Introduction

In a just society, each citizen is equally entitled to a set of basic capabilities. This view is at the heart of the capability approach to social justice. Justice is not a matter of equalizing citizens' bundles of resources (exemplified by their income and wealth) or their level of subjective well-being. Rather, it is a matter of guaranteeing for them a set of basic capabilities – abilities or opportunities to function in specific ways. This is the starting point of any capability approach to justice, a view that I share. But there is a wide range of theories of social justice that are compatible with this basic commitment and the two main theories of social justice by proponents of the capability metric – that of Amartya Sen and that of Martha Nussbaum – have attracted numerous criticisms, many of which I share. This book, therefore, aims to provide a fundamentally different capability theory of justice that demonstrates the potential of the capability approach to give an attractive answer to the question of social justice.

Sen's approach is characterised by a staunch refusal to make substantive claims about the basic capabilities required for social justice, insisting that the determination of any list of requisite capabilities should be left to the democratic process. Nussbaum offers an elaborated capability theory of justice and I side with her ambition rather than Sen's reluctance. But in formulating its criterion for selecting basic capabilities, Nussbaum's theory is wedded to a neo-Aristotelian view of human flourishing. Like many critics, I find her approach too perfectionist and insufficiently liberal. Hence, in this book I propose to break new ground and offer a third route, according to which basic capabilities should be identified as those necessary to lead the life of what I call 'a free and autonomous agent'. On my approach, then, the notion of agency becomes the normative criterion for the selection of basic capabilities required for social justice.

A key challenge that arises when developing this new direction is that the notions of agency that we ordinarily find in liberalism are overly individualistic. This opens the door to the criticism that they present a

parochial, Western way of life. To rebut these objections, I propose to embed the notion of agency into the social context of action to a much greater extent than is usually done. I, thus, develop a conception of free and autonomous agency as embedded in social practices and then distinguish 'participational agency' from 'navigational agency' as two types of social embeddedness. In these terms, we can be agents by participating as a member within social practices (like playing tennis or being a judge in a court) or we can be agents in a stronger sense by being able to navigate between social practices and to choose for ourselves which practices we want to participate in. This distinction allows us to more clearly articulate what justice should be about. I defend the view that justice should be understood in terms of (capabilities for) navigational agency; our real ability to choose the social practices in which we participate.

In a slogan, then, the book aims to 'liberalize the capability approach, while socializing liberalism'. The resulting theory I call an 'agency-based capability theory of justice'. This book aims to offer a new way to realise the potential of the capability approach to offer a theory of social justice and, hence, a new candidate for theorizing social justice more generally.

Justice is about giving people their due – this rough description implies that all individuals should somehow be treated with equal respect and concern. But how should this equality of individuals be understood? They somehow have an equal claim, but what should an equal, just distribution be about? Since Amartya Sen's paper 'Equality of What?' (Sen 1979) the debate about the metric suitable for formulating distributive principles has been framed in terms of the distribution of resources, capabilities or utility. The capability metric can be understood as intermediate between these other two metrics. On the input-side, economic systems of production create a bundle of resources (goods and services) which is then distributed in some way to individuals. These resources function as a means to realise a set of capabilities. On the output side, once people have a set of capabilities, they can choose for themselves how to function. This will lead to outcomes, which in the capability approach are called 'achieved functionings'. Individuals will derive a level of utility (satisfaction, happiness) from that level of functioning: a subjective state indicating the value of the achieved functionings to them.

