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John Rawls's *Political Liberalism*

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# TOWARDS A MORE ADEQUATE RAWLSIAN THEORY OF SOCIAL JUSTICE

BY

RODNEY G. PEFFER

In *Marxism, Morality, and Social Justice* (hereafter *MMSJ*) and elsewhere I have put forward and defended a modified version of Rawls' substantive theory of social justice—i.e. the “two principles”—which I claim is superior to the original.<sup>1</sup> In *Political Liberalism* (hereafter *PL*) Rawls has agreed that all of the modifications I have made are justified, save one.<sup>2</sup> In section II of this essay I shall (1) review these modifications and my arguments as to why they are justified; (2) examine Rawls' reasons for rejecting my proposed modification in favor of social and economic (in addition to political) democracy; and (3) offer what I take to be an improved version of my theory. In section III I shall make some additional remarks concerning the types of society that may be justified on Rawls' original theory and/or my modified version of it. Before I proceed to these tasks, however, I shall offer some general observations about *Political Liberalism* (and Rawls' later work in general), especially in comparison with the “Early Rawls” (i.e. the Rawls of *A Theory of Justice*—hereafter *TJ*)—and subsequent articles up until the early 1980s). I hope to show that there is not as large a gap between the two as many have assumed.

## I. Political Liberalism: Some General Observations

As with the publication of *TJ* in 1971, the publication of *PL* has dominated discussions in political philosophy since its publication in 1993. However, there is not anything even approaching a consensus on the

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correct interpretation of many aspects of the new theory and there are many theorists—even theorists within the liberal egalitarian tradition Rawls represents—who are not convinced that the arguments and analyses in this work are as powerful, as clear, and as unambiguous as those in *TJ*.

While some of the disagreements in interpretation can perhaps be put down as simple misreadings and some seem to be uncharitable interpretations exhibiting a willful disregard for what Rawls obviously means, yet other seem to be the result of ambiguities in the work itself. I must say that even though I consider myself a Rawlsian—i.e. one who thinks that Rawls' overall theoretical approach is basically correct—I find *PL* to be a much more difficult work to understand and evaluate than *TJ*. (In fact, I do not claim to fully understand all of its aspects even now, but I suspect I am not alone in this.) In sum, although I think that *PL* is a very important work which will, once again, provide the framework for ongoing moral and social philosophy for years to come, I also think that it is more complicated, more convoluted, and contains more important ambiguities than *TJ*.

One seeming ambiguity in *PL* concerns the three levels of abstraction concerning societies and the persons that inhabit them. These are (1) the original position and the parties to it (who stand behind the veil of ignorance); (2) a (truly) well-ordered society and its citizens (all of whom, by hypothesis, accept the constraints imposed by political liberalism, whatever particular comprehensive moral views they accept); and (3) actual (at least relatively) well-ordered constitutional democracies and their actual inhabitants and/or citizens. Obviously, it is extremely important to clearly distinguish these levels of analysis since at least some of the implications that can be drawn from each different level will differ. Now sometimes it is clear which of these levels of analysis Rawls is working with but many times it is not ... or at least many times it was not clear to me. In fact, it was so difficult for me to keep track of Rawls' (apparent) shifts in the level of abstraction of his analysis that I sometimes not only had a feeling of confusion but of vertigo, as if I were on an airplane that was suddenly and without warning gaining or losing several thousand feet in altitude. Although I do not have time to give a detailed analysis of various examples in *PL* where Rawls' level of analysis seems ambiguous or unclear, I am convinced that this is a potential difficulty which deserves more detailed investigation.<sup>5</sup>

In the category of differing interpretations of *PL*, perhaps the most important one concerns whether Rawls is committed to only unpacking the conception and values that are implicit in the public political culture of (“Western”) constitutional democracies—a la Michael Walzer<sup>6</sup>—or whether this is merely a starting point for his theorizing on social justice. Bruce Ackerman, for example, writes that Rawls “presents himself as a

philosophical underlaborer, merely elaborating principles already implicit in Western political practice" and, being a general proponent of political liberalism himself, adds: "I deny that political liberalism is—or ought to be—parasitic on practice."<sup>7</sup> On the other hand, Jeremy Waldron claims that "Rawls appears to have abandoned his flirtation with the view held by Michael Walzer and others ... that political philosophy is a matter of unpacking our shared understandings in a particular society at a particular period. That view is now decisively rejected."<sup>8</sup> To back up his interpretation Waldron refers to Rawls's claim that "We turn to political philosophy when our shared political understandings, as Walzer might say, break down, and equally when we are torn within ourselves" (*PL*, 44).

Perhaps the most sensible and charitable interpretation of Rawls on this point is that we should start from these ideas *not* because they are generally shared within these particular (democratic constitutional) societies but because they are abstract enough and general enough to be capable of commanding agreement among reasonable persons whatever particular comprehensive moral or religious views they hold.<sup>9</sup> (And this kind of agreement, of course, is precisely the aim of *PL* and the basic reason Rawls felt compelled to write it. *PL* is Rawls's attempt to correct the third part of *TJ* which—unrealistically, he now thinks—relies on the universal adoption of his own partially comprehensive Kantian moral views by citizens of well-ordered societies to account for social stability.<sup>10</sup>)

A second, related, issue on which there exists disparate interpretations is whether Rawls's new method of justification of theories of social justice—which demands an overlapping consensus among all groups in a democratic constitutional society which have "reasonable" comprehensive views—can result in a principled consensus that will promote stability of a basically just, well-ordered society or whether it can only result in an ultimately unstable *modus vivendi* among these groups. Various interpreters of Rawls have lined up on either side of this issue.<sup>11</sup>

Actually, there are two questions involved here. The first is whether Rawls is demanding an overlapping consensus among all groups or ideologies in a democratic constitutional society which have reasonable views in a broad sense of "reasonable" or only an overlapping consensus among all reasonable groups or ideologies in a significantly more restricted sense of "reasonable;" one that packs in a lot of moral content. Whichever interpretation is chosen, the second question is: Is such an overlapping consensus likely or even possible in well-ordered (basically just) societies? If the first "practical, political" interpretation is correct then—depending on how the second question is answered—Rawls's overlapping consensus theory may be able to guarantee nothing more than a *modus vivendi* which intolerant groups will violate whenever they believe they are in a position to force their comprehensive moral views on the rest of society. If the second interpretation is correct, however, then—in the end analysis—

the overlapping consensus model may not be very much less hypothetical than the theory of justification put forward in *TJ*. (More on this presently.)

