

Distributive Justice

What constitutes fairness in the distribution of society's resources?

Describe one or two principles that you believe our society should follow in with regard to the distribution of resources.
Why do you think these principles are fair?

Now do the same thing. Describe one - two principles that you believe society should follow in with regard to the distribution of resources. Why do you think these principles are fair? Only this time do so considering the following condition:

Imagine yourself in the “original position” - a place before the creation of society. You are a spirit that will be born into the world guided by the principles you decide on. However, you are completely ignorant of what your situation in society will be. You don't know your class or race, your social status or level of education, your physical health or intelligence or whether your parents read to you every night before you went to bed or were alcoholics who paid no attention to you.

The basic questions of distributive justice:

- How should resources be distributed amongst the human population?
- What are the principles that define a just distribution?

There are two principle ways of looking at these questions:

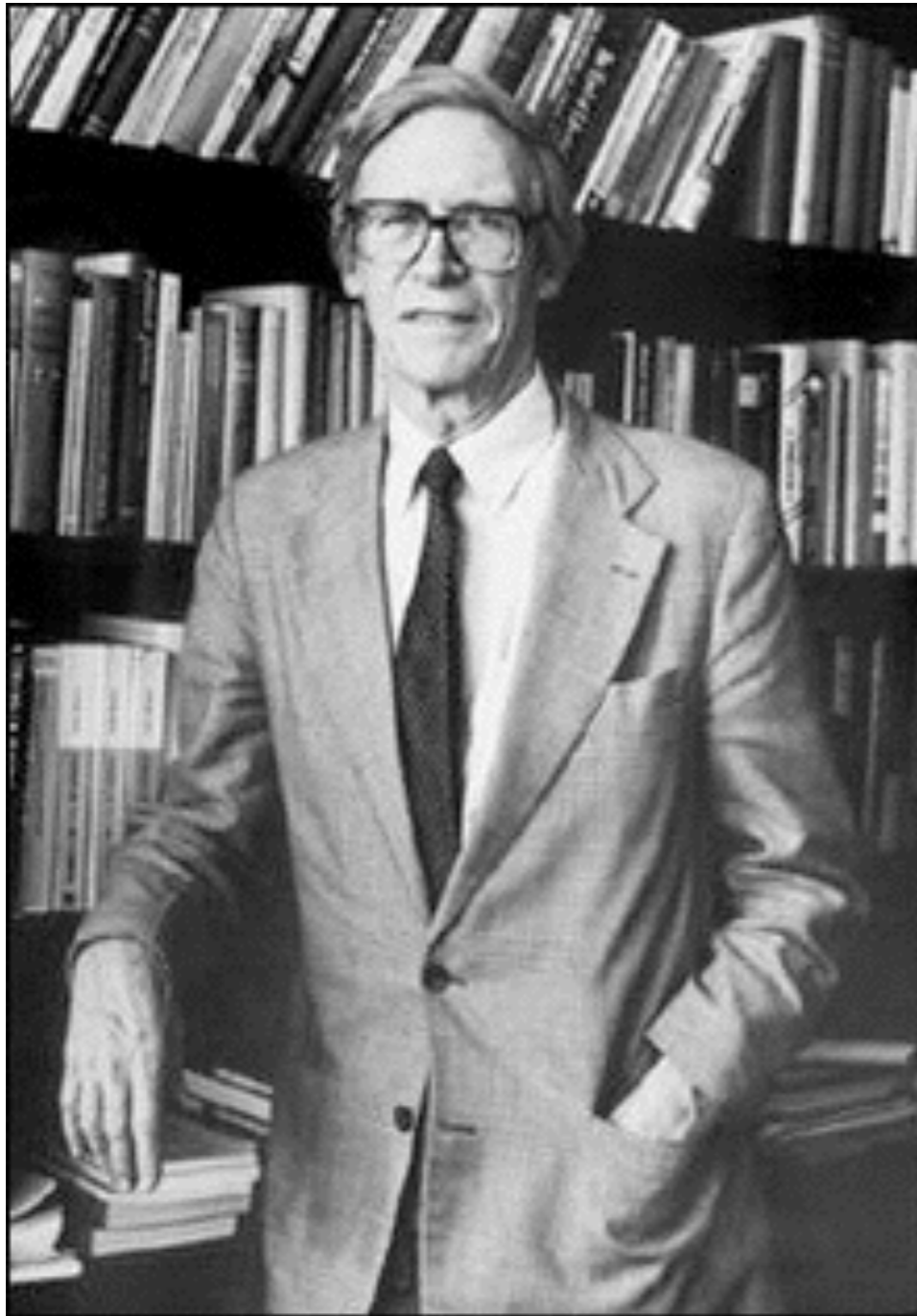
I. End state theories

- Measure the justice behind a given distribution by examining conditions at a given slice of time.
- For example, if an end state theorist were to ask whether resources in contemporary American society were justly distributed, they would look at the distribution of resources in America today.
- John Rawls is an end state theorist

