 A point of view that Kant expresses particularly in *Groundwork for the Metaphysic of Morals*, see for example the 1991 edition. For the development of the implications of this philosophy in economics see White (2011). Such a standpoint obviously raises the question of weakness of will. We will not explore this topic here, but will return to it in Chapter 8.

4 The person and responsibility

1 We have taken the example of the elephant from Joan Robinson and that of the heap from Derek Parfit.
2 However, readers interested in having a more detailed account of the historical evolution of the concept could usefully see the article by Ladrière (1991).
3 He discusses this concept in *Contra Eutychen et Nestorium*. See Boethius (1973).
4 On this controversy, see, for example Gilson (1991).
5 This is, for example, the position defended by Chauvier (2003).
6 To take one example amongst others, Nagel (1971) uses the example of a man who is two people at once, one attached to the left hemisphere of his brain and the other to the right hemisphere; Parfit (1986) the example of someone who is teleported into someone else's body; Wiggins (1967) the example of a person who suddenly finds himself simultaneously in two different bodies.
7 In *Summa Theologica* I, Q.29, a. 1, reply. For more, see questions 29 to 32. The authors' own translation. In St. Thomas Aquinas (1989) *Summa Theologica: A*

Concise Translation, edited by Timothy McDermott, Westminister, Maryland, USA: Christian Classics, the phrase closest to our translation is the following (page 68):

> So individuality belongs particularly to substances, and even more particularly to reasoning substances, who have independence of action. Activity is a characteristic of individuals; but reasoning individuals are not just in activity like other things but determine this activity for themselves. This is emphasised by giving such individuals a special name: persons.

8 Here, of course, in reference to Heidegger's distinction between Being and Dasein. See Heidegger (2010).

9 Kant, op. cit.: 397.

10 Obviously, this separation between person and human nature raises some serious issues (particularly in bioethics), since a person can possess a specific status compared to other categories of beings; in particular, if persons are ends in themselves, which is not true of other living beings. The questions concerning experiments, termination of life, etc. are therefore posed in different terms for persons and non-persons. Under these conditions, when can we say that a human being is a person? An embryo, a foetus, a neonate, someone with a severe mental handicap or in a vegetative coma – are they persons? The answer will depend on the properties adopted to specify a person, but the contributions of the other sciences also make it possible to identify concretely the manifestations of these properties in the being concerned. For these topics, see amongst others: Engelhardt (1986), Singer (1979), Beauchamp and Childress (1989). Even though the distinction between a person and a non-person is essential in these discussions, it is not automatically a sufficient criterion to answer questions such as is it acceptable to kill a foetus, a neonate or any other category of non-person? We do not intend to enter these debates, and we are not convinced that the fact that certain beings should be categorised as persons whereas others are not is sufficient to give the former pre-eminence over the latter. Other criteria, such as the vulnerability of beings could be mentioned and, on the contrary, partly reverse the question by assigning duties to persons with regard to other beings. In this sense, what is particular about persons would not be specific rights but responsibilities.

11 See Renouvier (1903).

12 Thus, Emmanuel Mounier notes in an article written in 1948 that the genealogy of personalism is marked by the influences of Kierkegaard, Marx, Proudhon, Nietzsche, Péguy, Scheler, Jaspers, Dostoievsky, Berdiaeff, Maritain and Man. In France, three separate currents can be distinguished: that of the journal *Esprit* which was created from 1932 around Emmanuel Mounier; that of *L'Ordre nouveau* organised under the influence of Alexandre Marc; and the current that Mounier would call *Jeune Droite* (Young right) that gathered together the more or less dissident young intellectuals of *Action française* (Jean de Fabrègues, Jean-Pierre Maxence and Thierry Maulnier amongst others) around journals such as *Les Cahiers*, *Réaction*, *La Revue française* and *La Revue du siècle*. These various currents were to have very different, not to say divergent political tendencies. Mounier points out that:

> Thus whilst for the sake of convenience referring to personalism, let us prefer to say that there are personalisms, and respect their differing approaches. A Christian personalism and an agnostic personalism, for instance, differ right down to their innermost structure. They will gain nothing by attempting to find the middle ground.
>
> (Mounier 1949: 8)

13 We should note here that the concept of commitment as a meta-preference proposed by Amartya Sen is not very far from this idea of commitment in the personalist movement as interpreted by Ricœur.

