

Is More Choice Better than Less?

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One's own free unfettered choice, one's own caprice—however wild it may be . . . What man wants is simply *independent* choice, whatever that independence may cost and wherever it may lead.

—Dostoyevsky

In possibility everything is possible. Hence in possibility one can go astray in all possible ways.

—Kierkegaard

In recent years the use of ways of thinking practiced by economists has provided the theoretical apparatus for attempting to clarify and resolve normative problems in a number of different areas of social policy. Among the areas in which fruitful work has been done are tort theory, voting behavior, constitutional choice, criminal justice, and the theory of property rights. At the same time, of course, economists have applied the tools of welfare economics to problems of allocation of resources in areas such as education, health, consumer choice, insurance, and natural resources. In all these areas—both traditional and new—there are two kinds of tasks at issue. One is the descriptive one of trying to explain various phenomena—why rules of liability are the way they are, or why they change over time, why a system of private property arose, why individuals make certain choices in the marketplace. The other task is to provide assistance in answering various normative questions—should manufacturers of various products be held strictly liable for accidents caused by defects? Ought blood to be collected on a market or volunteer basis? Should gasoline be rationed or should prices be allowed to rise until the market is cleared? Ought income to be redistributed? Should need alone determine the distribution of medical care? Is it better to have a volunteer or conscript army? What justifies a progressive rate of taxation on incomes? Ought people to be compensated

for losses arising from externalities in the existing system of property rights? These are all important and difficult problems, and a mode of analysis that promises us help—if not solutions—in thinking about them is surely to be welcomed.

It would seem, however, that a mode of analysis that has normative implications must contain, either explicitly or implicitly, normative assumptions. Economists, who are well aware of this, have been better than most theorists in trying to make explicit exactly what their criteria of better and worse are, and the states of affairs to which they attribute value. I wish in this essay to examine an assumption that plays a key role in many policy debates but which has received little critical scrutiny—the view that for the rational individual more choices are always preferable to fewer.

Let me first give some examples of how this postulate is used to argue for various policy decisions:

Gordon Tullock uses the principle in an argument justifying the inheritance of wealth.¹ Assuming as a normative criterion Pareto optimality (someone is made better off and no one is made worse off), Tullock argues that the wealth holder is made better off since he has an option that he would not have if inheritances were not allowed.

A similar argument is made by economists to argue the superiority of income redistribution by means of cash transfers rather than “in kind” provision of various goods, such as food stamps or medical care. The argument again relies on the view that if the recipients receive cash, they can spend it on the particular good in question or choose an alternative expenditure; whereas they have no such choice if they receive the good itself.²

Again, with respect to the issue of how blood should be collected, Arrow argues against Titmuss’s claim that blood should not be purchased.

Economists typically take for granted that since the creation of a market increases the individual’s area of choice, it therefore leads to higher benefits. Thus, if to a voluntary blood system we add the possibility of selling blood, we have only expanded the individuals range of alternatives. If he derives satisfaction from giving, it is argued, he can still give, and nothing has been done to impair that right.³

The most explicit statement of the assumption on the theoretical level is that of Gordon Tullock. In a chapter titled “Fundamental Assumptions,” his third “basic postulate” is that “an individual would prefer to be permitted to choose . . . that an individual would always prefer to have his range of choices widened.”⁴

The view that more choices are preferable to fewer is shared not only by economists but also by many political philosophers. Interestingly, it is shared by philosophers who come to rather different conclusions on substantive matters. Thus, both Rawls and Nozick accept the thesis.

Rawls classifies liberty as a primary good, i.e., one that any rational person will prefer more of to less. His reasoning is that individuals

are not compelled to accept more if they do not wish to, nor does a person suffer from a greater liberty.⁵

Nozick uses the claim as part of an argument designed to distinguish offers from threats in terms of their effect on liberty. His contention is that a

rational man would be willing to move and to choose to move from the preoffer to the offer situation, whereas he would normally not be willing to move or to choose to move from the prethreat situation to the threat situation.⁶

This is equivalent to asserting that a rational person always prefers to be offered expanded choices.

What I propose in this essay is to discuss, as Mill put it with respect to another "obvious" principle (each person is the best judge of his or her own interests), "the very large and conspicuous exceptions" to this principle.⁷ By doing so, we shall not only determine more exactly the limits of the principle, but also, it is hoped, achieve a better understanding of its justification in those situations in which it does apply.