Nussbaum, Sen and others have argued that, in conceptualizing justice, a capability metric is superior to both utilitarian and resourcist

metrics.[1] If justice concentrates on resources, it confuses means with ends (Sen has argued this 'fetishizes' resources (Sen 1990)). This is problematic because it ignores inter-personal variations in the ability to convert resources into capabilities. If one person needs more resources than another to reach the same capability level, it would be perverse to think that equal treatment involves giving them the same bundle of resources. For example, a physically disabled person often requires more resources to be able to transport her/himself from home to work than a person not suffering this disability. Human diversity in the conversion of resources into capabilities needs to be taken into account. One response is to reformulate the demands of justice in terms of equality of utility. But if justice concentrates on utility, then it makes society responsible for the level of satisfaction people derive from their actions. This leads to the well-known problems of expensive tastes and adaptive preferences. If one person needs more capabilities to realise the same level of satisfaction, a utilitarian theory requires that society cater to these differences and offer the person with the expensive taste this more extensive set of capabilities. Similarly, if one person has adapted to misery and requires fewer capabilities to be as happy as other persons, society can do justice to them by offering this smaller set. These are perverse results, which deny people's responsibility for their own choices and the subjective well-being resulting from these choices.

I will not discuss these familiar arguments between the different metrics in this book and I will take the superiority of the capability metric for granted (R. Dworkin 2000; Pogge 2002; Pierik and Robeyns 2007; Sen 2009; E. Anderson 2010a; Brighouse and Robeyns 2010; Kelleher 2015). The intermediate position between resources and utility considers a person's potential – rather than actual – achievements normatively decisive and views this potential as a matter of a free choice on the basis of the resources she has at her disposal. The question then becomes: which potential achievements? If justice is to be conceptualised in terms of a person's set of capabilities, which capabilities are to be in that set? Obviously, the basic formula will involve each citizen being equally entitled to a set of basic capabilities. But which basic capabilities are these supposed to be?

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[1] This book focuses on the capability approach's contribution to the field of theorizing about justice. The approach has also been applied in other areas (such as quality of life measurement, human development policies, project evaluations, etc.). It is multi-disciplinary with contributions from philosophers, social scientists, economists, etc. For overviews of work in the capability approach, see Robeyns (2005b, 2006, 2017b) and Deneulin and Shahani (2009).

This question has received two radically different answers. On the one hand, Sen has been reluctant or even opposed to presenting a canonical capability list, arguing that basic capabilities should be selected in a process of public reasoning (Sen 1999b, 2004a, 2009). He endorses the proceduralist approach that leaves capability selection up to democratic processes of public deliberation. This reluctance to theorize a list of basic capabilities has met with several criticisms (Pogge 2002; Nussbaum 2003a; Srinivasan 2007). It is a matter of some debate what exactly Sen's stance is; whether he is actively hostile to capability theories of justice or merely sees himself as offering a capability *approach* that leaves open (and remains agnostic) about the development of several types of capability *theories* (Robeyns 2016). To the extent that Sen and others actively hold that it is problematic when academics/philosophers try to propose fully specified capability theories of justice, theirs is an example of a wider 'displacement critique' (Baderin 2016a, 2016b) directed against theories of justice in political philosophy. My main problem with this position is that it dissolves theorizing about justice into democratic theory; it becomes impossible to give substantive input in the democratic process about what justice requires.[2] That, in a way, is a missed opportunity for democracy itself. Democracies thrive, not when political philosophers – or others – stop arguing for a specific conception of justice, but when they contribute to political debates by offering their theories as proposals in the public arena (Claassen 2011b; Byskov 2017). I will not focus on the debates with Sen's view about these matters in this book. Instead, I concentrate my critical attention on Martha Nussbaum's capability theory – she did work out a more-or-less complete capability theory of justice; as this work also wants to do.

In the course of a series of articles and books, Nussbaum has formulated her famous set of ten central capabilities for a good, flourishing life (Nussbaum 2000b, 2006, 2011b). This proposal was originally presented as a neo-Aristotelian theory of the good (Nussbaum 1990). It has attracted criticism from liberal philosophers who are worried about the perfectionist character of her theory. The core of their concern is that Nussbaum's theory prescribes, for all the major spheres in life, what it is to flourish in these spheres and then translates this theory of the good into specific constitutional entitlements to be protected by the state.

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[2] Another problem is that democratic deliberators may be essentially as prone to adaptive preferences and other vices of subjectivist theories as the utilitarianism Sen set out to replace when introducing the capability metric. See Dowding (2006), Sugden (2006), Sumner (2006) and Qizilbash (2011).

