

Rights, Capabilities and Recognition: an alternative reading of Amartya Sen and Paul Ricoeur's "dialogue"

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"Je m'identifie par mes capacités,
par ce que je peux faire"
(P. Ricoeur, *Devenir capable, être
reconnu*, 2005a: 125)

Abstract

This paper follows Ricoeur's trajectory and strategy of thought in his final works, bringing into discussion aspects of Sen's texts and relevant commentary by other scholars. The main result of this paper is to offer an alternative reading compared to the literature, highlighting how Ricoeur is indebted to Sen but also considering how the two differ in order to reach a more equilibrated view of their "dialogue". Among their analogies, Ricoeur explicitly recognized Sen's influence in his transition from self-recognition to mutual recognition and they assigned the same value to capabilities. But their respective understanding of mutuality among human agents is the main difference between them. Ricoeur wants to create authentic space and real opportunity for mutual understanding where rights and capabilities might be finally conciliated. In contrast, Sen is still enough weary and

hesitant to commit to what he would consider an ideal aim of human discourse and interaction.

Keywords: agency, capabilities, recognition, rights, self

1. Introduction

This paper follows Ricoeur's trajectory and strategy of thought in his final works, namely "Capabilities and Rights" and the *Course of Recognition*, bringing into discussion aspects of Sen's texts and relevant commentary by other scholars. The literature on the relationship between Ricoeur and Sen is rich and varied: on the one hand, there is the hypothesis of Ricoeur's debt towards Sen, advanced in the works of Brugiattelli (2013), Genard and Cantelli (2008) and Foesel (2010); on the other, Déneulin (2006) and Ballet and others (2014) has mainly emphasized the differences between them.

I will offer an alternative reading compared to the literature, showing in which ways Ricoeur is indebted to Sen but also how the two differ—especially given that Ricoeur seems not to have read Sen's latter works closer to and contemporaneous with the years running up to the publication of "Capabilities and Rights" and *Course of Recognition*. Working out analogies and differences between Ricoeur and Sen is very significant. This reading could be potentially interesting for an extremely heterogeneous audience, from Ricoeur scholarship to general economic methodologists. These latter often set their sights lower Ricoeur's more idealistic intentions. His intentions might leave a space in disciplines, like economics, which are involved with reciprocal exchange, opposed to Ricoeur's mutual recognition.

The paper is composed as follow: in Section 2, I will provide an overview about the concepts of rights, capabilities and recognition; in Section 3, I will represent how Ricoeur moves from capabilities to self-recognition; then, in Section 4, I will analyse Ricoeur's shift from

Sen to Hegel in mutual recognition; in Section 5, I will proceed with Ricoeur's reading of Sen's thought which ranges from his agency to "rights and capabilities" as the most fully developed social capacities to their common criticism towards mainstream homo economicus; in Section 6, I will deepen the pair of rights and capabilities in terms of "rights to certain capabilities" and Sen's "capacity for choice about life". In Section 7, some final considerations.

The main result of this paper is to offer an alternative reading compared to the available literature, highlighting how Ricoeur is indebted to Sen but also considering how the two differ in order to reach a more equilibrate view of their "dialogue". Among their analogies, Ricoeur explicitly recognized Sen's influence in his transition from self-recognition to mutual recognition and they assigned the same value to capabilities. Their respective understanding of mutuality among human agents represents the main difference between them. Ricoeur wants to create authentical space and real opportunity for mutual understanding where rights and capabilities might be finally conciliated. In contrast, Sen is still enough weary and hesitant to commit to what he would consider an ideal (as opposed to practical) aim of human discourse and interaction.

2. An overview on rights, capabilities and recognition

The main concepts involved in this paper are Sen and Ricoeur's understanding of rights, Sen's capabilities and Ricoeur's recognition. The field that these two thinkers give to rights sounds very interesting: they consequently treat the term 'rights' differently, working from different philosophical assumptions. Certainly, Sen's use of rights is more diffuse than Ricoeur's reference to the juridical field where rights are enacted and enforced.

Ricoeur's understanding of rights should be located in his ethical approach which has a key role in his whole production, although he

seldom answered directly to very specific ethical questions. Probably, among other contributions, like *Freedom and Nature* (1966), his most mature ethical formulation is provided in *Oneself as Another* (1992) where he explained his “little ethics”. This essay is an evolution of his previous works about ethics, freedom, interpretation, narrative and self. More specifically, this is considered (Cohen and Marsh 2002): on the one hand, a concentration of previous themes about action theory, philosophy of action and theory of narrative, adding the ethical perspective; on the other, the apex of Ricoeur’s analysis of the self on ethical, hermeneutical, linguistical and phenomenological aspects. In a nutshell, this essay is a synthesis of his earlier themes and methodologies with those contents and methods of ethics since the perspective of human self.