How incompatible interpretations of *PL* (and Rawls's later work in general) can arise can be amply illustrated in my own writings since I am in the unusual—and somewhat embarrassing—position of already being on record as having offered two different (and incompatible) interpretations, neither of which I now believe is correct. In *MMSJ* I spent a great deal of time and energy defending Rawls's theory as found in *TJ* against various objections<sup>12</sup> but I also rather viciously attacked his new overlapping consensus model. The first sentence of the six-page section (pp. 299–305) in which I attacked this theory reads "This brings us to a recent change in Rawls' theory or method of justification from which I explicitly wish to distance myself" (*MMSJ*, p. 299), and the last sentence is, in part, "... a strong case can be made for continuing to accept Rawls strategy of the original position while rejecting the newfangled method of overlapping consensus" (*MMSJ*, p. 305). But in between these two sentences I was not always so sensitive and discrete. I stated, for example, that "... this is an instance in which Rawls has let his (sometime) neoclassical inclination to conceive society as almost wholly cooperative ... run amok" (*MMSJ*, p. 304) and that "Rawls' implicit assumption that all major groups within such societies can actually reach a consensus (on his theory of justice or any other) [is] almost laughable" (*MMSJ*, p. 304).

Although I still believe that some of the criticisms I offered in these pages are correct—more on them presently—I became convinced that I had misinterpreted Rawls on what kind of overlapping consensus his new theory was demanding after I was able to discuss the issue with him at the U.C.-Irvine conference in the spring of 1990 in which he first presented his lectures on "The Idea of Public Reason."<sup>13</sup> At this time I came to realize that Rawls's new theory was not demanding an actual consensus among all groups or all views in actual societies that can be characterized in a very broad sense as reasonable, but only among groups and views which were "reasonable" in a much narrower sense.<sup>14</sup>

But what considerably complicates the issue is that, as Waldron points out, there are actually two senses of "reasonable" in *PL* and neither of them is nearly as broad as the sense the term has in ordinary usage. In its normal, everyday sense, "reasonable" means something like "intelligible in the light of the circumstances in which human reasoning is usually exercised. A religious difference or a moral disagreement is reasonable if its existence is not due to blindness or irrationality on one side or both..."<sup>15</sup> On the other hand, Rawls's primary narrower, more normative conception of "reasonable" (or of being a "reasonable person") includes, in his own words:

first, the willingness to propose and honor fair terms of cooperation, and second, ... the willingness to recognize the burdens of judgment and to accept their consequences... [third, that reasonable persons] are willing to govern their conduct by a principle from which they and others reason in common; and [fourth that] reasonable people take into account the consequences of their actions on others' well-being. (*PL*, p. 49)

In addition, as Waldron notes, Rawls sometimes "blur[s] the line between the two senses [of "reasonable"] by saying that a view is held reasonably only if its proponents recognize the hopelessness of trying to convert everybody to it."<sup>16</sup> But clearly, only if Rawls is using one of these special, more narrow senses of "reasonable" will an overlapping consensus on his two principles be expected among reasonable persons in any actual society; and it's not even clear that the second of these would suffice to establish anything more than a *modus vivendi*.

Moreover, besides the moral content of Rawls's notion of "reasonable" which sets parameters for the overlapping consensus, I did not sufficiently appreciate the extensive moral content of his notions of the idea of "political society as a fair system of cooperation over time" and the idea that those cooperating are "persons seen as free and equal moral citizens." With these further constraints many comprehensive views that may have otherwise legitimately demanded inclusion in Rawls's overlapping consensus now fall by the wayside. Not only are racist, bigoted, and chauvinistic views of all sorts eliminated here in one fell swoop but, apparently, theocratic views and socially conservative views that seek to abolish and/or punish 'immoral' but harmless behaviour (i.e. that accept *moralism* as opposed to only the *Harm Principle* as a basis for limiting people's liberty) are eliminated as well. However, I may have gone too far in the opposite direction in my second interpretation of Rawls's overlapping consensus model, as expressed in an article published in 1992, since there I claimed that the moral content of Rawls's use of "reasonable" (together with his normative conception of society and the person) "makes Rawls' overlapping consensus model invulnerable to most of the objections levelled against it by such authors as [Thomas] Pogge and I. With this addition Rawls' later theory is essentially no less hypothetical than its earlier incarnation."<sup>17</sup> But while this may be true in a sense, I now believe that this claim needs to be considerably qualified.

Here I shall proceed by briefly canvassing the other objections to the later Rawls's theories I put forward in *MMSJ* and, in this context, state how and why the above "purely hypothetical" interpretation of Rawls's overlapping consensus theory must be qualified. One of these objections was that "... Rawls' new method ... fails at the task it is designed to accomplish, i.e., the task of eliminating contestable value judgements in the justification of principles of social justice" (*MMSJ*, p. 301). Although I think it is true that Rawls's newer theory does not eliminate all

contestable value judgments in this respect since the moral content of the original position (which was never conceived by Rawls as morally neutral in *TJ*, as some claimed) is more or less just transferred to the ideas of "reasonable comprehensive views," "free and equal moral citizens," and "society conceived as a cooperative venture for mutual advantage," I now realize that he was never claiming that the new theory could or would accomplish this (impossible) task.<sup>18</sup>

However, two criticisms I made in *MMSJ* which I still believe require a response are (1) the "persons who have democratic sentiments but who happen to live in an undemocratic, illiberal (but yet pluralistic) society are left in a theoretical lurch, so to speak" (*MMSJ*, p. 301), and (2) that "Rawls' overlapping consensus theory ... is myopic in an extremely important respect: namely, it apparently demands a consensus only among persons within a particular society and this consensus may not take sufficiently into account the interest and/or rights of persons in other societies whose life prospects are importantly impacted by decisions made within the society in question" (*MMSJ*, p. 305). So far as I have been able to discern, Rawls does not assuage these legitimate concerns in *PL*. Moreover, although it may be thought that Rawls would answer these questions in his essay on international relations entitled "The Law of Peoples"—which Rawls had intended to be an appendix to *PL* but could not get permission to include—I have not been able to find satisfactory responses in this essay either.<sup>19</sup> It seems to me, however, that once it is admitted that Rawls is using the ideas implicit in the public political culture of democratic constitutional societies because they are, in fact, good ideas to use and not because these democratic ideas happen (by definition, I suppose) to only be embodied in such societies, then there should be no problem in admitting that Rawls's new method of justification as well as his substantive theory of justice can be and should be applied to other types of societies and to the international situation as a whole.<sup>20</sup>

