

## 1: Desert | Internet Encyclopedia of Philosophy

*A naïve first pass at distributive justice is material equality of outcomes. Given the inherent inequalities between individuals, Hayek argued that attempting to impose a far-reaching material equality would require unequal treatment before the law.*

Distributive justice concerns the nature of a socially just allocation of goods. A society in which inequalities in outcome do not arise would be considered a society guided by the principles of distributive justice. The concept includes the available quantities of goods, the process by which goods are to be distributed, and the resulting allocation of the goods to the members of the society. Often contrasted with just process, which is concerned with the administration of law, distributive justice concentrates on outcomes. This subject has been given considerable attention in philosophy and the social sciences. To determine whether distributive justice has taken place, individuals often turn to the distributive norms of their group. Therefore, an individual who has invested a large amount of input e. Members of large groups prefer to base allocations of rewards and costs on equity. Those with more authority, status, or control over the group should receive more than those in lower level positions. Those in greatest needs should be provided with resources needed to meet those needs. These individuals should be given more resources than those who already possess them, regardless of their input. Group members who have the most should share their resources with those who have less. In organizations In the context of organizational justice, distributive justice is conceptualized as fairness associated with outcomes decisions and distribution of resources. The outcomes or resources distributed may be tangible e. Perceptions of distributive justice can be fostered when outcomes are perceived to be equally applied Adams, Organizational citizenship behaviors OCBs are employee actions in support of the organization that are outside the scope of their job description. As organizational actions and decisions are perceived as more just, employees are more likely to engage in OCBs. Wealth Distributive justice considers whether the distribution of goods among the members of society at a given time is subjectively acceptable. Not all advocates of consequentialist theories are concerned with an equitable society. What unites them is the mutual interest in achieving the best possible results or, in terms of the example above, the best possible distribution of wealth. These burdens include air pollution, landfills, industrial factories, and other environmental burdens. Distributive justice is an essential principle of environmental justice because there is evidence that shows that these burdens cause health problems, negatively affect quality of life, and drive down property value. The potential negative social impacts of environmental degradation and regulatory policies have been at the center environmental discussions since the rise of environmental justice. Proponents of distributive justice link it to human rights. Many governments are known for dealing with issues of distributive justice, especially countries with ethnic tensions and geographically distinctive minorities. Post-apartheid South Africa is an example of a country that deals with issues of re-allocating resources with respect to the distributive justice framework.

## 2: The Flexible Fairness: Equality, Earned Entitlement, and Self-Interest

*The economic, political, and social frameworks that each society has—its laws, institutions, policies, etc.—result in different distributions of benefits and burdens across members of the society.*

Our first task is therefore to provide a clear definition of equality in the face of widespread misconceptions about its meaning as a political idea. Thus, to say e. Two non-identical objects are never completely equal; they are different at least in their spatiotemporal location. Here usage might vary. In the case of descriptive use of equality, the common standard is itself descriptive, e. A prescriptive use of equality is present when a prescriptive standard is applied, i. The standards grounding prescriptive assertions of equality contain at least two components. On the one hand, there is a descriptive component, since the assertions need to contain descriptive criteria, in order to identify those people to which the rule or norm applies. The question of this identification — “who belongs to which category?” On the other hand, the comparative standards contain something normative — “a moral or legal rule, in the example, the U. Such a rule constitutes the prescriptive component Westen , chap. Sociological and economic analyses of in- equality mainly pose the questions of how inequalities can be determined and measured and what their causes and effects are. In contrast, social and political philosophy is in general concerned mainly with the following questions: Such is the case in this article as well. Equality essentially consists of a tripartite relation between two or several objects or persons and one or several qualities. Two objects a and b are equal in a certain respect if, in that respect, they fall under the same general terminus. Every comparison presumes a tertium comparationis, a concrete attribute defining the respect in which the equality applies — equality thus referring to a common sharing of this comparison-determining attribute. There is another source of diversity as well: As Temkin , argues, various different standards might be used to measure inequality, with the respect in which people are compared remaining constant. The difference between a general concept and different specific conceptions Rawls , p. Depending on which procedural principle one adopts, contrary answers are forthcoming. Both equality and inequality are complex and multifaceted concepts Temkin , chap. In any real historical context, it is clear that no single notion of equality can sweep the field. But they believe that there is also a common underlying strain of important moral concerns implicit in it Williams Above all it serves to remind us of our common humanity, despite various differences cf. In this sense, egalitarians tend to think of egalitarianism as a single coherent normative doctrine — but one in any case embracing a variety of principles. Following the introduction of different principles and theories of equality, I will return in the last section of this article to the question how best to define egalitarianism and the value of equality. Principles of Equality and Justice Equality in its prescriptive usage has, of course, a close connection with morality and justice in general and distributive justice in particular. From antiquity onward, equality has been considered a constitutive feature of justice. On the history of the concept, cf. Albernethy , Benn , Brown , Dann , Thomson Throughout history, people and emancipatory movements use the language of justice to pillory certain inequalities. But what exactly is the connection between equality and justice, i. The role and correct account of equality, understood as an issue of social justice, is itself a difficult philosophical issue. To clarify this, philosophers have defended a variety of principles and conceptions of equality, many of which are mentioned in the following discussion. This section introduces four well known principles of equality, ranging from highly general and uncontroversial to more specific and controversial. Different interpretations of the role of equality in a theory of justice emerge according to which of the four following principles and which measure has been adopted. Through its connection with justice, equality, like justice itself, has different justitianda, i. These are mainly actions, persons, social institutions, and circumstances e. These objects of justice stand in an internal connection and order that can here only be hinted at. Justice is hence primarily related to individual actions. Individual persons are the primary bearer of responsibilities ethical individualism. Persons have to take responsibility for their individual actions and for circumstances they could change through such actions or omissions. Although people have responsibility for both their actions and circumstances, there is a moral difference between the two justitianda, i. The responsibility people have to treat individuals and groups they affect in a morally