Its title summarizes the three main topics that make up this essay: primarily, a reflexive meditation on the self; a dialectic reading of the two kind of identity, such as *idem* or *ipse*; the dialectic between the self and the others. I will not go into further details about these topics, preferring to focus on what Ricoeur defined “little ethics”, significantly placed at the end of this essay. At the very beginning, he did not see a direct link between the main theme of the book (the analysis of those capacities and incapacities related to human capable being) and his ethical reflection. Then, Ricoeur found this cornerstone in the concept of *imputability*, such as that individual ability to recognize himself/herself as accountable for his/her actions. This capacity is homogeneous with those define human capable being, namely the capacity to speak, to act and to tell.

The main references of Ricoeur’s little ethics are represented by Aristotle and Kant who enabled him the transition “from a basic ethic to ethics passing through moral obligation” which is “the new formula for what I called my ‘little ethics’” (Ricoeur 2007: 3). This little ethics is rooted in a Kantian respect for other selves: in particular, this

respect should be embodied by institutions and rights, according to a Hegelian understanding of these latter (Pickett 2021). The role of rights in Ricoeur's little ethics is to concretely embody that abstract, Kantian respect. Afterwards, Ricoeur came back on ethics and rights in his final works, *The Course of Recognition* and "Capabilities and Rights. Ethics became an approach rooted in Hegel's recognition; in turn, recognition is that missing link from the "is" of capabilities to the "ought" of rights. Ricoeur was searching that link since the origins of his little ethics. But I will deepen this topic in the following Sections.

At the beginning of the Eighties, Sen developed his own ethical approach in *Rights and Agency* (1982) where rights acquire a seminal role. In this paper, Sen reflected upon justice, facing with constraint-based theories and welfarist consequentialism in order to provide a sort of third-way compared to these two alternatives. Although this distinction may appear enough naïve is the same Sen availed in this paper. This is why I am adopting it. Constraint-based theories focused mainly on motives behind human actions. On the contrary, welfarist consequentialism privileged consequences (Cremaschi 1999). According to Sen (1982), they have different limits about justice: the first does not admit the violation of rights not even when they cause poverty and availed of primary goods in order to reduce socio-economic inequalities (but these do not transfer automatically more freedom to individuals). In contrast, the second is neutral compared to distributional problems for reducing socio-economic inequalities. Sen claimed how welfarist consequentialism and constraint-based theories have a common limit: they avoid moral rights in the evaluation of consequences connected to human actions.

Since those criticalities, Sen (1982) decided to elaborate its "goals rights system". This might be considered a "plural and public" moral approach where different perspectives may agree about its epistemological basis and man comes out to that privateness which

characterized Sen's contemporary mainstream homo economicus. In this system, rights acquire a double value: on the one hand, rights are measures for evaluating state of affairs; on the other, rights are simultaneously means and ends for reducing inequalities at the aim to improve collective well-being. We might express rights' role in this ethical system quoting Sen. The

fulfilment and nonrealization of rights are included among the goals, incorporated in the evaluation of states of affairs, and then applied to the choice of actions through consequential links will be called a goal rights system (Sen 1982: 15).

Goals rights system is a consequentialist approach compared to rights, emptied by welfarist elements, but enriching it through the intrinsic value of rights, like in constraint-based theories.

Sen's capability approach is a realistic framework for studying human life, especially individual welfare and social states, availing of an alternative perspective compared to those adopted in economics and philosophy. The core of this approach is represented by capability, such as "what people are concretely able to do or to be in their existence". Its first formulation dated back to the Tanner Lecture, "Equality of What?" (1980) in terms of basic capabilities. During the Eighties, Sen further developed this approach in *Commodities and Capabilities* (1985) without any significant changes about capability's semantics, but introducing also functionings and commodities.

Capabilities are about "those beings and doings that constitute human life and that are central to our understandings of ourselves as human beings" (Robeyns 2017: 39). They represent the concrete freedom to choose among different combinations of functionings in order to improve their conditions. A functioning is "an achievement of

a person: what he or she manages to do or to be. It reflects [...] a part of the "state" of that person. It has to be distinguished from the commodities which are used to achieve those functionings" (Sen 1985a: 10). In contrast, commodities are primary goods that have simultaneously an objective exchange value and a subjective use value. Primary goods are means for improving individual and/or collective welfare in order to reduce, in turn, socio-economic inequalities. About the relationship between commodities and functionings, the latter explains what an individual can concretely do or be with the former. Finally, capabilities are individual freedoms to choose the best combination of functionings which enable him/her to live the life he/she prefers to (Erasmus 2019b). This is the most famous and spread definition of Sen's capability approach, such as those commonly adopted by economists for extending these concepts in applied fields of economic reality. Sen went a step further compared to simply offering an evaluable tool for economists. During the Eighties, he explicitly related goals rights system with his capability approach. This is a less-known extension of this latter, provided in *Rights and Agency*. Sen claimed that: "If all goal rights takes the form of rights to certain capabilities, then a goal rights system may be conveniently called a capability rights system" (Sen 1982: 16) In this way, Sen entangled an extension of rights with an extension of those achieved functionings which may be translated into capabilities.