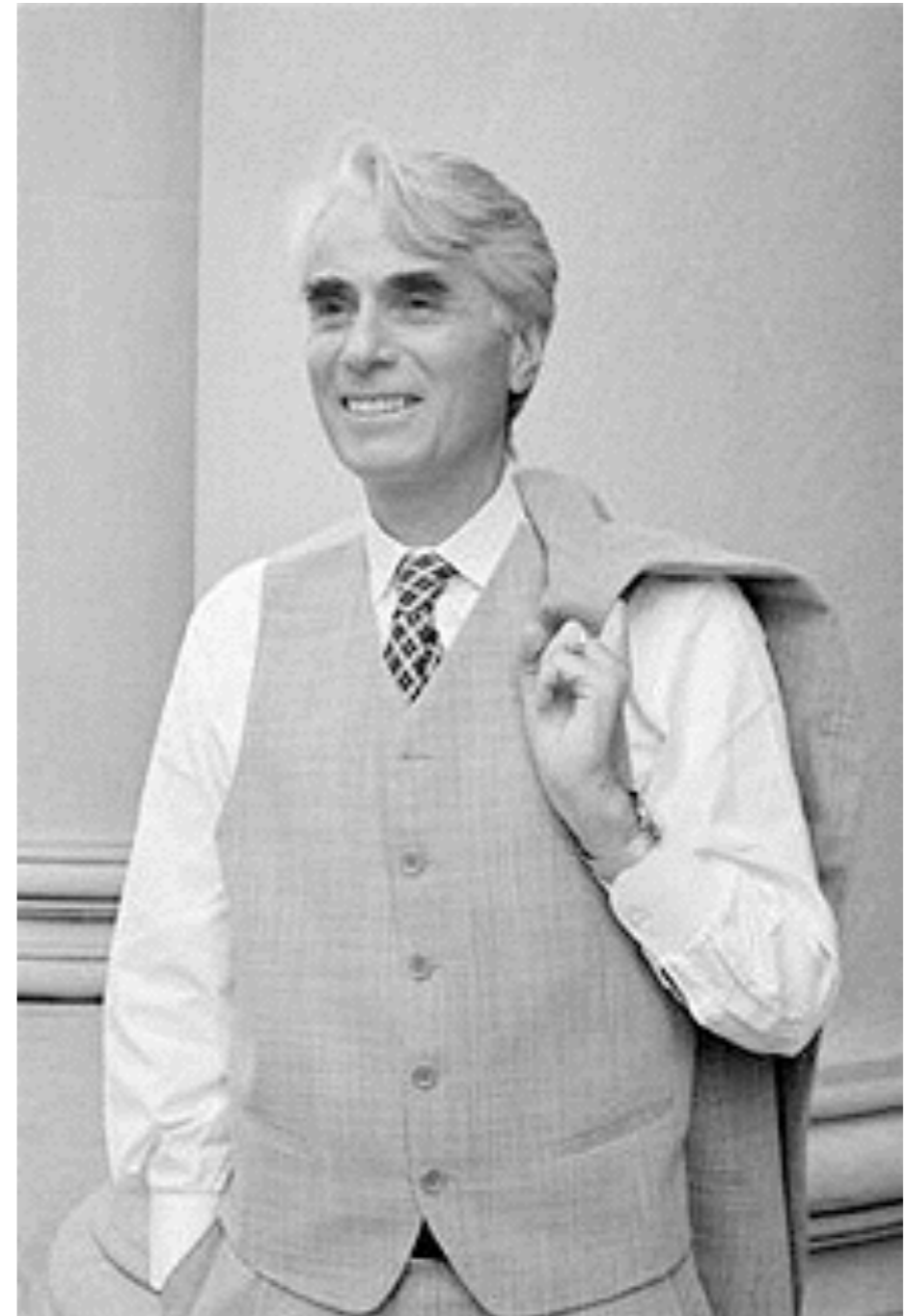
2. Process based theories

- Measure the justice behind a given distribution by examining the process that led to that distribution
- For example, if an process theorist were to ask whether resources in contemporary American society were justly distributed, they would look at the process by which that distribution was arrived at.
- Process theories maintain that if the process is just that the outcomes of that process are also just
- Robert Nozick was a process based theorist

Distributive Justice - John Rawls v. Robert Nozick



v.



3. Rawls Theory of Justice

A. The veil of ignorance/original position

“Among the essential features of this situation is that no one knows his place in society, his class or social status nor does any one know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like. I shall even assume that the parties do not know their concepts of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance” (John Rawls, *A Theory of Justice*).

3. Rawls Theory of Justice

B. From this, two principles of Justice emerge:

- 1.** The principle of liberty: Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.
- 2.** The principle of economic distribution: Social and economic inequalities are to be arranged so that they are both reasonably expected to be to everyone's advantage and attached to positions and offices open to all.

The first of these always has priority over the second.

3. Rawls Theory of Justice

C. Conversely, this also defines injustice

“Injustice . . . is simply inequalities that are not to the benefit of all” (John Rawls, *A Theory of Justice*)

4. Nozick's Libertarianism

Nozick Argued that an economic distribution is just if everyone is entitled to their holdings (property, resources, and wealth under one's control).