Once Rawls specifies that the overlapping consensus pertains only to *reasonable* views (in the narrower sense) and only from the perspective of citizens who view themselves and others as free and equal moral beings (or citizens) and society as a fair system of social cooperation (or as a cooperative venture for mutual advantages, as he sometimes puts it) then there is no reason whatever to continue to claim that such a method or the theory of justice arrived at by such a method can apply only to constitutional democracies. The theory would seem to apply as straightforwardly to societies in which the majority did not hold reasonable views as to contemporary constitutional democracies in which, Rawls assumes, the majority does hold such views. In both cases all unreasonable views are discounted. So except in the ultimately limiting case of a society in which no one (or no group) holds reasonable views,

Rawls's method of justification would be perfectly applicable and—according to Rawls's way of thinking, in any case—the same theory of social justice (i.e. his two principles) or some similar theory would be zeroed in on and, thus, justified. But in line with Rawls's admission that his theory is only designed to apply to modern, mass societies I think that we can safely claim, as an empirical truth, that all existing societies or at least all existing nation-states (no matter how small) contain individuals who have reasonable views.

Thus, with respect to judging basic social structures from the perspective of fundamental principles of justice, there is no reason for Rawls (or Rawlsians) to hold that his method of justification and resulting theory of justice is applicable to only (already) democratic constitutional societies. This, of course, is not to say that a substantive Rawlsian theory of social justice can be expected to gain a foothold in all actual societies. It may, in fact, be utopian to think that such a theory (as Rawls's two principles) can be institutionalised in a society in which a majority or even a strong minority does not hold reasonable views in Rawls's sense. But this is a question for *nonideal* theory to deal with, not a question for *ideal* theory (in which Rawls still professes to be engaged).

But if this is correct, then—as Waldron asks—why can't we “idealize all the way back to the rejected solution of *A Theory of Justice*?”<sup>21</sup> My answer is: in terms of his method of justification Rawls has already done this since he specifies that the original position is the correct or best way to represent citizens and society as described above. But here two caveats must be added. First, the whole point of *PL* is that we can not (or at least should not) go back to the supposition that all rational and reasonable citizens will converge on the particular Kantian comprehensive (or partially comprehensive) moral view that Rawls presupposes in *TJ* (or on any other comprehensive or partially comprehensive view). If we are to account for legitimate social stability in real world (pluralistic) societies we must make room for a plurality of reasonable comprehensive views. A point that is sometimes missed, however, is that Rawls has not moved from ideal (*full compliance*) theory to nonideal (*partial compliance*) theory in moving from *TJ* to *PL* but, rather, from an ideal theory presupposing *full consensus* (on a comprehensive or partially comprehensive moral view) to an ideal theory presupposing only *partial consensus* on such (reasonable) views.<sup>22</sup> Thus, *PL* is not, in this important respect, less hypothetical than *TJ* although it is designed to be more realistic in that it is more applicable to real world societies because of this change.

Secondly, it should be pointed out that a great deal of Rawls's new theory—especially his theory of public reason—is specifically devoted to how politics (ideally) ought to be conducted in democratic constitutional societies whose basic social structures are more or less informed by a liberal egalitarian theory of social justice. Obviously, this part of Rawls's

theory in *PL* is not applicable to societies which do not meet this description. On the other hand, this is not to say that Rawls's overall theory can not be used to evaluate such societies and to recommend that they eventually be transformed into democratic constitutional societies or even that the constraints on politics advocated by Rawls's theory of public reason should not be instantiated in any society to whatever extent this is feasible.

However, I do not mean to suggest here that in all historical periods and under all circumstances democratic constitutional political institutions are to be preferred from a moral point of view or even from the point of view of political liberalism. It is arguable that under some circumstances—e.g. the circumstances in which most Third World countries presently find themselves—a relatively undemocratic political regime that ends brutal exploitation and protects both the security and subsistence rights of its population is to be preferred to a liberal democratic constitutional regime that protects people's security rights and civil liberties but not their subsistence rights. This is provided for in *TJ* by Rawls's general conception of social justice (which, when applied to societies that are not well developed, allows for trade-offs between liberties and raising the economic prospects of the least well-off) and, arguably, by his natural duties not to cause harm and to aid the severely deprived as well.<sup>23</sup> In *PL* it is apparently allowed for by Rawls's admission that “the first principle covering the equal basic rights and liberties may easily be preceded by a lexically prior principle requiring that citizen's basic needs be met” (*PL*, p. 7). (In my theory this is explicitly taken care of by placing a Basic Rights Principle as the first, lexically highest one: see section II.) In any case, a nominally democratic constitutional society which did not protect its population's subsistence rights would not count for Rawls as the type of well-ordered society he is speaking of in *PL*, for Rawls clearly states that the “constitutional essentials” of such societies include not only the basic rights and liberties together with freedom of movement and free choice of occupation, but “a social minimum providing for the basic needs of all citizens [as well]” (*PL*, p. 228).

Here I wish to insist on only two points. First, that—when suitably interpreted—Rawls's method of overlapping consensus (which is always understood as falling under the aegis of the more general justificatory method of wide reflective equilibrium<sup>24</sup>) can plausibly be seen as justifying his egalitarian theory of social justice or at least some theory within the family of democratic liberal (including “liberal-socialist”) egalitarian theories. Second, that though Rawls presents his basic theory of social justice as tightly bound up with his more practical recommendations aimed at real world liberal constitutional democracies (e.g. his theory of public reason), these two levels of his theory ought to be seen as distinct and evaluated as such. Obviously, this latter level of analysis is not as

hypothetical as his core theory found in *TJ* (or its analogue in *PL*) since this part of his theory does not deal with these issues.

In light of these claims it seems to me that a case can be made that Rawls's changes from *TJ* to *PL* are primarily rhetorical or polemical in nature (in the non-perjorative sense of these terms). In fact, it seems to me not at all implausible to assume that one of the many motivations for Rawls writing *PL* may have been a desire to confront the rise of religious fundamentalism as an organized political force, both in the United States and in many other parts of the world, in the light of humanity and clear reason. In moving from speaking primarily of the more abstract original position to speaking mostly of ideal (and actually existing) democratic constitutional societies and in moving from a partially comprehensive Kantian moral theory as a basis of justification for his substantive theory of justice to a purely political conception of justice, Rawls may be attempting to rope into serious thought and discussion of these issues individuals (and whole sections of the population) who, otherwise, may not feel compelled to confront these issues or think about them in the ways Rawls suggests. And in appealing to the political culture of democratic constitutional societies Rawls has a strong polemical device to get people to sit up and take notice. After all, even most religious fundamentalists and conservatives who are citizens of contemporary democratic constitutional regimes also think of themselves as proponents of constitutional democracy.