Recognition is at the centre of Ricoeur's final works. The aim of *The Course of Recognition* is to afford a proper redefinition of 'recognition' (Giusti 2012), from 'recognize' to 'be recognized' by others (from an active to a passive form of recognition), through three fundamental stages, corresponding to the three studies of the book: 'Recognition as identification', such as the point of identity; 'Recognize oneself', such as the point of alterity where we find

Ricoeur's reading of Sen's thought; 'Mutual recognition', such as the final outcome of the dialectic between recognition and non-recognition, indebted to Hegel's thought, as abovementioned. This final point is simultaneously an arrival and a context for understanding these stages as a whole, in line with Hegel¹.

3. Ricoeur's (partial) intellectual debt towards Sen: from capabilities to self-recognition

Ricoeur first compared with Sen in "Capabilities and Rights": oddly enough, this is the reverse title of "Rights and Capabilities" (Sen 1985c). Maybe, this can be considered a first argument for supporting the hypothesis of his intellectual debt towards Sen, although this latter was mentioned only once in this work. Written before the appearance of the *Course*, "Capabilities and Rights" is a sort of summary of the most important elements we will find in Ricoeur's last essay. The aim of this contribution is to bridge two heterogeneous but close concepts, those of 'capability' and 'rights': Ricoeur supported that the former belongs to philosophical anthropology and the latter to philosophy of law. Trying an integration between them: "the best candidate for this [...] enterprise is [...] recognition understood as a dynamic process connecting a plurality of points of view as the distinctive steps of the same development." (Ricoeur 2006: 17) Ricoeur started his analysis foreseeing the framework of the *Course*: the different processes of recognition are represented through three logical steps and everyone had a different epistemological value. The first is the recognition of person, successively defined as 'identification', in an *existentialist* context. The second step is self-recognition where Ricoeur located rights and capabilities, namely an

¹ In this paper, I will deepen only the second stage of the *Course* because this is that where Ricoeur compares with Sen's thought about the categories of rights, capabilities and recognition.

anthropological context. Finally, the third step is mutual recognition where rights find their cornerstone in *juridical* context. In this space, Ricoeur appeared to be also influenced by Sen's capabilities for approaching his concept of self-recognition. However, in the following pages, he distanced himself from Sen, preferring Hegel's perspective in his analysis of mutual recognition.

About the relationship between capabilities and self-recognition, in a broader sense, Ricoeur supported how "capabilities belongs to the lexicon of human action. It designates the kind of power that we claim to be able to exercise. In its turn this claim expresses the kind of recognition pertaining to the assertion of selfhood at the reflexive level". (Ricoeur 2006: 17) This is a very important description: in an extremely original way, capabilities seem to be located in philosophy of language, while self-recognition is produced by selfhood's reflexivity.

Some considerations about capabilities and reflexivity related to self-recognition are required: about the first, who underestimate Ricoeur's debt with Sen could emphasize a linguistical difference between these terms. However, this difference is only apparent because their meaning is the same. According to Sen, basic capabilities express what a person "being able to do certain basic things" (Sen 1980: 218), while Ricoeur talked about "a kind of power we *claim* to be able to exercise" (Ricoeur 2006, 17). Which is the value of this "*claim*"? This sounds like a specific linguistic assertion, "I believe that I can", namely self-assertion². This kind of power equals

² At the same time, every assertion of capability concerning the otherness or alterity with activities like "helping, preventing, forbidding, or co-operating with the agent" (Ricoeur 2006: 18) belongs to the same phenomenology of certitude related to self-assertion like the abovementioned "I believe that I can". However, this link between self-assertion and otherness will be better explained in *The Course* where Ricoeur considered "the connecting links within the anthropology of capabilities and the juridical sphere of rights." (Ricoeur 2006: 18) I argue this quotation is significant: Ricoeur was the first to refer to an anthropology of capabilities. This understanding foreran a more recent literature, like Davis (2009), Erasmo (2020), Giovanola

with Sen's basic capability that Ricoeur defined 'capacity'. Instead, about the second, there are some differences between them: according to Ricoeur, self-recognition is produced by selfhood's reflexivity, as abovementioned. Since *Oneself as Another*, for example, he claimed two kinds of identity, idem (or sameness) and ipse (or selfhood). The former is an immutable or static identity through which "we see the self in another" (Pierovich 2011: 69), while the latter is the changing or dynamic identity that takes into account of the historical condition of the self which is changeable in time. In this sense, ipse explains that reflexive activity which enables self-recognition: through their dialectical exchange, personal identity is constituted thanks to a juridical, social and political recognition.

The same role of self-recognition is covered by commitment's reflexive value in Sen. Commitment offers a global view of the different aspects of the self (self centered welfare, self-goal choice and self-welfare goal) and a proper development of personal identity (Davis 2007). Perhaps, these two kinds of reflexivity differ mainly for their sources and the kind of identity related to them. In Ricoeur, ipse is the source of reflexivity, one of the two parts of personal identity; instead, in Sen, reflexivity derives from commitment, a motive for decision-making. Yet, commitment's reflexive value enables a proper development of personal identity. In turn, this produces the same consequences we find in Ricoeur, although this result is reached in a different way³.

