

## THE PRIORITY OF LIBERTY EXAMINED

### I

John Rawls believes that he has established—principally in Part Two of *A Theory of Justice*—that when we take the two principles of justice, as articulated in his book, we have conceptions which “define a workable political conception, and are a reasonable approximation to and extension of our considered judgments.”<sup>1</sup> (195) We should recognize that the end of social justice, expressed in the idiom of his principles, is to arrange the basic social structure of a society so as “to maximize the worth to the least advantaged of the complete scheme of equal liberty shared by all”. (205) The distinctive force of justice as fairness,—as he remarks a few pages later, “would appear to arise from two things: the requirement that all inequalities be justified to the least advantaged and the priority of liberty”. (250) Rawls claims that it is in the insistence on the moral inescapability of these pairs of constraints—constraints which are taken to be essential to the moral point of view—where his account differs sharply from both intuitionism and all forms of teleological ethics. (250) This way of viewing things, he argues, squares both with our principles of rational choice and with our “considered judgments duly pruned and adjusted”. I want to challenge both those claims. I shall challenge the very attractive claim that if we are thoroughly rational, have a sense of justice, and take fully to heart our considered judgments, we shall end up with either of Rawls two principles in their lexical order or with something basically like them.

I shall turn in trying to establish this to an examination of Rawls’ conception of the relationships between justice and liberty and to his views

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1. John Rawls, *A Theory of Justice*, (Cambridge, Massachusetts: Harvard University Press, 1971). All references to *A Theory of Justice* are given in the text.

about the priority of liberty. His views about the priority of liberty are very important for what has been called his 'revisionist liberalism' and yet I think Marshall Cohen is correct in claiming that they are "the most vulnerable aspects of his work."<sup>2</sup> I shall not attempt here to show that they are the *most* vulnerable, but I shall try to establish that they are sufficiently vulnerable to merit rejection.

## II

We should first note Rawls' statement of the first principle of justice, namely the equal liberty principle.

*The Principle of Greatest Equal Liberty:* Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all. (250, see also 302)

It is not terribly clear exactly what Rawls would include in his list of basic liberties, but it is clear enough that the list would include freedom of conscience, the right to vote and to stand for public office, freedom of speech and assembly, freedom of thought, freedom to hold personal property and freedom from arbitrary arrest and seizure. (61)

In what Rawls calls ideal theory where strict compliance obtains there is a priority of the equal liberty principle over the other principles of justice; in non-ideal theory as well, where we plainly have non-ideal situations, this principle will *tend* to have priority over any other principles of justice. That is to say, this priority relationship will always hold in ideal theory and will very often hold in non-ideal situations. Once a certain social minimum has been established, allowing basic liberties to be effectively exercised and basic wants to be met, than rational, impartial individuals with a sense of justice "will not exchange lesser liberty for an improvement in their economic well-being" or for greater totals in the satisfaction of desire." (543; see also 151-52).

This claim of Rawls' has prompted Marshall Cohen to observe that here we have a fundamental and irreconcilable conflict between utilitarianism and Rawls' contractarianism, for "utilitarianism could easily justify abridging these basic liberties" since "utilitarianism claims that we ought to seek the greatest balance of satisfaction over dissatisfaction for society as a whole", and it *could* be the case, even in favourable economic circumstances, that a violation of the basic liberties of an individual, or a minority, would, on such standard utilitarian conceptions, be justified if it brought sufficient satisfaction to the majority and by this produced the maximum net

2. Marshall Cohen, "Review of *A Theory of Justice*", *The New York Times Book Review*, (July 16, 1972), p. 18.

satisfaction of desire for society as a whole, i.e. the greatest amount of happiness for the greatest number.<sup>3</sup>

Since in ideal theory the principles of justice are in strict lexical order and since in non-ideal situations and for non-ideal theory the "lexical ordering of the two principles, and the valuations that this ordering implies, suggests priority rules which seem to be reasonable enough in many cases", it is important to have before us the key priority rule utilized by Rawls in for his equal liberty principle. It reads as follows:

*First Priority Rule:* The principles of justice are to be ranked in lexical order and therefore liberty can be restricted only for the sake of liberty. There are two cases: (a) a less extensive liberty must strengthen the total system of liberty shared by all, and (b) a less than equal liberty must be acceptable to those citizens with the lesser liberty". (250, see also 302)