## II. A Modified Rawlsian Theory of Social Justice

The theory I developed in *MMSJ* consists of the following four principles in order of lexical priority:

- (1) Everyone's basic security and subsistence rights are to be met: that is, everyone's physical integrity is to be respected and everyone is to be guaranteed a minimum level of material well-being including basic needs, i.e., those needs that must be met in order to remain a normally functioning human being.
- (2) There is to be a maximum system of equal basic liberties, including freedom of speech and assembly, liberty of conscience and freedom of thought, freedom of the person along with the right to hold (personal) property, and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law.
- (3) There is to be (a) equal opportunity to attain social positions and offices, and (b) an equal right to participate in all social decision-making processes within institutions of which one is a part.

- (4) Social and economic inequalities are justified if and only if they benefit the least advantaged, consistent with the just savings principle, but are not to exceed levels that will seriously undermine equal worth of liberty or the good of self-respect. (*MMSJ*, p. 14)

This theory is—I freely admit—a modified version of John Rawls's theory of justice. However, I believe that it is more perspicuous than Rawls's special conception of justice (i.e., the "two principles") because: (1) my first principle makes clear that our most fundamental moral concern should be protecting everyone's security and subsistence rights (as Rawls's theory of natural duties as well as his general conception of justice also seem to require); (2) the lexical ranking of my second principle over the third makes clear that civil liberties (or the "freedoms of the moderns") are in some sense more fundamental than political liberties (or the "freedom of the ancients"), as Rawls claims in section 32 of *TJ*;<sup>25</sup> and (3) my fourth principle makes clear that the allowable differentials of income and wealth are not to exceed levels that will undermine either approximate equality in the worth of the basic liberties or the social bases of self-respect (as Rawls also holds in *TJ*).<sup>26</sup>

Moreover, my theory is arguably more in accord with Rawls's core moral theory in that it recognizes at least a prima facie right to participate in social decision-making processes of social institutions of which one is a member, not just a right to participate in political institutions. (The idea that Rawls's core moral theory demands social and economic democracy as well as political democracy is not original to me, or course; Thomas Scanlon argued for this thesis in his original review of *TJ* in 1973.)<sup>27</sup>

Rawls's response to my theory can be found on page seven of *PL*:

For the statement of such a principle [that citizens' basic needs must be met], as well as an instructive fuller statement in four parts of the two principles with important revisions, see Rodney Peffer's *Marxism, Morality, and Social Justice* ... I should agree with most of Peffer's statement, but not with his 3 (b), which appears to require a socialist form of economic organization. The difficulty here is not with socialism as such; but I should not include its being required in the first principles of political justice. These principles I see (as I did in *Theory*) as setting out fundamental values in terms of which, depending on the tradition and circumstances of the society in question, one can consider whether socialism in some form is justified. (*PL*, pp. 7-8, note 7)

No part of this response comes as a surprise. That Rawls should find himself in agreement with all of my proposed modifications except for principle 3(b) could virtually have been predicted given the fact that, as just explained, I have only made explicit in these modifications what was already implicit in Rawls's overall theory. Neither is it a surprise that Rawls should not accept principle 3(b) since, as previously mentioned,

this is more of an attempted extension of his theory than simply making explicit something that is already implicit in his theory. My reaction to Rawls's remarks on my principle 3(b) is, quite simply, that there is something right about it, something wrong about it, and something right about it (again). First, I want to make clear that I am in complete agreement with Rawls that a theory of social justice must not preemptively choose a particular form of society before we look at such empirical issues as current socioeconomic realities, actual historical developments, and competing social-scientific theories and analyses. (By "socioeconomic" I mean to include major social institutions in a broad sense which includes political institutions.)

Secondly, however, I disagree with Rawls' (tentative) assumption that the social and economic democracy called for by 3(b) entails "a socialist form of economic organization." While, admittedly, this is primarily a definitional question and while, admittedly, many people have taken social and economic democracy to be the *sine qua non* of socialism, I do not accept this definition of socialism nor do I think that it is the standard definition to be found in the relevant literature. A quick look at how the term is used in contemporary moral and social philosophy will show that social and economic democracy is considered neither a necessary nor a sufficient condition for a society being socialist. That this sort of democracy is not taken as a *necessary* condition for socialism is shown by the fact that some contemporary socialist moral and social philosophers—including the Analytical Marxist economist and philosopher John Roemer—are indifferent toward or even positively hostile to this kind of democracy, even though they may be strong advocates of *political* democracy in both capitalist and socialist societies.<sup>28</sup> That it is not a *sufficient* condition can be shown by the fact that some moral and social philosophers—James Sterba, for example—are strong proponents of social and economic democracy but are equally as adamant in their support of reformed welfare-state capitalism and their opposition to socialism since, among other things, they believe that this value can be better realized in a reformed capitalist rather than a socialist society.<sup>29</sup>

Although it is difficult to pin down an exact definition of "socialism," I think that to describe a society as socialist is, at a minimum, to assume that the preponderance of large-scale economic enterprises are socially (or publically) owned and that the economic motive force of maximizing private profit has been supplanted—or at least severely constrained—by the motive force of production for human need and the public good. Notice, however, that this definition (or description) does not specify whether the economies of socialist societies are command economies or market economies. This question is left open. In point of fact, however, most sophisticated moral and social theorists of the socialist persuasion are today proponents of *market socialism* and there is currently a great

deal of theoretical work being done on both the economic and evaluative (i.e. moral) aspects of such a system.<sup>30</sup> (More on this presently.)

But the third point I want to make is that—even though Rawls does not explicitly put it this way—he may be adverting to an important and legitimate concern about this principle and, especially, about how I have ranked it in my theory. In the process of thinking through this issue over the past several years—especially in light of Rawls's comments and some conversations I've had with John Roemer—I have come to the conclusion that although social and economic democracy is of intrinsic moral value, it ought not be given the same status as political democracy and neither should it be ranked above any of the other principles of social justice, including the Difference Principle. Roemer's view is that a theory of social justice should not demand that social and economic democracy—e.g. democracy in the work place—be realized ~~even~~ even if this would mean that the economy is less efficient and, thus, that the position of the least well-off may not be raised to as high a level as it could be otherwise. The question for Rawlsians is: Would persons in the original position really be so concerned with social and economic democracy that they would demand that it trump the Difference Principle? To me this now seems implausible. This does not mean, of course, that the parties would not still want to choose some principle promoting this kind of democracy, perhaps as a weaker principle of justice. Neither does it mean that in a just and well-ordered society many economic enterprises or firms and many other public and/or private associations would not choose to be democratic in this way on their own. Nevertheless, it seems too much to demand that maximizing the overall life prospects of the least well-off individuals (through instantiating the Difference Principle) be subordinated to a principle demanding this sort of democracy.