After this analysis of the relationship between capabilities and self-recognition, Ricoeur focused on a set of basic capabilities (or capacities): these are the capacity to speak, the capacity to act, the capacity to tell and the imputability which will provide an only and

(2007, 2013), Giovanola and Totaro (2008).

³ Sen has not adopted the same Ricoeur's distinction between immutable and changing identity: on the contrary, he referred to personal identity which changes continuously as a product of different decision-making motives.

more specific capability, namely self-designation. These basic capabilities seem very close to Sen's capability approach but there are analogies and differences between these two: as mentioned above, on the one hand, Ricoeur's basic capabilities acquired the same value of Sen's functionings; on the other, however, Ricoeur introduced an interesting distinction, absent in Sen's capability approach, defining the transition from a set of basic capabilities to a specific capability as "from capabilities at large to rights at large"(Ricoeur 2006: 18), such as from "factual to normative capabilities". Basic/factual capabilities concerns with philosophical anthropology, while specific/normative capabilities with the philosophy of law.

Deepening Ricoeur's basic capabilities, the capacity to speak is that we may find, on the one hand, in Ancient thought, especially Homeric and Aristotelian works, where speaker subjects recognized themselves as the "cause" of their action; on the other, in contemporary pragmatism, where this capacity is understood as "doing things with words" or "being able to say things" (Ricoeur 2005c)⁴. Thanks to this linguistical ability, the capacity to speak is characterized by a progressive recognition of the self and the others (Ricoeur, 2005c). Then, Ricoeur deepened the second basic capability, the capacity to act, understood as "making events happen" or "the capacity of acting subject to make events happen in the physical and social environment" (Ricoeur 2005c: 96). This capacity is useful for recognizing himself/herself as the "cause of the action" in terms of "I did it". In particular, this is the "capacity to generate changes at the physical, interpersonal and social level" (Ricoeur 2006: 19), making man 'agency', able to answer to that question about the 'who' of

⁴ In the *Course*, this capacity enables to extend human actions, justifying that "characterization of the self as the capable human being recognizing himself in his capabilities" (Ricoeur 2005c: 94).

actions⁵.

Afterwards, Ricoeur considered the third basic capability, the “capacity to tell” or the ability to tell stories, including those related to his/her own self. In a broad sense, Ricoeur claimed that when personal identity exercises its reflexive value, talking about oneself in narrative terms, this becomes a “narrative identity”, evoking the temporal dimension of the self and its actions. Through this reading, personal identity acquires a temporal dimension and the relationships which establishes between agents and the narrated action enables to distinguish sameness and selfhood. These elements about narrative identity are absent in Sen: thus, we cannot support any influences in this sense.

Finally, Ricoeur showed the fourth basic capabilities, the “liability” or “accountability”, such as “I can hold myself as accountable”. This “makes the subject accountable before somebody else”, adding to the abovementioned ascription “the ability to bear the consequences of one’s own acts, particularly those which are held to be harms inflicted on somebody else as the victim”, including “the ability to suffer the pain of punishment” (Ricoeur 2006: 20) On the one hand, this understanding of human vulnerability is absent in Sen, as Ballet and others (2014) have pointed out. This is another element of difference between Ricoeur and Sen. On the other, Ricoeur introduced *self-designation* that:

gets attached to capabilities opened to objective description.

As concerns the action as much, some ethico-moral predicates, linked either to the idea of the Good or to that of obligation, follow the formulation of verbs of action. These

⁵ However, recognizing himself/herself as “cause of the action”, able to generate changes on the environment, does not equal with moral imputability or liability. Rather this is the simple ascription of actions to someone.

predicates reflexively to the agents themselves, these agents are held to be capable of moral imputation. With imputability or accountability, the concept of capability reaches its peak in terms of self-designation (Ricoeur 2006: 20)

At the top of this hierarchical order of basic capabilities, there is an only and specific capability which may be explained in terms of *self-designation*. This passage is very close to Ricoeur (2005c) reading of Sen's capability approach in *The Course*: according to this, "capabilities put responsibility in agency". Finally, capabilities have a double value: on the one hand, as abovementioned, these enable to represent what an individual or a group can be or do in his/her existence (taking into account or not of other goals and choices thanks to social interactions); on the other, capabilities may express person's relational value (Davis 2003), embedded in social space, through a proper representation of his/her social relationships. In other words, responsible behaviours may occur through capabilities space which offers the opportunity to know, represent and consider (or not) others' goals and choices. This is what happened at the apex of this Ricoeur's phenomenology. These elements confirm a certain proximity between Ricoeur and Sen's capability approach, although this is only a partial intellectual debt, given their differences about the source of self-recognition and those missed elements in Sen's thought (for example, the distinction between factual and normative capabilities and the analysis of narrative identity and human vulnerability).