appropriate and, in particular, even-handed way has hence a certain priority over their moral duty to turn circumstances into just ones through some kind of equalization. Hence one has to rely on collective actions. In order to meet this moral duty, a basic order guaranteeing just circumstances must be justly created. This is an essential argument of justice in favor of establishing social institutions and fundamental state structures for political communities; with the help of such institutions and structures, individuals can collectively fulfill their responsibility in the best possible manner. If circumstances can be rightly judged to be unjust, all persons have the responsibility and moral duty, both individually and collectively, to change the pertinent circumstances or distributive schemes into just ones. In the following sections, the objects of equality may vary from topic to topic. However, as indicated, there is a close relationship between the objects. The next three principles of equality hold generally and primarily for all actions and treatment of others and for resulting circumstances. From the fourth principle onward, i. This is the generally accepted formal equality principle that Aristotle formulated in reference to Plato: Of course the crucial question is which respects are normatively relevant and which are not. Some authors see this formal principle of equality as a specific application of a rule of rationality: But most authors instead stress that what is here at stake is a moral principle of justice, basically corresponding with acknowledgment of the impartial and universalizable nature of moral judgments. A form of treatment of others or as a result of it a distribution is equal numerically when it treats all persons as indistinguishable, thus treating them identically or granting them the same quantity of a good per capita. That is not always just. In contrast, a form of treatment of others or distribution is proportional or relatively equal when it treats all relevant persons in relation to their due. Just numerical equality is a special case of proportional equality. Numerical equality is only just under special circumstances, viz. Proportional equality further specifies formal equality; it is the more precise and detailed, hence actually the more comprehensive formulation of formal equality. It indicates what produces an adequate equality. Proportional equality in the treatment and distribution of goods to persons involves at least the following concepts or variables: Two or more persons P1, P2 and two or more allocations of goods to persons G and X and Y as the quantity in which individuals have the relevant normative quality E. This can be represented as an equation with fractions or as a ratio. For the formula to be usable, the potentially great variety of factors involved have to be both quantifiable in principle and commensurable, i. When factors speak for unequal treatment or distribution, because the persons are unequal in relevant respects, the treatment or distribution proportional to these factors is just. Unequal claims to treatment or distribution must be considered proportionally: This principle can also be incorporated into hierarchical, inegalitarian theories. It indicates that equal output is demanded with equal input. Aristocrats, perfectionists, and meritocrats all believe that persons should be assessed according to their differing deserts, understood by them in the broad sense of fulfillment of some relevant criterion. And they believe that reward and punishment, benefits and burdens, should be proportional to such deserts. Since this definition leaves open who is due what, there can be great inequality when it comes to presumed fundamental natural rights, deserts, and worth " and such inequality is apparent in both Plato and Aristotle. The idea offers a framework for a rational argument between egalitarian and non-egalitarian ideas of justice, its focal point being the question of the basis for an adequate equality Hinsch Both sides accept justice as proportional equality. On the formal level of pure conceptual explication, justice and equality are linked through these principles of formal and proportional justice. Justice cannot be explained without these equality principles; the equality principles only receive their normative significance in their role as principles of justice. Formal and proportional equality is simply a conceptual schema. It needs to be made precise " i. The formal postulate remains quite empty as long as it remains unclear when or through what features two or more persons or cases should be considered equal. All debates over the proper conception of justice, i. For this reason equality theorists are correct in stressing that the claim that persons are owed equality becomes informative only when one is told " what kind of equality they are owed Nagel ; Rae ; Sen , p. Actually, every normative theory implies a certain notion of equality. In order to outline their position, egalitarians must thus take account of a specific egalitarian conception of equality. To do so, they need to identify substantive principles of equality, discussed below. This postulate collapsed with the advent of the idea of natural right and its assumption of an equality of natural order among all human beings. Against Plato and Aristotle, the classical formula for justice

according to which an action is just when it offers each individual his or her due took on a substantively egalitarian meaning in the course of time, viz. This is now the widely held conception of substantive, universal, moral equality. It developed among the Stoics, who emphasized the natural equality of all rational beings, and in early New Testament Christianity, which elevated the equality of human beings before God to a principle: This important idea was also taken up both in the Talmud and in Islam, where it was grounded in both Greek and Hebraic elements in both systems. In the modern period, starting in the seventeenth century, the dominant idea was of natural equality in the tradition of natural law and social contract theory. Hobbes postulated that in their natural condition, individuals possess equal rights, because over time they have the same capacity to do each other harm. Locke argued that all human beings have the same natural right to both self-ownership and freedom. Rousseau declared social inequality to be a virtually primeval decline of the human race from natural equality in a harmonious state of nature: For Rousseau , , the resulting inequality and rule of violence can only be overcome by tying unfettered subjectivity to a common civil existence and popular sovereignty. His transcendental and philosophical reflections on autonomy and self-legislation lead to a recognition of the same freedom for all rational beings as the sole principle of human rights Kant , p. Such Enlightenment ideas stimulated the great modern social movements and revolutions, and were taken up in modern constitutions and declarations of human rights.

## 3: THEjustice - Winter Lecture 16 - Equality, Effort, and Merit

*Distributive Justice Example -armored truck spilled a load in a very poor neighborhood and people took the money, then they were theft it they keep it, but police wanted it back - It is a Need.*

The principle of justice is deeply rooted in Western thought. When philosophers and economists talk about distributive justice, they usually distinguish between various classes of things that are subject to just or unjust distribution. One such distinction differentiates between human wants or desires, on the one hand, and needs, or primary goods, or resources, on the other. Biologists and economists tend to gravitate toward the concept of "resources. For human beings and some animals, possession of resources generally brings pleasure and the lack of resources, pain. Is Mother Nature fair in her dealings with human beings? The principle of distributive justice comes into play when we humans decide collectively not to live under Darwinian rule, but instead, decide to redistribute resources and the pains and pleasures associated with them, based on justice. First of all, the principle of justice in distribution is only applicable under conditions of scarcity. When everyone has as much of something as they need or want, they usually do not complain of injustice. Material principles of justice link the formal concept to the real world. There are several material principles that are often invoked on behalf of certain favored distributions. The principle of merit says that we ought to distribute things so that the best people get the most and the worst people get the least. Obviously, some things are best distributed on the basis of merit: The principle of equality states that at least some things in life ought to be distributed equally. Under normal circumstances, we usually divide up a pizza based on this principle. The principle of need states that resources ought to be distributed to each person according to individual need. We usually try to distribute things like health care, welfare checks, and some scholarships based on need. The distributive principle of social utility holds that we ought to distribute at least some things in such a way as to maximize a favorable balance between pain and pleasure in the whole community. Hence, we might decide to immunize all inner-city children in Cincinnati against certain diseases, regardless of merit, equality, or need, in order to minimize the long term social costs associated with treating them for preventable diseases later on. Of course, the basic problem of justice is how to determine which material principle is relevant to the distribution of any particular resource. If I were to offer a scholarship to attend the Mount, should I award it based on social utility increase racial diversity , equality have a lottery , merit administer a test , or need check your annual income? Of course, one might ask: In a free market, I can own a Mercedes Benz automobile, or perhaps more likely, a Gibson ES electric guitar, if I am willing to pay the market price for it. Formal Principle of Justice-.

## 4: Equality (Stanford Encyclopedia of Philosophy)

*Finally, there is a connection between distributive justice and corrective justice, Reiman (/), for instance, argues that \_\_\_\_\_ affects lawmaking, law breaking, enforcement, and punishment practice.*