On the other hand, I have also come to the conclusion that political democracy is more important than the original statement of my theory seems to allow. As already pointed out, I followed Rawls's lead in distinguishing the "freedoms of the moderns" from the "freedom of the ancients" and setting the former above the latter. But in implicitly dropping political democracy down to principle 3(b), I believe that I have gone too far; especially since the lexical nature of the theory may give the impression that political democracy—as well as social and economic democracy—is to be subordinated to principle 3(a) (the Equal Opportunity Principle), even though I never explicitly stated this. Now I propose to recognize the greater importance of political democracy—or, as Rawls says, the "political liberties"—by moving it up to the second principle as 2(b). This will indicate that it is a more essential value than (even) equality of opportunity (to the extent that it makes sense to split them apart) but is still recognized as, formally speaking, not being as essential or as strong as basic civil liberties (to the extent that it can be

separated from them since the right to free speech and the freedom of association are, of course, also usually considered among the most important "political liberties" along with the rights to vote and to run for and hold political office).

Moreover, I believe that Rawls is correct in specifying in *PL* that the (approximately or reasonably) equal worth of the political liberties is important enough to be demanded as part of the Equal Liberties Principle<sup>31</sup>—principle two in my theory. Even though the approximate equal worth of the political liberties is already demanded by my fourth principle—since that principle demands the equal worth of *all* basic liberties as a constraint on the Difference Principle—I now wish both to explicitly incorporate the equal worth of the political liberties into my second principle and to back off my claim that *all* the basic liberties must be assured their equal worth. On this latter point, it seems to me that Rawls is also correct in pointing out that guaranteeing the worth of some of the basic liberties—specifically the freedom of religion (which would presumably require society to subsidize less popular religions and their projects)—would be socially divisive as well as a violation of the liberal principle of neutrality which states that the state can not favor any particular comprehensive or semi-comprehensive view. However, I also wish to suggest that there is a third category of liberties: namely, those whose approximately equal worth is a legitimate goal but whose equal worth does not rate as highly in importance as the rights or liberties themselves. I suggest that the rights involving the rule of law and due process fall into this category. As both Alan Wertheimer and Lawrence Solum argue, access to approximately equal legal resources (with respect to both the criminal law and civil suits) would seem to be extremely important to the citizens of a well-ordered society.<sup>32</sup> On the other hand, unlike the case of the political liberties, it is far from clear that the fair value of these particular (legal) rights or liberties would be ranked over the Fair Equality of Opportunity Principle by the parties in the original position. Given this fact and the additional fact that the fair value of these liberties turns primarily on the distribution of income and wealth, I propose to continue to incorporate the demand of their fair value as a constraint on the differentials in income and wealth allowed by the Difference Principle while dropping the demand that the (approximate) worth of all basic liberties be so treated.

Another potentially important change I shall make requires only the addition of two short words to my first (basic rights) principle: I shall now take the basic needs protected by this principle to include those needs that must be met in order for one to remain both a normally functioning human being *and* citizen. This is in accord with Rawls's reasoning, since he states that a basic needs principle may be justified as lexically prior to the liberties principle "at least insofar as their being met is necessary for

citizens to understand and to be able fruitfully to exercise those rights and liberties" (*PL*, p. 7). This addition may make a difference, for example, in how we rank the right to basic (at least primary and secondary) education: although we may be able to be a normally functioning human being without any education, one can certainly not be a normally functioning (or minimally adequate) citizen in a modern, complex society without having obtained a certain level of education. This alteration would, therefore, seem to accommodate Thomas Pogge's concern that even though "[r]emoving a restriction on religious freedom ... will not improve the situation of those whose prospects for developing and exercising their two moral powers are blocked by severe poverty [i]ts removal would ... on Rawls' account, have priority over relieving their poverty ... by [for example] improvements in the diet, shelter, or education of the poorest citizens."<sup>33</sup> Although an adequate diet and shelter were, presumably, already guaranteed by my Basic Rights Principle, now whatever level of education is necessary to assure that one will be a normally functioning citizen is also required by that principle.

Although I shall mention some other, relatively minor, modifications that I wish to make after I state the new version of my theory, the final really significant modification I propose is including freedom of movement and free choice of occupation with the basic civil liberties in what will now be my principle 2(a). Even though these rights are often classified as part of an equal opportunity principle, it seems to me that Rawls is correct in *PL* in claiming that they should be regarded as constitutional essentials and, thus, put on a par with our other basic liberties and rights.<sup>34</sup>

Thus, my modified version of my modified version of Rawls's theory of social justice, which I now put forward as a more adequate theory, is composed of the following principles (and subprinciples) in order of lexical priority:

- (1) Everyone's basic security and subsistence rights are to be met; that is, everyone's physical integrity is to be respected and everyone is to be guaranteed a minimum level of material well-being including basic needs, i.e., those needs that must be met in order to remain a normally functioning human being and citizen.
- (2) There is to be a fully adequate scheme of equal basic liberties, including
  - (a) freedom of speech and assembly, liberty of conscience and freedom of thought, freedom of movement and free choice of occupation, freedom of the person along with the right to hold (personal) property, and freedom from arbitrary arrest and seizure as defined by the concepts of due process and the rule of law; and



- (b) the political liberties such as the right to vote and to run for (and hold) political office. And these political liberties—including the rights to free political speech and assembly—are to be guaranteed their equal worth
- (3) There is to be fair equality of opportunity in the competition for social positions and offices.
- (4) Social and economic inequalities are justified if and only if they are to the greatest benefit of the least advantaged, consistent with the just savings principle, but are not to exceed levels that will seriously undermine (a) (approximately) equal worth of the liberties required by due process or (b) the good of self-respect.
- (5) There is to be an equal right to participate in decision-making processes within social and economic institutions of which one is a member.