4. Ricoeur distances himself from Sen: mutual recognition as juridical recognition of rights and Sen's missed theory of human rights

In the last Section of *Capabilities and Rights*, Ricoeur distances himself from Sen, adopting Hegel's perspective, like in *The Course's* mutual recognition. Behind this shift, perhaps, there is a significant lack in his analysis: if rights and capabilities may be connected only in a juridical context, Ricoeur seems not to have read Sen's works closer to and contemporaneous with the years running up to the publication of his latest works. He missed to mention, for example, Sen's theory of human rights. Probably, Ricoeur's reading of Sen's thought was limited to this latter production dating back to the Eighties (Erasmo 2019b). In 2004, Sen has published *Element of a Theory of Human Rights* where is straightforward his commitment for juridical questions.

But we have to proceed gradually.

Concluding the analysis of *Capabilities and Rights*, the passage from self-recognition to mutual recognition was realized in linguistic terms, from active to passive verbs, namely from "the claim to recognize" to "the need to be recognized" (Ricoeur 2006: 21), adding the element of mutuality or reciprocity which is absent in self-recognition and in Sen's thought⁶. About reciprocal relationships, Ricoeur supported how capabilities and rights could be finally connected in the juridical context. Despite "empruntant à l'économiste Amartya Sen le concept de "capabilité", Ricoeur reconnaît donc un droit à « acquérir des capacités » » (Foessel 2010: 123), he refused Sen's absence of mutuality which causes that rights and capabilities will never be really conciliated in his thought.

⁶ Although Sen has never referred explicitly to reciprocity, his contribution for the birth of relational goods was fundamental, so the question is a little bit more controversial that it can seem at a first sight. For further details, see Erasmo (2019a).

In Sen's goals rights system (1982), rights to certain capabilities has exclusively an ethical-moral value, not juridical, like Ricoeur wanted. Differently from Sen, Hegel focused on a different claim, namely the "universality linked to the conquest of new rights at the level of juridical relationship at large" where "the juridical person is defined as the bearer of rights implying normative obligations as regards the other partner in this kind of relationship"(Ricoeur 2006: 24). According to Ricoeur, rights and capabilities can meet in a universal (mutual) space, namely that of juridical dimension which is possible in Hegel's framework, not in Sen.

Since the transition from self-recognition to mutual recognition, Ricoeur considered this latter a space for enriching the basic capabilities with this "conjunction between the universal validity of the norm and the singularity of the persons" (Ricoeur 2006: 24) in order to obtain new, stronger, capabilities thanks to the juridical recognition of rights. The universality of norms and the singularity of persons equals with an enlargement of the normative sphere which causes simultaneously "the enumeration of new subjective rights" and "the ascription of these rights to new categories of individuals or of groups" (Ricoeur 2006: 24) About these new subjective rights, Ricoeur referred to civil rights (like those concerning life, freedom of movement and property), political rights (for example, participation in activities related to public civil) and social rights (as fair distribution of basic goods). Differently from the *Course*, in the final part of this contribution, Ricoeur went beyond the juridical stage of mutual recognition and the need of equality in terms of rights, reaching the so-called *social esteem*, close to Habermas's works (Busacchi 2015). Thereby, this represents a fourth logical step, the social step expressed in terms of social rank's recognition. However, social esteem meets several problems because the diversity of social mediations involved in this process (which corresponds to different

social roles) calls for distinct kinds of social esteem⁷.

Although Ricoeur denied a juridical/universal dimension in Sen, this latter focused on human (or universal) rights, including their recognition and legislation route. Oddly enough, in *Element of a Theory of Human Rights* (2004), the word recognition appears 'only' 21 times and a whole paragraph is devoted to "Recognition, Agitation and Legislation". About the nature of human rights, they are "primarily demands. They are not principally 'legal', 'proto-legal' or 'ideal-legal' commands. Even though human rights can, and often do, inspire legislation, this is a further fact, rather than a constitutive characteristic of human rights" (Sen 2004: 319). Rather,

the implementation of human rights can go well beyond legislation, and a theory of human rights cannot be sensibly confined within the juridical model in which it is frequently incarcerated. For example, *public recognition* and *agitation* can be part of the obligations-often imperfect-generated by the acknowledgement of human rights (319–320; italics is mine).

Human rights go beyond legislation, opposite to Ricoeur's position and his understanding of Sen's rights.

Moreover, human rights are "ethical claims will survive open and informed scrutiny" (320), such as "an interactive process of critical scrutiny" (320–321). This interactive element shows two important elements of human rights: their mutuality and universality where the latter is dependent on the former. In Sen, mutuality occurs in that open process of critical and informed scrutiny which reproduces, in

⁷ For better understanding the value of social esteem, Ricoeur recalled Boltanski and Thévenot (1991) "économie de la grandeur". According to this latter, an individual may be judged as "small" or "great" thanks to his/her social activity.

public space, the same dynamics of self-scrutiny which derives from commitment's reflexive value, as seen in the previous Section. Human rights are able to "survive open critical scrutiny in public reasoning" (356): this is the proof both of their universality and viability.

