

Freedom from Duress: Sufficiency, Capabilities, and a Successful Life

In this article, we defend the statement that the requirements of distributive justice are fulfilled when everyone has *enough*, often referred to as sufficientarianism or the sufficiency principle.¹ This entails that justice does *not* require that we aim for an *equal* distribution as many contemporary political philosophers claim. In fleshing out our account of sufficiency, we will attempt to show that many egalitarian arguments *are, ought to be, or at least could be* understood as basing their arguments on sufficientarian reasoning, and thus, are, in principle, compatible with sufficiency understood in this manner. Furthermore, we will argue that sufficientarian theories have an inherent focus on the many individuals who *do not* have enough (cases of *insufficiency*), which is not a necessary component of theories of egalitarian justice. We believe this gives sufficientarianism a sense of urgency regarding the plight of the worst-off, which is more consistent than the egalitarian viewpoint with what we take to be the point of political philosophy.

We will introduce the ideal of *freedom from duress*, by which we mean the freedom from significant pressure against succeeding in central aspects of human life, as the threshold above which people can be said to have enough. Alternative versions of the sufficiency principle have often been met with forceful objections, which have brought certain aspects and implications of the principle into question.² We believe, however, that sufficientarianism understood as freedom from duress can disarm these objections. Thus, we mean to bolster the notion of securing enough for everyone by providing intuitively appealing reasons for the importance of achieving sufficiency. Furthermore, we will provide a novel and required argument for *why* inequalities are irrelevant once this threshold is crossed and, in addition, for why seemingly important inequalities are, in fact, cases of *insufficiency*. In this way, we believe that most objections against sufficiency can be met.

¹ I.e. Harry Frankfurt, "Equality as a Moral Ideal," *Ethics* 98 (1987): 21-43; Roger Crisp, "Equality, Priority, and Compassion," *Ethics* 113 (2003): 745-763; Yitzhak Benbaji, "The Doctrine of Sufficiency: A Defence," *Utilitas* 17 (3) (2005): 310-332; Robert Huseby, "Sufficiency: Restated and Defended," *The Journal of Political Philosophy* 18 (2) (2010): 178-197; Liam Shields, "The Prospects for Sufficientarianism," *Utilitas* 24 (1) (2012): 101-117.

² I.e. R.J. Arneson, "Egalitarianism and Responsibility," *Journal of Ethics* 3 (3) (1999): 225-247; R.E. Goodin, "Egalitarianism, Fetishistic and Otherwise," *Ethics* 98 (1987), 44-49; Larry Temkin, "Equality, Priority or What?," *Economics and Philosophy* 19 (2003): 61-87; Andrew Williams, "Liberty, Equality, and Property," in *The Oxford Handbook of Political Theory*, eds. John S. Dryzek, Bonnie Honig, and Anne Phillips (Oxford: Oxford University Press, 2006), 501-503; Paula Casal, "Why Sufficiency Is Not Enough," *Ethics* 117 (2) (2007): 296-326; Nils Holtug, *Persons, Interests and Justice* (Oxford: Oxford University Press, 2010), Ch. 8.

Freedom from duress relies on three separate theoretical concepts. First, that we should only be concerned with a limited set of freedoms when evaluating a distribution from the point of view of justice. Freedom from duress entails freeing people from significant pressure in *certain*, central areas of human life, while others are considered beyond the scope of justice. Second, that human life is a pluralistic endeavor and that having a successful, human life means being given the freedom to strive for worthwhile goals within each of the central dimensions of this plurality. That is to say, justice requires that everyone is free from significant pressure against succeeding in *each* of the central areas – as opposed to being well-off on one aggregated scale (such as utility or welfare). Finally, that the dimensions require different distributional patterns for justice to be fulfilled. So, while freedom from duress requires securing a sufficient level on every dimension (as proponents of sufficientarianism generally hold), what *constitutes* sufficiency varies between the different dimensions. In some areas, then, securing that everyone is free from significant pressure against succeeding will require an equal or almost-equal distribution – but, this is for reasons of sufficiency, and not, as egalitarians would have us believe, due to egalitarian considerations *as such*. This is so because relative deprivation may, in important ways, influence one’s absolute level of freedom and, thus, make one’s freedom insufficient in absolute terms.

This foundation, we claim, leads to plausible answers regarding why justice is not violated in cases of inequality between people who have enough, and why we *should* be concerned when people do *not* have enough – when they are under duress. We, thus, set out not only to bolster the distributive ideal of sufficiency in a way that should appeal to many theoretical directions and render it immune to most common objections, but also raise questions about the intrinsic importance of equality that even the most sufficiency-skeptical egalitarians will need to answer.

II. Freedom from Duress

In its most basic form, a distributive ideal of sufficiency involves *a positive thesis*; that bringing people above some threshold is especially important, and *a negative thesis*; that above this threshold, inequalities are irrelevant from the point of view of justice.³ The positive thesis is rather uncontroversial, and many non-sufficientarians accept it in some form or certain contexts.⁴ The acceptance of the negative thesis is, on the other hand, distinctively sufficientarian. Egalitarians and

³ Casal, “Why Sufficiency Is Not Enough.”

⁴ For example, it is rather uncontroversial to claim that helping a blind person regain a “normal” level of eyesight is especially important – and more important or valuable than getting someone from a normal level to super hero level. See also Temkin, “Equality, Priority or What?,” 65.

prioritarians alike explicitly reject it, because they believe that high-level inequalities are a concern of justice. The sufficiency principle that we wish to defend revolves around a special variant of these theses based on the claim that justice requires making everyone free from duress. To state this generally in the form of the theses above, freedom from duress implies that making people free from duress is especially important (the positive thesis) and that once people are free from duress, inequalities are irrelevant from the point of view of justice (the negative thesis).