Let me begin by trying to make clearer the nature of the thesis. First, when one speaks of more choices the idea is that one has an original set of options (which may be zero) and at least one more is added. We are not considering the case where we have some (partially) disjoint set which happens to have a larger number of choices than the first. Obviously, having a choice between the Budapest and the Guaneri is preferable to a choice among all the amateur string quartets in New York City.

Next, it does not count against the thesis if additional choices make it less likely that one will get what one wants. Thus, if one is faced with the two doors behind which are the famous lady and the tiger, one does not want one's choices increased by adding three more doors behind all of which are tigers. We are only concerned with options, each of which is known to the chooser.

Finally, the thesis must be understood as having some implicit other-things-being-equal clause. Suppose, for example, A says to B that if B is offered more options with respect to some matter, A will kill B. Here what makes B shun additional choices has nothing to do with the nature of the choices or the nature of choosing, but rather an arbitrary cost attached to the increase in choices. The presence of this cost is too contingent to count against the choices.

I shall present cases in which more choice is not necessarily to be desired and where the connection between the additional choices and the "costs" reflects either general features of choice or intrinsic features of particular choices.

1. DECISION-MAKING COSTS

In much of the recent economic literature attention has been focused on the concept of transaction costs. It is now generally recognized that the formation and

perpetuation of various forms of market exchange is not costless. And the size of such costs must enter into an assessment of whether markets or other forms of resource allocation are most efficient. It should also be recognized that the making of choices is not a costless activity, and the assessment of whether one's welfare is improved by having a wider range of choices is often dependent upon an assessment of the costs involved in having to make these choices.

The kinds of costs are quite varied, and I am going to suggest some samples rather than a well-worked-out typology. One of the most obvious costs is that of acquiring the information required to make reasonable choices—for the notion of rationality is tied very closely to the notion of a well-informed choice. The proliferation of products, services, etc., hailed with much enthusiasm as the chief virtue of competitive markets, brings with it the need to know more and more in order to make intelligent choices. Henry Ford was said to have offered his customers a choice of colors—black. This undoubtedly restricted the range a customer had to choose from, but it also eliminated the need to answer questions such as: Which color is the safest in terms of visibility? Which color is likely to show the least dirt? Which color is my spouse likely to prefer? Which color will “last” in terms of fashion, etc.?

The example is a trivial one. When it comes to questions of product safety, or a doctor's competence, or the consequences of going to a particular college, the issues become more serious, the information more difficult to obtain, and the costs of acquiring the information higher.⁸

In addition to the costs of acquiring relevant information, there are the costs in time and effort of making the choices. Anybody who has tried to buy a house or a car will be aware of the time-consuming nature of these choices. And although one can trade off money for time by hiring agents to do the initial screening, location, etc., the nature of the choice dictates a necessary investment of personal time. One does not want to live in a house picked out by a real estate agent.⁹

There are, in addition, the psychic costs of having made the decision. Was this really the right house or college or doctor? If I had waited, would I have had a better selection, a cheaper price? Since it's my choice, how does it reflect on me? This last worry brings us to the next category of reasons that weigh on the side of preferring fewer choices—the issue of responsibility.

2. RESPONSIBILITY FOR CHOICE

At the most fundamental level, responsibility arises when one acts to bring about changes in the world as opposed to letting fate or chance or the decisions of other actors determine the future. Indeed, once I am aware that I have a choice, my failure to choose now counts against me. I now can be responsible, and be held responsible, for events that prior to the possibility of choosing were not attributable to me. And with the fact of responsibility comes the pressure (social and legal) to make “responsible” choices.

Let us consider a specific instance which has arisen recently. Medical advances have made it possible, by the technique of amniocentesis, to determine whether the fetus a woman bears is normal or is genetically deficient in a number of ways. Conjoined with this new knowledge has come the removal of legal restrictions on the right of a woman to have an abortion—at least in the first twenty-four weeks of gestation. These two circumstances now imply that if parents bring, say, a Down's syndrome infant into the world, they bear the responsibility for this action; a responsibility which could not be attributed to them prior to the possibility of determining the normality of the fetus and the legal possibility of terminating the pregnancy. Now, both in their own mind and in the minds of those who are aware of their decision, they must assume responsibility for the correctness of the choice. The defective child—if they choose to bear it—can no longer be viewed as inevitable bad luck or as an act of God or as a curse.