In Section VII, "Recognition, Agitation and Legislation", Sen emphasized how in the main literature on the theme: "it is the legislation of human rights, along with their institutionalization, that has tended to receive the lion's share of attention" (342–343). "However", Sen supported, "legislation is an important domain of public action", but "there are other ways and means which are also important and often effective in advancing the cause of recognized human rights" (343). This passive form of the verb 'to recognize' is seminal. Sen found three different line for "advancing the cause of recognized human rights" (*Ib.*), such as recognition, active legislation and legislation. About recognition route, Sen pointed how this ought "to be distinguished from the 'legislative route'" (*Ib.*) because there is only the acknowledgment of class of claims which can be considered as "fundamental human rights" but legalization is not required in this level. It is straightforward how Ricoeur and Sen's positions are opposite about the relationship between recognition and legalization: in fact, recognition and legislative route for rights corresponded in Ricoeur. Instead, Sen carefully distinguished them, as a recognition of a right does not equal with its coercive and legal status.

These differences are significant but highlight how Sen deeply analysed juridical questions: in particular, his position is based on the "ethical force of human rights" from which follows *social recognition* without any kind of enforcement. Human rights' recognition is associated with social recognition. This latter is the same Ricoeur developed as fourth logical steps in "Capabilities and Rights". Instead, active agitation goes beyond recognition: this is based on organized

advocacy towards those “basic claims of all human beings that are seen as human rights” (*Ib.*) and “monitoring of violations of these rights” at the aim of “generate effective social pressure” (344). Public discussion, publicizing and criticizing any violation of these rights are useful tools.

Differently from recognition, there are forms of enforcement in active agitation (like public activism or advocacy) and support in favour of invoked rights. These latter may have or not a legal status, however, they are central in Sen. All these forms of enforcement differ both from Ricoeur and the concept of legislation which is, in turn, the third line of advancement about human rights. And this route is the luckiest one in contemporary political history, although Sen does not agree with this legal enforcement. This is why he claimed that: “if a human right is important, then it must be ideal to legislate it into a precisely specified legal right” (345). Sen believed in the power of advocacy and public discussion, stopping at the second route for advancing in human rights recognition, without the need of “coercive legislation”, like Ricoeur. This analysis is helpful in order to introduce the *Course*.

5. From Sen’s agency and Ricoeur’s “rights and capabilities” to their common criticism towards mainstream homo economicus

In the *Course*, Ricoeur firstly compares with Sen’s agency: in a nutshell, this latter might be explained through his dualistic conception of person in ethical calculation (Sen 1985d, 1987). This dualism derives from agency and well-being. About the first, person may be understood in terms of his/her ability to form commitment, goals and values exercised individually or collectively (Alkire 2005); instead, about the second, we may refer to person in terms of his/her achievements, such as his/her well-being (Sen 1985a). Although these concepts are interdependent, agency is not necessarily

convergent with individual well-being, differently from mainstream homo economicus (where agency is totally oriented to his/her own-well-being in a monistic and tautological ethical calculation). In this regard, Sen considered further rational motivations together with self-interest, like those cooperative and altruistic. This is why Sen's agency might also be oriented to others' well-being, meanwhile worsening his/hers, because agency and well-being achievements are something different to each other⁸. Sen's understanding of agency points out his will to rediscover that collective and social dimension of human existence refused by mainstream economics.

Ricoeur availed of Sen's agency emphasizing how this latter could be considered as that binding notion for all the expressions about the "power to act" analysed in the previous chapters of the *Course*: especially, the introduction of agency provides a collective sense to individual capacities. These latter become social capacities, such as those "claimed by collectivity and submitted to public evaluation and approval" (Ricoeur 2005c: 134). Compared to the modes of recognition, this change:

yields to forms of ethical-juridical justification that bring into play the idea of social justice, as we shall see with the most advanced idea of "capabilities" that I owe to the economist Amartya Sen, which he pairs directly with the idea of rights in the complex expression "rights and capabilities" (or sometimes "rights and agency"). This noteworthy

⁸ Ballet and Mahieu (2009) have a certain criticism towards agency: on the one hand, they claim how this introduction has enabled Sen (1987) to practice the distinction between *agency achievement* and *well-being achievement* and to overcome the traditional welfare's notion with that of well-being (more careful to qualitative aspects of human life); on the other, however, they support how agency seems to be a simply extension of capabilities but without "donner plus de substance au sujet" (Ballet and Mahieu 2009: 307), emphasizing how this concept is poor in Sen's economic anthropology.

conceptual pair will constitute the most fully developed form of social capacities discussed in this section. (Ricoeur 2005c: 134–135).