Conventionally, duress is used as a legal term referring to circumstances surrounding a crime that reduces or eliminates culpability. If someone who has committed a crime is found to have acted because of considerable pressure such as a serious physical threat or severe emotional concerns, they have acted under duress and are, thus, less culpable. In other words, because of extreme circumstances, this person behaves as if she was not being her natural self. Duress is a broad term, however, and might also be invoked in cases of economic distress, health problems, or systematic exclusion and discrimination. We shall use the term, not in the specific legal, but a related sense. We shall employ duress to describe a situation in which one is under significant pressure in central areas of human life; pressure that would impede any normal human being's ability to *succeed* in a similar situation. Freedom from duress, thus understood, is being in a state of freedom from any such pressure. A person, who is free from duress, then, has the effective freedom and actual opportunity to enjoy central human freedoms, and this, according to the ideal defended here, denotes the situation in which one has *enough*.

But what does it entail to be free from significant pressure against succeeding? Clearly, it concerns an opportunity space rather than actual realization. This is what is subsumed in the notion of being *free* from duress. The focus, then, is not the degree of success of the life people actually lead, but their freedom to succeed on various main avenues of human life. This further means that a person voluntarily refusing to use her opportunities should not be considered as having her freedom from duress violated, nor is the ideal in any way compatible with forcing or coercing anyone to enjoy central freedoms. In this respect, freedom from duress is similar to other theories of distributive justice with a more egalitarian tint such as Rawls' justice as fairness, Dworkin's equality of resources, and Arneson's equal opportunity for welfare; that is, by focusing on the importance of ensuring people's freedom to follow an autonomously determined plan of life by guaranteeing them the means and circumstances to do so. Unlike the distributive ideals mentioned here, however, our focus is not on equality, but sufficiency. Freedom from duress, then, does not mean ensuring that people have equal opportunities, but rather *sufficient* probabilities for

succeeding. That is, being free from significant pressure against succeeding means being above a certain threshold of opportunity for success. And although alternative versions of the formerly mentioned currencies of distributive justice could be compatible with freedom from duress, it lends itself most straightforwardly to the capability approach, in which freedom and pluralism play central roles.

To elaborate on what it means to be free from duress and have the actual capabilities that this entails, let us take a closer look at the three main elements from which the notion of freedom from duress is made up: the limited scope of justice to only central areas of human life; pluralism entailed in these areas; and the different mechanisms of distribution that regulate the different human freedoms. Fleshing out these ideas, we will show how our account relates to other distributive principles.

III. Delimiting justice: Central areas of human life

The first important aspect of freedom from duress to which we shall draw attention is the concern with central areas of human life. Being free from duress entails having sufficient probabilities for succeeding in *central* areas of human life and, thus, says nothing about people's probabilities of succeeding in non-central aspects. What makes an area central is a matter of some discussion. However, there is a somewhat broad acceptance of a vaguely defined distinction between aspects that are inevitably central to *any* human life, on the one hand, and aspects that may reasonably be deemed non-central on the other.⁵ Central areas of human life, then, are the aspects of life that humans have in common – or, in other words, that play an essential role in *any* human life. These include *capabilities related to basic needs* such as basic health, decent housing, adequate education, etc., but also more complex aspects that make up capabilities which are in the *fundamental interest of all human beings* such as rational development and critical thought, respectful social relations, and political freedoms.⁶ This distinction might, at first, seem problematic because it is somewhat perfectionist, yet at the same time unspecified. There are two reasons why we are not bothered by this.

⁵ See Thomas Scanlon, "Preference and Urgency," *The Journal of Philosophy* 72 (19) (1975): 655-669; Nussbaum, *Women and Human Development*: 73; Elizabeth Anderson, "Justifying the Capability Approach to Justice," in Brighouse H. and Robeyns I. (eds.), *Measuring Justice: Primary Goods and Capabilities* (2010) (Cambridge: Cambridge University Press): 81-100.

⁶ For an illuminating analysis of this distinction, see Fabian Schuppert, "Distinguishing Basic Needs and Fundamental Interests," *Critical Review of International Social and Political Philosophy* 16 (1) (2013), 24-44.

First, a moral concern with an index of central human aspects – which thus does not emphasize non-central aspects – is not in itself a comprehensive doctrine of what makes a life successful. Rather, it is a morally based evaluation of what necessities a successful human life contains. In other words, our account points to *necessary* but not *sufficient* opportunities for a successful human life. Thus defined, the justification of a list of central human aspects can be understood in a similar manner to that of Rawls’ primary goods – that is, the capabilities on the list defines the shared core of human life or what everyone needs whatever else they prefer and believe in.⁷ This deliberately vague objectivity avoids the problem with people’s preferences not being in accordance with what is (most) valuable to them, such as problems of adaptive preferences, false consciousness, and expensive tastes. Furthermore, it should be noted that our account leaves room for “*multiple realizability*,” meaning that the central capabilities can be secured in different ways that may vary according to culture, history, and context.⁸ Second, even if it is in some sense perfectionist, this is not in itself a reason for rejecting it. Aiming for determining only what is objectively important for *any* human being and, thus, not setting out to disqualify the personal value that preference fulfillment has to people themselves, an index of central human aspects is only perfectionist in a moderate sense.⁹ This entails that society should aim to promote certain valuable forms of life and discourage ones that are clearly invaluable. It does not mean, however, that it should embrace a specific comprehensive doctrine of the good life, nor should it coerce people to adopt a certain plan of life – society should merely provide sufficient possibilities for choosing between a variety of different valuable life plans. People are free to not make use of these possibilities and choose something else entirely.

In our view, any society entailing security with regards to central areas of human life is both morally better and intuitively more just than any society with existing shortfalls in these areas. To see this, imagine two different societies, *Succedia* and *Squandaria*.

The two different societies are equal in their overall level of contentment or welfare but differ in regards to the areas of life through which the citizens of the two countries *obtain* their welfare. The society of *Succedia* promotes reasonably central areas of human life such as health, rational development and critical thought, respectful social relations and political freedoms, and everyone in

⁷ See Rawls, *A Theory of Justice*, §15.

⁸ Nussbaum, *Women and Human Development*, 77.

