Sen Argument on Paretian Liberal

The following simple example involving two agents and three alternatives was put forward by Sen.[1]

There is a copy of a certain book, say *Lady Chatterly's Lover*, which is viewed differently by individuals 1 and 2. The three alternatives are: that individual 1 reads it (x), that individual 2 reads it (y), that no one reads it (z). Person 1, who is a prude, prefers most that no one reads it, but given the choice between either of the two reading it, he would prefer that he read it himself rather than exposing the gullible Mr. 2 to the influences of Lawrence. (Prudes, I am told, tend to prefer to be censors than being censored.) In decreasing order of preference, his ranking is z, x, y. Person 2, however, prefers that either of them should read it rather than neither. Furthermore he takes delight in the thought that prudish Mr. 1 may have to read Lawrence, and his first preference is that person 1 should read it, next best that he himself should read it, and worst that neither should. His ranking is, therefore, x, y, z.

Suppose that we give each individual the right to decide whether they want or don't want to read the book. Then it's impossible to find a social choice function without violating "Minimal liberalism" or the "Paretian principle". "Minimal liberalism" requires that prude not be forced to read the book, so x cannot be chosen. It also requires that Lewd not be forbidden from reading the book, so z cannot be chosen. But alternative y cannot be chosen either because of the Paretian principle. Both Prude and Lewd agree that that they prefer Prude to read the book (x) than Lewd (y).

Since we have ruled out any possible solutions, we must conclude that it's impossible to find a social choice function.

1. Let the states be:

   X - Individual Prude reads *Lady Chatterly's Lover*
   Y – Individual Lewd reads *Lady Chatterly's Lover*
   Z- No one reads *Lady Chatterly's Lover*

2. The argument as reconstructed:

   (1) Right = right to choose which of two alternatives is to be more highly ranked in a social ordering.
   (2) If one alternative is unanimously preferred to another, then it is ranked higher in the social ordering.
   (3) Suppose Prude has the right to choose between X and Z; Lewd has the right to choose between Y and Z.
   (4) Suppose Prude = <Z,X,Y>, Lewd = <X,Y,Z,>
   (5) Then in social ordering, X > Y because both Prude and Lewd prefer X to Y.
   (6) In social ordering, Z>X, because A gets to order X,Z
   (7) So in social ordering, Z > X > Y
   (8) But in social ordering, Y > Z because B gets to order Y,Z

   CONTRADICTION!

3. What is Sen up to?

   a. Sen thinks of rights being dictator with respect to social states.
   b. Ideal social state incorporates dictatorship conditions – because he endorses a kind of utilitarianism of rights.
   c. Sen's point is that we are supposed to give up step (2) – the social ordering cannot incorporate even a very weak condition.

4. Nozick's counter: we should give up (1). The way to think of rights is as side-constraints that remove some social orderings from the feasible set.