We should not fail to note in critically examining Rawls' position here that he is concerned to coherently assert both (a) that infringements of or the overriding of the equal liberty principle are not justified by a greater sum of advantages enjoyed by a majority of people or even by society as a whole and (b) "until the basic wants of individuals can be fulfilled, the relative urgency of their interest in liberty cannot be firmly decided in advance". (543) (A), of course, counts strongly against utilitarianism, unless the utilitarians modify their maximizing principle by putting some non-maximizing constraint on it.<sup>4</sup>

In considering Rawls' account of the relationship between justice and liberty, I want—independently of his argument about the original position (which I think is vulnerable on other grounds)—to examine his claim that justice requires that liberty or at least basic liberties may be rightly limited only for the sake of liberty and not for the sake of other social and economic advantages.<sup>5</sup> Like Hart I feel that such a doctrine cannot but

3. *Ibid.*, p. 1. For Cohen's argument to be a sound one it must be the case that the possibilities are genuine empirical possibilities and not merely logical possibilities. The utilitarian need not be disturbed, as Rawls recognizes himself, by the *mere logical possibility* that circumstances could arise where utility would favor such a violation of basic liberties.

4. This is what Braybrooke argues the utilitarian should do and indeed often has done. But whether or not Rawls' and many other contemporary accounts of utilitarianism—including avowedly utilitarian accounts—are or are not 'rational reconstructions' of utilitarianism, for utilitarianism to have a single clear principle it would have to be formulated at least roughly in the manner in which Rawls formulates it. See here David Braybrooke, "Utilitarianism With A Difference: Rawls' Position in Ethics", *Canadian Journal of Philosophy*, Vol. III, No. 2, (December, 1973), pp. 303-331.

5. For some ways in which the Rawls conceptualization and employment of the original position is vulnerable see Thomas Nagel, "Rawls On Justice", *The Philosophical Review*, Vol. LXXXII, No. 2, (April 1973), pp. 220-234.

strike a responsive chord in the heart of progressive minded human being, but I also agree with him, as he agrees with Sidgwick, that such a doctrine has its baffling sides as well, particularly when we consider what it comes to in practice.<sup>6</sup> Indeed I think this initially and understandably attractive doctrine is not only baffling but mistaken.

### III

We need in trying to sort out what is at issue here first to ask *what is it to limit basic liberties for the sake of liberty?* What, in fine, are we talking about here? Rawls works with a number of examples with some of which Hart finds difficulties.<sup>7</sup> Some unproblematical ones, which illustrate the role and appropriateness of Rawls' principle and its attendant priority rule are (a) the right to conscript and thus interfere with the freedom of a person during a war genuinely undertaken to defend free institutions, (b) the right to forbid shouting out at will in a theatre, auditorium and the like and thereby interrupting a cinema, play, lecture or worship service, (c) the restriction of the liberty to speak during a debate just when we please and without rules governing when we may speak. It is evident enough, in most circumstances at any rate, that unless these liberties were restricted there would be a lesser extent or amount of liberty, i.e. there would be less liberty of action where people could act on their intentions and desires.

However, even here there is, as Hart points out, something which is at least misleading in such talk of liberty:<sup>8</sup>

It seems to me, however, misleading to describe even the resolution of the conflicting liberties in this very simple case as yielding a "greater" or "stronger" total system of liberty, for these phrases suggest that no values other than liberty and dimensions of it, like extent, size, or strength, are involved. Plainly what such rules of debate help to secure is not a *greater* or more extensive liberty, but a liberty to do something which is more valuable for any rational person than the activities forbidden by the rules, or, as Rawls himself says, something more "profitable". So some criterion of the value of different liberties must be involved in the resolution of conflicts between them; yet Rawls speaks as if the system "of basic liberties" were self-contained and conflicts within it were adjusted without appeal to any other value besides liberty and its extent.

6. H.L.A. Hart, "Rawls on Liberty and Its Priority", *The University of Chicago Law Review*, Vol. 40, No. 3 (Spring, 1973), pp. 534-555.

7. *Ibid.*, pp. 543-5. For Rawls own treatment of such examples see John Rawls, *A Theory of Justice*, pp. 97, 201-28, and 380.