I share these criticisms and will explain them in more detail in Chapter 1, where I also argue that Nussbaum's turn to a theory of 'political liberalism' has not – in my view – helped her capability theory escape these criticisms.

Most defenders of the capability approach to justice choose either a Nussbaum-style substantive, objectivist-list theory of well-being or a Sen-style proceduralist reliance on the democratic process.[3] This dichotomy reinforces the impression that one either has to go for a substantive (but largely perfectionist) theory or a procedural (but largely empty) theory. I believe this is a false dilemma. My theoretical inclination is to agree both with those who object that proceduralist theories miss the normative substance necessary for a full capability theory of justice and also with those who object that Nussbaum's capability theory is too perfectionist. The solution, as I see it, is to go for a substantive but thinner capability theory, based on a liberal conception of free and autonomous agency.

To position this proposal for an agency-based capability theory, the book will start by situating the capability approach in the debate about liberalism. It is, of course, not self-evident that a just society should be liberal. Communitarian critics of John Rawls and other liberals in the 1980s argued that liberalism uses an 'unencumbered' or 'atomist' view of the person that would insufficiently take into account the social or community-based aspects of the good human life. This criticism led to two competing liberal responses. Perfectionist liberals acknowledged the charge and defended liberalism as a theory based on a conception of the person as an autonomous chooser. Political liberals thought that the communitarian criticism gave us reasons to move in the opposite direction and show how a liberal theory could do without a conception of the person, or at least without a strong commitment to autonomy as an ethical ideal underlying one's political theory. The debate is often cast in terms of an ideal of political neutrality with respect to the good life (political liberals) versus a liberal theory of the good life as the autonomous life (perfectionist liberals). In Chapter 1 I argue that we do best to embrace a position in this debate which I call 'moderate perfectionist liberalism'. The thrust of this position is that liberalism – or indeed any political theory – cannot escape a commitment to an ideal of the good life, but should strive to minimise this commitment. A liberal view of the person as an autonomous agent

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[3] For examples of objective list theories see Alkire (2002) and Qizilbash (1998), for proceduralist approaches see Robeyns (2005a) and Crocker (2008).

is trying to do exactly that. While the state, when using such an ideal as the justification of its policies, cannot remain neutral on the value of autonomy, it can try to stay neutral on all other matters that autonomous persons may decide upon for themselves. Using the capability theory of Nussbaum as a leading example, I argue that such a moderate perfectionist liberalism offers a more defensible understanding of the liberal aspiration to a just society than either more strongly perfectionist theories or political liberal theories. Working out this moderate perfectionist liberalism is the task of the remainder of this book.

We can agree with the communitarians that it is important to conceive of human agency as embedded in social practices. This is why it is important to emphasise that agency is always *participational agency* – agency embedded in social practices where humans coordinate their actions to achieve common and individual ends and play roles vis-à-vis each other. Even so, this does not take away the essential freedom and autonomy of agents. They still have their role to play and to determine for themselves how to do so. Liberalism becomes relevant at the point at which agents are able to expand their powers to act freely beyond the practices to which they happen – by birth, accidence, or force – to belong. This is a special type of agency that I call *navigational agency* – the ability to move freely between social practices. In a just society, this is what individuals are genuinely able to do. The theory defending this type of agency is perfectionist in the sense that it contains a theory of the good; the good of free and autonomous agency. Nonetheless, this is a moderately perfectionist theory in that it remains limited to the value of free agency and does not extend to include other values. Showing that such a position can be sustained is the challenge I confront in the book as a whole. If my proposal works, it should provide an attractive position compared to strong perfectionists (such as Nussbaum's early neo-Aristotelian theory) and political liberals who (unsuccessfully, in my view) attempt to eschew reference to a theory of the good altogether.