Utilitarianism emphasises the wellbeing of society over the individual, a fact both Rawls and Robert Nozick, his main competitor, both find serious fault in as this does not recognise the separateness of individuals. Simply because a society is efficient does not mean that it will be just, the example of Nazi Germany best demonstrates this. The natural differences between humankind should be reflected in how society treats them and a state has responsibility to ensure the welfare of its citizens. We can contrast the approaches of both Rawls and Nozick in relation to their concepts of social justice, how benefits and resources should be distributed in order to achieve the most morally right and just distribution. Equally he strongly argues we should also not benefit from talents and assets which we do not deserve. To prove his theory he uses a hypothetical situation, placing oneself in the original position - a position of complete ignorance, in which he believes all rational human beings would act in their own interest and choose the distribution which maximises the position of the least advantaged, i. As his is an end-state theory, where a positive outcome i. Rawls arguably places too much emphasis on outcomes, for example robbery at gunpoint versus gift giving, for him there is no distinction as long as the outcome is positive Roemer Nozick also believes Rawls does not take into account the separateness of persons as he does not recognise the necessity of individual talents. As his proof is solely hypothetical this is a serious weakness of his argument Dworkin Whether or not a distribution is just depends on whether it follows his three specifications: Principle of Acquisition - how individuals can acquire the rights to objects which were previously un-owned, Principle of Transfer - how people can acquire property rights and finally the Principle of Rectification - how historical injustices should be rectified. Here we can see how Nozick diverges from Rawls in his emphasis on the historical background of a distribution. In his view justice should be unconcerned with size of individuals entitlements, more how he came about them. Rewards such as income and success will be according to merit, not needs such as Rawls asserts. He also differs from Rawls by including luck as a legitimate means of acquiring assets as in his view people are entitled to their natural talents, therefore any holdings that flow from them become their entitlements Nozick Cohen agree with this assessment as he believes every person to be morally the rightful owner of himself and so having a right to use their powers to their own benefit as long as they do not harm others. Recognising self-ownership is crucial to treating people as equals Kymlicka Unequal income in this sense could be considered fair as the greater success is merited. Rawls himself also acknowledges that common sense suggests income and wealth should be allocated in accordance with moral desert and Cohen declares this to be a naturally just distribution. Nozick believes his theory to be the most morally principle due to its un-patterned nature and we could argue that most people agree with the concept of justice as desert, that talented, hardworking people deserve more than untalented ones feckless ones Swift Is Justice therefore Entitlement? In his view a redistributive state is unjust as uses people as means to others ends, therefore rejecting their individual liberties. However this means there would be no welfare state, no public health care, or education as would involve coercive taxation. He is unconcerned with maximising social welfare and equality; indeed he views being handicapped simply as being bad luck, possibly unfair but not unjust. As long as peoples property rights are respected then whatever distribution occurs, however unequal it may be, is just in his view Swift This one could suggest is too extreme a viewpoint. Whilst concepts such as distribution by merit appeal one would insist that surely it is unfair for the naturally disadvantaged to starve simply as they have nothing to offer others in free exchange? As Gibbard says if land is appropriated then surely individuals no longer have a right to access the land, if the world is jointly owned then surely this act would only be morally permissible if all others agree to give up land? On first glance one would say yes, justice as entitlement and merit is correct. However what would be created would be a highly unequal form of capitalism where no redistributive taxes would occur unless all agreed to them Roemer The state should act to benefit all of society and it is plain this distribution would not do this. At the same time Rawls also is quite unsatisfactory and penalises people

unnecessarily by forcing them to compensate for others problems, so in effect using people as means. One could therefore argue that Justice is neither Entitlement or, indeed, Need.

## 5: Justice is Entitlement

*In distributive justice, the allocation of resources is determined by different factors such as need, merit, performance, ability, rank, station, worth, work, agreements, requirements of the common good, valuation of services, and legal entitlement. The two most important that are used are need and merit.*

One of the things that can be evaluated as just or unjust is the distribution of the benefits and burdens of a society. This is the concern arguably of criminal courts. That principle of justice which requires that individuals be compensated for effort they have expended or harms they have suffered. Here the aim is not punishment for a crime or sin or moral infraction, but rather compensation. This is the concern of civil courts when plaintiffs seek compensatory not punitive damages. Any given society with limited resources has only a certain amount of assorted benefits which it can bestow in a number of different ways on its members. Likewise, it has certain number of burdens which must be bared for the continuation of the society. So the questions becomes: Given the limited resources, who should get the goodies and how much of them should they get? Given the necessary burdens generated by social groupings, who should get the nasty jobs? Who should shoulder the unpleasant work, live in the not-so-nice part of town in the not-so-nice houses? The following Theories of Distributive Justice express competing views as to which of these ways is just. Is it size, shape, color, race, creed, religion, sexual orientation? Are differences in character, need, ability, effort, or productivity relevant? The following theories make out what they take to be the relevant differences among the members of society in virtue of which they are entitle to unequal portions of the benefits and burdens.

**Egalitarianism** For a just distribution each member of society should get completely equal shares of the burdens and benefits. Egalitarian usually contend that there are no relevant differences among the members of society to justify unequal treatment. Or more specifically, the position claims that work burdens should be distributed on the basis of abilities and benefits should be distributed on the basis of need. On this view, the just way of distributing the benefits and burdens of society is bases on the needs and the abilities of the members of that society. As Marx put it, "From each according to his abilities; to each according to his need. But it is widely held by people of varied or even no particular religious convictions and many Protestants reject it. For a just distribution each member of society should be rewarded in proportion to his or her socially productive work. Some theorists argue that the benefits and burdens of society should be distributed on the basis of the contributions that the individual makes to society. This raises the question: One way would be to reward on the basis of the effort an individual expends in his attempt to contribute to society whether he is actually successful or not. The idea behind this is that hard work is a good thing virtuous and people should engage in hard work and should not avoid it. When they work hard they deserve more and should be rewarded. Another way of rewarding on the basis of contribution is to assess the actual productivity of the individual. The question here is not whether the individual has actually worked hard to further the ends of society, but whether he has in fact contributed to the society. This seems to diverge from the original justification and relies rather on notions of social responsibility and gratitude. If an individual is unable to contribute to society too young, too old, or infirm, etc. They may differ on the extent of the charity owed such individual health care, housing, education, art? It is worth noting that a system of distributive justice which sees the just distribution as the one proportional to individual merit would seem to rest on the presumption of freewill and personal responsibility. Productive people merit more only if one assumes that they are personally responsible for their productivity. The Protestant Work Ethics is consistent with this, in that it make exceptions for charity cases. Generally speaking, the more one believes that people are responsible for their degree of success the more sense it makes to say they deserve more. Conversely, the less responsible you think people are for the degree of success or failure, the less you think the deserve more or deserve less proportional to their individual contributions.

**Libertarianism** Distribution Based on Freedom The Theory, not the Political Party The just distribution is whatever distribution results from free exchange. They take themselves to be heirs to philosopher Immanuel Kant. No particular distribution can be said to be just or unjust apart from the free choices individual makes Note the anti-consequentialist, intentionalist character to the theory- like Kant. Any

