

Roberts and Sutch on Distributive Justice: Rawls, Nozick [Cohen, Walzer]

IPT's definition of **distributive justice**: "questions about how we should distribute the benefits and burdens of social co-operation across society." (182)

One of the key divisions between Rawls and Nozick: "to what extent should arbitrary luck be allowed to influence people's life-prospects?" (184)

Rawls – A Theory of Justice. What does he mean when he talks about **justice as fairness**? [i.e., where "no arbitrary distinctions are made between persons' by important political, social and economic institutions" (185)] Rawls is claiming here that there are commonly shared presumptions about what constitutes fairness? Do you agree? And how is this different from utilitarian calculations?

Revisiting social contract theory: the **original position** and the **veil of ignorance**

- Unlike Hobbes et al, Rawls acknowledges that this is a hypothetical position that could never exist – does this make it less useful? (some say yes, some no...how about you?)
- Parties to the original position determine the distribution of *primary goods*, "things that every rational man is presumed to want...[such as] rights, liberties and opportunities, income and wealth, and the social basis of self-respect" (187)
- Rawls concludes that individuals behind a veil of ignorance would select the following rules:

The **two principles of justice**

- "First: each person is to have an equal right to the most extensive scheme of basic liberties compatible with a similar scheme of liberties for others."
- Second: Inequalities are to be arranged so that
 - a) They are to be of the greatest good to the least advantaged members of society [the **difference principle**] [attacked by Cohen's "If You're an Egalitarian, How Come You're so Rich?"]
 - b) Offices and positions must be open to everyone under conditions of fair equality of opportunity
 - a. Note: how does the inclusion of the word 'fair' nuance this principle?

Nozick – Anarchy, State, and Utopia. All people have rights, and these rights must never be violated (cf. Kant's **principle of personality** as reshaped in Nozick's **entitlement theory**, under which redistribution is justified only by consent). Rights as 'side constraints' on actions.

- Entitlement theory: principles of justice in acquisition, in transfer, and in rectification (194-5)

Nozick's 'tale of the slave' (video), under which *taxation equals forced labor*

To Nozick, "Things come into the world already attached to people having entitlements over them." (193)

- How is Nozick's definition of rights radically different from Rawls'? Are you persuaded?

"The **minimal state** provides the maximum liberty"

- What are the strengths of the minimalist state? The weaknesses?

Michael Walzer's **communitarianism** and *complex equality* [Walzer to be revisited, on just war] (198-202)