Among many other references, from Greek tradition (like Homer and Aristotle) to modern and contemporary authors (like Austin, Bergson, Descartes, Kant and Searle), Ricoeur is recognizing how Sen influenced his transition from self-recognition to mutual recognition, such as from alterity to mutuality. In this quotation, Ricoeur was implicitly recalling two very complex Sen's papers both dating back to the Eighties, on which he will come back explicitly in the following pages: on the one hand, the abovementioned *Rights and Agency* (1982); on the other, *Rights and Capabilities* (1985c), complementary to 1982's paper, where Sen showed the relationship between freedom and capabilities in order to actions. Ricoeur referred to these passages for supporting how human beings had to develop those rights conferred from positive and negative freedom, extending the horizon of his/her opportunities. This extension enable persons to be the absolute protagonists of actions towards self-recognition. Not only are these works interesting for deepening Ricoeur's references but simultaneously for reaching a more comprehensive understanding of Sen's moral philosophy.

In this quotation, Ricoeur realized an ambiguous generalization, coupling rights/agency and rights/capabilities: he used these pairs as interchangeable. But they cannot be considered as synonymous in Sen's works, although a similar distinction is not so straightforward. Rather agency and capabilities are different but related to each other in Sen's thought: indeed, on the one hand, like in Ricoeur's reading, agency expresses the power to act in order to choose freely and rationally among the different alternatives about individual preferences and values. In Sen's normative economics, agency refers

to a responsible exercise of capabilities but it does not equal with capabilities themselves. Under an ethical understanding of decision-making, this is a form of consciousness and imputability. In other words, agency is the foundation, while capabilities are his products. On the other, at the same time, agency is a *conditio sine qua non* for exercising capabilities and creates exactly those conditions for achieving the freedom to choose rationally and responsibly (Erasmus 2020). Agency's imputability is really appealing for Ricoeur, given that is close to one of the four capacities which characterized his human capable being.

Finally, about social capacities, Ricoeur supported how they appear to be extremely heterogeneous but they have in common "the same anthropological ground, namely, the characterization of the human in general by the power to act, agency" (Ricoeur 2005c: 135). More specifically, he spoke of the most fully developed social capacities (Brugiatelli 2013), such as rights and capabilities. Ricoeur claimed how:

I owe the most unexpected, if not the most audacious, of these extensions to the work of Amartya Sen [...]. In his *On Ethics and Economics*, 1987, and more precisely in an important work from 1985 titled *Rights and Capabilities*, Sen places the concept of "capabilities" joined with that of "rights" at the centre of his argument in favour of reintroducing ethical considerations into economic theory (Ricoeur 2005c: 141).

In *On Ethics and Economics* and *Rights and Capabilities*, Sen tried to take significant steps towards normative economics: this may further explain why Ricoeur was interested in his works. Then, Ricoeur was wondering why an economist like Sen decided to deep

moral philosophy, especially moral feelings, in his normative economics. In particular, he emphasized how: “from the opening pages of *On Ethics and Economics*, he announces his intention to take into account the role of ‘moral feelings’ in ‘economic behaviours’” (Ricoeur 2005c: 142) The origins of Sen (1987) analysis of moral feelings was his criticism towards those misleading readings of Smith and his concept of self-interest. Among many others, Sen (1987) referred to Stigler (1971) misunderstanding about the real value of *The Wealth of Nations* (1776) which led him confusing Smith’s prudence with mainstream self-interest. This reference:

is instructive to examine how it is that Smith’s championing of ‘sympathy’, in addition to ‘prudence’ (including ‘self-command’), has tended to be so lost in the writings of many economists championing the so-called ‘Smithian’ on self-interest and its achievements” (Sen 1987: 23).

Between the Seventies and the Eighties, among mainstream economists, this misunderstanding of Smith was enough common. Several studies were mainly focused on *The Wealth of Nations* and its economic value. This analysis led mainstream economists to erroneously consider Smith like the prophet of homo economicus (Polanyi 1944). These economists were:

almost unanimous in considering economic actors in terms of their motives where such motivation has been reduced to its rational core, itself interpreted as the maximizing of self-interest, in accordance with the principle of utility (Ricoeur 2005c: 142).

On the contrary, Sen has extended rational motives in economic

behaviours compared to those selfish ones. Ricoeur highlighted how Sen (1977, 1985b) tried to go in an opposite direction compared to his contemporary colleagues, quoting a passage of *On Ethics and Economics* where he referred to the abovementioned dualistic conception of person in ethical calculus. In fact:

we can see the person, in terms of agency, recognizing and respecting his or her ability to form goals commitments, values etc., and we can also see the person in terms of well-being, which too calls for attention. *This dichotomy is lost in a model of exclusively self-interested motivation, in which a person's agency must be entirely geared to his own well-being*⁹. But once that straitjacket of self-interested motivation is removed, it becomes possible to give recognition to the indisputable fact that person's agency can well be geared to considerations not covered-or at least non fully covered- by his or her own well-being (Sen 1987: 41).

Thus, Ricoeur appreciated that Sen introduced agency in economics (his non monistic conception of person in ethical calculus) where agency and well-being are two different things, emptied by that welfarism adopted in mainstream economics. This anthropological distinction is very significant in economics, Ricoeur (1992) had already developed this capacity in his imputability. Definitively, Sen did not influence Ricoeur for this concept, although was very sensitive to this topic. This is why he continued his analysis in *The Course*, criticizing mainstream homo economicus which caused an anthropological understanding of person as: "simplified image of this model of what motivates a person to act" (Ricoeur 2005c: 142).