Without going to the metaphysical leap of a "fear of freedom," we can on a more sober level accept the fact that more choices bring in their train more responsibility, and that these are costs that must be taken into account. It may be that the willingness to accept responsibility for one's acts is a sign of moral maturity, but this is consistent with the burdensome quality of accepting such responsibility. In addition to bearing the responsibility in one's own mind, there arises the possibility of being held responsible.¹⁰

3. PRESSURE TO CONFORM

The fact that one has new possibilities for choice opens the possibility of social and legal sanctions being brought to bear on the maker of the choice. Consider the possibility of predetermining the sex of one's children.

This possibility is now at hand in a negative fashion—amniocentesis plus abortion of the fetus if it is of the undesired sex—and will soon be possible in a positive fashion (techniques for separating the male-producing sperm from female ones). Leaving aside for the moment the question of the adverse effects on society such choices might cause—the available evidence from surveys of parental preference is that a surplus of males would be produced—consider the social pressures that are likely to be exerted on parents to produce one sex rather than the other (the grandparents who always wanted a little girl, or the community that needs more soldiers).

A rather different example of the same phenomenon occurred in many university communities with respect to the issue of coed dormitories and cohabitation. The traditional libertarian response to this question has been a reference to freedom of choice. Those who wish to cohabit now can, whereas those who do not wish to can continue in their (old-fashioned?) ways. The opening of new options cannot be harmful and is beneficial to some. But this is to ignore the sociology of the situation. The obvious reply—which came fairly quickly from those who felt the pressures of their peers—is that by allowing cohabitation, the social pressures from one's peers to act in a similar fashion increases and the easy excuse formerly

available to those not so inclined vanishes. Similarly, one of the justifications for making dueling illegal is that unless this is done, individuals might be forced to manifest their courage and integrity in ways that they would wish to avoid.

As another example, consider the argument of Tullock that allowing the inheritance of wealth is a Pareto optimal policy.¹¹ Leaving aside the obvious objections (the inequality of opportunity, etc.) which he considers, there is the objection that the wealth holder herself may be worse off by having the option. She might prefer to spend all her wealth on herself and leave none to her heirs. A law that denies her the option of leaving her money to others frees her from the expectations and pressures of others.

I am not now arguing that the existence of various pressures to conform should be taken as decisive in retaining the status quo. It may be argued that, either because people have a right to such increased choices or because it is simply desirable to do so, such pressures have to be tolerated. I am simply pointing out the ways in which increased choices may incur costs. In particular, one of the costs may be, as above, a decrease in the likelihood of exercising previous choices. I turn now to this category.

4. EXERCISE OF CHOICE

I quoted earlier Arrow's argument in favor of allowing a market for blood: "if to a voluntary blood donor system we add the possibility of selling blood, we have only expanded the individual's range of alternatives. If he derives satisfaction from giving, . . . he can still give, and nothing has been done to impair that right."¹² Richard Titmuss in his essay on the subject of blood, "The Gift Relationship," argues that this is false. The argument is not a clear one, and it is worth some time pursuing it since the general point is relevant to our topic. Titmuss states that

private market systems in the United States and other countries not only deprive men of their freedom to choose to give or not to give, but by so doing escalate other coercive forces in the social system which lead to the denial of other freedoms . . .

. . . we believe that policy and processes should enable men to be free to choose to give to unnamed strangers. They should not be coerced or constrained by the market.¹³

The question that Arrow raises is how can expanding choices decrease them? How can being free to give or sell blood constitute a less free system than one in which one can only give blood (or for that matter, only sell)? Peter Singer seems to interpret Titmuss's claim as being one about the liberty to give a certain kind of gift.

The right that Titmuss says is threatened is not a simple right to give, but the right to give "in non-material as well as material ways." This means not

merely the right to give money for some commodity that can be bought or sold for a certain amount of money, but the right to give something that cannot be bought, that has no cash value, and must be given freely if it is to be obtained at all. This right, if it is a right—it would be better to say, this freedom—really is incompatible with the freedom to sell, and we cannot avoid denying one of these freedoms when we grant the other.¹⁴

So freedom is diminished because prior to the introduction of the freedom to sell we were free to give something that cannot be purchased. Now we are only free to give something that can be purchased as well.

