GENDER AND THE FOUNDATIONS OF SOCIAL CHOICE: THE ROLE OF SITUATED AGENCY

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ABSTRACT
Amartya Sen defends a rich conception of social choice theory against tendencies to limit social choice theory to the formal investigation of rules of collective decision-making. His understanding of social choice theory makes the field a natural candidate for exploring gender issues in the evaluation of democratic policy. Not surprisingly, Sen has applied the insights he developed from his study of social choice to the evaluation of gender inequality, in particular to women’s well-being in the context of the family. I focus on Sen’s distinction between well-being and agency, and argue that from the perspective of women’s movements and related social movements, the role of agency has so far been unduly neglected in social choice theory.

KEYWORDS
Amartya Sen, social choice theory, agency, gender, democracy, participation, Liberal Paradox

INTRODUCTION
Kenneth Arrow catalyzed research on social choice, as is well known, with his Impossibility Theorem (Kenneth Arrow 1963). Before Arrow’s contribution, it was standard practice in welfare economics to assume a “benevolent dictator” in charge of implementing socially desirable policies. Arrow posed the important question: how can the benevolent dictator—or any public official—gain democratic legitimacy? He sought a collective decision-making mechanism so that individual preferences about policy alternatives could be aggregated into a social preference ordering, and thus pave the way for grounding the social evaluation of policy alternatives in democratic values and procedures. As Arrow explained in a recent re-evaluation, “the real purpose [of social choice theory] was to analyze policy decisions” (Kenneth Arrow 1997: 3). Unfortunately, the Impossibility Theorem showed that in Arrow’s axiomatic world, democratic choices could be arbitrary and lack legitimacy, which exposed a serious difficulty in democratic policy
evaluation. Not surprisingly, the implications of this strong and robust result have been overwhelming, not only in economics but also in philosophy and related disciplines.

In a sense, one would expect a longstanding association between social choice theory and research linked to the emancipatory goals of women’s movements, as well as to related social movements. Even according to a standard textbook definition, “Social Choice Theory is the study of systems and institutions for making collective choices, choices that affect a group of people” (Jerry S. Kelly 1988: 1). Such groups of people, one suspects, are often heterogeneous, comprised of women and men (and dependent children); are structured by gender and other forms of social hierarchies; and contain subgroups which are unequal with respect to having their voices heard and how they are affected by the group’s choices. In spite of this potential affinity with gender issues, searching for the keywords “gender” and “women” in Social Choice and Welfare—the principal journal in the field—produces no results. A search in other publications yields little more.2 This silence is all the more surprising since social choice theory, unlike other fields in economics, does not shy away from the normative dimensions of economic analysis. Kelly, for example, adds to his definition of social choice that it “is breaking off [from philosophy] to provide progress on political philosophy questions about how societies ought to be making collective choices” (Kelly 1988: 1).

We can explain the silence insofar as social choice theory is equated with finding solutions for problems related to the aggregation of individual preferences as they arise in Arrow’s formulation of social choice. The very foundations of such a narrow interpretation of social choice theory do not fit in easily with themes like women’s agency and women’s participation in democratic institutions, democracy and difference, universalism vs. relativism, and the tensions between an ethics of impartial justice and an ethics of care for others.3 Insofar as social choice theory targets the aggregation of expressed preferences, it cannot deal with the issue of inclusion or exclusion in participation. And if the utilitarian legacy in social choice theory allows nothing but individual preferences as inputs into social choice and the evaluation of social policies, then debates about the scope and substance of justice and equality are beside the point. With only a narrow interpretation of social choice theory, the silence on gender thus appears not only unfortunate, but structural.

Luckily, this situation does not characterize quite all of social choice theory. Amartya Sen’s work is one notable exception. To Sen, the affinity between the problem of social choice and gender has been obvious for a long time, and he has written on the relevance of social choice theory for evaluating gender inequalities in the family and beyond (Amartya Sen 1990, 1995b). Sen’s broad understanding of the subject of social choice theory—identifying as its main problem the necessity of reconciling the social
evaluation of policy decisions with “the diversity of preferences, concerns, and predicaments of the different individuals within the society” (Amartya Sen 1999a: 349) – underlines the field’s potential for exploring gender issues in democratic policy evaluation.

Sen does not condemn the formal study of aggregation mechanisms with which the field is sometimes associated; rather he sees the use of axiomatic methods as a “mixed pattern of virtues and vices” (Amartya Sen 1997a: 15). In a similar vein, to criticize this literature is not the goal of my paper. Instead, I want to ask – constructively – how gender can and should be taken into account. This is a foundational issue, and I shall thus refrain from quarreling with particular axioms.

At a general level, two questions can be asked about the relationship between gender issues and social choice theory. First, how can insights from social choice theory benefit the study of women’s well-being and gender inequality? Second, and more conjecturally, how can social choice theory benefit from insights in the fields of women’s and gender studies? I shall pursue both questions.