⁹ See Joseph Chan, “Legitimacy, Unanimity, and Perfectionism”, *Philosophy and Public Affairs* 29 (1) (2000): 5-42; Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986), 160-161

Succedia has a sufficiently high level of freedom in these central areas.¹⁰ In Squandaria, the citizens have just as high a level of welfare as the people of Succedia. However, they get this welfare from a very different source, which is non-central (that is not accessible in Succedia). Let us say, for example, that they have fantastic possibilities for counting leaves of grass – that is, the access to grass and the effective possibility for grass counting is excellent (many parks, no “do not step on the grass” signs, etc.), and that these possibilities provide them with a weighty welfare gain. Contrary to Succedia, however, many people fall short of the threshold with regards to some of the central capabilities. Some have inadequate capabilities for living a healthy life, others have never obtained a reasonable level of rational development and have never exercised their ability for critical thought, and still others are suffering disrespectful social relations. The citizens of Squandaria have just as high a level of welfare as the people of Succedia, however, since the welfare they gain from grass-counting corresponds exactly to the welfare deficits caused by their lacks in different central capabilities. The two societies are alike in terms of welfare, then, but differ in the way in which the citizens obtain this welfare.

Contentment-based theories of justice are unable to recognize the difference between the two societies. This is so, because such theories do not distinguish between central and non-central areas of life. Thus, in so far as Succedia and Squandaria are equal in terms of welfare and no one gains their welfare through the satisfaction of offensive or other harm-doing preference, the two societies are considered equally good. Consequently, the importance or relevance – from an objective point of view – of the specific capabilities through which the welfare is produced is not taken into account. The conclusion that the two societies are equally good, however, is implausible. In our view, Succedia is preferable to Squandaria because no one suffers deficits in any *central* capability – even though their access to grass counting is comparatively limited. Put positively, everyone enjoys a sufficient probability of succeeding in central areas of human life. The example serves to show that people having sufficient opportunities for pursuing valuable functionings is more important than them having such opportunities for pursuing unimportant functionings. Furthermore, if we imagine that a set of policies of incentives and encouragement could be enacted in Squandaria, which would make the society much more similar to Succedia – that is, would give people sufficient probabilities of succeeding in central areas of human life (say, critical reflection or

¹⁰ What counts as having enough in these areas of life is a matter of some discussion. We shall give this issue some attention later.

parenting) at the cost of doing so in non-central ones (such as counting grass) – people would have a claim of justice for such policies to be enacted.

In our view, the scope of justice is limited to such central areas. That is, what people owe each other – or what one can reasonable claim from others – is determined within these, and only these, areas. This is so because, in order to have a claim on others the claim must give rise to a corresponding duty for the persons against whom the claim is raised. But for a person's claim on others to correspond to other persons' duty towards the former, both sides need to accept the grounds on which the claim is raised as relevant. This does not necessarily imply that everyone needs to employ the *same* reasons for what we owe to each other, but rather that everyone can reasonably accept the relevance of the reasons given for claims raised against others. That a specific claim concerns a central area of human life is by definition a relevant reason from any point of view. That is, if one raises a claim on others to accommodate this person's basic needs or to secure her political freedoms or the like, this reasoning would be fundamentally relevant for any human being (whether or not they rate such freedoms very highly themselves). It is not the case, however, that just because someone has a preference for something, they can reasonably claim this thing from others. If the person's claim concerns obvious non-central aspects of life, such as the possibilities for counting grass, we would naturally be skeptical about the relevance of this demand. In other words, it does not make sense to say: "if I cannot count grass, my life cannot be successful." The possibility of grass-counting is simply not a necessary component in a successful life. For someone to have a claim on others, their demand must track an injustice, and mere dissatisfaction or envy is not enough to establish this (nor is it necessary). What someone can claim from others is the capabilities needed in order to live a successful life. Hence, people can demand to be provided with sufficient probabilities for being a good parent, a fairly healthy human being, or a well-informed citizen, but not to have decent opportunities for grass-counting (or hot air ballooning). What we can demand is what every human being could demand in our stead.

So, the ideal of freedom from duress aims at securing sufficient possibilities in central areas of human life for everyone so as to enable the freedom to live a successful and autonomous life. Freedom from duress respects that the preferences of an individual are valuable from the individual's *own* perspective, and thus, one should have the freedom to choose, but acknowledges that justice is merely concerned with central aspects that are valuable from *any* perspective. Justice, we claim, is limited in scope, and thus, we owe only certain things – certain freedoms within central areas of human life – to everyone. Accordingly, there are certain freedoms that we do not owe each

other even if they are what we want.¹¹ Justice, then, is limited to central areas of human life. Sufficiency as freedom from duress is based on this idea; that there are certain endeavors connected to valuable, distinctly human, or central areas of human life that can bring you to succeed, and justice is concerned only with these areas.

We may then rewrite the positive thesis as:

(P₁) The general positive thesis of freedom from duress

Helping people obtain freedom from significant pressure against succeeding in central areas of human life is especially important from the point of view of justice.

The general positive thesis can be summarized and justified by the following two claims:

- a) Sufficiency requires freedom from duress, which implies freeing people from significant pressure against succeeding.
- b) Freeing people from significant pressure against succeeding does not mean freeing people to pursue their own preferences. Rather, it means freeing them to succeed in areas that are *central* in human life.

One might fear that these claims could be used as an excuse for suppressing the relevance of beliefs and preferences of marginalized groups by the majority.¹² This would be misunderstanding the point, however. Central areas should not be understood as the preferences of the majority, and for this reason, it is *instrumentally* important to ascertain that any conception of what constitutes central areas of human life is under critical scrutiny and open for public deliberation. Some ways of achieving this may be a list of central areas of human life, which is a cross-cultural list of universal goods (such as the one made by Nussbaum),¹³ or it may be informed by political deliberation (as suggested by Sen).¹⁴ The important point is that sufficiency is related to central areas of human life, and these are not reducible to what people *want* (although, they will of course often accord with this) but, rather, what people can reasonably *demand* from each other. A further question is how to determine *which* areas are central and how to avoid majority abuse, but merely highlighting the practical difficulties involved in the exercise of determining this is not enough to defeat the idea. At

¹¹ Elizabeth Anderson makes this point as well in "What is the Point of Equality?," 307 and 309.