14 We should stress that Ricœur proposes a third aspect of commitment, that of the

acceptance of an overall historical vision. To quote him: 'For myself, I do not think that commitment is possible for an abstract order of values, without my being able to think of this order as a task for all men' (1983: 202). However, we think that this third aspect of commitment is specific to Ricœur rather than to personalism.

15 Notably the regime that was set up in the USSR.

16 For a presentation of Mounier's economic position, see Mounier (1936).

17 See the citation given above: ' "freedoms" are but the chances offered to the spirit of "freedom" '.

18 Arnsperger (1998), formalising the idea of Sen's meta-preference, thus underscores the fact that the choice of an action dictated by an egotistical motivation does not affect the logic of meta-preferences, but only places egotistical motivations at the summit of preferences, reducing the space for choice of the other forms of preferences without, however, suppressing them completely.

19 Thus we can say that individual i possessing a utility function Ui such that $Ui = u(xi, xj)$, where xi is wellbeing of i and xj the wellbeing of another individual j, i acts in a compassionate manner if by acting to increase xj, one can also observe an increase in Ui. More generally, i is considered to be benevolent if $dUi/dxj > 0$.

20 Ballet *et al.* (2006) had already pointed out the excessive nature of this dichotomous distinction between compassion and commitment in Sen and his followers, by referring to engaged actions in the context of fair trade. Here we extend this criticism in order to make it clear that the problem with this dichotomous formulation lies in the concept of the individual adopted by Sen.

21 Akerlof and Kranton (2000) pointed out the importance of taking into account the identity variable in economic analysis. They consider identity as an argument in the utility function of individuals. Identity is thus relative to the social categories to which the individuals belong. For each social category there is a set of prescriptions corresponding to an ideal-typical form of representation. To affirm his identity the individual has to comply with the social role expected by the category to which s/he belongs. Thus, in education, the more students deviate from the behaviour prescribed by the social category to which they belong, the greater the cost (in terms of utility) that they will have to bear. It is therefore in their interest to minimise the distance between what their actions reflect, and what is expected by the social category to which they belong (Akerlof and Kranton 2002). In general, therefore, individuals have everything to gain from keeping the rules of the social organisations, which tends to affect their identity role (Akerlof and Kranton 2005).

22 Communitarism often opposes to liberalism the idea of the anchored self. According to this school of thought, identity is necessarily rooted within social practices from which the person cannot distance him/herself. In this sense, social roles constitute the prerequisite personal choices about the type of life that the person wishes to live. For an initial description of this school of thought and its opposition to liberalism, see Kymlicka (1992).

23 In some cases, multiple identities can even lead to tension about the picture that others paint of the person. Thus, studies of personalities who are considered to be highly moral highlight the ambiguity of many of them. By way of example, Martin Luther King had a very athletic sex life, which certainly did not fit well with his identity as a peaceful defender of the cause of the oppressed. The FBI actually suggested to him (in a letter) that he should commit suicide in order to avoid the scandal. See Garrow (1981).