distribution of the benefits and burdens of society is just if it resulted from the free choices of the members of that society. It may be stated albeit awkwardly as follows: Any distribution that results from an attempt to impose a certain pattern on society for instance, imposing equality on everyone or taking from the haves and giving to the have-nots will therefore be unjust- no matter how noble it may appear since it is coercive. Libertarians take the Kantian notion that coercion is wrong and run with it. They seem committed to the idea that coercion is the ONLY intrinsically wrong action. The only thing that could make a distribution unjust is that it resulted from coercive practices. And the only thing that could make a distribution just is that it resulted from free exchanges. Rather, he is entitled to it only because people have freely given it to him. Often the only way to arrive at such targets is through the coercive re-distribution of wealth, unjustly taking the justly acquired goods of one in order to distribute them to some other. This is why they object to taxation for social spending programs health care, welfare, the NEA, etc. All taxation is a coercive use of government power. While taxation for the military, police and legal system is a necessary evil to safeguard our freedom, and thus a just activity of government, taxation for social welfare programs has no such justification. When governments do so they exceed their just charter and abuse their power. A right, the observance of which requires only that others to not interfere with the holder. Similarly with the freedom of religion Government does see that everyone has one. Notice I can respect each and every one of your negative rights simply by staying at home and leaving you alone. A right, the observance of which requires that others provide a good or service for the holder. But rather they mean that each of us is entitled to healthcare of some minimal standard and that if society fails to provide any of us with healthcare then the rights of this person have been violated. The ethical position which claims that one has no positive moral obligations to anyone else other than those one freely accepts. I do not OWE anyone anything. I agree to watch you purse while you go on the rollercoaster. The Contractualist seems to believe that they are none. See article 24 for instance. If there ARE positive rights, say to healthcare, than a libertarian might be persuaded that taxation for Medicare, like taxation for the military, is also a necessary evil required to safeguard the rights of the citizens and therefore justified. Once a fair method for choosing the principles is devised, the principles we choose using this method should serve as our own principles of distributive justice. In short they know none of their empirically determined features. Whatever principles they select then will, necessarily, be fair to everyone and will not be based on personal advantage since they lack the information to craft principles based on personal advantage. Rawls proposes two basic principles that he argues we would select if we were to use a fair method for choosing principles for resolving social conflicts. The principles of distributive justice that Rawls proposes can be paraphrased by saying that the distribution of benefits and burdens in a society is just if and only if: Each person has an equal right to the most extensive basic liberties compatible with similar liberties for all. Social and Economic inequalities are arranged so that they are both; a. I mean by that that Capitalism is a system where burdens and benefits are distributed more or less according to market forces. When individuals argue in favor of capitalism as the best or the preferred system of distribution they usually do so on the basis of other moral theories of distributive justice. Three Arguments for Capitalism: Capitalism is a system that insures that individuals are rewarded in proportion to their productive effort. Therefore, this is the system that most nearly approximates the Protestant Work Ethic ideal distribution. Therefore, this is the system that most nearly approximates the Libertarian ideal distribution. Capitalism has been seen to be the most beneficial system of distribution, motivating the most talented and creative to complete and innovate and to provide better goods at lower prices and thereby secure larger market shares. Critiques of these Arguments: There is nothing in the system that guarantees that individuals will be rewarded according to their productive effort. They will only be rewarded to the extent that the market dictates. And that is a function of demand a fickle public, marketing, fashion and supply which increases and decreases according to forces unconnected with "social worth". Also there is nothing in the Capitalist system the speaks to our obligation to look after those who cannot look after themselves. But there is a more nuanced critique here. But such symmetric relationships rarely occur in real life. And Capitalism per se does nothing to regulate these exchanges to insure that they are indeed fair. Further, capital has been produced, historically, via all sorts of oppressive and coercive means slavery, violence, threats of violence, deception. If I received wealth from my father, say, who used coercive means to

get it, than it really does not belong to me, since it was not his to give. Likewise, if I made money in a system that came into existence by coercive means, the profit I generate is similarly tainted. Finally, even a Libertarian would have to acknowledge the need for taxation in order to secure the protection of individual rights. And if there are positive rights, even the taxation to address these entitlement rights. Most will acknowledge that Capitalism does spur economic growth, innovation and development. Marx believes a capitalist phase in economic evolution was necessary for this very reason, even as we progress to a Communist utopia. However, there is nothing in Capitalism per se which assures that all or most members of society will see these benefits. Critics of capitalism point to the disparity between rich and poor, the mindless and monotonous work heaped upon the vast majority of laborers, and the crass materialism they allege capitalism to encourage. If so, then economic individualism Capitalism would naturally result in societal flourishing. Self-interested economic individualism capitalism can, he believed. A final word about Private Property: Most who defend the notion of private property being a right suggest that value is often created through work.

## 6: Distributive justice Essay – Free Papers and Essays Examples

*Distributive justice is a concept that addresses the ownership of goods in a society. It assumes that there is a large amount of fairness in the distribution of goods.*

Scope and Role of Distributive Principles Distributive principles vary in numerous dimensions. They vary in what is considered relevant to distributive justice income, wealth, opportunities, jobs, welfare, utility, etc. In this entry, the focus is primarily on principles designed to cover the distribution of benefits and burdens of economic activity among individuals in a society. Although principles of this kind have been the dominant source of Anglo-American debate about distributive justice over the last six decades, there are other important distributive justice questions, some of which are covered by other entries in the encyclopedia. These include questions of distributive justice at the global level rather than just at the national level see justice: Although the numerous distributive principles vary along different dimensions, for simplicity, they are presented here in broad categories. Even though these are common classifications in the literature, it is important to keep in mind they necessarily involve over-simplification, particularly with respect to the criticisms of each of the groups of principles. Some criticisms may not apply equally to every principle in the group. The issue of how we are to understand and respond to criticisms of distributive principles is discussed briefly in the final section on methodology see Methodology. Throughout most of history, people were born into, and largely stayed in, a fairly rigid economic position. The distribution of economic benefits and burdens was normally seen as fixed, either by nature or by a deity. Only when there was a widespread realization that the distribution of economic benefits and burdens could be affected by government did distributive justice become a live topic. Now the topic is unavoidable. Governments continuously make and change laws and policies affecting the distribution of economic benefits and burdens in their societies. Almost all changes, whether they regard tax, industry, education, health, etc. As a result, every society has a different distribution at any point in time and we are becoming increasingly more adept at measuring that distribution. More importantly, at every point in time now, each society is faced with a choice about whether to stay with current laws, policies, etc. The practical contribution of distributive justice theory is to provide moral guidance for these constant choices. Many writers on distributive justice have tended to advocate and defend their particular principles by describing or considering ideal societies operating under them. They have been motivated to do this as an aid to understanding what their principles mean. Unfortunately though, as a result of this practice, some readers and the general public have been misled into believing that discussions of distributive justice are merely exercises in ideal theory – to be dismissed as a past-time of the academic elite rather than as something that is crucially relevant to current political discussion. This misunderstanding is unfortunate because, in the end, the main purpose of distributive justice theory is not to inform decisions about ideal societies but about our societies. To help correct this misunderstanding it is important to acknowledge that there has never been, and never will be, a purely libertarian society or Rawlsian society, or any society whose distribution conforms to one of the proposed principles. Rather than guiding choices between ideal societies, distributive principles are most usefully thought of as providing moral guidance for the choices that each society faces right now. Other theorists are arguing for changes to bring economic benefits and burdens more in accordance with what people really deserve. Sometimes a number of the theories may recommend the same changes to our current practices; other times they will diverge. It is best to understand the different theorists, despite the theoretical devices they sometimes employ, to be speaking to what should be done in our society – not about what should be done in some hypothetical society. Of course, ensuring that philosophical principles be effective for the purpose of guiding policy and change in real societies involves important and complex methodological questions. For a review of work specifically addressing this issue, in ideal and nonideal theory, see Zofia Stemplowska and Adam Swift, and Valentini Distributive justice theorists perhaps like all theorists tend to emphasize the differences between their theories. This misunderstanding is, perhaps, best illustrated by the most common type of dismissal. But to think that this points to the desired conclusion – that in light of this we should retain the status quo for the time being – reveals a confusion about the nature of the choices always