8. H.L.A. Hart, *op. cit.*, p. 543.

Moreover, as Hart also points out, we get other far more thorny situations than Rawls realizes where reasonable men differ over the *value* of conflicting basic liberties. Consider the conflict concerning liberties implicit in two conflicting proposals, one of which allows in designing institutions for *unlimited* majority rule and the other restricts majority rule through some constitutional device. In opting, say, for some constitutional limitation on majority rule Rawls claims that this can be justified simply by an appeal to a greater equal liberty. But, as Hart counters, it is not so evident that this is so. Rawls admits that reasonable people differ about the *value* of the *conflicting liberties* in such a case and this will in turn affect the way they view the conflict. Classical liberals, for example, believe that "political liberties are of less intrinsic importance than liberty of conscience and freedom of the person." (229) They would prefer, if that was what the choice came to, governance by a good sovereign who upheld the law and recognized liberty of conscience and freedom of person to unlimited majority rule where such a respect for these liberties did not obtain. But surely not all reflective human beings will agree to that! Here their considered judgements are not all the same. Moreover, we seem not to have any measure of which situation makes for the *greatest equal liberty*, yet we still seem at least, on Rawls' view, to require assessment of "the relative total importance of the different liberties". This seems at least to force us to bring in other considerations than considerations of liberty and some of these would seem at least to be utilitarian considerations. But this plays old harry with Rawls' first principle of justice because the constraint on the greatest equal liberty principle, i.e. we can limit basic liberties only for the sake of liberty, will have been shown to be inapplicable in such a not unusual case and indeed a case which is within the bounds of the circumstances of justice. Particularly, if we can multiply these cases—where the cases are not desert-islandish—we would seem to have a strong case against the priority of liberty.

Rawls response to this seems to me to be a weak one. He remarks that we do not often have to make such assessments. But even if we only sometimes do, when reasonable social minimums are being met and the circumstances of justice obtain, this is enough to show that his account needs modification. (230) In addition to that, it is not clear that Rawls has given us a viable way of resolving the question of what principles we should act and reason in accordance with when we are faced with such complex cases. He tells us that we usually should "apply the principle of equal advantage in adjusting the complete system of freedom". (230) He further remarks that we should narrow or widen our commitment to a principle which compels those in authority to be responsive to the felt interests of the electorate, to the point, where, as he puts it himself:

the danger to liberty from the marginal loss in control over those

holding political power just balances the security of liberty gained by the greater use of constitutional devices. The decision is not an all or nothing affair. It is a question of weighing against one another small variations in the extent and definition of the different liberties. The priority of liberty does not exclude marginal exchanges within the system of freedom. Moreover, it allows although it does not require that some liberties, say those covered by the principle of participation, are less essential in that their main role is to protect the remaining freedoms. Different opinions about the value of the liberties will, of course, affect how different persons think the full scheme of freedom should be arranged. Those who place a higher worth on the principle of participation will be prepared to take greater risks with the freedoms of the person, say, in order to give political liberty a larger place. Ideally these conflicts will not occur and it should be possible, under favorable conditions anyway, to find a constitutional procedure that allows a sufficient scope for the value of participation without jeopardizing the other liberties. (230)

Hart remarks, appropriately, commenting on this passage, that he does not understand how “such weigh or striking of a balance is conceivable if the only appeal is... to ‘a greater liberty’”.<sup>9</sup> How are we to ascertain whether institutions A, making for greater liberty of conscience, or institutions B, institutions having unlimited majority rule, make for greater total liberty? One seems to trade off different kinds of basic liberties. But how exactly or even inexactly do we do that? With effective unlimited majoritarian control the notion of being governed by consent and the greater political control that involves takes pride of place (is given greater weight). In the other (institutions A), by contrast, it just is not going to be the case that your religious freedoms will be run over. There is much to be said for prizing most either situation, but no clear sense has been given to how we are to settle the question whether institutions A or institutions B make for the most extensive system of liberty. To conclude, as Rawls does, by remarking that “ideally these conflicts will not occur,” and that we should be able to find an answer for such conflicts when they do occur, is not to show us what it would be like to answer such questions within the framework specified by justice as fairness. (230)

It will not help to argue, as Rawls does, that where such conflicts occur we can find out what to do by finding out what a representative equal citizen would find it rational to prefer. (204) That appeal would only work where, given Rawls’ framework, we had some determinate and unproblematic conception of the common interest or common good as fixed by the primary social and natural goods. In the simple cases, such as restricting freedom