5 Methodology of person-centred economics

1 Lukes (1971) illustrates this perfectly through his comparison of different national traditions.

2 Underlined in Schatz (1907).

3 Indeed, List's major work, *The National System of Political Economy*, was written in Paris.
4 This thesis is well developed in Arieli (1964).
5 von Mises in particular, but also Hayek (1952, 1967) and Popper (1957).
6 Agassi (1973), Jarvie (1972) and Watkins (1973), following on from Popper, have also tended to focus on a strategy of defending methodological individualism independently of its links with political liberalism.
7 On these two oppositions see for example (a) on the rational and irrational (Elster 1984); and (b) on selfishness and altruism, all the developments of economic theory based on individuals with functions of interdependent utilities (Becker 1961, Kolm 1968, Hochman and Rodgers 1969, Becker 1974a, to cite just a few pioneering publications).
8 For a well supported discussion of atomism, see notably Taylor (1979).
9 The application of methodological individualism to approaches and theories of economic analysis is much disputed however. Cohen's point of view (1978), for instance, was that Marx's historical materialism was incompatible and impossible to understand by means of an analysis in terms of methodological individualism. Roemer (1982) was radically opposed to this vision and defended the opposite proposition according to which the Marxist analysis was quite compatible with individualism and game theory-related methodology. See also Elster (1985b).
10 We defend such a point of view in Ballet and Bazin (2006).
11 Note that if we limit ourselves to this approach, we can include ethics in the economic analysis without contradicting Hume's guillotine.
12 See Ballet and Bazin (2006).
13 See Laval (2007).
14 As in the famous dystopic TV spy series *The Prisoner*, it reduces the individual to a number and prohibits any individuality.
15 Including the debate between Herskovits and Knight in 1941 in the *Journal of Political Economy* (volume 49), which clearly identifies the fracture line.
16 Kant (1991). The work was first published in 1798. We use 1991.
17 We should point out that by this distinction Bhargava returns to the debate of German philosophy at the end of the nineteenth to early twentieth centuries, concerning the distinction between the natural sciences (explanatory) and the human sciences (comprehensive), to which we have already referred in Chapter 2.
18 This is, for example, the definition given by Radcliffe-Brown (1940).
19 Gellner (1985). Of course relativism is expressed in more or less radical terms depending on the author. We find a more flexible version of relativism, for example, in Turner (1997) or Cohen (1998), who hold that the latter consists above all of ensuring that all moral judgement is set aside in order to try to understand the cultural beliefs and practices of others in their cultural and historical context, while still looking at one's own culture with a critical eye, or to use the expression of Cohen (1998: 126), we have to 'learn before judging'. For attempts to find typologies of relativism, see Hatch (1983), Hollis and Lukes (1982) or Zechenter (1997).
20 Postmodernist thought goes so far as to consider that there is no means of knowing anything beyond the direct experience that the individual has of reality (Jameson 1991).
21 Massé (2000), Garcia (1988).
22 We will continue using the examples that Sperber proposes (1993).
23 By these examples we do not wish to suggest that respect for the life of the members of the moral community is an essential criterion of the Good. Some societies that on the one hand defend the prohibition of euthanasia in the name of respect for life as a fundamental value, do not hesitate on the other to force some of their citizens to be slaughtered in battle in wartime.
24 Also see Turiel *et al.* (1987) for a summary of the results of a series of studies.

25 The study was structured around three main questions: (1) would there be any problem if the religious authorities (the members of the congregation and the pastors, in the case of the Amish, the rabbis in the case of Jews) were to change the rule; (2) would there be any problem if people of other religions who do not have any rule about this action were to engage in it; and (3) would there be any problem if people belonging to their own religion were to perform acts about which the Bible (the Word of God) gives no instructions.
26 We find here an essential distinction between a person's specific values, which may lead him or her to accept certain moral norms, i.e. norms that the person applies to him or herself and the values of a society that lead more or less to the prescription of social norms; to what society expects of the person.
27 A conception of responsibility that Durkheim had wisely highlighted. A representation in the form of rights and duties has been clearly developed in Mahieu (2001); also see Ballet *et al.* (2006). We will follow and prolong these analyses.
28 According to the Malian writer Amadou Hampâté Bâ, 'In Africa when an old man dies a library burns.'
29 Note that possible worlds can be treated as worlds that do not have any relationships that permit access from an existing world of consequences to possible worlds. This accessibility has the properties of a relationship of order.
30 The system of indulgences in Catholic Europe arose in societies within which one can calculate the probable consequences of one's acts.
31 From this point of view, De Rosny (1981) established a somewhat caricatural distinction between societies of persecution and societies of frustration.
32 We will not return here to the question of the genesis of altruism and the semantic and analytical ambiguity that results from it in economic analysis. We dealt with these questions in detail in Ballet (1998), Ballet and Bhukuth (2006), Ballet and Barillot (2006) and Mahieu (1998).
33 Experimental economics and neuroeconomics have indeed permitted some progress in our knowledge of the motivations of individuals, but this progress remains restricted to experimental data, which display unspecified divergences from real-life situations.
34 In Mahieu (2001) and in Ballet and Mahieu (2003), we stressed the volatility of altruism and the possibility that the same person can switch from good intentions to bad ones.
35 We obviously return here to the opposition between compassion and engagement, notably as proposed by Sen (1977). Nevertheless, as we pointed out in Ballet *et al.* (2006), this opposition is very excessive. We prefer to use the term 'virtuous behaviour' rather than that of 'engaged behaviour'.