The task of Chapter 2 is to present these conceptions of agency. First, I identify a conception of individual *agency* as consisting of a person's *autonomy* (i.e. their capacities to deliberate and choose their own ends) and a person's *freedom* (i.e. their capacities to realise their ends). Thus, agency as I will use the term comprises autonomy and freedom. Second, this conception of free and autonomous agency is to be understood as socially embedded in the sense that every action is a move in a social practice. Having defined social practices, I show how this leads us to accept two conceptions of agency, instead of one. *Participational agency* is

the ability of an agent to make a move within a social practice – i.e. to be a participant in a specific social context. *Navigational agency* includes the abilities to: (1) entering and exiting social practices; (2) resolving conflicts between practices; (3) reforming existing practices; and (4) creating new practices. Liberalism's central claim to freedom can then be reformulated as a concern with a particular type of agency – i.e. navigational agency. These concepts are, in turn, specified in terms of capabilities so that justice emerges as a requirement to protect rights to the capabilities to navigational agency. I argue that agency itself is a (meta-)capability and that agency needs to be spelled out in terms of a list of basic capabilities, as agency's defining conditions.

The next step, in Chapter 3, is to justify this theory: why accept that justice is a matter of protecting for each citizen equal rights to navigational agency? The chapter first discusses how to introduce and understand such rights-claims. It shows how rights (and duties) are part and parcel of the deontic structure of social practices. Hence, agents always find themselves in social roles in which rights and duties are ascribed to them. The question is whether and how specific rights to navigational agency can be justified, even to those who understand themselves as what I call 'mere-participational agents' – those who have been socialized into the acceptance of specific social roles and who do not understand themselves as entitled to abdicate these roles and take on other ones instead. Examples of oppressed individuals in strongly hierarchical cultures would be typical examples of such agents. The chapter presents a long argument for the claim that even such agents, when engaging in their role-fulfilment, must inevitably critically assess the social purposes of the practices to which they have been bound. Moreover, such a critical scrutiny, where it is sufficiently rational, can be shown to issue in the conclusion that they should claim rights to become navigational agents. The method of justification here relies on transcendental argumentation – its conclusion is a rational implication of acceptance of the particular starting point in the self-understanding of participational agents. This is offered as an alternative type of justification compared to the normal appeals to reflective equilibrium in normative political philosophy.

Once we have a metric of justice, what is lacking is a specification of the distributive principle. This is the topic of Chapter 4. Here I will build upon Nussbaum's (and others') suggestion that the capability approach is *sufficientarian*; for each capability what is owed to citizens is a threshold level which specifies what is sufficient or enough. An 'equal entitlement to a set of basic capabilities', then, does not mean a strictly equal

amount, but an equal right to a threshold amount which is the same for everyone. The sufficiency threshold, in my theory, is defined by what is sufficient to develop one's navigational agency. However, this sufficientarianism must be qualified in several ways. I argue in some detail for the incorporation of elements of the competing theories of prioritarianism (namely below the threshold), egalitarianism (namely for positional goods) and luck-egalitarianism (namely where choice is needed to develop agency). No short summary of these arguments is possible. The overall point is a nuanced yet consistent framework that does justice to the intuitions behind all these distributive schemes, yet justifies all of them by relating them to the development of agency as the central political task.

The three chapters in Part III elaborate the theory of Part II so as to establish which basic capabilities are required for navigational agency.[4] I argue for the inclusion of three sets of basic capabilities: empowerment capabilities (Chapter 5), subsistence capabilities (Chapter 6) and political capabilities (Chapter 7). The distinction is familiar from theories of basic rights into three types of rights – civil, socio-economic and political – and similar distinctions have also been proposed by other capability theorists (E. Anderson 1999, 316–18; Axelsen and Nielsen 2017).

First, *empowerment capabilities* empower individuals to make autonomous choices and lead free lives in civil society. This category makes participational agents into navigational agents, and it includes the main civil liberties as well as a capability to education. In Chapter 5 I concentrate on a particular challenge that these capabilities raise: can one specify these capabilities without falling back into a reliance upon perfectionist values? This question is discussed in two cases studies of the autonomy-side and the freedom-side of free and autonomous agency. On the autonomy-side the problem arises when we look at cases of adaptive preferences. To decide whether persons with adaptive preferences are to be subjected to paternalist interventions, requires a theory of autonomy that does not itself introduce perfectionist values through the back door. On the freedom-side, I take the freedom of association as a case study which raises the question whether we can specify rights to exit without relying on perfectionist values. In both cases, I argue, the challenge of avoiding perfectionism can be met.