facing each society. So, in this instance, to claim that we should not pursue any changes to our economic structures in light of a distributive justice argument calling for change is, by its very nature, to take a stand on the distributive justice of or, if one prefers, the morality of the current distribution and structures in the society compared to any of the possible alternative distributions and structures practically available. At any particular moment the existing economic and institutional framework is influencing the current distribution of economic and life prospects for all members of the society. To assert that we should not change the current system is therefore, despite implications to the contrary, to take a substantive position on distributive justice debates. It is to argue that keeping the existing distribution is morally preferable to changing to any practical alternative proposedâ€”to take a substantive position in just the area that it was claimed was too controversial to consider. Societies cannot avoid taking positions about distributive justice all the time and any suggestion that they can should be resisted as incoherent. A related point can be made when people assert that economic structures and policy should be left to economists, or when people assert that economic policy can be pursued without reference to distributive justice. These assertions reveal misconceptions about what distributive justice and economics are, and how they are related. Positive economics, at its best, can tell us about economic causes and effects. Positive economics is very important for distributive justice because it can give us guidance about which changes to pursue in order to better instantiate our moral principles. What it cannot do, in the absence of the principles, is tell us what we should do. This point is easily lost in everyday political discussion. When economists make such a recommendation they, sometimes unconsciously, have taken off their social scientific hat. They are employing alongside their positive economic theory, a moral principle. Suppressing, either consciously or unconsciously, that there are always moral arguments being employed in arguments about what economic policies a government should pursue has had the effect of creating misconceptions about the respective roles of positive economics and distributive justice in government decision-making. For instance, the raising of interest rates is typically thought by economists to have the dual effects of suppressing inflation and suppressing employment. To get to a recommendation that the Central Bank should reduce interest rates involves not only empirical views about the relative sizes of the inflation and unemployment effects and their long-term impact on growth, etc. But the rubrics are not important as basically the same area is covered under different namesâ€”the normative evaluation of economic policies, structures, or institutions. The evaluations often look different because economists most commonly use utility as their fundamental moral concept while philosophers use a wider variety of moral concepts, but the task in which they are both engaged is very similar. What is most important to understand here is that positive economics alone cannot, without the guidance of normative principles, recommend which policies, structures, or institutions to pursue. Distributive justice theories, such as those discussed in this entry, aim to supply this kind of normative guidance.

### Strict Egalitarianism

One of the simplest principles of distributive justice is that of strict, or radical, equality. The principle says that every person should have the same level of material goods including burdens and services. The principle is most commonly justified on the grounds that people are morally equal and that equality in material goods and services is the best way to give effect to this moral ideal. Even with this ostensibly simple principle, some of the difficult specification problems of distributive principles can be seen. The two main problems are the construction of appropriate indices for measurement the index problem, and the specification of time frames. This range of possible specifications occurs with all the common principles of distributive justice. The index problem arises primarily because the goods and services to be distributed need to be measured if they are going to be distributed according to some pattern such as equality. The problem is how to specify and measure levels. The simplest way of solving the index problem in the strict equality case is to specify that everyone should have the same bundle of material goods and services rather than the same level so everyone would have 4 oranges, 6 apples, 1 bike, etc. The problem with adopting this simple solution is that there will be many other allocations of material goods and services which will make some people better off without making anybody else worse off. For instance, someone who prefers apples to oranges will be better off if she swaps some of her oranges for some of the apples belonging to a person who prefers oranges. That way, they are both better off and no one is worse off. Indeed, since most everyone will wish to trade something, requiring identical equal bundles will make virtually everybody worse off than they would be

under an alternative allocation. So specifying that everybody must have the same bundle of goods does not seem to be a satisfactory way of solving the index problem. Some index for measuring the value of goods and services is required. Money is an index for the value of material goods and services. It is an imperfect index whose pitfalls are documented in most economics textbooks. Moreover, once the goods to be allocated are extended beyond material ones to include goods such as opportunities, money must be combined with other indices. Nevertheless, using money, either in the form of income or wealth or both, as an index for the value of material goods and services is the most common response to the index problem. The second main specification problem involves time frames. Many distributive principles identify and require that a particular pattern of distribution be achieved or at least be pursued as the objective of distributive justice. But they also need to specify when the pattern is required. One version of the principle of strict equality requires that all people should have the same wealth at some initial point, after which people are free to use their wealth in whatever way they choose, with the consequence that future outcomes are bound to be unequal. See Ackerman, 1981; Alstott and Ackerman. The most common form of strict equality principle specifies that income measured in terms of money should be equal in each time-frame, though even this may lead to significant disparities in wealth if variations in savings are permitted. Hence, strict equality principles are commonly conjoined with some society-wide specification of just saving behavior see justice: In practice, however, this principle and the starting-gate version might require more similar distributions than it first appears. This is because the structure of the family means the requirement to give people equal starts will often necessitate redistribution to parents, who due to bad luck, bad management, or simply their own choices, have been unsuccessful in accruing or holding on to material goods. There are a number of direct moral criticisms made of strict equality principles: But the most common criticism is a welfare-based one related to the Pareto efficiency requirement: It is this criticism which partly inspired the Difference Principle. The Difference Principle The wealth of an economy is not a fixed amount from one period to the next, but can be influenced by many factors relevant to economic growth. These include, for example, technological advancement or changes in policy that affect how much people are able to produce with their labour and resources. More wealth can be produced and indeed this has been the overwhelming feature of industrialized countries over the last couple of centuries. The dominant economic view is that wealth is most readily increased in systems where those who are more productive earn greater incomes. This economic view partly inspired the formulation of the Difference Principle. The most widely discussed theory of distributive justice in the past four decades has been that proposed by John Rawls in *A Theory of Justice*, Rawls, and *Political Liberalism*, Rawls. Rawls proposes the following two principles of justice: Each person has an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all; and in this scheme the equal political liberties, and only those liberties, are to be guaranteed their fair value. Social and economic inequalities are to satisfy two conditions: Where the rules may conflict in practice, Rawls says that Principle 1 has lexical priority over Principle 2, and Principle 2a has lexical priority over 2b. While it is possible to think of Principle 1 as governing the distribution of liberties, it is not commonly considered a principle of distributive justice given that it is not governing the distribution of economic goods per se. Equality of opportunity is discussed in the next section. In this section, the primary focus will be on 2b, known as the Difference Principle. The main moral motivation for the Difference Principle is similar to that for strict equality: Indeed, since the only material inequalities the Difference Principle permits are those that raise the level of the least advantaged in the society, it materially collapses to a form of strict equality under empirical conditions where differences in income have no effect on the work incentive of people and hence, no tendency to increase growth. The overwhelming economic opinion though is that in the foreseeable future the possibility of earning greater income will bring forth greater productive effort.