6 Illustrations of the economics of the person

1 Known as the LSMS Survey (Living Standard Measurement Survey).
2 We take this illustration from Mahieu (2001).
3 This is the idea proposed by Rosenzweig and Stark (1989).
4 For example see Udry (1994), Gertler and Gruber (2002), Fafchamps and Lund (2003).
5 See Beegle *et al.* (2006), Dendir (2007), Guarcello *et al.* (2007).
6 See Ballet and Hamzetta (2003).
7 Amselle (1981).
8 Also see Delaune (1998).
9 See Mahieu and Odunfa (1988, 1989).
10 Requier-Desjardins (1989) discovered when looking at child fosterage, that imported rice was sent to rural parts of the country by urban people, who were themselves eating traditional rice sent from the villages. This led to the paradox of urban consumption of home-grown rice.

11 See Mahieu (2001).
12 See Mahieu *et al.* (1992). In 1991 the survey covered the dry season, known in Kirundi as 'ici', and in 1992 it covered the very rainy season known in Kirundi as 'urushana'.
13 For example see Dercon (2002).
14 See Bockel (2005) for further details.
15 For example, see Singh *et al.* (2006) in the case of India.
16 All the data and information used in this section are taken from Mahieu *et al.* (1992).
17 *Gutembere* is untranslatable and has many meanings. Literally, it means wandering along the hills to find the best banana beer (*urgwawa*).
18 However, Mahieu *et al.* (1992) show in their studies, the way activities are structured depending on the season.
19 For example, see Ramachandran and Swaminathan (2001) for a description of the changes that have occurred.
20 See Chavan (2007) for this observation.
21 Churchill and Guérin (2004) make this observation about India. For a more critical discussion of microfinance, also see Murdoch (2000).
22 For example, in the case of India, see Bottomley (1963) or Krishna *et al.* (2003).
23 In the case of India, see Bardhan and Rudra (1978), Guérin *et al.* (2007), Bhukuth (2006).
24 For example, Giné (2010) estimates that the transaction costs for obtaining formal credit in Thailand can be as high as US$130.
25 This explanation has generally predominated since the (now classic) article by Stiglitz and Weiss (1981).
26 All the results given below are based on the study of Bhukuth *et al.* (2012).

7 Vulnerability, identity and responsibility

1 Vulnerability was then the probability that a person would be unemployed, determined on the basis of his/her characteristics: age, qualifications, gender, etc. See Ledrut (1966).
2 The poverty line is the threshold below which a person is classified as being poor. This line is usually established either in an absolute manner from the value of a dollar a day, or in relative terms, generally from the threshold of 50 per cent of the median income of the population concerned.
3 For example see Jalan and Ravallion (1996), Blauch and McCuloch (2000). Also see Sirven (2007) for a rigorous discussion of the evolution of the concept of vulnerability relative to the approach in terms of poverty.
4 For example, see White *et al.* (2004), Villagrán de León (2006).
5 Here we will restrict ourselves to the vulnerability of persons, but the topic could of course be extended to towns, forests etc.
6 For example, this is the definition used in the 2001 World Bank Report, p. 139.
7 Here he adopts the same ideas that Keynes expressed in his *Treatise on Probability* (1921) and that were also expressed by Jeffrey, throughout his *Theory of Probability* (1939).
8 That is, Jeffrey's 4 axioms (1939) of probability theory:

   1 For a given set of information, either one event is more probable than the other, or both are equally probable.
   2 The Axiom of transitivity: if, A is more probable than B, and B more probable than C, then A is more probable than C.
   3 Is concerned with the relationship between probability and certainty. Not concerned with the present discussion.
   4 If in the given information, A and B are exclusive alternatives, so that if A happens,

B cannot happen (and *vice versa*), and if *C* and *D* are exclusive alternatives; and if, in the given information, *A* and *C* are equally probable, while *B* and *D* are equally probable; then the occurrence of either *A* or *B*, and the occurrence of either *C or D* must be equally probable. If this is granted, cardinality follows.

9 Thus in Figure 9.1:

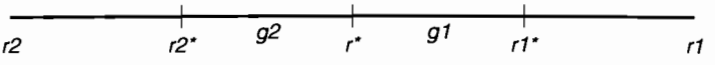

Figure 9.1 Subjective assessment of probabilities.

Let there be an anticipation on a level r^*.