The following three principles he claims exhaustively define justice of holdings (2-3 from your reading):

1. "A person who acquires a holding in accordance with the principle of justice in acquisition is entitled to that holding."
2. "A person who acquires a holding in accordance with the principle of justice in transfer, from someone else entitled to that holding, is entitled to the holding."
3. No one is entitled to a holding except by (repeated) application of 1 and 2.

Unjust holdings are remedied by the principle of rectification which maintains that the status quo should be returned to the best estimate of what the situation would be had the injustice not taken place.

Based on Nozick's theory the state should be minimized (it main duties are protection from external enemies and upholding the principle of rectification.)

Taxation, given that it violates the principles outlined above, is the equivalent to slavery.

Nozick's Wilt Chamberlain Thought Experiment (paragraph 5 on your document)

The purpose of this thought experiment is to demonstrate the inherent problems with end state theories.

Suppose the perfect distribution of wealth (perhaps that described by Rawls from *A Theory of Justice*. Call this distribution D.

Now suppose that 1 million people voluntarily give \$.25 each to watch Wilt Chamberlain play Basketball. At the end of the season, Chamberlain has \$250,000 more than he had before. Call this new distribution of wealth D₂.

Is this new distribution unjust? If so, why?

Based on Nozick's theory of entitlement, the new distribution is perfectly just because the fans voluntarily transferred their money to Chamberlain



This illustrates what Nozick sees as one of the central problems of any end state theory - that to maintain the "perfect" state requires either (paragraph 6):

