

General Question | How large should government be?

Anarchist: No government: [Individual rights are supreme] ⇒ [government is tyranny]

Nozick: "Minimal State":
"self-ownership"

[Natural indiv rights exist] ⇒ [life, liberty, property]

Government is only necessary to protect these rights

[Concretely: police force, army, court system. Nothing else.]

Guiding Principle

[Entitlement Theory of Justice]

Briefly:

[The material condition of society should be judged solely on entitlement (not on need, merit, etc.)]

distribution of wealth, services, etc.

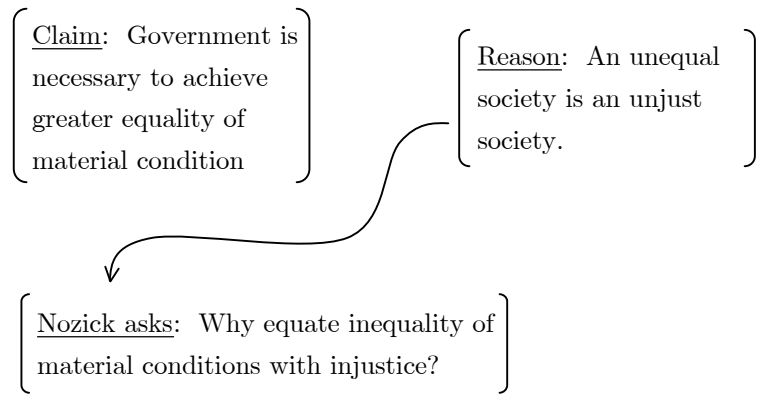
Nozick's article

How this principle affects following issues:

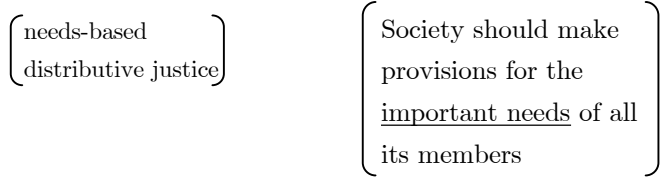
- (I) Equality
- (II) Capitalism
- (III) Charity

- Affirmative Action
- Anti-discrimination laws
- Education
- Social Welfare
- Worker's rights

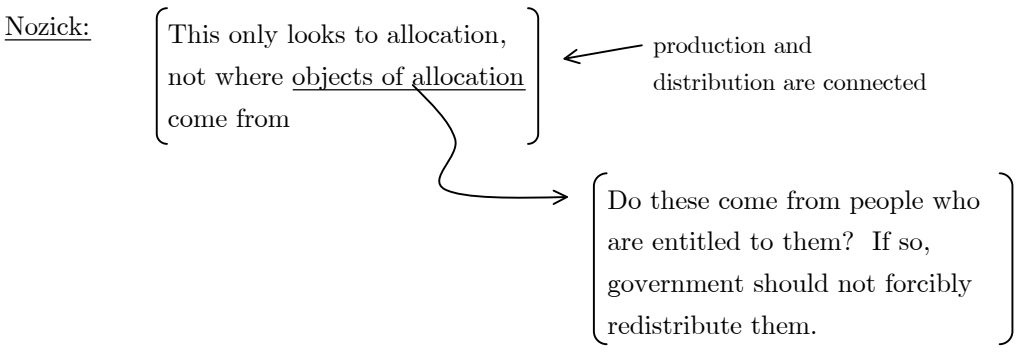
I. Equality



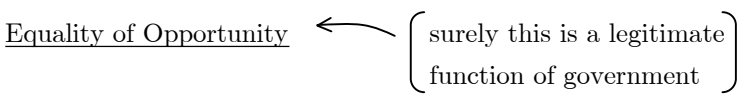
One Argument for Equality



Example: Medical Care. This should be distributed on the basis of need.



What about "minimal egalitarianism"



Nozick: 2 Ways to Achieve it:

- (1) Worsening situations of those more favored with opportunity
- (2) Improving situations of those less well-favored

Nozick claims: (2) implies (1) (2) requires use of resources, and someone will be entitled to these - cannot forcibly appropriate such resources

Possible Objection

Those with better opportunities block and impede those having lesser opportunities from becoming better off



Suppose the better-off did not deserve/earn their better status.
Suppose the lesser-off are more deserving.