¹² This might, of course, also be the case when relying strictly on preferences, which may have been formed under internally oppressive conditions.

¹³ Nussbaum, *Women and Human Development*, 78-80.

¹⁴ Amartya Sen, "The Idea of Justice," (2009) (Cambridge: The Belknap Press of Harvard University Press): 242-243.

least, we find it plausible that *some* central areas can be identified and that others can be deemed non-central.¹⁵ So, sufficiency means freeing people from significant pressure against succeeding in areas of human life that are central, especially valuable or fundamental in human existence.

IV. Freedom and pluralism

So, setting people free from duress involves removing the obstacles and circumstances that inhibit success in central aspects of human life. This is meant to facilitate the opportunities for succeeding in an autonomous manner – that is, in a way that is *chosen*. The threshold of sufficiency above which inequalities are irrelevant, then, is reached when one is relieved of such pressure – when one is free from duress. This raises a further question, however. For what is required to make someone free from significant pressure against succeeding? Sufficiency usually hold that it is especially important to bring people above a certain threshold from the point of view of justice. Or, in more comparable terms, that people have been given their just distributive share once they are (at least) at this level – which in their case is the level of contentment, basic need fulfillment, or having “enough” (as described above). We claim, instead, that several such thresholds exist, not in the sense that there are several thresholds *vertically*,¹⁶ but in the sense that there are several thresholds *horizontally* – that is, distinct and separate thresholds within different aspects of human life that are all elements in being free to succeed. This means that one cannot make simple trade-offs and make up for a lack in one central dimension by giving someone a larger amount of another.¹⁷ Thus, the contributions made by each of these central freedoms (or capabilities) to the possibility of pursuing a successful life are incommensurable. In other words, each central capability gives access to aspects of a successful life that cannot be obtained through the strengthening of other capabilities.

This notion lends its strength from two commonly held beliefs: first, that human life has various aspects, and emphasizing either of these may render one’s life successful, and second, that each of these roads is important in their own right and must all be taken into account.

First, a successful life may take many forms, and thus, we should not limit our evaluation to success in one central area of human life – such as, say, someone’s abilities in creative expression

¹⁵ It may be that we are less certain regarding some areas of life – for example, some elements on Nussbaum’s list have been criticized for being less central, just like others have been proposed (Wolff and De-Shalit, *Disadvantage* (Oxford: Oxford University Press 2007), chap. 2). See also Simon Caney, “Impartiality and Liberal Neutrality,” *Utilitas* 8 (3) (1996), 277-278 for a more minimal list. One way to get around this problem is to assign weights to different capabilities according to how certain we are of their centrality (Sen, *Development as Freedom*, 78-79).

¹⁶ This claim has been forcefully defended in Huseby, “Sufficiency.” See also Yitzhak Benbaji, “Sufficiency or Priority?,” *European Journal of Philosophy* 14 (3) (2006), 338-344.

¹⁷ Nussbaum, *Frontiers of Justice*, 167.

or as a parent. We should not deem the life of the good parent unsuccessful due to her lack of painting skills, nor vice versa. This point is, of course, intimately connected to the notion of freedom and ensuring people's opportunities of pursuing an autonomous life. The idea resonates with liberal thoughts – both classical and modern – of securing people's freedom to choose their own path. So, making people free from significant pressure against succeeding involves removing obstacles to living life in *various* ways (both internal and external) and facilitating people's opportunities for autonomous choice among these options;¹⁸ that is, having the choice to succeed by way of the different central capabilities. If someone is free from pressure against succeeding in only *one* aspect of human life – that is, if only one way of life is sufficiently open to them – their freedom is insufficient, and hence, they are under duress. This is so because, although they have the opportunities to succeed (though only in one respect), they cannot be considered *free*, since this requires having several viable roads of life to choose between. Sufficiency, then, requires freeing people from significant pressure against succeeding in *each of these* central aspects of human life.

Second, just as the roads to success are many, each of these roads is multifaceted. That is to say, human life has several central aspects – each of which is important in its own right. So, when determining whether someone is free from duress, these must all be taken into account. In other words, one cannot be said to be free from significant pressure against succeeding unless one has sufficient probabilities to succeed in *each* of these central aspects. This means that we cannot straightforwardly conclude, for example, that a person who has fantastic opportunities for engaging in deep, personal relationships but who has very poor possibilities for education and rational development is as well-off as someone who has average opportunities for both. The former is under significant pressure against succeeding in one central area of human life (education and rational development), and this is not offset by greater opportunities in another central area (engaging in deep, personal relationships). This is echoed most forcefully by theorists of the capability approach, who hold that the most important aspects of human life “are not commensurable in terms of any single quantitative standard”.¹⁹ The key idea behind this is that one cannot make simple trade-offs and make up for a lack in one central capability (or, in our terminology, one central aspect of human life) by giving someone a larger amount of another.²⁰ So, freedom from duress involves being free

¹⁸ Sen employs a helpful analogy when describing a person's capability set, which is consistent with our definition viewing it as a set of vectors of functioning reflecting the person's freedom to live one type of life or another (Sen, *Inequality Reexamined*, 40; Martha Nussbaum and Amartya Sen, *The Quality of Life* (Oxford: Clarendon Press, 1993), 33).

¹⁹ Nussbaum, *Frontiers of Justice*, 166. See also Sen, *Inequality Reexamined*, 46-49.

²⁰ Nussbaum, *Frontiers of Justice*, 167.

from significant pressure against succeeding in *each* of the central areas of human life. When people are above the threshold in each of these areas, they are sufficiently well-off regarding their opportunities for living a successful life, and thus, they are free from duress.