Second, navigational agents need *subsistence capabilities*, such as basic health, housing and nourishment. Without these capabilities, one cannot

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[4] The three sets of capabilities I think minimally belong on such a list. Whether there are basic capabilities which I have missed, I leave to readers to judge.

lead the life of a 'mere-participational agent', let alone that of a navigational agent. In Chapter 6 I specify what subsistence requires, by making the case for three principles for the distribution of subsistence capabilities. The first principle endorses a socially calibrated and upwardly adjustable subsistence threshold for these capabilities, the second principle makes this conditional upon certain demands of reciprocity and the third principle subjects this to a requirement of efficiency. While making the case for these principles, I also argue for the acceptance of positive duties (against libertarians and other opponents of such duties) which is vital if there is to be a right to subsistence in the first place; and I argue for a basic right to a system of property rights. In the final part of the chapter I discuss whether social justice should include a redistribution of income and wealth that goes beyond the subsistence threshold. I endorse a positive answer to this question, mainly (but not only) because of the detrimental effect of wealth inequalities upon the fair value of the political capabilities.

Finally, navigational agents also need *political capabilities*. These include capabilities that grant citizens opportunities for participation in the political sphere and also capabilities for legal standing. In this way we can ensure that the other capabilities are defined, protected and enforced by the political system. In Chapter 7 I focus on the question of whether democracy – defined as the political system which grants each citizen an equal right to participation – can be justified. I first explain the defects of existing liberal defences, which focus either on the instrumental value of democracy for implementing the other basic rights or its intrinsic contribution to citizens' freedom or autonomy. I then offer a new defence of democracy that is based on the equal duty citizens have to protect each other's basic (subsistence and empowerment) rights, which implies that they need equal rights to participation as a necessary means to fulfil that duty. The second half explains the implications of this stance for the issue of representative versus direct democracy, the always-present threat of a tyranny of majority rule and how to draw the boundaries of democratic political communities in a globalised world.

These three chapters cover a lot of terrain and, therefore, do so in a way which is necessarily broad-ranging and sketchy, whereas a book-length treatment would often be appropriate. The defence for presenting such a bird-eye's view of the issues surrounding empowerment, subsistence and political capabilities is my wish to give the reader a picture of what acceptance of the agency-based capability in the first half of the book would imply. The chapters of Part III offer what I consider to be the most convincing extensions from

the theory developed in Part II. This should not be taken, however, as a simple matter of deduction from first principles to applications. It will undoubtedly be possible to reach some of the same 'applied' conclusions on the basis of other (competing) theoretical frameworks; and some may want to make forceful arguments for each of these issues that I should accept (slightly) other conclusions on the basis of the agency-based capability theory than I do here myself.[5] With these reservations in mind, the agency-based capability theory does provide a determinate lens on the issues of empowerment, subsistence and democracy – and in doing so constrains our range of options in how best to think about these issues. I have tried my best to fine-tune the spotlight as sharply as possible to show what picture emerges on the wall.[6]

Some final words of clarification about the overall status of the theory to be presented here. First, the theory is a *political theory*, more specifically a theory of 'political morality' (Raz 1986, 3). Such a theory is not a theory of morality overall, but focuses directly and exhaustively on the (moral) principles which can justify political action. The aim, then, is to describe which principles ought to be followed by those who have public authority. Such a theory is not a complete guide to political action, in two senses. One is that much of the specification of what public authorities ought to do needs to be done outside the theory and in its application. Principles do not determine their own application and hard work remains to be done through practical judgment in concrete circumstances