⁹ This passage was not quoted by Ricoeur, but I have decided to add it for better understanding the analysis made by Sen (1987).

6. Deepening the pair of rights and capabilities: “rights to certain capabilities” and the “capacity for choice about life” as evaluative criterion for Sen’s theory of justice

A possible overcoming of mainstream homo economicus verifies through the rediscovery of freedoms and rights which transform freedoms in real opportunities. Ricoeur (2005c) availed of Sen’s normative economics for relating freedoms: on the one hand, with the life choice he/she preferred to live and the collective responsibility; on the other, in turn, extending his thought with a look for evaluating juridical and political dimensions. This conjunction is possible thanks to the roles of positive and negative freedom in order to action like in Sen (1982). In particular, negative freedom links to the set of civil rights, while its extension is represented by libertarianism; in contrast, positive freedom embodies what a person is able or unable to do or to be, assuming negative freedom but extending it with the capability to choose the life he/she prefers to live.

Ricoeur affirmed that:

the rights that political economy must incorporate into the motives for economic action are components of the idea of “capabilities”, as he argues in his *Rights and Agency*¹⁰. The most worthy expression in this regard is that of “rights to certain capabilities” (Ricoeur 2005c:143).

¹⁰ There is a problem with one of the most famous English version of the *Course of Recognition*, namely that of David Pellauer, the same adopted in this paper. Unfortunately, Pellauer has failed to check the name of the right work quoted by Ricoeur, confusing *Rights and Agency* with *Commodities and Capabilities* (1985a). Looking at the other versions, like the Italian (Ricoeur 2005b) or the original French ones (Ricoeur 2004), it is possible to find this mistake. This is why I substitute his translation with the right Sen’s work, *Rights and Agency*.

This is Sen's goals rights system. In this way, we may get "beyond the alternative between consequentialism, stemming from the theory of well-being (such as utilitarianism), and a deontological approach, founded on constraints external to agency " (Ricoeur 2005c: 143), offering an alternative compared to the main moral approaches of those years. Ricoeur emphasized how the 'rights to certain capabilities' also represented the idea for the development of Sen's theory of social justice where the exercise of rights becomes the basis for expanding freedoms. According to this understanding, Ricoeur was moving from a consideration of capabilities like anthropological features to the identification and protection of these useful capabilities from a political and juridical perspective.

Then, Ricoeur realized a further analysis of Sen's thought: this is his social evaluation which is: "contrary to the utilitarian tradition that bases this evaluation on results already accomplished, themselves reduced to utility". Rather, "it is in terms of the liberty to accomplish things, as an extension of positive liberty, that Sen bases social evaluation-for example, of competing policies. Thereby, individual liberty understood as a life choice becomes a social responsibility." (Ricoeur 2005c: 145) According to Ballet and Mahieu (2009), however, social responsibility is the only one we may find in Sen's works, expressed in terms of individual freedoms (or life choice) which cannot lead to individual responsibility. Thus, this is a very critical notion in his thought. Ricoeur continued his analysis, arguing how:

the conceptual revolution introduced with the pair "rights" and "capabilities" will be understood only if we contrast it with the evaluation of action in terms of utility and well-being. It is a real capacity for choice about life that this capability is promoted to the rank of a criterion for evaluating social justice (Ricoeur 2005c: 146).

Sen's introduction of goals rights system, anthropologically based on agency, requires an evaluation of economic behaviours opposite to utility and well-being. Not only this represents an overcoming of welfarism but Rawls (1971) theory too. This is possible thanks to moral feelings and dualistic conception of person in ethical calculus analysed in Section 5. According to Ricoeur, this capability involved in our main choices is "capacity for choice about life" and is the real evaluative criterion of Sen's theory of justice which enables to judge all the different political systems. Although this criterion is useful in economics and politics, its suitability for a similar conflictual reality is simultaneously the cause of mutuality disappearance and the barrier which definitely explained why Ricoeur stopped his course with Sen, reaching mutual recognition thanks to Hegel and his *Anerkennung*. On the contrary, Ricoeur desired an institutionalization of recognition (Honneth 1992), like Hegel (1804).

7. Final considerations

The main result of this paper is to have shown how Ricoeur is indebted to Sen but also considering how the two differ, reaching a more equilibrate view of their "dialogue" compared to the available literature. Among their analogies, Ricoeur explicitly recognized Sen's influence in his transition from self-recognition to mutual recognition and they assigned the same value to capabilities. Their respective understanding of mutuality among human agents represents the main difference between them. Ricoeur wants to create authentical space and real opportunity for mutual understanding where rights and capabilities might be finally conciliated. In contrast, Sen is still enough weary and hesitant to commit to what he would consider an ideal (as opposed to practical) aim of human discourse and interaction.

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