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From Each According to His Advantages, to Each According to His Disadvantages, or Not

Summary: Rawls and Nozick discuss the ownership of natural assets, or natural ambitions, drive, abilities, and talents. They argue on if people deserve their natural assets, if personal natural assets should be viewed as a collective asset, and if society should nullify the differences in natural assets. They also talk about the merits of a redistributive income tax and if the difference principle treats people unfairly. How do we best approximate nullifying advantages in natural assets? Some assets come from one's own efforts, but some of it comes from a lottery based on random genetic factors and familial upbringing. It is this fundamental question that Rawls and Nozick must answer and that is at the core of their disagreement. Rawls begins in response to Nozick's critique of Rawls's *A Theory of Justice*.

Rawls: The distinction between persons does not cause people to deserve their natural ambitions, drive, abilities, and talents. Because natural assets are distributed randomly according to some genetic and familial lottery completely out of an individual's control, no one has a deserving claim to their natural assets, and the distinctions between people is unearned and unnecessary. What one randomly received does not make him a person; it is his own will and decisions that makes him a person. But I am not advocating for a completely egalitarian distribution of natural assets. Income and wealth redistribution according to the difference principle does not entirely nullify the differences in natural assets; it simply allows those that the lottery disadvantaged, without the advantageous natural assets, to live fulfilling lives not in

poverty. We are still recognizing every person as an individual. Some flattening of the distribution, one that is based on unfairly distributed natural assets out of people's control, will not devolve someone into being nonhuman, because people can still use their natural assets in whatever way they want; but if they want to climb the social and economic hierarchy with their unearned advantages, they must help the disadvantaged.

Nozick: People do deserve their natural ambitions, drive, abilities, and talents, and any hindrance to one's use of their natural assets is unjust. Firstly, any type of redistributive taxation is unjust and is akin to slavery because any entity, specifically the state, that takes the product of one's labor by force is stealing from them; taking one's work or product of their work without their consent is slavery. With that in mind, I completely reject the difference principle itself. But assuming the difference principle is fine for the sake of argument, let us continue with the discussion on nullifying natural assets: people, even if they are born with their natural assets, deserve them, according to my entitlement theory. Those with advantageous natural assets didn't do anything wrong to others; they are not hurting others or worsening others' situations by being more ambitious or talented. Admitting that they have no control of their natural assets, the state forces these people to help the poor, simply because of the lottery that is out of their control. Why should the government place the responsibility on them? One's ambitions and abilities are what defines him (because without it, what kind of will does he have?), and any reward that results from that is a just acquisition. To take that away, no matter at what magnitude, is simply unjust.

Rawls: It seems that we fundamentally disagree on the merits of a redistributive tax, because a tax on income is not the same as the coerced and tyrannical work of slavery. No one is forcing anyone else to work, but if they do work, they must contribute to help the poor. I will not

pursue this argument further. On natural assets: the fact that people do not deserve their natural assets is the very reason why it should be viewed as a common asset and should not be kept as personal property. Yes, the fact that they have more natural assets is the reason why they must help the poor; while it is not their choice, it was not the disadvantaged's choice to be born without helpful natural assets. Are we to throw up our hands to the sky and simply accept the fact that some people lose the lottery and not do anything about it when we clearly can? We are not "taking away" people's ambitions and talents, we are only requiring them to help the poor if they choose to utilize their unearned natural assets.

Nozick: Okay, let's say a redistributive tax is not taking away people's natural assets. But is it not a punishment simply because of their random conditions of their existence? Don't people develop, revise, and improve their abilities and talents as they continue through life? Don't people's ambitions change because of their life plan? Surely not everything someone does is a consequence of a lottery. It is one's choice to pursue certain things in following their life plan. Since you stress the importance of following a life plan, saying "free persons conceive of themselves as beings who can revise and alter their final ends and who give first priority to preserving their liberty in these matters" (*A Theory of Justice*, 131-132), then how is attempting to (partially) nullify the differences in natural assets, perhaps natural assets that they did earn, not a direct contradiction to your claim that a plan of life is the highest order interest? How do you quantify the difference between natural assets earned and natural assets unearned?

