

recently John Rawls. However, though undoubtedly fundamental to the history of the development of political democracy, strict philosophical “contractarianism” cannot be the basis for a universal economic morality.

This issue has been well studied and discussed by numerous commentators, including Hahnel and Albert (1990). They note that the “original position” or “state of nature” assumption of contract theorists in which principles of social justice are negotiated either through *self-interest* in the Hobbesian line of social contract theory, or from *respect for persons* following the Kantian “categorical imperative” that one should treat other humans as ends and never as means, ignore the way in which economic relationships and institutions, once in place, condition and promote particular preferences and types of individual behavior, whether sanctioned or not by the *original position* contractors (Hahnel and Albert 1990, Chap. 1; Cudd 2013).²²

For example the emphasis of social contract theorists on *distribution*, as exhibited in the Rawlsian “maximin” or “difference” principle stating that inequalities in the distribution of “basic” economic goods are justified only if they increase the amount of “basics” available to the materially worst-off members of society, leads to critical inattention to overriding issues of *production* and the impact of production relations and the institutional structure of the economy on human development and well-being as highlighted by Marx.²³ Rather, social contract theorists accept the liberal political illusion that market relationships are a powerless arena of private contracts between equals if: property rights are well secured, market information is widely disseminated, monopolization is preempted or broken up, and other externalities and market failures appropriately addressed through regulation, taxes, and spending.

Thus, though Rawls, in particular, is strongly supportive of the commonsense distributive economic morality discussed above, a purely a priori

²² Cudd, Ann, “Contractarianism,” *The Stanford Encyclopedia of Philosophy* (Winter 2013 Edition), Edward N. Zalta, Ed.

²³ The classic quote from Marx on this is:

In the social production of their existence, men inevitably enter into definite relations, which are independent of their will, namely relations of production appropriate to a given stage in the development of their material forces of production. The totality of these relations of production constitutes the economic structure of society, the real foundation, on which arises a legal and political superstructure and to which correspond definite forms of social consciousness. The mode of production of material life conditions the general process of social, political and intellectual life. It is not the consciousness of men that determines their existence, but their social existence that determines their consciousness (Marx 1859, Preface, p. 1).