I shall label these principles the (1) Basic Rights Principle, (2) Equal Basic Liberties Principle, (3) Fair Equality of Opportunity Principle, (4) Modified Difference Principle, and (5) Social and Economic Democracy Principle. The more minor modifications I have made are as follows. First, I have followed Rawls in rephrasing the Basic Liberties Principle as demanding a “fully adequate scheme of basic liberties” rather than “a maximum system of equal liberties” as it is formulated in *TJ*.<sup>35</sup> Secondly, in principle (3) I have changed “equal opportunity” to “fair equality of opportunity” to make clear that I agree with Rawls’s analysis of this principle. Third, I have changed “equal liberty” to “equal liberties” in my statement concerning constraints on allowable differentials of income and wealth in principle (4) (as it should have been stated all along) even though this is now limited to the liberties involved in due process. Fourth, I have also corrected my original statement of the Difference Principle to specify that social and economic inequalities must be “to the *greatest* benefit of the least advantaged” rather than merely to “the benefit of the least advantaged.” Finally, in principle (5)—formerly part of principle 3(b)—I have changed “being a part of” an institution to “being a member of” an institution, an expression which is perhaps equally vague but somewhat less mechanical.

I believe that once these major and minor modifications are made we have advanced even closer to an adequate theory of social justice. However, even if one agrees that this theory is more adequate than Rawls’s statement of this theory (i.e. the two principles) in *TJ* (and its slightly modified version in *PL*) as well as to my “original” statement of my theory in *MMSJ*, there are still many issues to be resolved. Some are matters of tightening up definitions or distinctions within the theory itself, while others involve substantive issues such as those involved in the so-called “What is Equality?” debate and the question of whether the

Difference Principle should be enforced in a situation in which a small gain in the primary goods for a small number who constitute the worst-off group requires a great reduction in the life prospects of a great number of relatively more well-off people.<sup>36</sup> And these issues do not even count what Rawls calls the questions of extension of justice as fairness to future generations, the severely disabled, and animals and the rest of nature.<sup>37</sup> (I do not follow Rawls in including justice between nations as a problem of extension because, unlike Rawls, I believe that this application is relatively straightforward and unproblematic.<sup>38</sup>)

### III. Social Justice and Social Systems

In any case, the final issue I want to briefly take up is what kinds of society might plausibly be justified by Rawls’s theory of justice or my version of it. Although in both *TJ* and *PL* Rawls seem usually to have Western liberal capitalist democracies in mind, he explicitly leaves open the possibility that a democratic form of market socialism may be justified by his theory.<sup>39</sup> In neither of these works, however, does he go into much detail as to the structure of his favored socioeconomic system, which he calls “property-owning democracy.” Fortunately, he does go into some detail about this in his as yet unpublished manuscript *Justice as Fairness: A Restatement*. There he initially compares five socioeconomic systems: laissez-faire capitalism, welfare-state capitalism, state socialism with a command economy, property-owning democracy, and liberal (democratic) socialism. He quickly (and reasonably) disposes of laissez-faire capitalism and state socialism with a command economy as viable alternatives. Then he turns on welfare-state capitalism, criticizing it for allowing too extreme inequalities in productive (or real) property and, consequently, undermining the fair value of political liberties, fair equality of opportunity, and the Principle of Reciprocity. This leaves only property-owning democracy and liberal (market) socialism as viable alternatives, on Rawls’s analysis.

Property-owning democracy, according to Rawls, allows private ownership of productive property but through regulating the appropriate background institutions and public policies, it seeks to keep both productive property and human capital (i.e. education and training) relatively equally distributed. (This way of handling economic distributions without abrupt or unanticipated government intervention he calls “pure adjusted procedural justice.”) These goals are to be accomplished more or less as the economist James Meade suggests in his 1964 book *Equality, Efficiency, and the Ownership of Property*.<sup>40</sup> There are to be stiff bequest and inheritance taxes so that accumulated wealth cannot be passed from generation to generation even though great wealth

can be accumulated by individuals in their own lifetimes. A proportional expenditure tax—a tax on consumption at a constant marginal rate—is to be preferred to an income tax, but if the latter exists it must be progressive. Both worker-managed cooperative firms and work-place democracy are compatible with this scheme but not required.

The main problems with this system from an egalitarian point of view would probably be (1) whether such a society could really effectively prevent the accumulation of productive wealth and the formation of a capitalist class that would pass down its wealth from one generation to the next, since the very wealthy would be in a good position to reform or manipulate the laws governing such arrangements, and (2) whether society could really assure that everyone or almost everyone own some real or productive property even within a single generation. (What would prevent the grasshoppers from selling their allocated stocks, bonds, and/or real property to the ants?)

I am in agreement with Rawls that the choice of societies facing liberal (and liberal socialist) egalitarians is between some form of much more egalitarian capitalism and some form of democratic liberal market socialism. However, since there are probably many egalitarians who see both of these alternatives as utopian, I would suggest that we keep democratic welfare-state capitalism as an initial candidate and then add to it the following four: social-democratic/basic income capitalism (as, for example, recently defended by Philippe van Parijs<sup>41</sup>); Rawls's conception of a property-owning democracy;<sup>42</sup> the public enterprise model of democratic market socialism (as, for example, represented in the recent work of John Roemer<sup>43</sup>); and the workers self-management model of democratic market socialism (as, for example, defended by David Schweickart<sup>44</sup>). If one allows that there could be a stable form of market socialism—i.e. one that does not inevitably collapse back into either capitalism or command economy socialism<sup>45</sup>—then the \$64,000 question becomes whether such a system of the ownership of productive property is compatible with political democracy or whether, for some reason, it must inevitably become bureaucratized and repressive. Personally, I see no reason why this should be the case and I hope that our species (and civilization) lasts long enough to eventually evolve into a worldwide federation of democratic/liberal market socialist societies.

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## Notes

<sup>1</sup> R.G. Peffer, *Marxism, Morality, and Social Justice*, Princeton University Press, Princeton, NJ, 1990 (hereafter *MMSJ*). See also my "Marxism, Moral Theory, and Moral Truisms: Response to Kai Neilsen," *Radical Philosophy* no. 6, Spring 1992.

<sup>2</sup> John Rawls, *Political Liberalism* (New York: Columbia University press), 1993, p. 7, note 7. (hereafter *PL*).

<sup>3</sup> John Rawls, *A Theory of Justice* (Cambridge, MA: Belknap Press of Harvard University Press), 1971 (hereafter *TJ*).

<sup>4</sup> I also consider myself a Marxist but the way I define these terms the two positions are not incompatible. For my "minimalist" definition of "Marxism" see *MMSJ*, pp. 3, 10–16, 25–32, and 355–60. For a brief comparison of Marx and Rawls see pp. 367–71.

<sup>5</sup> For instance, compare Rawls's statements mentioning society and its denizens on pp. xvi–xvii, xix, 9, 10, 17, and 28. See also Justin Schwartz, "Revolution, Relativism, and Justice," forthcoming.