(Desert- (merit-) based distribute justice)

Dumb Suitor Example

(A) Stupid, ugly boyfriend (B) Smart, handsome boyfriend

Woman chooses B to marry.
⇒ B impedes A.
Under merit-based theory, it would be just to appropriate resources to equal-out playing field (eg, finance cosmetic surgery/college education for A).

Nozick's Entitlement Theory

No one has a right to something whose realization requires certain uses of things and activities that other people have rights and entitlements to.

There are no general rights to be in certain material conditions

There are only rights to life, liberty and property

Another Argument for Equality

Equality is necessary to promote self-esteem

Equality will lessen envy in society

Note: Opponents to egalitarianism may claim: People want equality because they are envious of others

Envious person: If there is an object someone else has, and he can't have it, then he prefers neither one have it to the other having it and his not having it

How equality promotes self-esteem:

- Self-Esteem - based on differentiating characteristics
- based on comparisons with others

So when everyone is equal, no basis for comparison and envy.

Nozick's Response: $\left[\begin{array}{l} \text{Reducing differentiating} \\ \text{characteristics will make} \\ \text{envy more severe} \end{array} \right] \Rightarrow \left[\begin{array}{l} \text{Only few "standards" to} \\ \text{measure oneself by - most of} \\ \text{us will not measure up} \end{array} \right]$

Nozick's Preference: $\left[\begin{array}{l} \text{Allow as much} \\ \text{diversity as possible} \end{array} \right] \Rightarrow \left[\begin{array}{l} \text{Guarantees that everyone} \\ \text{will be good at something} \end{array} \right]$

Problem: $\left[\begin{array}{l} \text{Is self-esteem based solely} \\ \text{on comparisons with} \\ \text{others?} \end{array} \right]$