For every level $r1$ that is greater than r^*, the probability that r is greater than $r1$ is lower than the probability of an r that is less than $r1$

For every level $r2$ that is smaller than r^*, the probability of a result less than $r2$ is lower than that of a result greater than $r2$.

We can now imagine a normal distribution of numerical probabilities, but is this true regardless of the values of $r1$ and $r2$?

For any level of $r1$ that is greater than $r1^*$, the probability of an r that is even bigger than $r1$ is less than the probability of a smaller r.

For any level of $r2$ that is smaller than $r2^*$, the probability of a result that is smaller than $r2$ is smaller than a result greater.

Let us suppose that $r^*1 > r^*2$, which implies that we do not have enough evidence to establish a probability and therefore corresponds to a grey zone.

Let there be two 2 values $g1 > g2$ in this grey zone; the values greater than $g1$, are not more probable than the values below it, and reciprocally the values less than $g1$ are not more probable that the values above it. The same is true for $g2$.

Thus, the values greater than and less than $g1$ are equally probable, and the same is true for $g2$. The probabilities are consequently either equal or cannot be compared.

10 See Suppes (1981).

11 This brings us back to how one thinks that individuals establish their anticipations about events. Even the half-idiotic individual corrects his/her errors and has the capacity to learn by experience; s/he is capable of adaptive anticipation in a Bayesian process. For example the individual can adapt him/herself to a context of high inflation (Cagan 1956; Turnovsky 1970), to unreliable agricultural yields (Nerlove 1958) or to migration (Harris and Todaro 1989). This logic is open to fierce criticism if it inhibits or hampers decision making. John Hicks (1979) shows that the Bayesian theory implies a priori probabilities on the basis of hypotheses and hypotheses about events (likelihood); if the a priori probabilities are equal, we can refer to the maximum likelihood; but if this is not the case, there is a dissociation between probability and likelihood and so 'Our judgement nonetheless, may be clarified.' (Ibid.: 117). Subsequently, the scepticism of Hicks concerns the theorem of the probability of causes, known as Bayes theorem. This theorem is famous for the conflicts it produced amongst the probabilists; this theorem makes it possible to determine the probability of the causes of a given event, by linking the a priori probability of these causes measured independently of the knowledge one may have of the event, to the a posteriori probability of these causes, a probability given by knowing about the event that has occurred. This theorem, like Jeffrey's axiom, requires that one is able to estimate probabilities (in particular the a priori) probabilities and this is scarcely possible in the 'grey zone' referred to by Hicks.

These difficulties in evaluating probabilities are preceded in econometrics by difficulties even in applying the calculation of the probabilities. Thus, when one obtains economic observations in the form of a chronological series, it is virtually impossible to ensure the independence of the observations or of the groups of observations. If all the data are interrelated, there is, according to Hicks, 'in strict logic only a single observation' and there is no point in calculating the probabilities; thus applied economics (according to Hicks's distinction) once more becomes history, judging what has already happened.

Hence the author's conclusion that: 'I am sufficiently bold to conclude from these considerations that the "statistical" or "stochastic" method in political economics is less useful than is usually thought' (ibid.).

In contrast to the half-idiot, the rational individual anticipates and responds appropriately to economic signals, for example the producer-planter relative to markets and lean periods before the harvest. The individual, even if rational, remains self-interested and relates everything to him/herself. Lucas (1976), on the basis of rational anticipations, thinks that econometric models are of no value for economic policies. According to this theory, economic policy can only act by surprise and by taking into account random noise or white noise.

12 See Dubois and Rousseau (2001).

13 See Chapter 2 for further details about the basic capabilities.

14 See Rousseau (2001).

15 In Ballet *et al.* (2005), we used the term 'fragility' to designate the vulnerability of a capability, and the term 'vulnerability' to designate the vulnerability of the person. This terminology can lead to confusion with the meaning that we give to the term 'fragility' in the next chapter. We use the term 'vulnerability' to designate both the vulnerability of a capability and the vulnerability of the person, and we reserve the term 'fragility' for a more specific meaning.

16 The dilemma of the lifeboat has often been used. For example, Tom Reagan (1985) proposed transforming this dilemma as follows: let us imagine that the lifeboat contains four men and a dog, and that all five are going to die unless one of the men agrees to be sacrificed or the dog is thrown overboard. What should be done? Now, let us imagine that the men are all Nazis who have slaughtered many innocent people, whereas the dog is a heroic rescuer. For example, he is recognised as being the husky that was used to send medicines to Nome (Alaska), during a diphtheria epidemic in 1925. This type of war dog played a significant role in searching for the wounded on the field of battle during the first and second world wars. It is not rare to see the armed forces rewarding the dogs for the services they have rendered by making them regimental mascots. What should be done? Does this change how the dilemma is perceived?