## 7: Talk:Distributive justice - Wikipedia

*Hence, we might decide to immunize all inner-city children in Cincinnati against certain diseases, regardless of merit, equality, or need, in order to minimize the long term social costs associated with treating them for preventable diseases later on.*

Justice as Need - Marx; "from each according to his ability, to each according to his need" This was their first official communication with each other "We feel, sir, the force, and acknowledge the justness of the observation, that the foundation of our national policy should be laid in private morality. If individuals be not influenced by moral principles, it is in vain to look for public virtues; it is, therefore, the duty of legislators to enforce, both by precept and example, the utility, as well as the necessity, of a strict adherence to the rules of distributive justice. Gov is the source of that quote. It should be noted that Nozick rejects the very term "distributive justice" because it is, to him, inherently bias towards theories where resources are in some big social pot to be handed out by an authority. He prefers to call it "justice in holdings". Personally, I would argue that the opposite is true. You see utilitarianism is concerned with what is useful whereas distributive justice involves doing what is equitable. And what is useful is often completely different from what is equitable. For example capitalism could be argued to be useful, but certainly not equitable. I therefore really disagree with the article here. It meanfor example, equal access to what is available or access proportionate to inputs or wealth creation, with further questions about the shares of people who are unable to create wealth. Improvement welcome, in the mean time tagged. Please take a moment to review my edit. If you have any questions, or need the bot to ignore the links, or the page altogether, please visit this simple FaQ for additional information. I made the following changes: As of February , "External links modified" talk page sections are no longer generated or monitored by InternetArchiveBot. No special action is required regarding these talk page notices, other than regular verification using the archive tool instructions below. Editors have permission to delete the "External links modified" sections if they want, but see the RfC before doing mass systematic removals. If you have discovered URLs which were erroneously considered dead by the bot, you can report them with this tool. If you found an error with any archives or the URLs themselves, you can fix them with this tool.

## 8: Distributive Justice (Stanford Encyclopedia of Philosophy)

*An objection to egalitarianism is that social dominance and variance in well-being are not arbitrary and unjust insofar as they flow from differences in merit, understood as competence and performance at socially-valued tasks, between persons and groups.*

References and Further Reading 1. The Structure of Desert It is widely held that desert is a relation among three elements: This relation is shown in the formula: S deserves M in virtue of B, where S is the subject, M is the mode of treatment, and B is the desert base or bases. Each of these elements will be examined in greater detail. If one thinks that merely having a quality or feature is sufficient to establish desert, then one will place few restrictions on the kinds of things that can be deserving. If one thinks that having some baseline self-awareness is sufficient to make one the appropriate subject of desert, then nonhuman animals such as bottlenose dolphins and chimpanzees can be appropriate bearers of desert. If one thinks that desert requires a certain level of responsibility, then one will advocate for a conception that places stricter limits on who or what qualify as deserving subjects. In fact, common language usage seems to support such a broad understanding. One might claim that *Gone with the Wind* deserves its reputation as one of the greatest movies ever made or that K2 deserves its reputation as one of the most difficult mountains to climb. But such a broad understanding of desert might involve problematic conflation of desert with other concepts. Instead, one might argue that in the cases of movies, mountains, and the like, the proposed desert claims are best understood as nothing more than general claims about how something should be judged or about what something should have or receive. A survey of the literature suggests some support for both broader Schmidtz , and narrower uses of the term Miller , Deserved Modes of Treatment Subjects are said to deserve a wide variety of things. Positive modes of treatment include such things as awards, compensation, good luck, jobs, praise, prizes, remuneration, rewards, and success. Negative modes of treatment include such things as bad luck, blame, censure, failure, fines, and punishment. Oftentimes, a deserved mode of treatment will incorporate a source or supplier of that treatment. For example, one might argue that an athlete deserves praise from his manager. But such a source need not be specified in all cases since legitimate desert claims need not be directed toward any source. This is, in part, because legitimate desert claims need not be enforceable or even prescribe any action. Consider the claim that certain hardworking people deserve good fortune. While this is a legitimate desert claim, it need not be directed toward any source and it need not result in a call for any corrective action in cases in which particular hardworking people have not had good fortune Kekes , Desert Bases There are a variety of ways in which desert bases can be categorized. Two categories that are commonly used in the philosophical literature are desert based on effort and desert based on performance. Usually the goal has to be viewed as worthwhile, since quixotic effort is rarely considered to be a basis for desert. The performance can be any number of activities that give rise to positive or negative evaluation, such as the winning of a race or performing poorly in a music competition. In some contexts, the performance can be assessed in terms of the contribution that one makes as a part of some group, such as a family, company, community, or even a society as a whole. Depending on the context, this contribution can be measured in terms of productivity, success, or some other similar measure. We are presented with two puzzle makers. The first puzzle maker is presented with a puzzle that is 80 percent complete, and he finishes the puzzle by completing the remaining 20 percent. The second puzzle maker is presented with a puzzle that is totally incomplete. He manages to complete 80 percent of the puzzle, and therefore does not finish it , p. Boylan notes that, according to a common interpretation, the first puzzle maker would be the one who deserves the credit, and the resultant spoils, for completing the puzzle. But why should this puzzle maker get more credit when he completed significantly less of the puzzle? He cannot claim credit for, and therefore cannot claim to deserve, receiving the puzzle in a more advanced stage of completion, since he did nothing to bring the puzzle to that stage of completion. The puzzle maker example highlights important issues regarding the nature and use of desert. First, there is the question of what basis or bases one should use to determine desert. Should effort, performance, or some combination of the two be used? Are there other criteria that ought to be used? Second,

even if one determines that effort and performance are the relevant desert bases, then one must still determine how to correctly weigh the two in a given situation. Some have argued that at least some type of responsibility is a necessary condition for all desert Smilansky a, b, whereas others have argued that, in at least some cases, one can deserve some mode of treatment without anyone being responsible for the desert base that gives rise to that mode of treatment Feldman, An example of responsibility without desert could be cases in which a victim of theft is said to deserve compensation even though he was not responsible for having his money stolen. In such a case, however, there is still someone, namely the thief, who is responsible for the desert base. Others might offer desert claims based on suffering that people endure at the hands of beings with dubious levels of responsibility, such as children, mentally handicapped or emotionally disturbed adults, and nonhuman animals. Some argue that there can be desert in cases in which the suffering is not caused by any being, such as when people suffer as the result of a natural phenomenon. One who supports this view might argue that a tornado victim can deserve financial support as a result of his suffering through that natural disaster. So, one can argue that while certain cases of desert require responsibility, not all do. In at least some cases, one can attempt to maintain a connection between desert and responsibility by appealing to a notion of negative responsibility. That is, one can argue that if someone suffers a misfortune for which she is not responsible, and this misfortune causes her to fall below some baseline condition, then she can deserve some treatment as a result of her suffering Smilansky a, b. Alternatively, one could argue that cases like those of the crime and tornado victims are not cases of genuine desert. One might argue that in situations in which a person suffers through no fault of her own she might be due compensation, and while it is a matter of justice whether she receives compensation, strictly speaking she does not deserve compensation. Desert and Time Most desert theorists argue that desert is strictly a backward-looking concept. The view that desert must be backward looking has been challenged, however. According to these alternative, forward-looking accounts, certain legitimate desert claims can be based on future performances Feldman, Schmidtz This forward-looking view has been questioned based in part on a concern that it relies on instances of desert without legitimately grounded desert bases. The argument is that in order for a person to deserve something at a given time there must be some relevant fact about the person at that time that gives rise to his desert. The concern is that a desert base with sufficient grounding conditions that lie in the future cannot be such a fact, for it is metaphysically dubious Celello, Desert and Some Related Concepts Desert is one of many concepts that are used to assess the appropriateness of what one does or should have. Prior to discussing the role of desert in justice, it is worthwhile to consider a couple of these other concepts. Merit There is not a consensus on how to understand the relationship between desert and merit. And, in ordinary language, the two are often used interchangeably McLeod a, But many scholars have offered important distinctions between the two concepts. One way to distinguish between the two is to claim that merit should be understood more broadly than desert, since merit results from any quality or feature of a subject that serves as a basis for the positive or negative treatment of that subject even if that treatment is not strictly speaking deserved. On this account, desert is a species of the genus merit Pojman, Although scholars discuss other distinguishing factors, e. David Miller claims that a distinction between desert and merit is supported by the ways in which the two are discussed in contemporary discourse, One who supports such a distinction might claim that a person can merit treatment based on factors over which he has little or no control, based on characteristics that he did little to develop, and based on performances that required very little effort. For example, a man can merit, but not deserve, admiration for his native good looks. In addition, since merit does not require responsibility, it can apply to a wide variety of things, including nonhuman animals and even inanimate objects. Entitlement Understood in one way, entitlement claims are specific to particular associations, organizations, or institutions. Entitlement results from a subject having a claim or right to some treatment as a result of following the rules or meeting some explicit criterion or criteria of an association, organization, or institution. Although certain entitlements might be related to or give rise to desert McLeod b, it is important to keep the two concepts distinct. There are many situations in which one deserves some treatment without being entitled to that treatment or in which one is entitled to something that one does not also deserve. Consider an automobile race in which the leading driver is caused to wreck by debris on the track. As a result, he crashes just prior to crossing the finish line. In