9. *Ibid.*, p. 544.

to simply speak at will during debate, such rational representative persons could see that there was some common interest necessary for all to further their aims. They will see, as rational beings, that whatever ends they may have in the appropriate context such restrictions are necessary if they are to pursue their ends successfully. Here such representative equal citizens can attain agreement about what it is rational to prefer. But Hart, who is very perceptive in his criticism of Rawls here, rightly remarks that:<sup>10</sup>

...it would be quite wrong to generalize from this simple case; other conflicts between basic liberties will be such that different resolutions of the conflict will correspond to the interests of different people who will diverge over the relative value they set on the conflicting liberties. In such cases, there will be no resolution which will be uniquely selected by reference to the common good. So, in the constitutional case discussed above, it seems difficult to understand how the conflict can be resolved by reference to the representative equal citizen, and without appeal to utilitarian considerations or to some conception of what all individuals are morally entitled to have as a matter of human dignity or moral right.

Harts' central point against Rawls is that we seem to have no grounds, unless we envoke utilitarian considerations, for determining what "the representative's rational preference would be and in what sense it results in 'a greater liberty'."<sup>11</sup> But if this is what the upshot is, it will not do from Rawls' perspective, for Rawls has ruled out appeal to utilitarian considerations in such a context. We need to recognize, if this is what we are led into, that we do not have a good understanding of what it is to limit basic liberties for the sake of liberty or only for its sake, and, to the extent we do understand it, there are real questions about whether this is the only ground which would justify restricting basic liberties.

#### IV

Rawls generally, in arguing for the priority of the greatest equal liberty principle, attempts to show that it is not just an ideal one can commit oneself to or subscribe to among others, but that it, as Hart puts it, "reflects a preference for liberty over other goods which every self-interested person who is rational would have".<sup>12</sup> I shall argue, as have Hare, Barry, Hare, Braybrooke and Cohen, that Rawls has not established that claim that it is far from evident that it is establishable from a generally Rawlsian point of view and indeed that it may very well not be establishable at all.<sup>13</sup>

10. *Ibid.*, p. 545.

11. *Ibid.*, p. 546.

12. *Ibid.*, p. 555.

13. H.L.A. Hart, *op. cit.*, pp. 534-55, Brian Barry, *The Liberal Theory of Justice*, (Oxford, Eng'and: Clarendon Press, 1973), R.M. Hare, "Rawls' Theory of Justice—II",

The general thrust of Rawls' argument is to establish that in conditions which allow the effective exercise of the basic liberties and where basic wants can be satisfied, it would *not* be rational for people to gamble on either utilitarian or perfectionist principles as alternatives to the two principles of justice as fairness. They would not, that is, be rational in opting for either utilitarianism (in any form) or perfectionism with their subordination of the greatest equal liberty principle. In terms of some overarching end, either utilitarianism or perfectionism could deny agents both their basic liberties and an adequate social minimum. But, Rawls claims, it would be irrational for national agents to chance that. But why may it not be the case (or may it not even be the case) that even in favourable circumstances—i.e. where their basic wants can be satisfied and their liberties can be effectively exercised—that rational self-interest people, or even rational impartial people, who are not particularly self-interested, will sometimes be willing to trade off certain liberties, or even a lesser extent of liberty, for enhanced material benefits, or for a higher level of cultural attainment for their society, or even for greater security? (With respect to the last, reflect on how very differently Hobbes weighted such matters than does Rawls). They may not be so non-risk prone or value liberty so highly as Rawls' rational agents and still be rational for all of that. Rawls claims that to take such a risk and to do any of those things involves some failure in rationality; but has he shown that and indeed what would it be like to show that?