17 Ray (1997) used a metaphor of this type. For contrasting results concerning the relationship between poverty and infantile over-mortality in girls, see Miller (1981) and Dasgupta (1993). These authors demonstrate that there is a positive correlation between these two phenomena. Harris (1990), Drèze and Sen (1995) and Murthi *et al.* (1995) show that this relationship is not significant. Rosenzweig and Schutlz (1982) produce contradictory results depending on the level of aggregation of the data used.

18 This scenario was magnificently brought to the screen by Alfred Hitchcock in 1945 in a film of the same name.

19 For example see Jasny (1951) or Allen (1999).

20 In the next chapter we will return to the behaviour of the torturers and more precisely to the fact that ordinary people were able to commit such monstrous crimes.

21 We use the expression 'concentration camp', as a generic term to make it easier to follow our argument, but, of course, a distinction has to be made between the extermination camps and the concentration camps; the former intended directly to cause the death of the prisoners, whereas in the latter the death of the prisoners was simply the

effect of ill treatment without it being possible to say that their death was an end in itself.

22 See Améry (1980), Levi (1969), Wiesel (2006).
23 See Shalamov (1978).
24 See Ginzberg (1967, 1980).
25 See Martchenko (1969).
26 Wiesel, op. cit.
27 See Borowski (1976).
28 See Sereny (1974).
29 Levi, op. cit.
30 Todorov (1996) also defends the idea that many testimonies show that morality still had a place in the camps.
31 This book was inspired by the testimony of Oskar Pastior (a camp internee), which was collected by Herta Müller. As the author notes in her afterword, her book was a way of retranscribing these testimonies: 'But without Oskar Pastior's details about everyday life in the camp I could not have done it' (Müller 2012: 288).
32 This chapter is entitled *This Side of Good and Evil*. The title suggests that it is not possible to pass moral judgement on the economy of survival, since its sole object is the survival of each individual even if this is achieved to the detriment of others.
33 The difference can be explained by the different logic of the camps. Whereas Primo Levi describes life in a camp intended to exterminate the prisoners, Herta Müller relates life in a camp the finality of which is production and work travail, where death is a congruent effect of inhuman treatments afflicted on the prisoners. But in this second case, extermination is not sought as a goal in itself. It may be just a question of degree, but Primo Levi also notes this difference between the extermination camps of the Nazis and the Russian concentration camps in the afterword of his book.

8 Fallibility and fragility

1 Typically, the rationality of evil, of crime, for example, is the subject of an economic theory (Becker 1974b) that claims to be amoral.
2 For example see Bettelheim (1972), Langbein (1975), Ratouchinskaya (1989).
3 See Fénelon (1976).
4 Also see Browning (1992) on the analysis of the behaviour of ordinary people serving in Battalion 101, which slaughtered thousands of people in Poland. For a contrary view to this thesis on the banality of evil, see Berkowitz (1999) on the degree of evil. Berkowitz's thesis rests on the idea that some people obeyed, and others took the decisions and directed operations. Thus Hitler cannot be viewed in the same way as other Nazis, and the thesis of the banality of evil cannot be applied to him or to any of the Nazi leaders.
5 See Hoess (1959), Speer (1981).
6 This cultural-trait thesis has been forcefully advanced to suggest that the Germans have a culture of obedience that allowed Nazism to flourish. This amounts to saying that the same thing could not have happened in other countries. However, the thesis of the banality of evil invites us to relativise cultural traits and to take into account the systems that have permitted these atrocities, which could equally well have happened anywhere else. Otherwise, we have to say that Russian culture also tolerated the camps, that Kampuchean culture authorized the Red Khmer, that French culture permitted collaboration, etc. This would soon lead us to conclude that all cultures have permitted atrocities, which obviously undermines any notion that culture plays a decisive role.
7 Bouvier (2004) deduced that the idea of the discontinuity of the Self, or the fragmentation or dislocation of the Self, as for example proposed by Todorov (1996), with a separation between the private sphere and the public sphere, must be rejected. We

think that this conclusion is too hasty. It is in fact entirely possible to consider that consistency with oneself is focalised on certain practical identities, in somewhat segmented domains. The same person can carry out very disparate actions in different domains in order to conserve the internal consistency of each. We can even view this as a particularly effective form of partitioning between the domains. The more these domains appear to be diametrically opposed to each other, the easier it will be for the person to separate them without this leading to internal tensions. In Bazin and Ballet (2006), we proposed a model of a domain-based multiple self. Such a model seems to be particularly pertinent here.

