§1. Historical principles of justice

End-state/end-result principles of justice

T1 ‘…all that needs to be looked at, in judging the justice of a distribution, is who ends up with what… in comparing any two distributions one need look only at the matrix presenting the distributions.’

(Anarchy, State, and Utopia, p.154)

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Patterned principles of justice

T2 ‘Let us call a principle of distributive justice patterned if it specifies that a distribution is to vary along with some natural dimension, weighted sum of natural dimensions, or lexicographical ordering of natural dimensions.’

(Anarchy, State, and Utopia, p.156)

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Historical principles of justice

T3 ‘…hold that past circumstances or actions of people can create differential entitlements or differential deserts to things… An injustice can be worked by moving from one distribution to another structurally identical one.’

(Anarchy, State, and Utopia, p.155)
§2. *The Wilt Chamberlain Argument*

Suppose that some end-state or patterned principle of justice is true, and suppose that this principle is satisfied by $D_1$...

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In order to preserve justice we must either prevent Anne and Bob from exchanging their goods with Carla or permit the exchange but then confiscate some goods from Carla and give them back to Anne and Bob.

T4  ‘The general point… is that no end-state principle or… patterned principle of justice can be continually realized without continuous interference with people’s lives… To maintain a pattern one must either… interfere to stop people from transferring resources as they wish to, or… interfere to take from some person resources others voluntarily transferred to them.’

*(Anarchy, State and Utopia, p.163)*

Nozick assumes that the level of interference required to preserve the pattern/end-state will be relatively intrusive…

Nozick also assumes that anyone committed to an end-state/patterned principle of justice will be committed to satisfying it *at all costs*…

T5  ‘We let justice remain rough, in deference to other values.’


Nozick doesn’t think that the transfer of goods from Anne and Bob to Carla can possibly have introduced any injustice into the situation…

P1  If a distribution $X$ is just, and a distribution $Y$ is the result of people freely exchanging the goods they have in distribution $X$, then distribution $Y$ is just.

P2  $D_2$ is the result of people freely exchanging the goods they have in distribution $D_1$.

C1  If $D_1$ is just then $D_2$ is just.

P3  If our end-state or patterned principle of justice is true then $D_1$ is just.

P4  If our end-state or patterned principle of justice is true then $D_2$ is unjust.

C2  If our end-state or patterned principle of justice is true then $D_2$ is just.

C3  Our end-state or patterned principle of justice cannot be true.

Nozick assumes that our patterned/end-state principle of justice will be unforgiving…
Nozick also assumes that people won’t deliberately avoid exchanges that upset the pattern. He thinks that this would require an implausible degree of moral motivation, information and coordination…

Do we need to consider the broader consequences…? Economic inequalities generate inequalities of power, and may be incompatible with certain social goods. Wouldn’t Anne and Bob have worried about this…?

P1* If a distribution X is just, and a distribution Y is the result of people freely exchanging the goods they have in distribution X and these people would still freely have exchanged their goods if they knew the consequences of this exchange, then distribution Y is just.

Even if we accept P1*, won’t there be possible cases in which we are forced to say that a distribution is both just and unjust…?

T6 ‘It is not clear how those holding alternative conceptions of distributive justice can reject the entitlement conception of justice in holdings.’

(Anarchy, State, and Utopia, p.160)

We have to accept that there is a set of conditions under which the exchange of goods is justice-preserving. Any plausible account of these conditions will create the logical space for an exchange of goods that is justice-preserving but pattern-disrupting. So preserving justice cannot just be a matter of preserving a pattern.

§3. The entitlement theory

T7 ‘A person who acquires a holding in accordance with the principle of justice in acquisition is entitled to that holding… A person who acquires a holding in accordance with the principle of justice in transfer, from someone else entitled to the holding, is entitled to the holding… No one is entitled to a holding except by (repeated applications of) 1 and 2.’

(Anarchy, State, and Utopia, p.151)

When is an exchange free/voluntary…?

T8 ‘Whether a person’s actions are voluntary depends on what it is that limits his alternatives.’

(Anarchy, State, and Utopia, p.262)

My actions are involuntary if and only if my options were limited by actions of other people, which they had no moral right to perform…

So why was Carla’s exchange with Anne and Bob voluntary…?
The lifeboat example…

The obvious response is that I am not within my rights to close off the possibility of your surviving while keeping the contents of your wallet…

The farmer/rambler example (cf. Cohen)

Rambler A wishes to cross Farmer A’s field, and Rambler B wishes to cross Farmer B’s field. Farmer A has promised Rambler A access to his field, but Farmer B has made no such promise to Rambler B. Both Farmer A and Farmer B close off their fields. Rambler A goes the long way round involuntarily, whereas Rambler B goes the long way round voluntarily. But is there really a difference?

§4. Nozick and Rawls

Is Rawls’ difference principle an end-state principle of justice…? As Nozick points out (p.204), this principle is supposed to apply to the basic structure of society, and this includes the structure of property rights…

Basic Structure 1…

We are entitled to any goods acquired in accordance with the principle of justice in transfer.

Basic Structure 2…

We are not entitled to more than an equal share of the total quantity of goods.

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Is a particular exchange to the advantage of the least well off…?

Is a particular exchange licensed by the set of rules that is to the advantage of the least well off…?

Bibliography