The argument strikes one as paradoxical. Suppose in a certain prison mail could go out only after being read by a censor. New regulations allow prisoners a choice of sending their mail out in the accustomed fashion or unread by a censor. Surely we would regard this as an expansion of freedom. Yet, a Singerian argument could be constructed to show that whereas previously a prisoner could send a letter knowing it would be read by the censor, now the nature of the prisoner's letter is altered. The recipient of the letter is not guaranteed to have had the letter read by someone other than the writer of the letter. Of course the example is silly because we can think of no reason to want to be assured of this fact. But this seems to show that it is the alteration of the nature of the gift and not the effect on freedom that is crucial.

Another way of putting this point: We are not able to give a gift of a certain kind, and hence the issue of freedom does not arise. If I touch you, I make it impossible for anyone to speak to you while speaking to someone untouched by me. If we allow people to work on the Sabbath, we make it impossible for anyone to work six days a week, and be assured that everyone else will rest on the Sabbath. And people may want to have that assurance, just as they may want to be able to give something that cannot be bought. But we should keep distinct the myriad of ways in which we can make things impossible to do from those very special restrictions that constitute enlarging or restricting freedom.

A more plausible way of defending Titmuss is Singer's later view that the argument should not be formulated in terms of a denial of freedom, but rather in terms of the likely results that the expansion of choice will have on the motivation of individuals to continue to give voluntarily.

The existence of

a commercial system may discourage voluntary donors. It appears to discourage them, not because those who would otherwise have made voluntary donations choose to sell their blood instead if this alternative is available to them (donors and sellers are, in the main, different sections of the population), but because the fact that blood is available as a commodity, to be bought and sold, affects the nature of the gift that is made when blood is donated.

. . . even if these people had the formal right to give to a voluntary program that existed alongside commercial blood banks, their gift would

have lost much of its significance. . . . The fact that blood is a commodity, that if no one gives it, it can still be bought, makes altruism unnecessary, and so loosens the bonds that can otherwise exist between strangers in the community.¹⁵

Thus, by increasing the options available, one changes the nature of the old options and may, therefore, affect the likelihood of individuals exercising such options.

There are, of course, examples of situations in which it is not the willingness to exercise choices that is reduced, but the choices themselves. Consider the development of the use of the automobile and its effect on mass transportation. At first the purchase of an automobile greatly expanded the options open to individuals. They could take the bus to work or their car. They were not restricted to the particular schedules of mass transit. But, as more and more people began to take advantage of the enlargement of options, funds were diverted from maintenance and improvement of mass transit to the construction of more and better highways. Powerful lobbies developed which encouraged the development of this process so that eventually many inhabitants of cities found themselves increasingly in the position of having to buy a car to get to work. The option of mass transit or private automobile had, in effect, been closed owing to the decline of the former. What started out as an increase of the area of choice resulted in a situation in which one of the original choices was no longer available. Although such cases are interesting, they are irrelevant to the thesis since we do not have all of the original choices.

One of the main arguments for supposing that more choices are always desirable is that adding additional options cannot make one worse off for one need not exercise any of the new choices. This is to ignore the fact that the possibility of increased choices can affect (for the worse) the original situation.

Consider, for example, marriage as a social institution that may be dissolved (more or less easily) as compared to a situation in which the possibility of dissolution is not present. The presence or absence of this possibility must affect the expectations brought to the marriage, the ability to tolerate imperfections of the marriage partner, the sense of commitment to the marriage. It is surely naive to suppose that the mere presence of a choice which need not be taken cannot alter the initial situation.

As another example, consider the following passage by Scitovsky:

If, beginning with a situation in which only one kind of shirt were available, a man was transposed to another in which ten different kinds were offered to him, including the old kind, he could of course continue to buy the old kind of shirt. But it does not follow that, if he elects to do this, he is no worse off in the new situation. In the first place, he is aware that he is now *rejecting* nine different kinds of shirts whose qualities he has not compared. The decision to ignore the other nine shirts is itself a cost, and inasmuch as additional shirts continue to come on to the market, and some are withdrawn, he is being subjected to a continual process of decision-making even though he is able, and willing, to buy the same shirt. In the second place,

unless he is impervious to fashion, he will feel increasingly uncomfortable in the old shirt. It is more likely that he will be tempted, then, to risk spending an unpredictable amount of time and trouble in the hope of finding a more suitable shirt.¹⁶