<sup>6</sup> See Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books), 1983.

<sup>7</sup> Bruce Ackerman, "Political Liberalisms," *Journal of Philosophy*, vol. XCI, no. 7, July 1994, p. 364.

<sup>8</sup> Jeremy Waldron, "Justice Revisited: Rawls Turns Toward Political Philosophy," *Times Literary Supplement*, 19 July 1993, p. 6.

<sup>9</sup> Rainer Forst also makes this point in his Review of John Rawls' *Political Liberalism*, *Constellations*, vol. 1, no. 1, 1994, p. 164.

<sup>10</sup> See *PL*, pp. xv–xvii.

<sup>11</sup> See Kurt Baier, "Justice and the Aims of Political Philosophy," *Ethics*, vol. 99, 1989; Joseph Raz, "Facing Diversity: The Case for Epistemic Abstinence," *Philosophy and Public Affairs*, vol. 19, 1990; Jean Hampton, "Should Political Philosophy be Done Without Metaphysics?," *Ethics*, vol. 99, 1989; S.A. Lloyd, "Relativizing Rawls," *Chicago-Kent Law Review*, vol. 69, no. 3, 1994; and Peter Burns, S.J., "Does Rawls Need a 'Deep' Argument for Equality?," forthcoming.

<sup>12</sup> See, in particular, chapter 9: "Marxist and Leftist Objections to Rawls's Theory of Justice: A Critical Review," *MMSJ*, pp. 361–415.

<sup>13</sup> See *PL*, p. 212. Unfortunately, *MMSJ* was in press at the time so there was no possibility of revising the remarks quoted above.

<sup>14</sup> For this mistake I am willing to assume at least half the blame but in the Introduction to *PL* Rawls states: "My first use of such ideas of a political conception of justice and of an overlapping consensus were misleading and led to objections I initially found puzzling..." (*PL*, p. xxx).

<sup>15</sup> Jeremy Waldron, op. cit., p. 5.

<sup>16</sup> *Ibid.*, p. 5.

<sup>17</sup> "Marxism, Morality, and Moral Truisms," op. cit., p. 35.

<sup>18</sup> Here I should also mention the related issue that I—like many others—was under the impression at the time that Rawls had developed his new theory primarily as a response to the communitarian critique (particularly, to the writings of Alasdair MacIntyre, Charles Taylor, and Michael Sandel). However, Rawls writes that "the changes in the later essays are sometimes said to be replies to criticisms raised by communitarians and others. I don't believe there is a basis for saying this" (*PL*, p. xvii, note 6). See also pp. xv–xvi.

Part of the problem here is that the term "communitarianism" is rather vague. For a discussion of this issue (among others) see the exchange between me and James Sterba in the following *Journal of Social Philosophy* articles: Rodney G. Peffer, "Sterba's Reconciliation Project: A Critique," vol. 23, no. 1, Spring 1992; James Sterba, "Reconciliation Reaffirmed: A Reply to Peffer" in the same issue; and Rodney G. Peffer,

"A Failed Reconciliation: Further Reflections on Sterba's Project," vol. 25, no. 1, Spring 1994.

<sup>19</sup> See Rawls's "The Law of Peoples," in *On Human Rights* (Stephen Shute and Susan Hurley, ed.), (New York: Basic Books), 1993, pp. 41–82. See also Darrel Moellendorf, "Constructing the Law of Peoples," forthcoming.

<sup>20</sup> On the international application of principles of social justice see: Brian Barry, *The Liberal Theory of Justice*, Clarendon Press, Oxford, NY, 1993, pp. 128–33; Charles R. Beitz, *Political Theory and International Relations*, Princeton University Press, 1979, pp. 125–83; Thomas W. Pogge, *Realizing Rawls*, Cornell University Press, Ithaca, NY, 1989, pp. 240–80; and *MMSJ*, pp. 404–12. For a defense of rights to well-being and their international application see: Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, Princeton University Press, 1980; James Nickel, *Making Sense of Human Rights*, University of California Press, Berkeley, CA, 1987; and Rodney Peffer, "A Defense of Rights to Well-Being," *Philosophy and Public Affairs*, vol. 8, no. 1, Fall 1978.

<sup>21</sup> Jeremy Waldron, op. cit., p. 6.

<sup>22</sup> See Philip Pettit, Review of John Rawls' *Political Liberalism*, *Journal of Philosophy*, vol. 91, no. 4, 1994.

<sup>23</sup> For Rawls's account of the general conception of justice as fairness see *TJ* pp. 62–65 and 150–52. For his account of the natural duties see *TJ* pp. 114–17 and 333–42 as well as *MMSJ* pp. 420–21. Although judgments about particular societies often depend on controversial empirical assumptions, it is my view that this part of Rawlsian theories of social justice provides grounds for preferring Third World socialist societies (like Cuba) to almost any Third World capitalist society. For those not convinced of this, however, perhaps this point will at least serve to convince many that we should not seek to undermine and/or overthrow the governments of such socialist societies (as the U.S. has been doing in the case of Cuba for over 30 years). See *MMSJ*, pp. 449–60.

<sup>24</sup> See *TJ*, pp. 20–21 and 48–51; *PL*, pp. 28 and 45; *MMSJ*, pp. 269–92; and Norman Daniels, "Wide Relective Equilibrium and Theory Acceptance in Ethics," *Journal of Philosophy*, vol. 76, no. 5, May 1979.

<sup>25</sup> This is not to say, of course, that political liberties are not extremely important or that there is any reason to deny that in modern times civil and political liberties have almost always come together as a package; it is only to say that if a choice of limiting one to more greatly increase the other were ever presented to us, we would be justified in choosing greater civil liberties.

<sup>26</sup> See *TJ*, pp. 107, 440, and 541–48 and *MMSJ*, pp. 386–88 and 429–33.

<sup>27</sup> This paragraph is based on a similar paragraph in my "Marxism, Morality, and Moral Truisms," p. 32. For Scanlon's view referred to here see his "Rawls Theory of Justice," in *Reading Rawls* (Norman Daniels, ed.), Basic Books, NY, 1976.

<sup>28</sup> See John Roemer, "The Morality and Efficiency of Market Socialism," *Ethics*, vol. 102, April 1992 and *A Future for Socialism*, Oxford University Press, NY, 1994.

<sup>29</sup> See James Sterba, *How to Make People Just: A Practical Reconciliation of Alternative Conceptions of Justice*, Rowman & Littlefield, Totowa, NJ, 1988, pp. 22, 27, and 121–22. While these pages contain Sterba's commitment to social and economic democracy, pages 107, 120, 122, and 178 contain his claim that "socializing productive property is completely unnecessary." (See also the articles listed in note 18.)