Rawls allows, as Cohen points out, that we "may justly restrict the freedom of an intolerant sect when it threatens our security."<sup>14</sup> Rawls would no doubt reply that the security it threatens is just the security of our free institutions. But in restricting the religious fanatics' liberty we are not only restricting it to increase the extent of liberty, but to lessen strife and promote a greater satisfaction of needs and desires. Moreover, Cohen asks, "would we not be justified in restricting the liberties of a sect that threatened not only our liberty, but our physical security? And are the goods of bodily integrity and of life itself properly regarded as forms of liberty?"<sup>15</sup> Cohen takes these as rhetorical questions, but it would seem to me that Rawls could properly enough respond by saying such physical security, bodily integrity, and, of course, life itself are conditions necessary for the effective establishment and exercise of basic liberties. Their being protected is part of those favourable conditions necessary before the priority rule prohibiting exchanges of liberty for economic or other social

*Philosophical Quarterly*, Vol. 23, (July 1973), pp. 241-252, David Braybrooke, *op. cit.*, Marshall Cohen, *op. cit.*

14. Marshall Cohen, *op. cit.*, p. 18.

15. *Ibid.*



advantages comes into play. Before these conditions are satisfied the *general conception* of justice is to govern society. That general conception, namely that all primary goods are to be distributed equally unless an unequal distribution of any or all of these goods is to the advantage of the least favoured, allows people, if they so desire, to give up or trade off certain basic liberties for social and economic gains. (303)

However, that Cohen's argument here is not successful does not end the matter. As we have already suggested, there are other difficulties with the greatest equal liberty principle. Hart for example, in deploying a series of rather more powerful arguments against the claim that liberty can *only* be legitimately limited for the sake of liberty, brings up some of them. He points out that again and again in ordinary life, in ways which clearly match with the plain man's considered judgments, we restrict such basic liberties as free speech and the accumulation and use of private property not *only* for more liberty and indeed sometimes not for more liberty at all, but for basically utilitarian considerations such as protection from harm or the destruction of or the undermining of the amenities of life.

Sometimes, Rawls could reply, the prevention of this harm, resulting from unrestricted liberty (as in Cohen's above cases) does protect the victim from a loss in freedom of action. The victims become afraid to act or sometimes even come to lack the capacity to act. But even here—as we indicated in another connection—we have several relevant factors in operation and not just a loss of freedom. After all there is still the pain, suffering and distress. Furthermore, there are cases where physical injury is not at issue. Why, for example, is it irrational (or is it irrational) for people to accept practices which restrict their political liberties or religious freedoms in exchange for increased economic benefits which would provide them with many amenities which they could not otherwise afford? Their doing so does not square very well with my ideals or Rawls' liberal considered convictions, but can we be sure that it does not match anyone's considered convictions and if it does do we have any good grounds for claiming a man who has such convictions is, let alone must be, irrational? I do not think that Rawls has shown either that they are not—let alone cannot be—considered convictions or that they are irrational convictions. Moreover, the burden of proof here is on him.

In fine, Rawls first principle of justice is too determinate. It does not follow that certain restrictions are unjust because in circumstances of only moderate scarcity they do not limit some basic liberty for the sake of liberty, but have some quite different rationale for restricting liberty. Thus certain reasons for restricting liberty, which square without considered convictions, would be taken on the basis of Rawls theory to be unjust. This, of course, is not a decisive reason for rejecting Rawls' principle with

its priority rule, but—particularly if there are a considerable number of well-entrenched considered convictions—it is a reason of a not inconsiderable weight. Moreover, it is a reason which Rawls' own methodology would commit him to accepting.

Hart also argued that Rawls—most centrally—fails to give due consideration to the following facts:<sup>16</sup>

Any scheme providing for the general distribution in society of liberty of action necessarily does two things: first, it confers on individuals the advantage of that liberty, but secondly, it exposes them to whatever disadvantages the practices of that liberty by others may entail for them. These disadvantages include not only the case on which Rawls concentrates, namely interference with another individual's basic liberties, but also the various forms of harm, pain, and suffering against which legal systems usually provide by restrictive rules. Such harm may also include the destruction of forms of social life or amenities which otherwise would have been available to the individual. So whether or not it is in any man's interest to choose that any specific liberty should be generally distributed depends on whether the advantages for him of the exercise of that liberty outweigh the various disadvantages for him of its general practice by others.

Rawls misses the force of these (once thought of) obvious considerations. With his concentration on the doctrine that liberty can only be limited for the sake of liberty, he fails to see how in resolving conflicts we are not just concerned with the extent and amount of liberty, but also with the types of advantage and disadvantage which are unavoidably involved in the resolution of such conflicts. Rawls concentrates too much on a single rational representative individual considering the advantages to himself of exercising some specific liberty where just that liberty taken by itself is considered and the effects of the general distribution of that liberty in the agents' society are largely ignored. But we cannot legitimately ignore such effects and when we do consider them, we in considering such a distribution cannot avoid talk of weighing (balancing) the advantages and disadvantages of the *general* distribution of any specific liberty. Indeed to do so is even essential in determining whether it is in a person's interests "since the exercise of that liberty by others may outweigh the advantages to him of his own exercise of it."<sup>17</sup> *Pace* Rawls there is no escape from such rough utilitarian calculations.