Let us bring in another example to clarify this point and simultaneously anticipate a potential line of criticism. Sufficiencyarians are sometimes criticized for not being sensitive to inequalities above the threshold – that is, for affirming the negative thesis. Larry Temkin, for example, asks us to consider the following example:

Suppose, for example, that two people with “plenty” both applied for a job. Would it not matter if we discriminated against one of them on the basis of his race or religion? Surely it matters. Even if the person discriminated against is not suffering or needy, and would have a perfectly fulfilling life whatever we do, discriminating against him on the basis of race or religion would be unjust and unfair, and we ought not to do it. To be sure, we might grant that there would be additional reasons of compassion to condemn harmful discrimination against people who were suffering or needy, but the injustice of discrimination does not disappear just because someone is “sufficiently” well off.²¹

Temkin’s line of argument is potent and seems to strike at the center of many sufficiency accounts by highlighting their apparent indifference to unfairness above the threshold. Now, the discriminatory action in Temkin’s example brings person A from having “plenty” to having “a perfectly fulfilling life”, which is still above the threshold of sufficiency. However, note that Temkin assumes that the currency of which A has plenty is immediately commensurable with being subject to discrimination. To write the point in an even simpler form: A has plenty of resources; then, he is discriminated against, after which he still has a fulfilling life, which is nonetheless above the level of sufficiency. As emphasized above, however, we do not believe that the most central areas in human life are commensurable in this manner. A person who suffers discrimination faces significant pressure against succeeding in capabilities integral to functioning in a social setting. Aspects that are fundamental to his identity (such as race or religion) are treated as inferior, significantly increasing the probability that his social status and self-worth will be compromised.²² This kind of pressure against one’s self-respect and standing would impede any normal human being’s ability to succeed in a similar situation, and thus, A is insufficiently well-off and under

²¹ Temkin, “Equality, Priority or What?,” 65-66.

²² Martin O’Neill usefully disentangles the different effects and consequences of inequality in “What Should Egalitarians Believe?,” *Philosophy and Public Affairs* 36 (2) (2008). On the effects mentioned here, see 121-123.

duress.²³ Furthermore, discrimination constitutes a considerable obstacle against succeeding *whether or not* A has “plenty” of other central capabilities such as health, political freedom, or rational development.²⁴ To be free from duress, a person must be free from significant pressure in each central area of human life, and being under such pressure in any one of these categories places her under duress regardless of her level of capability in other areas since their contribution to a successful life are incommensurable. This further means that one is not free from duress simply because one is “content,” has “sufficient income,” or does not “envy” anyone else.²⁵ Let us take a look at how this relates to other accounts of sufficiency.

Sufficiency accounts emphasize that *basic needs* are usually pluralist as well, claiming that *all* needs that are deemed basic must be satisfied.²⁶ However, freeing someone from significant pressure against succeeding in central areas of human life is, by all accounts, a more ambitious goal than merely securing the fulfillment of her basic needs. By way of explanation, one might say that basic need fulfillment frees people to survive while freedom from duress frees people to succeed. Freedom from duress, then, would claim that a person who is content at the level of basic needs fulfillment is insufficiently well-off since he is under significant pressure against succeeding in many central areas of life. Having the opportunities for a successful life surely requires both the means and the circumstances to strive for success – and mere basic need fulfillment is insufficient in this respect. This, in turn, seems a more plausible foundation for the negative thesis – that inequalities above the threshold are irrelevant. Thus, it is arguably less controversial to claim that inequalities are unimportant once people are free from significant pressure against succeeding than claiming that this holds at the (much lower) level of basic need fulfillment.²⁷ In this way, we avoid the problems faced by basic need sufficientarians in justifying the negative thesis.

²³ It may be worth noting that this point is similar to a more general one made by relational egalitarians, namely that “how institutions treat people has relevance to social justice that is independent of, or at least not reducible to, the distributive effects of such treatment” (Christian Schemmel, “Distributive and relational equality,” *Politics, Philosophy and Economics* 11 (2) (2011), 125). See also Anderson, “What is the Point of Equality?,” 313-314. The point here is broader, though, since we claim that each central capability displays this type of incommensurability and that the pattern of justice cannot be adequately captured on any singular dimension (which goes for relations as well).

²⁴ See also Huseby’s convincing and similarly spirited defense against the claim that sufficiency ignores differences above the threshold and allows discrimination, “Sufficiency,” 188-191.

²⁵ As claimed in Huseby, “Sufficiency: Restated and Defended;” Frankfurt “Equality as a Moral Ideal;” and Dworkin, *Sovereign Virtue*, respectively.

²⁶ David Miller argues for such a view with regards to global justice. See *National Responsibility and Global Justice* (Oxford: Oxford University Press, 2007), Chap. 7. Also, Henry Shue has defended an influential account of basic rights (although he does not unequivocally embrace the negative thesis) in *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy* (Princeton: Princeton University Press, 1996).

²⁷ Casal levels a similar criticism against Crisp’s account of sufficiency in “Why Sufficiency Is Not Enough,” 312.

Contentment-based sufficiency accounts, on the other hand, are not pluralist and focus merely on human welfare or contentment.²⁸ This leads to some of the problems described above as such theorists seem committed, for example, to the view that person A in Temkin's imagined case does not suffer an injustice because of the discriminatory act as long as he remains content. The more pluralist approach of freedom from duress avoids this problem by stressing that several aspects of human life are important, and while contentment might play a role, it is not the sole (nor necessarily the most important) measure of success.²⁹ Similarly, as mentioned earlier, a pure focus on welfare makes one unable to explain why we should prefer societies in which people live successful lives over societies in which they live wasteful ones (as in the example of Succeedia and Squanderia) – that is, they are not concerned with *why* people are content or that some things cannot be demanded from others as a matter of justice.

To summarize, we can once again rewrite the positive thesis in a more specific version:

(P₂) The positive thesis of freedom from duress:

Securing people sufficient probabilities for succeeding in each central area of human life is especially important from the point of view of justice.

This final version of the positive thesis can be summarized and justified by the three following claims:

- c) Sufficiency requires giving people various options for succeeding by freeing them from significant pressure against doing so in central aspects of human life.
- d) Being free from such significant pressure implies having sufficient probabilities for succeeding in central areas of life.
- e) Making people free from such pressure cannot be reduced to bringing them above the threshold on one dimension, such as contentment, material wealth, or non-envy. Instead, sufficiency requires that people must be free against significant pressure in *each* central area of human life.