In *The Sickness unto Death*, Kierkegaard refers to the "despair of possibility," a situation in which possibility "appears to the self ever greater and greater, more and more things become possible. . . . At last it is as if everything were possible—but this is precisely when the abyss has swallowed up the self." Is it really true that for the rational among us it is never the case that "the soul goes astray in possibility?"¹⁷

5. INCREASED CHOICES AND WELFARE DECLINE

We have been considering cases of the impact of choice-expansion on choice. When the choices lost are considered better or more important or more satisfying than the choices gained, a loss of welfare may have occurred. But welfare can be diminished in other ways than by loss or restriction of choices. I shall consider, briefly, some examples of welfare decline which are of this broader category.

Let me begin by considering an example which on the face of it would provide little reason to expect welfare decline—the choice between free and arranged marriages. Philip Slater points out an interesting consequence of abandoning arranged marriages.

There is probably no arena in which free personal choice is more universally valued than that of marital selection, and certainly much misery and horror resulted from the imposition of cultural norms and parental wishes on reluctant brides and bridegrooms. At the same time it would be difficult to maintain that free choice has brought any substantial increase in marital bliss throughout the land. What was lost when people began to choose their own mates was serendipity. When the choice was made on purely practical, social or economic grounds there was an even chance that one might marry a person whose personality and interpersonal style would necessitate a restructuring of one's own neurotic patterns. The compulsive tendency people now have to reproduce their childhood experiences in their marriages is jarred in such a system by the reality of the other person. While I would never advocate a return to the other system, we should be alert to its advantages as well as its more familiar drawbacks.¹⁸

Another category of cases where increased choice may bring welfare decline are those where there are strategic reasons for not wanting certain choices to be available. If a bank teller knows the combination to the safe, he can be threatened into opening it. If we have no choice about whether to retaliate against nuclear attack (the "doomsday" machine which responds automatically to our being attacked), then our threat of retaliation is more credible than if we have such a choice.

If we turn to prisoners' dilemma situations, we find an interesting category of adverse consequences of having certain choices. It is well known that one way of avoiding the dilemma is to make it impossible for either party to make their dominant choice. Having fewer choices ensures that they will both be better off. But, it might be replied, what is most desirable for any particular player is that the others be coerced into performing the dominated action while he is left free to perform the dominant one. True enough, but, as is the case for many kinds of social interaction, one often cannot remain exceptional. Some form of universal choice is required. Choices come linked rather than separate, so that the question of whether the individual is to have more choices becomes the same as whether some larger group is to have these choices as well. Although these cases are not, in theory, counterexamples to the thesis, they are so in practice. When considerations of fairness or efficiency or political reality require that our choices be linked, it is impossible to ignore the effect on the individual of others having the additional choices as well.

Failure to fully appreciate this fact undermines Rawls's argument for the status of liberty as a primary good, i.e., one that any rational person prefers more of to less. He says that individuals

are not compelled to accept more if they do not wish to, nor does a person suffer from a greater liberty.¹⁹

This is presumably on the grounds that we are all to have an equal liberty. But since, as he recognizes, the worth of liberty to various persons is not equal, a larger liberty for all may leave some worse off than a smaller liberty for all.²⁰ As Hart puts it,

It does not follow that a liberty which can only be obtained by an individual at the price of its general distribution through society is one that a rational person would still want.²¹

6. MORALITY AND CHOICE

There are instances in which it is not the fact that choices are linked which makes it rational for the individual to prefer less choice but the fact that they are not so linked—that he or she is exceptional. It is not fair for some person to be able to purchase release from a system for conscription, and so we do not allow the option. Again, it is a bad argument to say that it is still preferable from the standpoint of any particular individual to have such an option because, if he is motivated by moral considerations, he can always decline to exercise the option. This misses the point that it is already morally significant that he has the choice—whether or not he intends to make use of it. It is his having the choice, while others do not, which is ruled out on moral grounds.

An important kind of consideration, to which little attention has been paid, is the role of restricting choices in symbolizing or expressing moral relationships. Consider, for example, the notion of fidelity in a marriage. By foreclosing in advance the idea of alternative sexual relationships (foreclosing not by declining op-

tions but by abandoning the very idea of an option), one can express to one's partner the special character of one's relationship. The abandoning of certain choices provides a way of manifesting in the clearest fashion that the relationship is of a special nature.