I. SEN’S INFORMATIONAL INTERPRETATION OF SOCIAL CHOICE

Sen has never lost sight of the motivation behind Arrow’s work: to explore the possibilities for democratic social evaluation. In general, Sen’s work has been much influenced by Arrow’s theorem, and in its early stages a focal point of Sen’s research has been to understand what drives Arrow’s impossibility result (see Amartya Sen 1970a, 1979).

To set the stage, let me briefly review Arrow’s result. An Arrowian social welfare function is a mechanism that would aggregate individual preference orderings over alternative social states to a social preference ordering over these states, thus enabling rational social choice. A social state stands for a full description of all the economic, political, and social circumstances. A social welfare function should satisfy the following four (normative) conditions in order to be called minimally democratic. Unrestricted Domain (condition U) requires that all possible profiles of individual preferences should be admitted. Independence of Irrelevant Alternatives (condition I) requires that social choice should not be affected by individual preferences over alternatives that are not in the subset from which the choice is to be made; only individual preferences over pairs of alternatives in the subset should determine social choice. According to the weak Pareto principle (condition P), if all individuals judge an alternative \( x \) to be better than an alternative \( y \), the social preference ordering should also regard \( x \) as better than \( y \). Non-Dictatorship (condition D) rules out dictatorial social choice; social choice should not be determined by the preferences of a single individual. The Impossibility Theorem establishes
that if the number of alternatives is at least three and the number of individuals at least two, the four conditions are inconsistent. The only social welfare function that yields a (transitive) social preference ordering and that satisfies P, I, and U is dictatorial.4

As Sen has made clear, the first three conditions have the secondary effect of defining the informational basis of social choice. Indeed, exploring the pertinence of the informational assumptions in social choice is probably one of Sen’s most important long-term projects in the field. Conditions U, I, and P together imply a variety of what is called welfarism.5 Welfarism is a form of consequentialism, requiring that only the individual preferences over alternative social states (or the utility they draw from these states) matter in ethical judgments and social evaluation. This privileging of utility information over nonutility information, such as considerations of needs, rights, liberties, etc., in social choice theory, stems from the utilitarian roots of welfare economics.6

Amartya Sen (1977b, 1995a) distinguishes between two separate dimensions of social choice theory: the social welfare judgment dimension and the collective decision-making dimension. The first offers a systematic approach to the questions of welfare economics, whereas the second is associated with the study of collective decision-making rules that can be traced back to Cusanus, Borda, and Condorcet. Sen has worked on both, but with an emphasis on the former because, for many social problems, collective decision-making mechanisms such as the majority rule do not, by themselves, cut deep enough.7 This is especially true for pure distributional problems. Sen illustrates the argument with the classic cake division example. If there are three people, majority rule cannot distinguish between the following two cases: (a) the case where two of the three people already have most of the cake and take away more cake from the third, who has practically nothing, and (b), the case where two of them have very little and get some more from the third person, who has the bigger part of the cake (Sen 1995a). The example shows that an adequate assessment of the situation would require more information than majority rule alone can process: aggregating expressed preferences through a voting rule does not exhaust the domain of social evaluation.

What happens to the impossibility result if we broaden the informational basis of social choice to accommodate cardinally measurable utility and/or interpersonal comparability of utility? An early theorem showed that cardinal measurability alone does not change anything (Sen 1970a). But if we modify Arrow’s framework to allow for interpersonal comparisons, a variety of nondictatorial social welfare functions become available. With interpersonal comparisons, we can derive consistent social welfare judgments from information about individual welfare. Moreover, this important result sheds light on the working of the Impossibility Theorem itself: Sen concludes that “The impossibility theorem can be seen as
resulting from combining a version of welfarism ruling out the use of non-
utility information with making the utility information remarkably poor”
(1979: 539).

II. WELL-BEING, AGENCY, AND GENDER

Sen’s research on social choice did not come to a halt with the above result.
Quite the contrary: he puts much effort into criticizing ordinal,
interpersonally noncomparable individual preferences as the sole informa-
tional input to social choice and into exploring alternative informational
frameworks. The first problem with preference-based social evaluation is
the neglect of what lies behind preferences. Often, overt preferences may
be a result of the situation in which people live. This is especially
bothersome if people have adapted their preferences to adverse
circumstances. Sen rejects the notion that social evaluation should be
based on purely subjective assessments of individual welfare. While not
denying that there are important differences in individual notions of well-
being, he argues that they should not keep us from seeking objective
mainstays for social evaluation, since for many exercises of social evaluation,
a broad consensus can be expected about the main elements of well-being.
Against welfarism in general, whether it refers to subjective preferences or
objective measures of utility, Sen argues that for the social evaluation of
well-being, nonutility information such as individual rights often matter
(Sen 1979).