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[5] The merits of a philosophical theory of justice, I think, lie not in reaching practical prescriptions about how to act that are, compared to rival already existing theories, completely distinctive and unique. While we can demand of a theory to have some action-guiding force (or at least to offer the normative principles which, when combined with suitable empirical data, would offer such guidance), the attractiveness of a theory of justice in my view should be judged by whether it is able to (1) offer a basis for defeating theories, which endorse different, competing prescriptions and (2) do so in a way which is better than 'fellow-travelers', i.e. theories which endorse similar (or even the same) prescriptions. The practical conclusions in Chapters 5, 6 and 7 therefore are not necessarily unique compared to every conceivable alternative theory, but they do try to show the added value (if not superiority) of using an argument from (navigational) agency instead of some other philosophical basis, to reach these conclusions. In the end, the primary value of philosophy is not in discovering completely new beliefs about the practical policies for a just society, however welcome that is as a by-product, now and then, on those rare occasions that it happens. Rather, it is in getting clear on 'why we ought (not) to believe what we currently believe', i.e. to increase and where necessary to criticize our present self-understanding.

[6] Elsewhere I used the capability approach for a range of applied topics: to evaluate the moral limits of the market (Claassen 2009a, 2011a, 2011c, 2011d), the justification of private property (Claassen 2015), the criteria for interpreting competition law (Claassen and Gerbrandy 2016), the existence of duties to future generations (Claassen 2016) and financial market regulation (Claassen 2017).

of political action. The other sense in which a theory of political moral-
ity is not complete is that it may allow for, but not require, certain types
of political action. Some things that public authorities do may be pro-
hibited by the theory, others required, but there may be a large area in
between with actions that are permitted but not required by the theory.
The theory may be morally indifferent in resolving some coordination
issues – which do require public action – one way or the other (this dis-
tinction is familiar from moral theory more generally). I will here stay
agnostic on the size and scope of this domain of the permitted-but-not-
required (Claassen 2013).

The concept of public authority should be understood widely. I will
repeatedly replace it by 'the state' since this is traditionally the main pub-
lic authority. This equivocation is not meant to imply a belief that this is
a realistic assumption. State power has been hollowed out at least in two
ways: by international and supranational public organizations (like the
UN, the WTO and the EU), and by private organizations fulfilling pub-
lic functions (like associations and corporations). References to the state
will be meant as a placeholder for whoever exercises public functions over
a group of people. The defining attribute, then, is rather the *coercive pow-
ers* that come with public authority. Whoever is able to exercise powers
over others which these cannot escape, has to justify these actions; politi-
cal morality is meant to test these justifications. Coercive power needs
to be exercised 'for the common good' or 'in the public interest' and the
theory is to define that good/interest. This raises complicated questions
about the nature of 'the political' which have to remain unaddressed here.

Second, a theory of political morality is here (as in much other philo-
sophical work) given *in terms of social justice*. The task of politics is to
ensure we live in a just society. This implies a specific conception of
justice so that it covers the whole terrain of required political action,
recalling Rawls's definition of justice as 'the first virtue of social institu-
tions' (Rawls 1999a, 3). Some lament this association of social justice
with the political sphere because so much of justice needs to be realised
outside the political sphere. For example, the distribution of parental
favours between children, the distribution of goods between friends or
within private associations can be characterised as 'fair' or 'unfair', which
implies that the concept of justice has application outside the political
sphere. Also, many have rightly argued that informal social norms can be
as unfair as government policies. Their dissolution will (besides possible
political action) also require a change of attitude of private individuals.
I do not – and need not – deny this, in order to maintain that justice,

to the extent that it requires political action, covers the theory of political morality. But which matters of justice require political (i.e. potentially coercive) action? What institutional division of labour between public authorities and private actors should we accept when striving to realizing justice in a more encompassing sense? That is a substantive question and the split between the political and the non-political cannot be defined in advance of the theory itself.