Rawls: Yes, the redistributive tax is a tax that, in your words, is a "punishment" for the distribution of assets that are out of one's control, but I would rather call it a compensation. That is the whole point: again, since people do not deserve their natural assets, and it is not the fault of the disadvantaged to not have natural assets that they can use to climb the social and economic

hierarchy, the distribution must be flattened out of fairness. Sure, some may improve their assets over time, but recognizing that as a reason to not redistribute does not account for the larger problem of unequal natural assets. As you even say, “perhaps it is best to view some patterned principles of distributive justice as rough rules of thumb meant to approximate the general results” (*Anarchy, State, and Utopia*, 231) if we were to rectify historical injustices. The difference principle does exactly that: we are rectifying the results of the injustice of natural assets. The difference principles is the best approximation to achieve that goal, despite minor interference with the already advantaged.

Nozick: I find it strange that you support a principle that directly interferes with your highest order interest of pursuing one’s plan of life, but apparently you don’t see it that way. Doesn’t the difference principle, especially since it is only based on only income, discriminate against certain people depending on whether they earned their natural assets or not? Say someone born with great natural assets decides, using his free will, he will rebel against the tyrannical and oppressive capitalist system, dispense with the normal societal ambition for more material goods, and live in on the edge of a swamp. But, since he prefers not to work, he collects government welfare checks from his cottage and sometimes goes to the nearby town to buy supplies in a necessary voluntary capitalist transaction within a system that he nonetheless despises, even though he is completely capable of high-income work. Then, we have someone else born without too many natural skills, but she decides, using her free will, that she will work her entire life to acquire the talents that she was not born with and meanwhile finds someone who inspires her to have ambition and drive to follow through with her plan of life. She finally gets to the top of the economic and social hierarchy, but the government taxes her to oblivion and removes all her benefits, despite the challenges she faced to achieve her position. If the

difference principle is supposed to do its best to nullify natural assets, then it appears it will fail in its mission. She is unfairly taxed, while the other guy is unfairly compensated.

Rawls: Your imaginary situation seems hardly representative of reality. Most people who will benefit from the difference principle are people who have legitimate claims of inability to work; most people will not wave away their rational desire for more goods, and most people are not so inspired as to completely change the course of their life and overcome their natural struggles. Now, there may be ways to fairly nullify natural assets without basing it on income, as it is certainly not a true marker for one's natural assets. It may currently be impossible to gauge and approximate the amount of born-natural assets one has, but I do not doubt it may become possible in the future with the exponential rate of technological progress. Since natural assets and social performance is determined at a very early age (and that is an accepted scientific claim), perhaps it is best to determine the amount of redistribution from early on in one's life, and then impose a tax on those who have advantageous natural assets and can pay it.

Nozick: Knowing your respect for the free choice of one choosing a plan of life, I hope you recognize the implications of a lump sum tax: it forces people to choose a path that may contradict their will and brings us even closer to slavery than what I had argued about a normal redistributive income tax. It appears you have a dilemma: treat people unfairly, have a tax system like slavery, or forego income redistribution altogether.

Rawls: I will return to my original position that the difference principle based on income is the best approximation to balance the influence of natural assets on economic and social performance. It's the best we can do if we are to partially nullify differences in natural assets based entirely on a lottery and factors completely out of one's control. After all, this theory of justice is one based on the original position that demonstrates complete unbiased treatment of

individuals in society through the veil of ignorance; the principles in my theory are the most fundamentally just if we are to recognize the undeserving claims of natural assets.

Nozick: Of course, you can simply ignore the differences in natural assets and take my theory of entitlement, where you don't need to deal with any problems of fairness in treating people equally. But alas, that issue is inferior to the need for justice as fairness and nullification of natural assets, despite the inherent contradiction with your idea of a highest order interest.

And with that, they departed. They had discovered their fundamental disagreements, but neither of their minds had been changed. Rawls, viewing natural assets as a collective asset, wants to nullify the differences in the natural assets distribution because they are unearned. No one deserves their advantages or disadvantages. He pushes back against Nozick's idea that the nullification makes people a lesser person, because the difference principle is not complete nullification and it is simply a redistributive income tax. Nozick believes any redistributive income tax is inaccurate in its aim and unfair in its execution because all are entitled to their natural assets and work. Any interference with them is a direct contradiction to Rawls's own idea of humanity's highest interest in a plan of life.

Is there a "right" conception of distributive justice? We many never know. It seems that these arguments are based solely on opinion, and several questions must be answered: Do we deserve our natural assets or not? How much of our ambitions, drive, talents, and abilities are because of our own efforts, if at all? How do we quantify these differences? As the debate about redistribution continues in our current political era, these conceptions of justice are at the core of our discussions, and we must understand these two arguments to have meaningful conversations about the course of our society.