This way of manifesting certain ideals can take place on a larger scale. I know of a philosophy department whose members have agreed not to use outside offers to raise their salaries. An individual who might otherwise benefit by use of the market can, by renouncing in advance this option, express a certain notion of community solidarity.

Note that in these cases it need not be argued that these are the only ways of expressing such ideals. One can conceive of a community (of philosophers or others) who do not regard their community as undermined by the fact that individuals through either talent or luck are enabled to better their circumstances. But that such commitments are one way of expressing the unique character of a community, and that it may be perfectly rational to do so, cannot be denied.

7. PATERNALISM

Finally, we come to a set of reasons for rejecting more choices which I have discussed at some length in an earlier paper.²² These are cases where it is rational for individuals to reject the possibility of making certain choices on the grounds that if the choices were available they would be tempted to make them and they recognize, in advance, that making such choices would be harmful in terms of their long-range interests.²³ The application of this line of reasoning to drug legislation, civil commitment procedures, and social security provisions is obvious.

It need not be supposed that we always fear being swept away by strong emotions when we welcome having choices reduced. We may simply fear mistake or error. I would not want to have a bomb connected to a number I could dial on my phone, because I might dial it by mistake.

8. CAUTIONS

Having said a good deal about the specific kinds of considerations that might lead individuals to prefer not having certain choices to having them, some reservations should be noted.

First, it does not follow that although individuals might (under certain conditions) prefer not to have had a certain choice, that having such a choice they would (or should) refrain from exercising it. It could be rational to exercise the choice for a number of different reasons. It might be dangerous not to. While I might prefer that the speed limit be limited to 55 miles per hour, if in fact it is 70 and everyone else is driving at that speed, it might be folly not to exercise my choice on this matter. Considerations of "second-best" might bring it about that, whereas it would be more just for none to have such choices, efforts by individuals to reject such choices (given their presence) might make a bad situation worse.

One such example might be that of pacifism. We might regard the ideal situation as one in which no individual has the option of using force to attain his or her ends (even where those ends are self-defense), but, given that some individuals are going to exercise the option of using force in certain situations, for good persons to renounce that option would be to make a bad situation intolerable.

It follows from the above that it may be perfectly rational for individuals to resist having certain choices taken away, even if they would have preferred not to have had such liberties in the first place.

Second, although some of my examples involved the state as the instrument of limiting choices, nothing I have said commits me to believing that it is the most appropriate instrument for such purposes. In many cases individuals can work out specific arrangements with friends, or make use of various market mechanisms for restricting choice (contracts), or use ingenious devices (such as the cigarette box with a lock and timer designed by Azrin to reduce smoking). The question of the appropriate mechanism for limiting choices is one that can only be decided given knowledge of the particular choices, the nature of the individuals involved, the administrative costs, and so forth.

Third, and related to this last point, from the fact that in some particular case it would be rational for the agent to have his choice restricted, it does not follow that others may do this for him against his will. While the question of what is in the best interests of the individual is relevant to deciding issues of when coercion is justified, it is by no means conclusive. A decent respect for the autonomy of individuals will lead us to be very wary of limiting choices even when it is in the rational self-interest of the individuals concerned.

By means of various counterexamples I have tried to present a convincing case that the thesis that more choice is always preferable to less is false. I want to close by looking at some of the reasons one might give for valuing choice and to argue that they do not lend support to the thesis.

9. THE VALUE OF CHOICE

Arguments for the value of choice may rely either on the instrumental value of choices or on the intrinsic value. That is, either the value that attaches to choices because having more choices contributes causally to the obtaining of other good things or the value that attaches to having more choices for its own sake. I shall consider these each in turn.

One of the ways in which increased choice contributes to the welfare of individuals is by increasing the probability that they will satisfy their desires. People want various things—goods and services, status, affection, power, health, security—and their chances of getting these things are often enhanced if they have more options to choose among. My chance of finding a shirt I like is greater if I have ten different shirts to choose among than if I have only two.

This is a contingent fact about the world. If my taste in shirts was such that I were indifferent to their fit, style, color, etc., greater choice would not in-

crease the probability of my satisfying my desires. Similarly, even if I had rather strict requirements in a shirt, but it just so happened that most shirts met those requirements, then again I would not value choice for its contribution to the satisfaction of my desires. But, given the relatively bad fit between people's wishes and the objects of their satisfaction, one is well advised to have a broader rather than narrower range of options. So one reason for wanting choices increased is the belief or hope that among the additional choices there will be something that is preferable to those things that are available among the existing choices.