Finally, Sen rejects the exclusive focus on well-being, no matter how it is
measured. In particular he suggests that beyond information on well-being,
information on people’s agency should also be taken into account (Amartya
Sen 1985). He defines agency as the ability to set and pursue one’s own
goals and interests, of which the pursuit of one’s own well-being may be
only one. Other ends may include furthering the well-being of others,
respecting social and moral norms, or acting upon personal commitments
and the pursuit of a variety of values (Amartya Sen 1977c). It is
fundamentally different to view a person as an agent and not just as a
“patient” – who does or does not have well-being (Amartya Sen 1995c:
103). A person’s actions come to the fore: how she acts or refuses to act,
and her motives for choosing one action over another. In contrast to the
outcome-based structure of the received view of individual rational choice
and social choice, agency highlights how acts themselves may have value. Speaking in the language of Sen’s informational interpretation of social
choice theory, the evaluation of the agency aspect requires a broader
informational basis than the social evaluation of well-being alone. It
requires paying attention to the specific motivations and constraints under
which people act: “A person’s agency aspect cannot be understood without
taking note of his or her aims, objectives, allegiances, obligations, and – in a
broad sense—the person’s conception of the good” (Sen 1985: 203). Taking agency seriously as one of the constitutive features of the person also strengthens the role of freedom in social evaluation—“what the person is free to do and achieve in pursuit of whatever goals or values he or she regards as important” (Sen 1985: 203). The notion of freedom Sen invokes is a positive one. It focuses on what a person is actually able to do and achieve. Standard rational choice theory, by contrast, is linked to a negative conception of freedom (freedom as noninterference) when it views a person as free to choose as long as there is no duress or deceit.\(^\text{10}\)

Sen does not limit himself merely to criticizing the preference framework. With the capability approach, he offers a highly productive alternative informational basis for social evaluation. As is well known, the capability approach has a two-stage structure: first, the identification of valuable functionings, and, second, asking which functionings a person can achieve if she wants to do so. The set of functionings a person is able to achieve to a satisfactory degree is her capability.\(^\text{11}\) The capability approach brings to bear all the features that Sen finds lacking in preference-based social evaluation. It is nonwelfarist; it can accommodate both well-being and agency considerations; it puts social evaluation on an objective basis, which makes interpersonal comparisons possible; and it embodies a positive notion of freedom by asking which valuable functionings are within a person’s range of opportunities.\(^\text{12}\)

In “Gender and Cooperative Conflict,” Sen (1990) applies this strand of his work to the evaluation not just of social states in general, but of the institution of the family in particular. In line with feminist theorists who have argued that gender inequalities in the family are linked to inequalities in the public sphere (Susan Moller Okin 1989; Anne Phillips 1991), Sen thus recognizes that the realm of the family and of gender relations falls within the scope of social choice theory and indeed of justice more generally.

I shall briefly summarize Sen’s contribution to the economics of the family since it can serve both as an illustration of his theoretical arguments and of their bearing upon gender issues in social choice. It focuses on the bargaining models, which are becoming increasingly common in economic analyses of family behavior and well-being. Sen argues that while conventional bargaining models of the family are an improvement over the earlier single-utility models, they remain unsatisfactory because they are restricted to individual preferences. They fail to take into account the formation of beliefs and preferences under the influence of social norms and social experience in general. With regard to beliefs, Sen argues that married women tend to devalue their contribution to the household—to perceive their work as being worth less than it actually is and less than that of the breadwinner husband. Such perceptions fit in with, and reinforce, general social perceptions of the relative worth of market and nonmarket
work and, ultimately, of the relative worth of gendered contributions to the social good. With regard to preferences, Sen argues that women’s already low bargaining power is compounded by their tendency to value the well-being of their family members more than their own, to silently accept their fate, and to engage reluctantly in hard bargaining.

The example of gender relations in the family illustrates the problem of adaptive preferences, the insufficiency of subjective evaluation, and the need to take into account nonutility information as well as information on people’s agency. Sen suggests that instead of relying on narrow preference-based evaluation, the socially entrenched division of roles in families should be evaluated in terms of an objective measure, such as capability. Compared to the preference framework, the capability approach has the advantage of not taking overt preferences and actual choices—which may simply be a result of one’s circumstances—as the ultimate expression of what a person’s interests are. And whereas conventional (preference-based) bargaining analysis bears the risk of cloaking the mechanisms which perpetuate gender inequalities, Sen’s emphasis on objective criteria for women’s well-being has the advantage of not being blind to restricted agency, thus providing a corrective force.