R.M. Hare very basically challenges Rawls to produce an argument why his very restrictive priority rule should be developed as one of the

16. H.L.A. Hart, *op. cit.*, p. 18.

17. *Ibid.*, pp. 550-1.

indefeasible requirements of justice.<sup>18</sup> What is the rationale for a priority rule forbidding at a fairly modest level of prosperity trade-offs between basic liberties and other goods? On Rawls' account the greatest equal liberty principle has priority as soon as men generally can exercise their basic liberties and satisfy their basic wants. Why should people in such a society be irrational and without a sense of justice and rightness if they want more material goods and would be willing to surrender some of their liberties to get them? It is far from clear that Rawls has given us any good grounds for believing they would be irrational and lack a sense of justice or lack a proper moral understanding.

In this connection Hare points out "that some men, perhaps a majority, perhaps even all, in a society might wish to surrender certain political rights, the exercise of which does not appear to them to bring great benefits, and would be willing to let government be carried on in some authoritarian form if there were good reasons for believing that this would bring a great advance in material prosperity".<sup>19</sup> Again our old question returns: why should or should such persons be labelled as irrational, unjust or immoral?

Rawls, appealing to the standpoint of the *original position*, argues that, where the general material well-being is high, it is irrational to acknowledge a lesser liberty for greater material means because in such a situation only the less urgent material wants remain unsatisfied and men thus, if they are rational, will increasingly come to prize liberty. In due course, as these conditions develop, the desire for liberty will become their chief regulative interest. But why should it be the rational thing to do for parties in the original position to impose such a restriction on exchanges of liberty for other goods "because 'eventually' or 'in due course' in the development of that society the desire for liberty will actually come to have a greater attraction for them?"<sup>20</sup> Hart challenges the claim that the rational thing to do or, at least the exclusively rational thing to do, is to impose restrictions on doing something you may want to do at some stage in your development because eventually at some still later and perhaps final stage you will not want to do it. Why could they not, as rational beings, want such a trading-off of certain liberties for a large increase in material benefits until a considerable affluence is reached and then want to restore the liberties when they came to want them even more than a continued increase in

18. R.M. Hare, "Rawls' Theory of Justice—1", *Philosophical Quarterly*, Vol. 23, (April, 1973), P.H. Nowell-Smith in his "A Theory of Justice?", *Philosophy of the Social Sciences*, Vol. 3, No. 3 (December, 1973), pp. 315-329 and Peter Singer, "Sidgwick and Reflective Equilibrium", *The Monist*, Vol. 58, No. 3 (July, 1974), pp. 490-517 have developed different and perhaps not wholly compatible arguments which are both in their different ways importantly supportive of Hare's arguments.

19. H.L.A. Hart, *op. cit.*, p. 552.

20, *Ibid.*, p. 553.

material affluence? Why assume, completely without grounds, that if there is no such Rawlsian priority rule, people will run the risk of permanently losing liberties which later they might wish to have?"<sup>21</sup>

In summary, what we see here is Rawls' committed in an unequivocal but unjustified way to the priority of liberty. Under reasonably favourable conditions, such as he takes our own conditions to be, justice, he believes, requires it. Rawls in the spirit of *liberalism* seems to have taken to heart, as Hart points out, a key *ideal* of liberalism, namely the ideal of a public-spirited citizen who prizes political activity and service as very fundamental and strategic goods and who is not at all willing to trade them off for an increase in material goods or even for an increase in contentment.<sup>22</sup> It is understandable enough that by some decision of principle one might come to *subscribe* to such an ideal. But Rawls does not offer it to us merely as something to commit ourselves to, but he claims that it can be seen to be in the interests of all rational people even if they are thoroughly self-interested. In short, he purports to show us that it is an *inescapable* and fundamental principle of rational choice in a world in which basic wants can be fulfilled and in a world which allows the effective establishment and exercise of basic liberties. But in that, for him, very key task he fails.

21. *Ibid.*

22. *Ibid.*, p. 554.