such races, crossing the finish line first is the criterion used to establish the winner. If the crash prevented the driver from winning, one could reasonably argue that, although the driver is not entitled to win, he deserved to win because he had made the requisite effort, performed better than all of the other drivers for the entire race leading up to the crash, and was clearly going to win before he crashed. In addition to the fact that one can deserve something that one is not entitled to, one can be entitled to something that one does not deserve. To use another common example, a son might be entitled to an inheritance left to him by his father, but he might not have done anything to deserve that inheritance.

**The Role of Desert in Justice**

In a general sense, justice can be understood to consist in persons getting what is appropriate or fitting for them. This idea of justice can be traced back to ancient times. Plato discussed justice in general, and distributive justice in particular, as involving a type of appropriateness or fittingness of treatment Republic 1. According to some translations of Laws, Plato suggested that justice involves treating people as they deserve to be treated 6. Although there are many important differences between their theories, Aristotle joined Plato by arguing that justice involves a type of equality. In Nicomachean Ethics, Aristotle maintained that distributive justice involves judging people according to certain criteria in order to determine whether they are equal or unequal. He argued that, in distributions, it is just for equals to receive equal shares, unjust for equals to receive unequal shares, and unjust for those who are unequal to receive equal shares. He maintained that what each person receives should be geometrically proportional to the degree or extent to which his or her actions fit or match these criteria 5. People are judged based on normative concepts such as desert, merit, and entitlement to determine whether they are equal or unequal. Consider a distributive context in which two people are to be treated based on what each deserves. According to the idea of geometrical proportionality, if one person is twice as deserving as the other, then she ought to receive twice the share of what is to be distributed. According to the classical tradition, desert is one of the conceptual components of justice. But it is not understood as being the only conceptual component of justice. Desert has a prominent role in certain more recent conceptions of justice, such as those of John Stuart Mill and Henry Sidgwick. In Utilitarianism, Mill claimed that it is considered just when a person gets whatever good or evil he deserves and unjust when he receives a good or suffers an evil that he does not deserve , These other components can include, but need not be limited to, entitlement, equality, merit, need, reciprocity, and moral worth. According to these theories, whether and to what extent desert is relevant to justice depends on the context in which the judgment is being made. And, when desert conflicts with the other components of justice, it must be measured against them in order to determine what justice requires Miller , ; Schmidtz , 4. Some might argue that desert is relevant in retributive justice but not in distributive justice because being the appropriate recipient of a harm requires a level of responsibility that being the appropriate recipient of a benefit does not. Or, some might argue in favor of the asymmetry based on the differing modes of treatment that are called for in distributive and retributive contexts.

## 9: ROBERT NOZICK: AGAINST DISTRIBUTIVE JUSTICE

*He believes that its justice depends on the justice of the institutions, including legal institutions defining entitlement, which were involved in its production. These are assessed only partly on the basis of their tendency to promote a certain distributive end-state.*

According to Nozick there are three sets of rules of justice, defining: A distribution is just if it has arisen in accordance with these three sets of rules. However, he does give some further information on rules of acquisition; see p. It is not clear how Nozick would defend 1 against his own criticisms of Locke p. Nozick rejects this, but does not define another baseline: Nozick says that the proviso is violated if a person appropriates all of something necessary to life - or purchases it, or combines with the other owners of it, or finds himself the sole owner when other supplies are lost e. The entitlement theory is historical and unpatterned. It does not demand that the distribution resulting from just acquisitions, transfers and rectifications be patterned, i. Any distribution, irrespective of any pattern it may or may not have, is just provided it has the appropriate history, provided it did in fact come about in accordance with the rules of acquisition, transfer and rectification. Notice that this imposes on Rawls in the job of showing that no possible version of an historical entitlement theory could be correct. He might reply that he intends to stick to his own theory until someone actually produces a correct entitlement theory; Nozick has not, because his theory is merely a sketch with many important details not worked out. Nozick points out p. Rawls specifies an initial situation and a process of deliberation, and say that whatever rules results from this are the rules of justice; similarly Nozick specifies a process, and says that whatever distribution results is just. Nozick says that this is ironic. It presents a dilemma: This is a weak argument. Nozick advances an objection against all of them: If justice consists in the pattern in which goods are distributed, then giving - which changes the pattern - will be unjust. Thus pattern theories do not merely correct the mal-distribution which allegedly happens under an entitlement theory; they also alter the concept of possession. But, Nozick maintains, things are never collected into a sum total to be allocated by a central distributing authority. Hearing the term distribution most people presume that some thing or mechanism uses some principle or criterion to give out a supply of things There is no central distributor, no person or group entitled to control all the resources, jointly deciding how they are to be doled out. No Presumption of Equality Nozick ask why it is to be assumed that differences between persons are arbitrary unless they can be justified. A central distributor would perhaps be bound to treat all alike unless for good reason, but in a free society distribution results from many localized exchanges between individuals entitled to bestow their holdings as they wish. The Natural Lottery not Unjust According to Rawls, the veil of ignorance should conceal the distribution of natural talents, because rules reflecting this distribution would not be just. But according to Nozick, it is not true that a person deserves something only if he also deserves whatever he used, including natural talents, to obtain it. Equal Opportunity not a Right Possessions that people are entitled to may not be seized to provide equality of opportunity for others. There are individual exchanges, in which the parties do not usually care about desert or handicaps, but simply about what they get in exchange. Statements about what institutions are for are always suspect. How do we decide what exchange is for, and anyway why would this impose a norm? Justice and Equality People often note that wealth is unequally distributed, and proceed immediately to discuss how it might be made more equal. But on the entitlement theory one cannot decide whether redistribution is necessary merely by looking at the prevailing pattern of distribution. Whether it just depends on how the distribution came about. If it came about in accordance with the rules of acquisition, transfer and rectification, then it is not unjust, however unequal it may be. Redistributive Action by Government Unjust According to Nozick, taxation is equivalent to forced labour. According to Locke Section 27 , a person has a property in himself and in his labour; each person has liberty to decide what he will do subject to the rights of others , and a right to reap the benefits of his own actions. But tax-financed social welfare programs institute something like ownership by others of people and their actions. The poor have a claim on the actions and products of others, whether or not those others freely entered into relationships that might give rise to such claims, whether or not they voluntarily take these claims upon