Suppose, then, that existing choices provided me with items that matched in optimal fashion my preferences. Additional options simply provide the necessity for rejections. Would the instrumental value of increased choices be nil? No, for my preferences may change, and the greater choices may (then) provide me with better means to satisfy my changed preferences. Right now I do not care about the presence or absence of rhubarb on the menu because I detest rhubarb. But I have been known to change my food preferences in the past, and, if they change in favor of rhubarb, I will be glad if rhubarb is an option. In addition, one way in which our preferences change is by noting unused options and trying them experimentally. That's how I discovered I liked scungilli.

There are other reasons of an instrumental nature for preferring more choices. Some people get satisfaction out of exercising choice; thinking about, choosing among, making choices is a source of satisfaction. Therefore, having more choices to exercise will provide increased satisfaction. Another reason for preferring more choice is that one wishes to develop certain character traits, and their development requires that one practice by making choices. If one wants to develop self-confidence, one may have to make choices rather than to remain passive.

A different kind of reason for wanting to make choices is to learn certain things about oneself. If one wants to discover whether one is rash or timid, courageous or cowardly, one can do so only by seeing what kinds of choices one makes in certain situations.

I do not see, however, that such considerations can lend support to anything other than an empirical generalization to the effect that in many (most? almost all?) circumstances we would prefer to be offered more options rather than less, since this will usually promote the attainment of desired goods. But this is no more than a rule of thumb, a rough guide to the future based on past experience. In a similar way, one might reason that usually I am better off having more information rather than less. But if someone were to inform me that tomorrow I will be given a piece of new information I had not known before, then I have no firm conviction that this will be a good thing or a bad thing. It will all depend on whether I have some reason for wanting to know this new information—and I can certainly think of lots of reasons why I might be indifferent or even prefer not to know it.

The support of the stronger claim must come from the view that choice has intrinsic value, is desirable for its own sake. For if choice has value just in virtue of being choice, then more of it must have more value. Leaving aside for the

moment the antecedent of this claim, what is the logic of this argument? Does it really follow from the fact that having a child is (in part) intrinsically valuable, that having two is (necessarily?) better? It certainly does not follow that if A is intrinsically valuable and B is intrinsically valuable that having A and B together is intrinsically valuable. Let A = listening to a Bach partita and B = listening to a Beethoven string quartet.

In any case, here is a "proof" that having choices cannot be intrinsically valuable. Suppose someone ranks three goods A, B, and C in that order. Then, making certain plausible assumptions about the infinite divisibility of utility, there will be A, B, and C such that the person prefers a choice between B and C to receiving A. This will occur whenever the utility of having a choice between B and C plus the utility of B is greater than the utility of A. This seems to me irrational. Leaving aside some special feature about this particular choice, e.g., that somebody promised me \$1,000 if I made the choice between B and C, why should I prefer to receive my second-ranked alternative to my first?

What does have intrinsic value is not having choices but being recognized as the kind of creature who is capable of making choices. That capacity grounds our idea of what it is to be a person and a moral agent equally worthy of respect by all. But, of course, that it is better intrinsically to be a creature that makes choices does not imply that it is always an improvement to have more.

There is another noninstrumental value that attaches to being able to make choices, namely their constitutive value. By this I mean a value that resides neither in the causal effects of making choices nor in the value of choices for their own sake, but as definitive of a larger complex that is itself valued. If one wants to be the kind of person who makes decisions and accepts the responsibility for them, or who chooses and develops a life-plan, then choices are valued not for what they produce nor for what they are in themselves, but as constitutive of a certain ideal of a good life. What makes a life *ours* is that it is shaped by our choices, is selected from alternatives, and therefore choice is valued as a necessary part of a larger complex. But, again, this would at most support the view that, with respect to a certain range of choices, it is desirable to have some options.