Sufficiency as freedom from duress, then, should be understood in the pluralist manner indicated by these two claims. In describing this pluralism, we have touched upon the distinction between

²⁸ See Frankfurt, "Equality as a Moral Ideal;" Benbaji, "The Doctrine of Sufficiency;" Huseby, "Sufficiency." Note that Huseby employs a threshold of contentment and one of basic needs. This, however, does not allow him to escape our pluralist critique.

²⁹ See Griffin, *Well-being*, 66-68 for a proposal of the multifaceted ends of life.

subjective evaluations and an objective standard, and how these two relate to justice and sufficiency. Below, we shall elaborate on this duality and how it is connected to sufficiency and being free from significant pressure against succeeding.

V. Differentiated distributive mechanisms and being under pressure

Above, we have claimed that justice concerns central areas of human life. Furthermore, we have claimed that the goal of distributive justice is to make everyone free from duress by ensuring that they have sufficient probabilities for succeeding in each of these areas. Once this is secured, inequalities are irrelevant from the point of view of justice. In this section, we will try to specify *why* this is the case and *what it takes* to reach sufficiency. As we shall see, the different central areas are governed by distinct distributive logics, and the sufficiency threshold varies accordingly.

As noted, different areas of human life must be taken as separate aspects, critically important in their own right, and hence, a distributive scheme informed by the ideal of freedom from duress must incorporate pluralism as a fundamental component of distributive justice. Now, usually sufficientarians mostly worry about people's level of contentment or welfare or, alternatively, their absolute level of goods and not about how much they have *compared* to others. As we shall see, however, this distinction is not always clear. For some goods, relative and absolute values are intimately intertwined. As Lea Ypi puts it in her recent book, such *positional goods* are goods for which "equality and sufficiency cannot be kept apart."³⁰ Or, in the words of Brighouse & Swift, "[positional goods] are goods with the property that one's relative place in the distribution of the good affects one's absolute position with respect to its value."³¹ Such positional aspects are inherently present in capabilities that are connected to social relations such as societal status, political influence, and the social bases of self-respect.

To take an example, we could imagine a society in which one group of citizens is given one extra vote (call them "the aristocracy") while the rest are left with their single vote (call them "the plebs"). Obviously, having just one vote when someone else has two diminishes your influence on political decisions *directly*, giving you a less than proportionate share in the collective choice. So, in that sense, it already leaves you worse off in an absolute sense. But, importantly, the right to vote has an important symbolic dimension, and giving the plebs less votes than the aristocracy conveys a message of them being lesser citizens, having an inferior status within society, and being worthy of less respect and concern. In this sense, the class of plebs is made *absolutely* worse off even though

³⁰ Lea Ypi, *Global Justice and Avant-Garde Political Agency* (Oxford: Oxford University Press, 2012), 111.

³¹ Brighouse and Swift, "Equality, Priority, and Positional Goods," 472.

only their *relative* position changes. Although their absolute number of votes remains at the same level (i.e. one), their societal status, self-respect, and political influence are worsened in an absolute sense by their relative worsening. Furthermore, a low societal status from being treated as a lesser citizen, a lowered self-respect from being officially informed that one is an inferior decision-maker, and a less than proportionate share in the outcome of collective decisions would impede any normal human being's ability to succeed in a similar situation. Hence, the class of plebs in our imagined society is under duress.³² So, regarding votes, we must be concerned with relative levels of capability since someone else getting more inevitably makes others less well off with regards to political influence and the symbolic dimensions of the right to vote. One's absolute position may, thus, be determined by one's relative position, in which case a person may become insufficiently free because of relative deprivation – but it is the *insufficiency* that creates a problem, not the inequality in itself. Indeed, most often when distributive egalitarians point to unjust inequalities, these are actually positionally determined insufficiencies, we claim. Note that this point is similar to one of the main critiques made by so-called relational egalitarians against distributive egalitarians. They claim that an unequal distribution is not problematic *per se* but only in so far as it gives rise to unjust relationships of exploitation, domination, and marginalization.³³ This point is reflected in our claim that the absolute value of certain capabilities is positionally determined – that is, it is determined by the way they affect (or comprise) one's social position and the relationships in which one stands to others. Thus, when the aristocracy is given two votes while the plebs retains only one, this inequality affects the social basis of self-respect of the plebs and their capability for engaging in respectful relations with their societal peers in an absolute sense. While the number of votes is the same, its value, both with respect to influence on collective decision-making and one's societal status, is diminished to the level of insufficiency because of the positional aspects of the capability. Akin to relational egalitarians and in tune with the notion of positional goods, then, we affirm that an unequal distribution may generate insufficiency and place people under duress but not due to the distributive inequality itself.

With respect to other central areas of life that are not as positional, however, it seems more reasonable that distributional procedures ought to be designed so that everyone acquires a decent *absolute* level of the aspect in question and that relative positions do not matter. This is generally

³² One could, of course, give a different justification for unequal voting power such as knowledge or interest, which may (or may not) lessen the effect on status and self-respect. However, it seems to us that there is something inherently demeaning in this policy.

³³ See Anderson, "What is the Point of Equality?," 312-315 and Schemmel, "Distributive and relational equality."

