

Nozick's Entitlement Theory of Justice

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Different Kinds of Principles of Justice

1. Historical vs End-Result Principles.

- A theory of justice in distribution is *historical* when whether a distribution is just or not depends on how that distribution came about.
- A theory of justice in distribution is *non-historical* (consists only of End-Result Principles) when whether a distribution is just or not is determined only by how things are distributed.

2. Patterned vs Non-Patterned Principles.

- A principle of distribution is *patterned* if it specifies that a distribution is to vary along with some natural dimension, weighted sum of natural dimensions, or lexicographic ordering of natural dimensions.

A distribution is *patterned* if it accords with some patterned principle.

- A principle of distribution is *not patterned* so long as there is no natural dimension (etc.) that yields the distributions generated in accordance with the principle.

You can think of a principle as patterned if it can be naturally put into the following form:

“to each according to his/her _____.”

(**Examples:** ‘height’, ‘I.Q.’, ‘usefulness to society’, ‘moral merit’, ‘need’, ‘effort’, etc.)

The Entitlement Theory

Nozick's view is that the following inductive definition exhaustively covers the subject of justice in holdings:¹

- (1) A person who acquires *X* in accordance with *The Principle of Just Acquisition* is entitled to *X*.
- (2) A person who acquires *X* in accordance with *The Principle of Justice in Transfer* from someone who is entitled to *X* is entitled to *X*.
- (3) No one is entitled to *X* except by repeated applications of the above.

The Entitlement Theory is *Historical* and *Non-Patterned*.

Examples of Just Principles, Classified

	Historical	End-Result
Patterned	Moral Merit	I.Q.
Non-Patterned	Entitlement Theory	?

¹ This is bracketing the concern about righting past injustices. Nozick thinks that when holdings have been acquired unjustly, we must appeal to a *Principle of Rectification of Injustice*. This might involve redistribution.

Against Pattern Principles: Wilt Chamberlain Example

Nozick offers an argument against Patterned Principles.

The Wilt Chamberlain Example. At t_1 , property is distributed according to $D1$, which accords with the just patterned principle P . Then, a million people *voluntarily* give \$0.25 to Wilt Chamberlain to watch him play basketball. At t_2 , Wilt is very rich; property is now in distribution $D2$, which no longer accords with the just patterned principle P .

Here is a statement of Nozick's argument in premise-conclusion format:²

The Wilt Chamberlain Argument Against Pattern Principles

- P1** If the THE PATTERNED PRINCIPLE ACCOUNT of justice is correct, then a distribution D is *just* if and only if D accords with patterned principle P .
- P2** If X is a *just distribution* and distribution Y arises from X solely via *just steps*, then Y is also just.
- P3** A *step* from one distribution to another is *just* if the transactions are all *fully voluntary* on the part of all legitimately concerned persons.
- P4** All the transactions between the basketball fans and Wilt Chamberlain are wholly voluntary on the part of all legitimately concerned persons.
- P5** By hypothesis, (1) $D1$ is just; and (2) $D2$ arises from $D1$ from all the transactions between the basketball fans and Wilt Chamberlain and; (3) $D2$ doesn't accord with patterned principle P .

C THE PATTERNED PRINCIPLE ACCOUNT of justice is incorrect.³

What do you think about this argument? The argument is valid, so if you disagree with the conclusion, you have to deny one of the premises. (And **P1** and **P5** are unassailable).

Evaluating Nozick's Premises

- **Are All Trades Between Consenting Adults Just?: a look at P3**

Could there be a case in which a transfer of holdings is fully voluntary on part of all those involved but the transfer is nevertheless *not just*?

What is it for something to be "*fully voluntary*"?

² Some helpful terminology. An **argument** is a list of claims, all but the last which are labelled as *premises*, and the last of which is labelled as a *conclusion*.

An argument is **valid** if and only if it is impossible for all its premises to be true and its conclusion false.

An argument is **sound** if and only if it is valid and all its premises are true.

³ Argument reconstruction from G.A. Cohen.

If I mug you at gunpoint — I say "give me your money or I will shoot you" — is the transfer of your money to me *fully voluntary* on your part? Presumably not. But why not? You agreed to give me your money. I gave you two options, and you made a choice. I didn't *force* you to choose giving me the money over being shot.

- **What About Third Parties?: a look at P4**

In the Wilt Chamberlain Example, a million people *voluntarily* give \$0.25 to Wilt Chamberlain to watch him play basketball. But are these million people (plus Wilt) the only legitimately concerned parties to these transactions? Do third parties have grounds to object to these transfers? Nozick says “no”:⁴

After someone transfers something to Wilt Chamberlain, third parties still have their legitimate shares; their shares are not changed. By what process could such a transfer among two persons give rise to a legitimate claim of distributive justice on a portion of what was transferred, by a third party who had no claim of justice on any holding of the others *before* the transfer?

Do you agree?

- **Do just steps always ensure just results?: a look at P2**

Could we move from a complete just situation to a unjust one by only just steps? Consider the following cases:

Natural Disaster. A hurricane occurs. It destroys many people's homes and businesses. They are left without homes and employment.

Inheritance. Our parents made roughly the same amount of money. My parents left me everything they had. Your left you with nothing. I laze about all day. You work tirelessly to make ends meet.

Are these cases in which we move from a just distribution to an unjust distribution without taking any unjust steps?

Taxation is Forced Labor

Nozick also argues that redistributing wealth (via, for example, taxation) amounts to *forced labor*. It is unjust to *force* someone to work regardless of whether they want to or not. To do so violates his/her Liberty. Taxing someone's income, Nozick argues, effectively amounts to making that person work for nothing:

If you want to earn \$ x at your job, and make \$ y per hour, but are being taxed, you have to work for more than $\frac{x}{y}$ hours. And those are hours for which you are not being paid.

Why would it be *unjust* to force someone to work, but not *unjust* to effectively make it so that people work without being paid?

Do you think Nozick is right about this?

⁴ pg 162

What if with his newfound wealth, Wilt Chamberlain now buys up all the local business. With a monopoly on all goods, Chamberlain is able to raises prices on the goods the rest of us need.

Sometimes, transactions between a small number of people can affect a great number of people down the line. Should this matter?

NOZICK'S IDEA: Redistribution conflicts with **Liberty**.