Others may launch a complaint from the other side: doesn't politics cover many other moral norms besides – or beyond – those of justice? This I would deny. I confess being captivated by a somewhat hedgehog-like obsession with theoretical unity in the definition of political morality in terms of justice only (and even worse: with the definition of justice in terms of equality of agency). In defence of this I would reply that the concept of justice is defined not just through the concept of equality, but through the concepts of equality and freedom in tandem. A concept of equality refers to the formal aspect: people are to be treated equally. However, the theory also offers a substantive aspect, by specifying the respect with which people are treated as equals: as free and autonomous agents. Thus, under the banner of justice, a complex moral ideal of personhood can be included which offers the substance that others would want to juxtapose to a (probably slimmer) conception of justice. Moreover, such a substantive theory of justice can also make room for other moral/political ideals which are normally juxtaposed to justice: ideals like democracy and accountability, sustainability, economic welfare, physical and social security which in daily political life are used independently can best be understood as parts of the more comprehensive idea of a just society, as conditions for autonomous agency. This at least is the methodological rule of thumb I propose to follow before exploring the option of accepting a plurality of unrelated ideals of political morality. What is dearly needed in political matters is not just a list of political ideals but also insight in the relations between them, as parts of a whole.

Third, a final question is what the *concept* of justice is to which the agency-based capability theory stands as a *conception*. What is justice about? This question has gained increasing relevance in the debate about global justice where so-called 'non-relational' views argue that duties of justice are owed to anyone by virtue of being human, while 'relational' views restrict duties of justice to those with whom we stand in a certain relationship (for example, one of coercive authority). These two standpoints are then in a second step connected to a cosmopolitan and a nationalist stance, respectively. In my view, the opposition between 'being

human' and 'being in a social/political relationship' as the trigger for
moral duties is unsatisfactory. As will be argued in Chapter 2, one of
the defining characteristics of being a human agent *is* to be embedded
in social and ultimately also political relations. If we accept this, then
whether this entails accepting duties of justice to those beyond our own
borders, is a follow-up question that must be treated separately. The the-
ory offered thus does work with the concepts of a 'political community'
and of persons in their political role – i.e. as 'citizens' – but this does not
commit it to a picture of a world of bounded political communities in
which there are no transnational communities, forms of global coercive
power and questions of social justice between nations. All of that will
depend on the level of integration and globalization we face.

On my definition, then, justice – at least that part of it which informs
the theory of political morality – is about the distribution of benefits and
burdens amongst citizens in a political community. It defines what citizens
owe each other qua citizens. This definition may seem close to Rawls's
definition which ties justice to the 'benefits and burdens of social coop-
eration' and defines society as a 'cooperative venture for mutual advantage'
(Rawls 1999a, 4). However, Rawls's definition has sometimes – rightly or
wrongly – been interpreted as implying a compact between productive
citizens only, who produce a surplus of goods and services when form-
ing a society and must decide about the distribution of that surplus. This
picture has been criticised for not including unproductive citizens, such
as the severely disabled. Shouldn't every human being, in virtue of their
humanity, be included in the circle of those who are owed certain rights
in the name of justice? (Nussbaum 2006a). My theory answers this charge,
not by tying justice to a conception of humanity in abstraction from social
relations, but by relaxing the cooperative aspect of the political relation.
It does not pre-suppose cooperation in a productive sense as a quali-
fier for membership in the political community; mere interactions with
others in that community suffice, whether one is productive or depend-
ent on the productivity of others. An agent is always an agent between
others.

In writing this book, I have had to leave out of consideration several
potentially important dialogues with other approaches. Utilitarians,
libertarians, communitarians and others from a different normative
persuasion would need more arguments to be convinced. Political
realists, (radical) democratic theorists and some critical theorists and
post-structuralists will probably (no, certainly) feel the theory remains
too close to the kind of mainstream liberal theorizing they look upon

with suspicion. Theoretical philosophers will want to know more about the use of conceptions of autonomy and agency and the problem of defending freedom of the will, while philosophers of technology will be wary of the possibilities for individual agency in a world dominated by technological artifacts. All of these deserve more than I can offer here. Nonetheless, my hope is that enough is being said to make this book interesting to a broad group of political philosophers as well as those interested in defining social justice for our world.