true for capabilities that are *not* intrinsically positional. Most aspects of life related to basic needs such as health, food, or housing are like this. It is not in itself a concern of justice that someone is better off than others in these areas as long as everyone fares well enough. Certainly, everyone needs *some* level of freedom in these areas in order to have the actual probability to succeed (which is what makes them basic). But it seems wrong to say that people need *equal* levels of housing, health, or security to be able to lead successful lives. For example, one is not under pressure that would impair any normal person in their pursuit of a successful life simply because one has a less perfectly enhanced health than others. Likewise, justice is not disturbed by someone having merely adequately decent and comfortable housing even if someone else possesses the capabilities for a bigger or better located house. Everyone having an equal chance of a successful life surely entails that people must have the probabilities for obtaining a decent and sufficient level of basic human need related goods, but it seems a philosophical stretch to claim that everyone needs to be equally well-off in regards to housing, health, security and nutrition to lead successful lives. Disparities in absolute levels related to basic human needs might be thought to actualize concerns of justice, but this, we contend, is often due to the derived effects on other areas of life – or to be more specific, due to their impact on goods with strong positional aspects such as societal status or self-respect. So, inequalities in housing or nutrition *tout court* are not problematic, but only in so far as they simultaneously create inequalities in goods with positional aspects since this leaves people with an absolutely insufficient access to a life free from duress. One might, of course, claim that this relation is inevitable – that inequalities always bring about such problems. But, this seems empirically questionable (at least, importantly, the *degree* to which it is true varies),³⁴ and the distinction seems important nevertheless since what triggers the egalitarian concern are issues of insufficiency – or, in our terminology, that people are under duress. So, regarding the central areas of life related to basic human needs, only a decent (and not equal) level is needed to make people free from duress. This further means that we reject the relational egalitarian claim that distributions matter only in so far as they affect social standing, since we claim that the absolute levels of these capabilities matter even isolated of their positional aspects.³⁵ To put this point bluntly, if someone faces an average life span of 55 years (as is the case, for example, in Malawi), they are clearly insufficiently well-off and under duress – regardless of the quality of their relations to other people.

³⁴ For an illustration of this disconnection, see Jiwei Ci, “Agency and Other Stakes of Poverty,” *The Journal of Political Philosophy* 21 (2) (2013), 125-150.

³⁵ Note that Anderson may plausibly be read as claiming that a basic needs minimum must be secured for everyone supplementary to ensuring equal relations (“What is the Point of Equality?,” 314 and 317-318). Even if this is the case, however, this minimum seems to be significantly lower than what would be required by the ideal proposed here.

Thus, we reach the relevant revision of the negative thesis of sufficiency put in the terms of the ideal of freedom from duress:

(N)The negative thesis of freedom from duress:

Inequalities among people that are free from duress are irrelevant from the point of view of justice.

The negative thesis of freedom from duress can be summarized and justified in the following two claims:

- f) In central areas of human life where positional aspects are *not* present, people can have sufficient probabilities for succeeding with merely a decent absolute level, regardless of whether others are better off. It follows that inequality in itself in these areas is not relevant to justice.
- g) In central areas of human life where positional aspects *are* present, people can only have sufficient probabilities for succeeding when others are not significantly better off because this inequality in itself renders the worst off under duress. Arguably, when people are free from duress in such areas, unjust inequalities will not appear.

There are a number of freedoms that are especially central to human life, and justice concerns these areas. We have conceptualized significant pressure against succeeding in these central areas as a being in state of duress. In this section, we have argued that a person is under duress when she has an insufficient level of one or more of these central areas and, further, that bringing everyone above the threshold – making them free from duress – may imply either an (almost) equal distribution, bringing everyone above an absolute threshold and ignoring inequalities beyond this threshold, or a hybrid, in which avoiding *great* inequalities seems the better strategy (in cases where capabilities have both positional and non-positional aspects). More specifically, it depends on whether the distribution of the freedom is governed by positional logics. If this is the case, a person's relative level of freedom determines their absolute level and, thus, dictates whether they are sufficiently well-off. In other words, we affirm the negative thesis that once people are free from duress, inequalities become irrelevant. This pluralist view, we claim, seems in tune with how the requirements for living a successful life are normally judged, and joining it with the notion of positional goods gives intuitively appealing reasons for accepting the negative thesis. Furthermore,

it raises questions regarding the value and nature of egalitarianism by claiming that the reasons we have for favoring an equal distribution are sufficientarian – and that their egalitarian appeal stem from positional aspects.

VI. Some Objections

Having accounted for our reformulation of sufficiency as freedom from duress, it is useful to consider how the approach copes with some general objections to sufficiency views. This section briefly discusses two commonly raised objections.

First, the “ignorance of inequalities above the threshold objection” claims that sufficientarianism fails to acknowledge the injustice of even major inequalities above the critical threshold. This objection constitutes a crucial problem for most sufficientarians. Most sufficientarians choose to bite this bullet and claim that above a certain threshold (of well-being or resources), we may indeed be agnostic about inequalities. This is the strategy, for example, of Roger Crisp’s Beverly Hills Case, in which he shows that we should be indifferent about inequalities between the rich and the super-rich.³⁶ However, as Casal rightfully argues, sufficientarians are not only committed to agnosticism about such inequalities but also about inequalities among the super-rich and the ones who have *only just* enough.³⁷ As a consequence, Casal deems sufficiency implausible.

As shown above, freedom from duress identifies reasons to sometimes be concerned with inequalities even at a high capability level. Most importantly, in regards to some central capabilities with strong positional aspects, inequalities will in themselves generate insufficiencies – this is especially the case for those related to the fundamental interests of a social being. Capabilities such as political freedoms (e.g., freedom of speech, freedom of association, and influence over one’s social environment), societal status, and the social basis of self-respect are such that the mere fact that someone has more than others restricts the freedom of the worst-off in a way that constitutes significant pressure against their ability to succeed in these areas of life. Having a relatively low level of capability will, in this regard, constitute a state of duress and is, thus, insufficient. In this way, freedom from duress does not ignore inequalities above the threshold, since these sometimes create insufficiencies.

³⁶ Crisp, “Equality, Priority, and Compassion,” 758.

³⁷ Casal, “Why Sufficiency is not Enough,” 312.