8 See Zimbardo *et al.* (1973).

9 Obviously, as physical violence was forbidden, the behaviour described as aggressive and inhuman involved verbal violence. For a more extensive panorama, see Zimbardo (2007).

10 It is self-evident that many other experiments have supported the situationist theory. For example, among others see Darley and Batson (1973), Bargh *et al.* (1996), and Baron (1994).

11 Situationism tends more particularly to challenge the ethics of virtue as constructed in Aristotelian thought. In particular, see Doris (1998, 2002).

12 Milgram (1963) suggested a parallel between his experiments and the obedience of the Nazis.

13 Also see Nelkin (2005).

14 In particular see Dijksterhuis *et al.* (2006) on choices without deliberation.

15 Doris (2009: 59) acknowledges that 'The scepticism I will entertain here is scepticism about a "particular understanding" of person.'

16 We discussed this problem more particularly in Ballet and Mahieu (2009).

17 For example, see Uvin (1998) for a detailed study of the impact of the development policies of the NGOs and the international community; also see Verwimp (2003) for an analysis of political economics under the Habyarimana regime; and Eriksson (1996) for a critical description of the international responses to this drama.

18 We have already analysed the disruptions of the identity structure during this genocide in Ballet *et al.* (2007). In many cases, we will use again the things we identified in this earlier article. We also refer our readers to this article for a more detailed bibliography on this conflict and its origins. In another article, Ballet *et al.* (2008), we discussed the economic bases of the genocide versus the thesis of murderous passions.

19 See André (2005) for a pertinent analysis of the situation of the property market and the tensions that built up as it developed.

20 A similar observation can also be made about Burundi (Ballet and Mahieu, 2001).

21 Which led many of them to dig up their coffee plants despite the sanctions and repression to which they were subjected by the regime.

22 For example, see Desforges (1999).

23 This point of view is well defended by Verwimp (2003).

9 From the economics of the person to the responsibilities of institutions and the social precautionary principle

1 Here we adopt the arguments developed in Ballet *et al.* (2007).

2 For concrete examples of this reduction, see Verwimp (2003).

3 For this aspect see Marysse *et al.* (1994), Eriksson (1996) and André (1997).

4 See Eriksson (1996), Uvin (1998) and André (2005).

5 Thus wellbeing increases simultaneously with suffering, to the point where our societies are marked by a search for wellbeing, the price of which is an increase in suffering, notably that related to work (Zarifian 1996).

6 Note that this disjunction between an increase in wellbeing and in suffering was already present in the radical and above all anarchist thought of the 19th century, in

particular that of Louise Michel in 1905, who opposed the suffering of the proletariat to the wellbeing of the bourgeoisie. See Michel (1983).

7 Singer (1979) has provided a particularly good defence of the idea that leaving poor people in a state of deprivation is the moral equivalent of murder.

8 For this reason, Mahieu (2000) argues that the responsibility of experts and institutions should include the possibility of penal and financial sanctions for both of them.

9 Follesdal and Pogge (2005), in their introduction to the collective publication *Real world justice*, argue this.

10 We can also say that the butchers of the extermination camps were guilty, not only because they played a causal role in the death of people, but also because they did have the capacity to change things. This was particularly true of those who had an influence on decisions, such as Eichmann, Speer and Hoess.

11 Obviously, if we do not consider the action of a person with few means available. In contrast, it is easy to imagine that a millionaire does have some capacity for action in the fight against poverty.

12 The proportion of national budgets devoted to development aid is rather significant from this point of view. For example, see the OECD website, available online at: www.oecd.org.

13 The principles that we propose here have nothing in common with those advanced by Derek Parfit (1986): the 'Limited Suffering Principle' and the 'Total Suffering Principle'.

14 Mahieu (2000) and De Martino (2010), for instance, argue in favour of such a code.

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