There is, however, something of a tension between the solution Sen suggests in “Gender and Cooperative Conflict” and the agenda of contemporary women’s movements and gender theory. The latter often highlight the active role of women’s agency in bringing about social change. Sen, by contrast, seems to focus on low well-being and restricted agency, and on the potential of an objective framework of social evaluation such as capability to correct for this situation. Insofar as “Gender and Cooperative Conflict” can be read in this way, using the capability approach primarily to evaluate women’s well-being does not seem quite sufficient to lift women out of their status as “patients.” Bina Agarwal (1997: 22–25) queries Sen’s reading of women’s actions as necessarily indicating false perceptions and provides substance for an alternative reading based on women’s covert actions. She argues that women’s overt compliance with social norms does not necessarily mean they have accepted the legitimacy of intrahousehold inequality; it might merely reflect their lack of options. She thus comments on Sen’s proposal that she would “place much less emphasis than Sen does on women’s incorrect perceptions of their self-interest, and much more on the external constraints to their acting overtly in their self-interest” (Agarwal 1997: 25). Too much emphasis on the manifest restriction of agency bears the danger of denying women’s agency altogether. In more recent work, Sen acknowledges this shift of perspective towards the potential of women’s agency and, as argued above, the capability approach can in principle accommodate an agency-oriented approach. Nevertheless, his issue, as well as its bearing on the conception of social choice theory, needs to be explored in greater detail.
First, however, I will examine Sen’s famous Liberal Paradox (Amartya Sen 1970b). The Paradox also turns on the limitations of preference-based evaluation and thus stands squarely within Sen’s overall research project on social choice and related topics. While Sen has not, to my knowledge, directly drawn any implications of the paradox for gender and social choice, exploring the Liberal Paradox offers an interesting twist on this issue, as discussed below.

III. SEN’S LIBERAL PARADOX AND INTERDEPENDENCE

The Liberal Paradox uses a slightly modified version of Arrow’s axiomatic framework to describe a possible conflict between liberty and rights on the one hand, and efficiency—or purely preference-based evaluation of outcomes—on the other, presenting a further argument against preference-based evaluation.

The Liberal Paradox requires highly differentiated social states to keep track of the different actions of individuals. Individual liberty, then, becomes the right to determine certain social states irrespective of what others think or want. In the language of social choice theory, such rights make individuals decisive. Preference-based evaluation is interpreted in the same way as in Arrow’s original framework—Sen uses conditions U and P. Sen’s theorem says that social evaluation based on respecting liberty rights may clash with the overall evaluation of social states in terms of individual preferences about these social states.

Sen gives an example to illustrate the paradox. There are two people—Prude and Lewd—and the question is, who gets to read Lady Chatterley’s Lover? There are three alternatives: Prude reads it (x), Lewd reads it (y), or no one reads it (z). In Sen’s example, Prude strongly dislikes the book and would most prefer that no one read it. However, he would prefer to read it himself rather than have Lewd read it. His preference ordering is thus (z, x, y). Lewd likes the book, but gets even more pleasure from thinking about uptight Prude reading the book. He thus prefers that Prude read it to reading it himself to no one reading it (x, y, z). The paradox is the following: if the choice is between x and z, between Prude reading the book and no one reading it, one could argue from a perspective of liberal rights that society should leave it up to Prude to decide whether or not he wants to read the book (Prude should be decisive). Since he prefers z to x, society should also prefer z to x. If the choice is between y and z, similarly, Lewd should be decisive and society should prefer y to z. This leads to the social preference ordering (y, z, x). This preference ordering is, however, Pareto inferior, as both Prude and Lewd prefer x to y—hence the paradox.

The Paradox reveals the difficulty of meaningfully combining considerations of rights with respect for preferences in social choice (Amartya Sen 1976). Sen interprets the paradox to mean that social evaluation
should be based on an informational framework which, unlike preference-based evaluation, can accommodate reasoned tradeoffs between the rights and good consequences. According to Sen, since consequences may matter, it is wrong for social evaluation to focus exclusively on rights, just as it is wrong to insist on outcome-based evaluation irrespective of individual rights. The capability approach offers such an extended consequentialist framework.

The Liberal Paradox arises only if there are preferences regarding the choices of others. The Paradox does not arise with completely independent individuals whose only concern is with their own benefits. In Sen’s example, both Lewd and Prude have preferences about each other’s actions. Sen argues that such an assumption is entirely justifiable given the many forms of interactions between individual agents in day-to-day living. Amartya Sen (1986b: 232) says: “Given the complex interdependencies that operate in a society, tying together the lives of different people, it may be impossible to isolate their environment sufficiently to guarantee that each has all the controls over his or her personal life.” Many feminist critics of some strands of liberalism and economics have targeted precisely this neglect of interdependencies. For Carol Gilligan, for example, interdependence is the core of an “ethics of care”: “Care is grounded in the assumption that self and other are interdependent. . . . The self is by definition connected to others.”