I conclude that neither the instrumental nor the noninstrumental value of having choices supports the view that more are always preferable to fewer. In the realm of choice, as in all others, we must conclude—enough is enough.²⁴

NOTES

1. Gordon Tullock, "Inheritance Justified," *Journal of Law and Economics* 14 (1971):465.
2. This, of course, is true only if no subsequent trade is possible. But, in the case of many goods considered for redistribution (education, health), this is usually the case. See E. O. Olsen, "Some Theorems in the Theory of Efficient Transfers," *Journal of Political Economy* 79 (no. 1):166-76. For a counterview, see Lester Thurow, "Government Expenditures: Cash or In-Kind Aid?" in *Markets and Morals*, ed. G. Dworkin, G. Bermant, and P. Brown (New York, 1977), pp. 85-106.
3. Kenneth Arrow, "Gifts and Exchanges," *Philosophy and Public Affairs* (summer 1972): 349-50.

4. Gordon Tullock, *The Logic of the Law* (New York, 1971), pp. 15, 18.
5. John Rawls, *A Theory of Justice* (Cambridge, Mass., 1972), p. 143.
6. Robert Nozick, "Coercion," in *Philosophy, Politics, and Society*, ed. Peter Lasslett and Walter Runciman, 4th series (Oxford, 1967), p. 132. While Nozick believes there are exceptions, he thinks that all such cases can be analyzed in terms of a special context or the presence of some extraneous reasons. Cf. Dworkin, "Acting Freely," *Nous* no. 4 (1970):367-83.
7. J. S. Mill, *Principles of Political Economy* (New York, 1900), vol. II, p. 448.
8. There are various ways in which the law may eliminate the need for acquiring information. One can embody certain information in the product itself, e.g., by setting product standards. Or, by banning products from the market, the consumer can be spared the task of making comparisons!
9. One of the roles of social conventions (forms of greeting, modes of acceptable dress) is to eliminate the necessity of making choices. Wittgenstein is said to have told his landlady that he did not care what he had for breakfast as long as it was the same thing every day.
10. See the reasoning behind one court's decision to force a Jehovah's Witness to have a life-saving blood transfusion. The court argued, on a fine point of theology, that the religious freedom of the patient was not inhibited, since it was the choice of blood, not the blood itself, which was forbidden. Application of the President and Directors of Georgetown College, 331 F 2d 1000 (D.C. Cir.), *Cert denied*, 377 U.S. 978 (1964). William Powers reminded me of this decision.
11. Tullock, "Inheritance Justified."
12. Arrow, "Gifts and Exchanges."
13. Richard Titmuss, *The Gift Relationship* (New York, 1972), pp. 239, 242.
14. Peter Singer, "Freedoms and Utilities in the Distribution of Health Care," in *Markets and Morals*, pp. 163-6.
15. *Ibid.*, pp. 161-6.
16. Tibor Scitovsky, *The Joyless Economy* (New York, 1976), p. 98.
17. *Fear and Trembling and the Sickness unto Death*, trans. Walter Lowrie (Garden City, N.Y., 1954), p. 169.
18. Philip Slater, *Earthwalk* (New York, 1974), p. 17.
19. Rawls, *A Theory of Justice*, p. 143.
20. See my "Non-neutral Principles," *Journal of Philosophy*, 71 (August 15, 1974):491-506, for an application of this reasoning to the problem of tolerance.
21. H. L. A. Hart, "Rawls on Liberty and Its Priority," *University of Chicago Law Review* 40, no. 3 (1973):551.
22. Gerald Dworkin, "Paternalism," *Monist* 56 (January 1972):64-84.
23. Rational chickens apparently act similarly. George Ainslie at Harvard has performed the following experiment: Chickens faced with a key that allowed them 1.5 seconds of food if they pecked at it when it turned red, or 4 seconds if they refrained from pecking, pecked. Ainslie then introduced a new contingency. The key would turn white about 11 seconds before it turned red, and if the chickens pecked the key when it was white, this prevented the key from turning red and they would obtain the 4-second reward. A peck on the white key prevented a choice between a small immediate reward and a large delayed one. The chickens pecked the white key about 90 percent of the time it was offered to them. See H. Rachlin, *Introduction to Modern Behaviorism* (San Francisco, 1970), pp. 186-88.
24. Versions of this paper were read to the Philosophy Departments of New York University, University of Wisconsin, Northwestern University, University of Florida, University of Minnesota-Duluth, and Georgetown University. It was also given as an address to the Mountain-Plains Philosophical Association and as the Wayne Leys Memorial Lecture at Southern Illinois University. In addition to the members of these audiences, I am grateful to Joshua Rabinowitz, Lawrence Crocker, Richard Kraut, and Jane English for written comments.