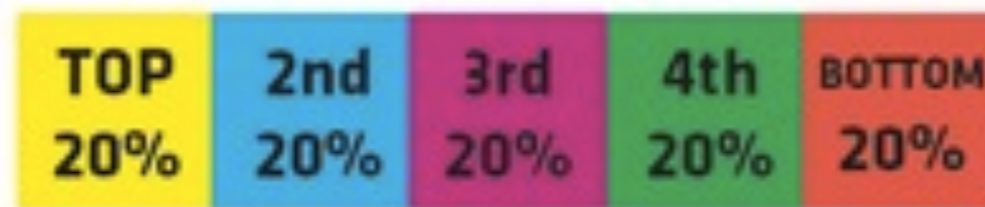
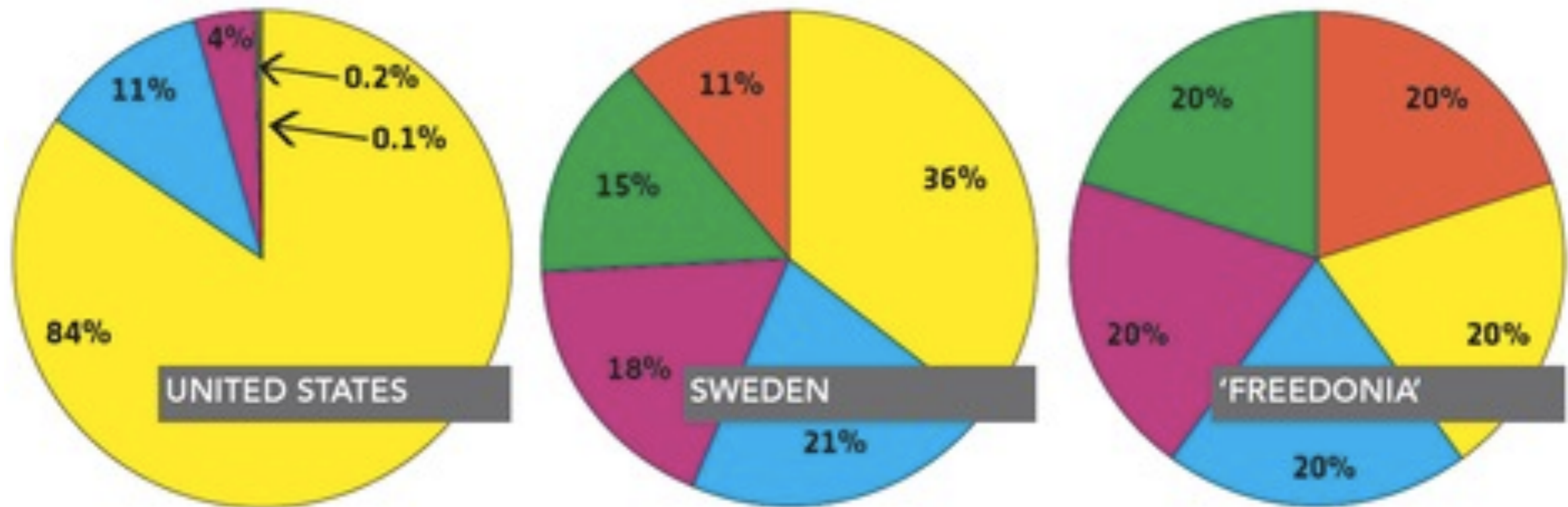
1. Constant government interference to prevent people from transferring holdings as they wish, or,
2. Constant government interference to take resources from some and give it to others

Both of these situations violate Nozick's theory of entitlements and both lead to the creation of a powerful potentially abusive government.

Problems with Nozick's theory

- It instrumentalists everything (there is no value except instrumental value) and thus denies the existence of value that is intrinsic
- Thus happiness and suffering (or its avoidance) are stripped away from calculations of justice
- For example, If society had enough resources to feed and house all people if the distribution of those resources were maintained at D by taxation and regulation, but not enough to feed and house all people if the distribution were determined by the rules of entitlement alone, making sure all people were fed and housed would constitute an injustice.

5. Wealth distribution in the United States today



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Does Rawls or Nozick offer a better framework for moving forward?

Questions for discussion of Rawls and Nozick

- For each philosopher, describe the likely role of government in establishing and maintaining a just society?
- Which of the two thinkers do you believe has the right ideas regarding what constitutes "the just society"? Explain your reasons.
- Which thinkers' ideas are most reflected by modern American society? Explain