Moreover, sometimes inequalities in capabilities that are not directly positional, such as the capability for good health or housing will affect the distribution of political or social capabilities. Thus, non-positional capabilities may be interweaved with positional capabilities and, thus, indirectly generate insufficiencies. Thus, very unequal distributions will often spill over into other (positional) areas in which relative holdings *do* matter to sufficiency. Applying this insight to Casal's case, we claim that material inequality among the super-rich and the ones who have only just enough is rarely a case of mere material inequality, and this, we claim, is what drives our intuitive disapproval in the example. Thus, the example conjures images of J.D. Rockefeller types faced with destitute compatriots. However, this image is misleading since very wealthy individuals in modern societies enjoy a host of privileges on account of their wealth while relatively poor individuals lack many central capabilities on account of their material poverty. Wealth allows one to obtain greater political influence, status, and enormous market advantages with respect to access to good health, education, and security, while poverty creates great obstacles to obtaining these functionings. But, on a background of sufficiency as it has been presented in this article, such conditions would not hold, as everyone would be free from significant pressure against succeeding in central aspects of human life. This would mean that a person who was just above the threshold of sufficiency would not be under such pressure against taking advantage of their capabilities for political influence and respectful social interaction. Nor would they be faced with the meager prospects with respect to health, security, or education that many of the worst-off in modern societies endure.³⁸ Thus, the inequality would merely amount to differences in the ability to pursue non-central capabilities or to enjoy capabilities at a higher level above the threshold. The super-rich may then be able to purchase a yacht (a non-central capability), while the poorer could not, and to buy a mansion (the central capability for adequate shelter), while the person just above the threshold could afford to live in a decent apartment. Normally, we would not consider someone who lived in a decent apartment, enjoyed a reasonable standing, but was unable to buy a yacht unable to obtain a successful life and, so we claim, nor should we. Such a person would be free from significant pressure against succeeding and, thus, is sufficiently well-off and has no justice claims for more. It may very well be that the effects on central capabilities such as status or political influence would be difficult to isolate and eliminate, in which case our poorer person may still be under duress.

³⁸ See for example, Michael Marmot, *The Status Syndrome: How Social Standing Affects Our Health and Longevity* (New York: Henry Holt and Company, 2004) and Richard Wilkinson and Kate Pickett, *The Spirit Level: Why Equality is Better for Everyone* (London: Penguin Books, 2010). for examples of how inequality affects central areas of human life in absolute terms.

Importantly, however, this would not be because of the material inequality but because of these derived effects on status, political freedom, self-respect, and relations – that is, capabilities with positional aspects – in which relative deprivation generates absolute insufficiencies. *Were* we able to address the material inequality in isolation by removing its effects on positional capabilities, our account would not be troubled about inequality in the Beverly Hills Case; not even Casal’s revised version. In other words, we are not troubled by inequalities in wealth by *themselves*, but only insofar as they give rise to insufficiency in the form of duress through their influence on other central human freedoms.

Second, “the incomparability claim” states that value pluralism as contained in the ideal of freedom from duress is unable to compare different states of affairs because of the insistence that different human freedoms cannot be collapsed into one dimension and measured on one unified scale. This, so the critique goes, makes the ideal unable to decide between different outcomes, and freedom from duress is, hence, unattractive as a guide to what justice requires and what to do. How, for example, do we decide whether to distribute our scarce resources when faced with a choice between someone who has a low level of health but a high level of social status and someone with the opposite levels? If, as pluralists insist, we cannot measure this difference on a single dimension (such as welfare, utility, or resources), how can we decide who is worst-off and, hence, to whom we should allocate our scarce resources? We offer two arguments against this objection. First of all, we generally do not believe that it makes sense to compare levels of health and status on the same scale, simply because the benefits and burdens these goods bestow upon a person are *fundamentally distinct*. Forcing these (dis)advantages onto the same scale, thus, blurs an important distinction and simplifies a reality that *is* not simple. We contend that comparing such essentially dissimilar values on one dimension obscures this fact and provides us with imprecise (and even false) information. We believe, like Sen, “that if an underlying idea has an essential ambiguity, a precise formulation of that idea must try to capture that ambiguity rather than lose it”.³⁹ Thus, the first answer to the incomparability claim is that it is, in fact, difficult to determine who is worse-off of the unhealthy and the uneducated, and it is not a flaw in a theory of distributive justice that it reflects this reality. Claiming that they are equally well-off, for example, would be exceedingly imprecise and even incorrect since they are actually very *unequally badly-off*. Second, and related to the first point, not only does freedom from duress better reflect a complex multi-dimensional reality, it also highlights the fact that when we choose to distribute scarce resources to an unhealthy person instead of an

³⁹ Sen, *Inequality Reexamined*, 49.

uneducated person (or the other way around), we are facing a dilemma in which either option constitutes a tragic choice since it leaves someone under duress. But, we must, of course, choose *one* of the two options, and while welfarists, utilitarians, and resourcists would consider this a relatively simple choice – benefitting whoever has the lowest position or value on their respective one-dimensional scale – freedom from duress recognizes that benefitting either still leaves the other in a manifestly unjust situation, which calls for a swift amelioration. To summarize, freedom from duress accepts the fact that there are distinct categories of central human freedom, which, we hold, makes interpersonal comparisons difficult. However, the alternative – comparing situations on only one dimension – will often result in unacceptable imprecision and mistakes.

VII. Conclusion

In conclusion, we believe our ideal of sufficiency as freedom from duress provides elegant and forceful ripostes to the attacks that have been leveled against sufficientarianism. Sufficiency understood in this way gives both strong answers to commonly-held objections and poses new questions that give egalitarians reason for reflection. Being under duress, as we have presented it here, means being in a situation in which one is under considerable pressure in central areas of human life; pressure that would impede any normal human being's ability to succeed in a similar situation. Making people free from duress, then, entails making them free from great obstacles to pursue a successful life. With respect to some capabilities, this will mean giving people a relatively equal level – either because their relative position *directly* determines their absolute probabilities for success or because they influence these *indirectly*. It may seem, then, that freedom from duress is merely an egalitarian wolf in sufficientarian sheep's clothing. This mirage, however, is due to the unjust distribution that defines the world we currently live in, which constitutes the grim frame of reference within which we compare different distributive ideals. Under such circumstances, distributive improvements that conform to egalitarian, prioritarian, and sufficientarian ideals can be difficult to distinguish because of broad agreement (among political philosophers!) about giving priority to relieving the suffering of the severely poor. But as our preceding observations suggest, different freedoms should be distributed differently, and taking these considerations seriously would mean distributing certain freedoms in sufficient – and not necessarily equal – shares, both within societies and globally. So in our view, what seems like convincing reasons for egalitarianism is actually parasitic on sufficiency understood as we have presented it here. One day, hopefully, the differences will be easier to see.