II. Capitalism (Entitlement Theory - very pro-capitalism)

Two general criticisms of Capitalism ← From later Marx

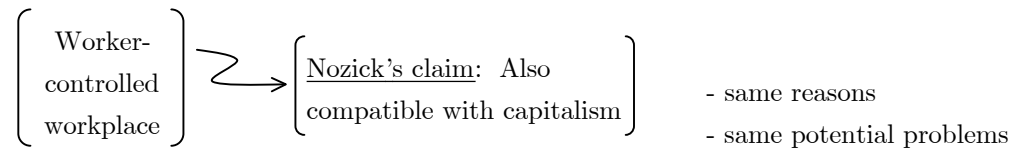
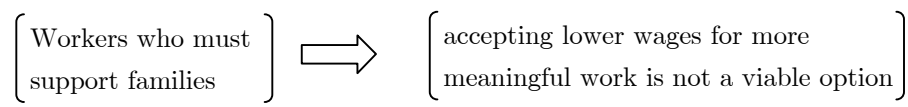
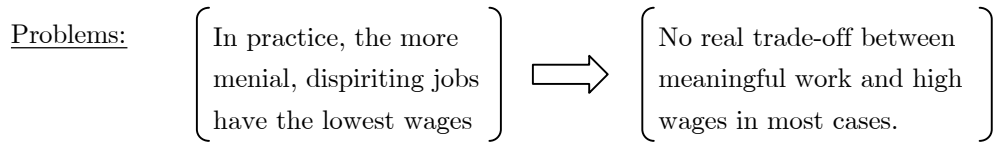
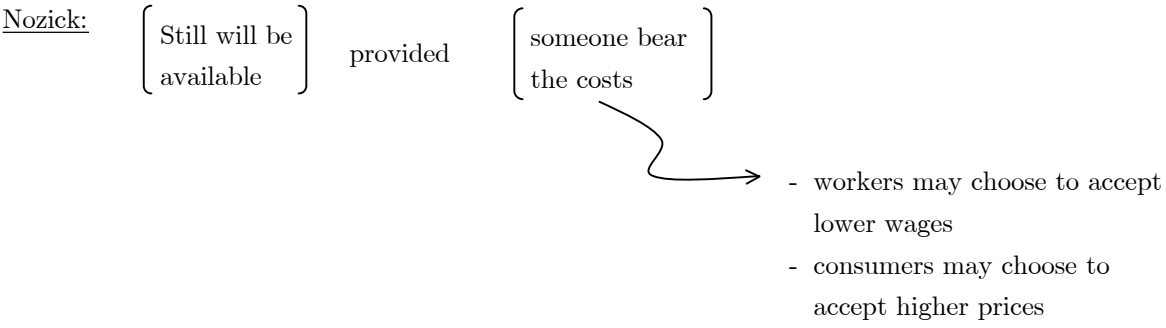
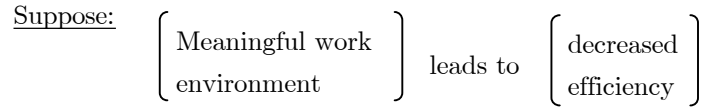
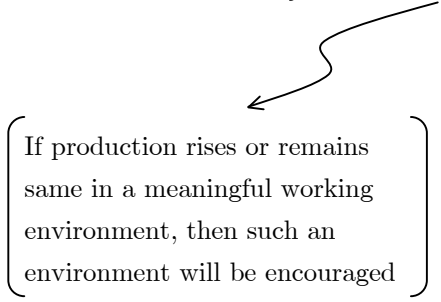
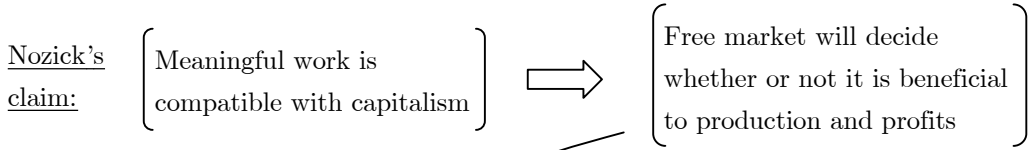
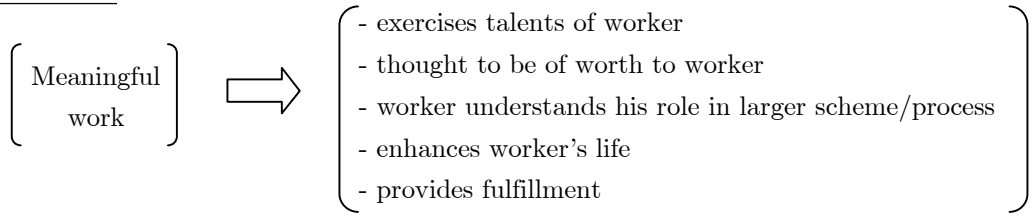
- (A) Workers are alienated
- (i) No meaningful work
 - (ii) No control over activity

- (B) Workers are exploited:

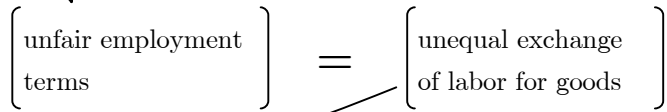
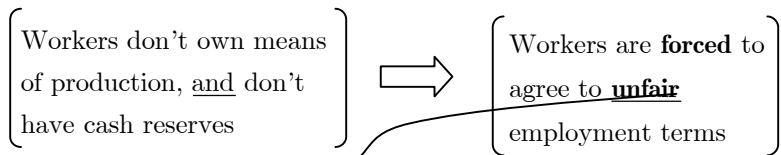
$\left[\begin{array}{l} \text{Workers don't own means} \\ \text{of production, and don't} \\ \text{have cash reserves} \end{array} \right] \Rightarrow \left[\begin{array}{l} \text{Workers are **forced** to} \\ \text{agree to **unfair}** \\ \text{employment terms} \end{array} \right]$

Possible argument in favor of extensive government to protect workers' rights. Nozick must respond.