themselves, in charity or as part of an exchange. It is inconsistent to allow a right to emigrate, when there is no right to stay and opt out; see p. Are there any enforceable duties to do things for others? Enforceable duties to help do not imply that actions or persons are owned. Part of ownership is the right to sell; the fact that someone has a duty to help me does not imply that I have a right to sell his help. Parents are not partly owned by their children. Rectification of Past Injustice Nozick does not attempt to work out the rules of rectification. However he says that it is an important task in each society to work out what operable policy best approximates the results of a detailed application of rules of rectification. He warns that his entitlement theory cannot be used to condemn any particular welfare scheme unless it is clear that it cannot be justified as a means of rectifying past injustices. Will this warning be heeded, or will the theory be taken as a justification of the existing distributions? Why must we respect such constraints? When a person makes a thing, or finds it unowned and appropriates it, why must others not use it without his permission - no matter how great their need, no matter how such things are distributed? There is no transcendent social whole for the sake of which individuals can be sacrificed, there are only other individuals. A4 85 p. What is more surprising, he discovers in himself intuitions about the moral requirements on men in a state of nature which he is willing to endorse as universal principles unmodified in their cumulative effects when applied in any circumstances whatever He is entitled to keep it or do anything he wants with it, and whomever he gives it to is thereby equally entitled to it. Moreover, anyone is entitled to whatever he ends up with as a result of the indefinite repetition of this process, over however many generations He denies that any of the rights he detects may be overridden merely to do good or prevent evil. But even if it is not permissible to murder or maim an innocent person to promote some highly desirable result, the protected rights do not all have the same degree of importance These rights vary in importance and some are not absolute even in the state of nature If a choice among such alternatives does not involve the violation of any rights or entitlements, but only the allocation of limited time or resources, then we regard those comparisons as excellent reasons for picking one alternative rather than another. If we can help either 10 people or one person, not included in the 10, and we help the 10, then we can say that rescue of the 10 outweighs the loss of the one, despite the fact that he does not get some overbalancing good from his sacrifice, and his is the only life he has. So for the purpose of comparing possible outcomes of action, where the violation of rights is not in question, it is clear that the distinctness of individuals does not prevent balancing of benefits and harms across persons. If special constraints enter in when a sacrifice is to be imposed on someone as a means to the achievement of a desirable outcome, their source must lie elsewhere. Such constraints should not derive from a principle which also has the consequence that practically nothing can be said about the relative desirability of situations involving numbers of different people. Vague as his suggestions are, they all suffer from an error of focus, for they concentrate solely on features of persons that make it bad for certain things to happen to them, and good for them to have the opportunity to do certain things. But rights of the kind that interest Nozick are not rights that certain things not happen to you, or rights to be provided with certain opportunities. Rather they are rights not to be interfered with in certain activities. They give rise to claims not against the world at large, but only against someone who contemplates deliberately violating them The relation between the possessor of the right and the actor, rather than just the intrinsic nature of the possessor and of his life, must enter into the analysis of the right and the explication of its basis. It is of the first importance that your right not to be assaulted is not a right that everyone do what is required to ensure that you are not assaulted. This cannot be explained simply by the fact that it is bad to be assaulted, which is merely an item in the catalog of values by which the desirability or undesirability of occurrences or sets of occurrences is to be weighed. That assault is disagreeable or bad does not explain why the prohibition of it should serve as a constraint on the pursuit of other values or the avoidance of other harms, even if those other values outweigh the badness of assault in a pure calculation of the relative desirability of possible outcomes. Sometimes one is required to choose the less desirable alternative because to achieve the more desirable one would have to violate a right And it would have to explore the interaction between those constraints, and the goals whose pursuit they constrain. There is no reason to think that either in personal life or in society the force of every right will be absolute or nearly absolute, i. Rights not to be deliberately killed, injured, tormented, or imprisoned are very powerful and limit the pursuit of any goal. It would not judge

processes and procedures solely by their tendency to produce certain outcomes, nor would it judge outcomes solely by the processes that had produced them. Social institutions and the procedures defining them would be assessed by reference both to their respect for individual rights and liberty, and to their tendency to promote desirable ends like the general welfare. Suppose a theory says that a distribution is just if it results from a process governed by rules that reflect a the suitability of certain patterns, b the desirability of increasing certain good results and decreasing certain evils independently of any pattern, and c a respect for individual rights of differing importance, Such a theory will be at bottom neither purely historical nor purely patterned. It will be formally historical, but the "historical" or process criterion will be partially determined by considerations of pattern and considerations of total outcome. Rawls does not maintain that the justice of a distribution can be determined independently of how it was produced. He believes that its justice depends on the justice of the institutions, including legal institutions defining entitlement, which were involved in its production. These are assessed only partly on the basis of their tendency to promote a certain distributive end-state. Rawls, for example, gives priority to the preservation of individual liberty But absolute entitlement to property is not what would be allocated to people under a partially egalitarian distribution. Possession would confer the kind of qualified entitlement that exists in a system under which taxes and other conditions are arranged to preserve certain features of the distribution, while permitting choice, use, and exchange of property compatible with it. W4 39 p. See especially those by Johnson, King and Singer. Not mentioning Nozick, but useful background:

Damned If You Do, Dead If You Dont The wonder protein diet Columbia documentary history of race and ethnicity in America Family caregivers in popular culture : images and reality in the movies Carol Levine and Alexis Kuerbis New Perspectives on Microsoft Office Access 2003 Lets Look at Animal Eyes Innovation is overtime : an ethical analysis of / Alternative readings of troubling texts : religion as a force against violence Introduction to distributed-parameter networks Handbook of financial markets and institutions Supernatural Proust 12th biology book The ghosts of the Melting Pot Restaurant Comets, meteors asteroids-how they affect earth New GL accounting Islam can be compatible with democracy Ray Takeyh Alfreds Premier Piano Success Kit 1B (Premier Piano Course) The Guide to Unique Meeting Facilities The influence of a soluble conjugate of sulfogalactosylceramide on the ATPase activity of bovine brain Hs The Facility Managers Handbook Statistics for big data for dummies Yearly extracts, 1804 20 ways to draw a tree The professional periodontal societies The outline of government in the United States Sky is falling on our heads The making of an abolitionist Provide immediate relief with an emergency economic plan Business systems: the fabric of management Complexity In Healthcare And The Language Of Consultation Writs of passage in late imperial China : the documentation of practical understandings in Minong, Taiwan Twenty Nights to Rock I Want My Dollar! Therapeutic impasses and encounters Welcome to France Steelheading for the Simple-Minded My stroke of luck Tales from the Bo-Kaap An act to amend the Solid Waste Disposal Act to authorize appropriations for the fiscal years 1985 through University physics for life sciences