Although interdependence is a central assumption in the Liberal Paradox, it is not examined further. To better work out this dimension, consider the following variation of Sen’s original example. Take again two people and one possible action, for instance eating the last piece of chocolate. (Assume it cannot be divided without creating a mess.) There are thus three alternatives: Anthony eats the chocolate (x), Gina eats the chocolate (y), and no one eats it (z). Assume Anthony believes that chocolate is bad for Gina’s health, as he has explained to her many times before. Since he knows how much she likes chocolate, he would not want to eat it either, but would rather throw it away. His most preferred alternative is thus z. If Gina insists that he have the chocolate, he would eat it, however. His preference ordering is thus (z, x, y). Gina is unconvinced that chocolate would harm her health. But although Gina likes chocolate very much, she would not want to eat the last piece before making sure that Anthony does not want it. If they both want it, Gina prefers Anthony to have it—she thus ranks x above y. What she would least want is to throw away the chocolate. Her preference ordering is thus (x, y, z). Let us proceed as in Sen’s original example. If the choice is between x and z, according the perspective of liberal rights would again demand that Anthony be decisive and, since he prefers z to x, that society should also rank z above x. If the choice is between y and z, Gina should be decisive and, since she prefers y to z, society should also rank y above z. This leads to the social preference ordering (y, z,
Again we have a conflict with the Pareto criterion, as both Anthony and Gina prefer $x$ to $y$.

This time, the paradox is not the only problem, however. First, look at the rights-based social preference ordering. In Sen’s original example, this ordering makes some sense, given the story. It makes sense that a rights framework should enable Lewd, who has a taste for it, to read the book and regard this case as better than the case where no one reads the book and better than the case where Prude, who hates the book, has to read it. In the chocolate example, the ordering makes no sense whatsoever. Why, given that both equally like chocolate, should $y$ be ranked first and $x$ last? Should these two states not be regarded as indifferent from a liberal point of view? And why should a rights system identify $y$ as the best social choice given that, as we know, Gina would prefer to forgo the pleasure of eating chocolate for Anthony’s sake? Should it not be Gina’s right to give away the chocolate if she wanted to?

Abandoning rights-based evaluation and switching to preference-based evaluation would not be an adequate solution either, since the preference-based approach does not contain enough information to properly assess the situation. In particular, it neglects the agency aspect of a person, and with that, the value people assign to their actions above and beyond the outcomes that result from these actions. To go back to the example, it is important to Anthony that Gina does not harm her health, and he will only eat the chocolate if she insists that he do so. For Gina, it is important to express her care for Anthony by leaving the piece of chocolate to him. Assume that after a dinner together, they decide that Anthony should eat the chocolate. If, instead, a third party were to assign the chocolate to Anthony, we would have the same outcome in terms of who gets to eat the chocolate, but the crucial role of interdependent agency in this example would be neglected. Anthony would not enjoy the chocolate in the same way as if Gina had given it to him, and Gina might feel left out.

Of course, not too much should be inferred from a simple example. Nevertheless, in comparison with Sen’s original example, this one shows how interdependence bears on an evaluation of the situation. To illustrate the point further, suppose that the rankings in the example are now the result of a different story. Suppose that Anthony is Gina’s older brother, and Gina has been brought up to leave the best things to him, while he is accustomed to enjoying them without concern for his sister’s well-being. When Anthony does not feel like eating the chocolate, he either saves it for some other day, or he gives it to a friend. It does not occur to him to leave the chocolate for his sister. His preference ranking is thus still $(z, x, y)$ and Gina’s preferences also remain unchanged $(x, y, z)$. In this case, we would be skeptical about the result if Anthony were to get the piece of chocolate, even if Gina left it for him.
What are the implications of such an application of Sen’s Paradox? I see several aspects, all related to the problem of interdependence. First, my interpretation reinforces Sen’s point about the importance of agency in social evaluation. The examples illustrate how in deciding who gets to eat the chocolate, what matters is not only who actually gets the chocolate but also the nature of their relationship. Seyla Benhabib (1987) distinguishes between the standpoint of the “generalized other” and the standpoint of the “concrete other.” While the former predominates in liberal theory, she advocates the standpoint of the “concrete other” as a necessary complement to moral evaluation. The latter, Benhabib (1987: 87) argues:

requires us to view each individual and every rational being as an individual with a concrete history, identity, and affective–emotional constitution. . . . Our relation to the other, is governed by the norms of equity and complementary reciprocity: each is entitled to expect and to assume from the other forms of behavior through which the other feels recognized and confirmed as a concrete, individual being with specific needs, talents and capacities. . . . The moral categories that accompany such interactions are those of responsibility, bonding, and sharing.

Taking people seriously as agents means taking their relationships and commitments to other people seriously, as well. This, too, echoes demands in feminist moral and political philosophy. Virginia Held (1993: 169) explains the scope of an ethics of care as follows:

Most of those trying to clarify the alternative ethic of care question the individualistic assumptions of much moral theory. A relationship of care or trust between a mother and a child, for instance, cannot be understood in terms of the individual states of each taken in isolation. And the values of relationships cannot be broken down into individual benefits and burdens, we need to assess the worth of relationships themselves.