(A) Alienation



(B) Exploitation

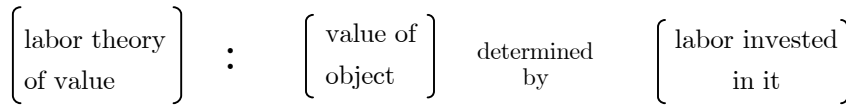


Example: I work 10 hours for \$50. But \$50 only buys products that took 5 hours to produce. } wages must be lower than price of product for capitalist to make profit

Aside: Nozick claims - Exploitation will exist in this form in any society in which investment for future growth occurs, or in which those unable to work are subsidized by the labor of others

i.e. - Exploitation is neither unique to capitalism, nor something a Marxist should always consider wrong

Unfair under:



Nozick's Claim: Incoherent theory reduces to: value of object determined by free market

Problems with Labor theory of value:

- Can't explain
- value of found natural objects (valued above labor necessary to get them)
 - value of rare goods
 - value appreciation/depreciation over time
 - differences in value due to skilled labor

Note: These are criticisms of the labor theory of value taken as a descriptive theory (that attempts to explain how we actually ascribe value to objects). Not criticisms of the labor theory of value taken as a prescriptive theory (that attempts to explain how we ought to ascribe value to objects).

Capitalism and fairness under the entitlement theory of justice

Capitalism allows divestment from risks of start-ups

Capitalists bear these risks. Workers do not.

Workers trade possibility of large profits for security against large losses

Employment terms are mutually advantageous to both parties

Nozick: Capitalists are entitled to these rewards

Capitalist profits are rewards derived from their willingness to take risks

CEO salaries justified: ~\$290 million in 2000 for Citicorp CEO

Capitalism and force

Voluntary Exchange

Are workers forced to work? (i.e., work or starve)

Nozick's Claim:

Whether a person's actions are voluntary depends on what it is that limits his choices

Claim:

When your choices are limited by other peoples' actions, your final decision is voluntary so long as those others had the right to act as they did

Marriage Example

<u>26 men</u>	<u>26 women</u>
A	A'
B	B'
C	C'
⋮	⋮
Z	Z'

- All of A-Z prefer to marry A'-Z' in that order (and *vice-versa*).
- Decision to marry made in that order.

So, *eg*, C prefers A' first, B' second, etc, but settles for C'.

Z and Z' only have one choice.
 Is their decision to marry each other voluntary?
 Nozick: Yes.

So: $\left(\begin{array}{l} \text{Worker who chooses work over starvation does} \\ \text{so voluntarily, so long as those whose actions} \\ \text{affect this choice do not violate rights.} \end{array} \right) \leftarrow \begin{array}{l} \text{different from} \\ \text{highway robbery} \end{array}$

**Possible
Objections**

Under this notion of force (involuntary action):

- (a) Criminal rightfully imprisoned is not forced to remain in jail
- (b) Miners trapped in cave-in not forced to remain where they are until rescue

**Related
Concern**

$\left(\begin{array}{l} \text{Workers have no say} \\ \text{in decisions that} \\ \text{affect their lives} \end{array} \right) \leftarrow \begin{array}{l} \text{lay-offs, down-sizing,} \\ \text{transfers, etc.} \end{array}$

Entitlement Theory Response:

$\left(\begin{array}{l} \text{Others have no right to a say in} \\ \text{decisions that importantly affect} \\ \text{them that someone else has the} \\ \text{right to make} \end{array} \right)$

**Bus
Example**

- You lend your bus to a group for a year
- Group becomes dependent on bus
- After year, you take it back

Nozick: $\left. \begin{array}{l} \text{Group does not have the right to the} \\ \text{bus, even though your decision to take} \\ \text{it back will affect them adversely} \end{array} \right\} \begin{array}{l} \text{Against "Squatters' right" - right to something based} \\ \text{simply on having used it over a period of time.} \end{array}$

**"Symphony of the
Air" Example**

Symphony can only exist financially as long as famous conductor Toscanini heads it.
Members have no right to a say in Toscanini's decision to retire.

III. Charity & the Minimal State

“Free Rider”
argument

If no government compulsion (eg, taxation), individuals would not contribute to charity because:

- (1) Individual contributions would buy less (have less effect - no assurance everyone will
- (2) Individual contributions would cost more to the donor. ← (“sucker” mentality - contributor is put in worse position than those who don’t contribute)

Nozick’s
solution:

← If all prefer giving provided everyone else do also, then all can jointly contract to give contingent on others’ giving. Hobbesian contract