Lawrence Solum agrees with the general point I am making here when, in assessing Rawls's response to my principle 3(b), he claims that "I am far from certain that socialism is the only form of social organization that could satisfy Peffer's principle 3(b)." (Lawrence B. Solum, "Introduction: Situating *Political Liberalism*," Symposium on John Rawls's *Political Liberalism*, *Chicago-Kent Law Review*, vol. 69, no. 3, 1994, p. 551.)

<sup>30</sup> Two other points that ought to be made here are (1) *no*, this is not only a reaction to the collapse of the so-called "communist" economies in Eastern Europe since many theorists

—including myself—were advocates of market socialism long before this historical event and (2) no, “market socialism” is not a contradiction in terms nor even an historical impossibility since there has been a (quite successful) market socialist economy in Yugoslavia/Serbia since the early 1950’s. See my “Marxism, Markets, and the ‘Sanctity’ of Socialist Property Relations,” *Journal of Social Philosophy*, vol. XXII, no. 1, Spring 1991.

<sup>11</sup> See *PL*, pp. 5–6 and 356–63.

<sup>12</sup> See Alan Wertheimer, “The Equalization of Legal Resources,” *Philosophy and Public Affairs*, vol. 17 (1988) and Lawrence B. Solum, “Introduction: Situating *Political Liberalism*,” *op. cit.*, p. 552.

<sup>13</sup> Thomas W. Pogge, *op. cit.*, p. 134.

<sup>14</sup> See *PL*, p. 228.

<sup>15</sup> See *PL*, pp. 288–91. As Rawls notes there, this revision is a response to H.L.A. Hart’s valid criticisms put forward in his original review article of *TJ*, “Rawls on Liberty and Equality,” which can be found in *Reading Rawls*, Norman Daniels (ed.), *op. cit.*

<sup>16</sup> See Armatya Sen, “Equality of What?,” *The Tanner Lectures on Human Values*, vol. 1 (Sterling M. McMurrin, ed.), University of Utah Press, Salt Lake City, 1980; Ronald Dworkin, “What is Equality? Part I: Equality of Welfare,” *Philosophy and Public Affairs*, vol. 10, no. 3 (Summer 1981) and “What is Equality? Part II: Equality of Resources,” *Philosophy and Public Affairs*, vol. 10, no. 4 (Fall 1981); Will Kymlicka, *Contemporary Political Philosophy*, Clarendon Press, Oxford, NY, 1990, pp. 35–44; 56–58; 71–85; 98–107; 125; 152–55; and 178–186; and *MMSJ*, pp. 388–91 and 429–30.

<sup>17</sup> See *PL*, pp. 20–22 and 244–47 and *MMSJ*, pp. 15–16, 73, 420–22, and 458–60.

<sup>18</sup> See *MMSJ*, pp. 404–12 and my “World Justice, Population, and the Environment: A Programmatic and Philosophical Approach,” in *World Political Ecology* (David V.J. Bell *et al.*, ed.), McGill-Queens University Press, Montreal, 1995, forthcoming.

<sup>19</sup> See *TJ*, pp. 270–74 and 280–81 and *MMSJ*, pp. 377–79. See also Allen Buchanan, *Ethics, Efficiency, and the Market*, Rowman & Allanheld, Totowa, NJ, 1985.

<sup>20</sup> James Meade, *Equality, Efficiency, and the Ownership of Property*, Allen and Unwin, London, 1964.

<sup>21</sup> See Philippe Van Parijs “Basic Income Capitalism,” *Ethics*, vol. 102, April 1992 and the anthology he edited: *Arguing for Basic Income: Ethical Foundations for a Radical Reform*, Verso, London, 1992. Cf. *MMSJ*, pp. 433–39.

<sup>22</sup> The best overview of Rawls’ known positions on property-owning democracy is Richard Krouse and Michael McPherson, “Capitalism, ‘Property-Owning Democracy’ and the Welfare State,” in *Democracy and the Welfare State* (Amy Gutmann, ed.), Princeton University Press, 1988.

<sup>23</sup> See John Roemer “The Morality and Efficiency of Market Socialism,” *op. cit.* and *A Future for Socialism*, *op. cit.* as well as *MMSJ*, pp. 439–48.

<sup>24</sup> See David Schweickart, “Socialism, Democracy, Market, Planning: Putting the Pieces Together,” *Review of Radical Political Economics*, vol. 24, no. 3–4, 1992 and *Against Capitalism*, Cambridge University Press, 1993. See also Thomas E. Weisskopf, “Challenges to Market Socialism: A Response to Critics,” *Dissent*, Spring 1992 and “Toward a Socialism for the Future, in the Wake of the Demise of the Socialism of the Past,” *Review of Radical Political Economics*, vol. 24, no. 3–4, 1992.

However, for a sophisticated defense of a model of democratically planned nonmarket socialist economies see Michael Albert and Robin Hahnel, *Looking Forward: Participatory Economics for the Twenty-First Century*, South End Press, Boston, 1991 and *The Political Economy of Participatory Economics*, Princeton University Press, 1991. I ignore this alternative here because it strikes me as utopian but it, too, probably deserves serious consideration.

<sup>25</sup> For the view that market socialism is unstable in this way see: Ellen T. Comisso, *Workers’ Control under Plan and Market*, Yale University Press, 1979; Harold Lydall,

*Yugoslav Socialism: Theory and Practice*, Clarendon Press, Oxford, NY, 1984; and N. Scott Arnold, *Marx’s Radical Critique of Capitalist Society*, Oxford University Press, NY, 1990. For the opposite view see: Jaroslav Vanek, *The Labor-Managed Economy*, Cornell University Press, Ithaca, NY, 1977; Branko Horvat, *The Political Economy of Socialism*, M.E. Sharpe, Armonk, NY, 1982; Alec Nove, *The Economics of Feasible Socialism Revisited*, Harper-Collins Academic, London, 1991; and David Miller, *Market, State, and Community: Theoretical Foundations of Market Socialism*, Clarendon Press, Oxford, 1989.

This debate has recently been carried on in a five-article exchange between N. Scott Arnold and David Schweickart in *Economics and Philosophy*, vol. 3, 1987 and in a two article exchange between Arnold and Louis Putterman in vol. 4 of the same journal (1988). See also David Gilboa, “Where Has All The Money Gone?: Arnold on the Degeneration of Market Socialism,” *Review of Radical Political Economics*, vol. 24, no. 3–4, 1992.