From the Liberal Paradox one can conclude that neither the language of good outcomes, nor the language of rights are, by themselves, suitable tools for social evaluation. Considering interdependence, relationships, and personal commitments shows that both types of language are together insufficient, as long as good consequences are interpreted independently of agency: valuing specific relationships and commitments to other people creates some tension both with the universal impartial character of rights and with outcome-oriented, agency-independent evaluation.

A final aspect of interdependence draws attention to how relationships may enrich one’s life as well as have potential for oppression. Some interdependencies between persons carry positive value, others negative. To include the evaluation of relationships and commitments in social evaluation should not be limited to their positive sides, but extend to their darker sides as well.
We can classify the three cases in the following way. In Sen’s original example, our intuition is that Prude’s agency should not extend to preventing Lewd from reading the book, just as Lewd’s agency should not extend to compelling Prude to read it. The condition of minimal liberty captures this intuition. In the first example about Anthony and Gina, the reasons behind their preferences about x and y are such that, intuitively, one feels, their agency should not be restricted. Neither the principle of minimal liberty nor the preferences framework (which contains information only about outcomes) speak to this situation. The second story about Anthony and Gina draws attention to cases in between. Preference-based evaluation—insofar as it is based on overt choices—may reinforce oppressive relations. Rights-based evaluation protects Gina because it prevents Anthony from deciding whether or not Gina should get the piece of chocolate. The question remains, however, whether the solution has to be to “feed” Gina the chocolate—thus treating her as a “patient.” Taking her seriously as an agent would require gearing the evaluation of the situation towards her own assessment of it—even if barely audible in the established forums of democratic evaluation.

In sum, while the Liberal Paradox hinges on interdependence, the informational constraints within which it operates do not allow an evaluation of this interdependence. We have thus reached another juncture at which a broader informational basis for social choice is called for. We need to find ways of rendering social evaluation responsive to the interests of those whose agency is restricted. The challenge is to make restricted agency an object of social evaluation without, at the same time, treating those whose agency is restricted as objects of social evaluation.

IV. SITUATED AGENCY AND PARTICIPATORY SOCIAL EVALUATION

Agency brings to the fore a broader conception of social choice. The focus shifts from problems of aggregation of unexamined individual preferences to participation and inclusion in democratic decision-making.

This implies, first, that compared with much of social choice theory, more attention should be paid to fair procedures. Taking people seriously as agents entails giving them a chance to be heard, and to be involved in collective evaluations and decisions. To be sure, this aspect of democratic decision-making is not entirely new to social choice theory and welfare economics. Kotaro Suzumura, for example, a leading social choice theorist, urges his peers to explore the procedural aspects of social choice (Kotaro Suzumura 1999a, 1999b, 2000). Similarly, Sen’s recent writings (Amartya Sen 1999a, 1999b, 1999c) underline the importance of fair procedures in social choice.
A second aspect of democratic social evaluation needs to be emphasized: what Sen calls the informational aspect. Sen (1999c) stresses that democracy has constructive value, along with its intrinsic and instrumental values that are connected to fair procedures—the values of rights and liberties, accountability, etc. Social choice theory largely limits its analysis of collective decision-making to preferences that exist independently of the decision-making process. In contrast, the broader conception of democratic decision-making discussed here takes into account the point that the needs, aims, and assessments that flow into the social evaluation of policy alternatives cannot be identified independently of public deliberation. They emerge from a process of public exchange, of contestation, and of learning about the different situations in which people live. Sen (1999c: 3) characterizes this aspect of democracy as follows:

the practice of democracy gives the citizens an opportunity to learn from each other, and to re-examine their own values and priorities, along with those of others. Even the idea of “needs” (including the understanding of “economic needs”) requires public discussion and exchange of information, views and analyses. … Political rights and civil rights, especially those related to the guaranteeing of open discussion, debate, criticism and dissent are central to the process of generating informed and reflected choices.20

From a gender perspective, several issues in democratic evaluation and decision-making demand particular attention. First, there is the question of the autonomy of agents. Some have argued that the respecting individual autonomy clashes with taking into account morally significant differences among people and their relationships to each other. Barbara Herman (1991) addresses this criticism from the angle of Kantian ethics. She argues that:

much of the critique of the Kantian conception of autonomy confuses autonomy and agency. Autonomy is the condition of the will that makes agency possible. If we were not rational beings we would not have wills that could be interfered with. … Agency is situated. The empirical and contingent conditions of effective agency set the terms of permissibility because it is through effective agency that autonomy is expressed. (Herman 1991: 795)

There are two implications of this argument. Keeping autonomy and agency apart makes the recognition of situated, often restricted agency compatible with equal moral autonomy: while effective agency may be limited, there is an aspect of a person’s agency-capability which remains untouched. In addition, since autonomy can only be expressed through situated agency, the situatedness (and restrictedness) of agency is no longer seen as a hindrance for social evaluation, but its focal point.
There is some controversy in contemporary gender theory about the extent to which emancipatory politics requires the conception of an individual agent capable of self-reflection, self-determination, and autonomy and the extent to which agency is merely a result of the cultural (including gender) constitution of the subject. Nancy Fraser—rightly, in my opinion—rejects such a dichotomy as false. With an argument that implicitly evokes Herman’s distinction between autonomy and agency, she points out that acknowledging the situatedness of agents need not imply robbing people of their autonomy.\textsuperscript{21} In any case, the controversy relates primarily to the \textit{interpretation} of the constitution of persons and their agency, a topic I cannot address here, but the role of agency in bringing about social change is not in dispute.\textsuperscript{22}

Related to this is whether the requirement to treat individuals as “concrete” and not only as “generalized” others (Benhabib 1987) may create some tension with the ideal of impartiality often advocated in ethics, in theories of justice, and also in social choice theory.\textsuperscript{23} Both deontological (Kantian) ethics and consequentialist ethics have been repeatedly criticized for failing to respect the agent-relativity of moral judgments.\textsuperscript{24} And feminist theorists often point to the failure of Western moral thought to take this aspect of people’s lives seriously.\textsuperscript{25} Amartya Sen (1983, 1993b) does not accept this line of criticism: properly interpreted, he claims, consequential evaluation can be reconciled with agent-relativity. The key is to recognize that one’s own actions and how one treats others may be part of the consequences of a certain decision.

Herman (1991) and other Kantian scholars also reject this objection. Herman asks how treating others as specific persons can be reconciled with the universal character of Kantian ethics and the ideal of impartiality. She argues that the concrete situation of others enters into our deliberations about the right way of acting. The Kantian norm of treating others as ends can thus only be followed if there is some understanding of whom and what we are dealing with.\textsuperscript{26}

Here it does not matter so much how agent relativity can be accommodated within different ethical theories, whether its best place is in consequentialist or Kantian ethics, or whether an alternative approach—such as communitarianism (Michael Sandel 1981) or a distinctively feminist theory—are necessary. What is essential, however, is that this feature of moral evaluation has become a recognized concern throughout the theoretical spectrum, and tensions with such ideals as impartiality are by now primarily viewed as a problem for theory interpretation rather than for the evaluation of ethical conduct, justice, and legitimacy.

Earlier, I argued that Sen’s analysis underrates the positive role women’s agency can play in bringing about policies towards social change. This can now be qualified as follows. It need not be denied that the agency of women Sen discusses—their ability to have their concerns heard and to express...
their assessment of desirable changes—is restricted. But limited effective agency does not imply impaired moral autonomy, absence of agency-capability, and thus absence of judgment. What may, in terms of manifest behavior, seem like submission may hide more subtle strategies of resistance (for examples, see especially, Agarwal 1997). Limited though these strategies may be, given these women’s situations, they can nevertheless form grounds for policy change. The challenge for social evaluation of policy alternatives is to register and take seriously the interpretations and evaluations of these women as situated agents, thus identifying the means by which their participation in policy discourses can be enhanced and their effectiveness reinforced.27

V. CONCLUDING REMARKS

At the beginning of this paper I asked two questions: how could the study of women’s well-being and gender inequality benefit from results of social choice theory, and how could social choice theory benefit from insights from women’s and gender studies. I have explored these questions on the basis of Sen’s contributions to social choice and related topics, with the goal of pulling together the different strands of his work that speak to the foundations of social choice theory from a gender perspective.

What, then, are the answers to these two questions? First, I have argued that Sen’s informational interpretation of social choice theory and his efforts to explore the appropriate informational basis of social choice are particularly promising for the analysis of gender issues in democratic policy evaluation. This strand of his work not only offers a cogent critique of basing social evaluation on individual preferences but, along with the capability approach, also offers a full-fledged alternative informational framework for social evaluation. In addition, Sen has worked out the difference between information on people’s well-being and information on individual agency, arguing that the latter has too often been neglected in social choice theory and welfare economics. For the line of reasoning I have tried to develop in this paper, the distinction between well-being and agency has been particularly important. This brought me to the second question. In response, I suggest that research in social choice theory and related fields should investigate avenues that make social choice and social evaluation more responsive to situated agency and thus to issues of participation and inclusion. Sen’s work provides the necessary foundations for such an endeavor, but much work remains.

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NOTES


2 Search in “Econlit,” August 2001. In Social Choice and Welfare, there are a few contributions to population issues—focusing on the question of how a social planner should choose the optimal size of the population—but there is no mention of the role of women and of gender relations in producing that population.


4 For a proof, see Sen (1995a). For the original proof, see Arrow (1963, 51f.) or Amartya Sen (1970a: Ch. 3).

5 To be precise, they imply “strict-ranking welfarism”: nothing but individual preferences should count for social choice as long as these preferences are strict, i.e., of the “better-than” form, and not merely of the “at-least-as-good” form (see Amartya Sen 1979: 540f.). The term “welfarism” was coined by Sen (1977a).

6 According to Amartya Sen and Bernard Williams (1982), utilitarianism can be broken down into welfarism, consequentialism, and sum-ranking. With only ordinal, interpersonally noncomparable utility information as in Arrow’s framework, sum-ranking is ruled out. The other two aspects of utilitarianism are, however, preserved. For discussions on some of the limitations of welfarism and consequentialism in social choice theory and welfare economics, see Kotaro Suzumura (1999a, 2000).

7 On the problem of collective decision-making, see e.g. Amartya Sen (1969, 1993a). Moreover, one can discern a shift of emphasis in his most recent work towards the importance of democratic processes and values. I shall comment on this below.

8 On adaptive preferences, see Jon Elster (1982), Sen (1990), and Nussbaum (2000).

9 Sen (1985: 204) writes: “The importance of the agency aspect . . . relates to the view of persons as responsible agents. Persons must enter the moral accounting by others not only as people whose well-being demands concern, but also as people whose responsible agency must be recognized.”

10 Recently, there have been some efforts in social choice theory to measure freedom (e.g., Walter Bossart, Prasanta K. Pattanaik, and Yongshen Xu 1994).

11 On the capability approach, see for example Amartya Sen (1992).

12 Martha Nussbaum’s interpretation of the capability approach, in contrast to Sen’s interpretation, downplays the role of the agency dimension. According to Nussbaum (2000: 14), the role of agency is already safely packed into the distinction between capability and functioning. Such an interpretation assigns, however, a very limited role to agency: agency is allowed to play in the achievement of functionings given a
set of capabilities, but not in the definition of the relevant capabilities. For this reason, I follow Sen’s interpretation of the capability approach.

13 Sen (1995c: 103) writes: “Over the last couple of decades, an important evolution has begun to alter the basic nature of the women’s movements in developing countries. Not long ago, the tasks faced by these movements were primarily aimed at working toward achieving better treatment for women—a more square deal. The concentration was mainly on women’s well-being—and it was a much needed corrective. The objectives have, however, gradually evolved and broadened from this ‘welfarist’ focus to incorporate—and emphasize—the active role of women’s agency. No longer as the passive recipient of welfare-enhancing help, women are increasingly seen … as active agents of change: the dynamic promoters of social transformations that can alter the lives of both women and men.” See also Amartya Sen (1999b).

14 Carol Gilligan (1987: 24). I am not quoting Gilligan to suggest that care is a distinctively feminine quality, but rather to note that she brought this issue into moral reasoning.

15 Brian Barry (1986) argues against such an interpretation of liberalism.

16 Preference-based evaluation will fare better if assumptions on individual choice are relaxed to accommodate menu- and chooser-dependent preferences; on this, see Amartya Sen (1997b).

17 Seyla Benhabib (1987: 87) notes: “The standpoint of the generalized other requires us to view each and every individual as a rational being entitled to the same rights and duties we would want to ascribe to ourselves. … Our relation to the other is governed by the norms of formal equality and reciprocity: each is entitled to expect and to assume from us what we can expect and assume from him or her.”

18 For Sen, this is one of the elements that impose “agent-relativity” on moral and social evaluation (see Amartya Sen 1982, 1983, 1993b). I shall return to this issue in the next section.

19 Kotaro Suzumura (1999b: 4) demands that social evaluation “should be based on an extended conceptual framework which goes far beyond the informational basis of ‘income, wealth, and welfare’ used in the conventional framework of welfare economics and social choice. … It stands to reason to go even beyond consequentialism as such, and pay more explicit attention to procedural considerations. This is a useful step to take in order to accommodate such important aspects of individual advantages as the right of participation in the public decision-making procedure which circumscribes people’s live chance, the right of autonomy in making the best and effective use of opportunities, and procedural justice in the treatment of persons and nations.” In Fabienne Peter (2001), I explore the consequences for social evaluation of shifting the focus from “aggregation” to “participation.”

20 On contested needs, see also Fraser (1989).

21 See the debate between Seyla Benhabib and Judith Butler and comments by Drucilla Cornell and Nancy Fraser in Seyla Benhabib, Judith Butler, Drucilla Cornell and Nancy Fraser (1995).

22 For a recent re-evaluation of the debate between Butler and Benhabib, see Fiona Webster (2000).

23 In social choice theory, impartiality is often captured in the so-called axioms of anonymity and of neutrality. Anonymity requires that the social preference ordering should not change with a permutation of a profile of individual preferences. Neutrality requires that if individual preference orderings for two pairs of alternatives are the same, the social preference ordering should rank these two pairs in the same way.

REFERENCES


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