

genetic disease, a natural disaster); we should mitigate the effects of this disadvantage so that, as far as possible, this does not adversely affect the rest of one's life. Providing equal access to advantage will require the state to redistribute goods (or access to goods) towards those who are disadvantaged.

The principle of need claims that justice requires that at least the basic needs of each person are met within society. The importance of each person being able to lead a decent life demands it. To ensure this, the state will have to provide for those who cannot meet their own needs. Since the goods necessary to meet these needs cannot come from nowhere, they will come from those who have more than they need.

One principle of desert claims that justice requires that people are rewarded in proportion to value of the contribution they make to social productivity. If the free market achieved this, then there may be little need for active redistribution. However, since it does not, redistribution is needed to correct imbalances produced by the market.

So we can't use the market to work out how socially valuable a product or activity is. So how can we? Given that any theory of social productivity will relate to human welfare, the objections faced by the needs-based theory regarding developing a theory of human welfare apply here as well.

### Objections

Should social justice be based on desert? First, justice does not always require people getting what they deserve. For instance, in a competition, it is the person who wins, not the person who deserved to win, who receives the prize.

Second, the initial remarks on desert suggest that we only deserve rewards that relate to our choices etc. We don't deserve rewards based on factors outside our control. But, for instance, the value of the contribution we make to social productivity will depend on what we can do and how much others value this – neither of which we can control. And, as discussed in the section on equality, we cannot separate out that part of our lives or work that comes from choice from that part which comes from natural ability and upbringing.

In any case, shouldn't we disconnect desert from responsibility? Doesn't an ill person deserve medical care? Indeed, doesn't just being a person deserve respect? If the answer is 'yes', then the theory of desert might include the theories of equality and need: there are some things people deserve in virtue of moral equality (respect...), some they deserve because they need them, and some they deserve because of what their particular traits and actions.

A third objection is that desert cannot define justice because it presupposes justice. You only deserve something if you deserve it in accordance with the rules – but the rules must also be just. If you contribute greatly to society, but through treating some people very badly, then perhaps you don't deserve rewards. We cannot say what anyone deserves before we know what justice requires.

Finally, if I get what I deserve, but everyone else gets more than they deserve, is this just? This idea of justice as *fairness* takes us towards a 'mixed' theory of justice, one that uses and combines a number of values, discussed in the handout 'Rawls and Nozick on justice'.

### **HOW CAN REDISTRIBUTION BE JUSTIFIED?**

A just distribution of goods requires state intervention. Each principle of justice considered so far requires that goods are *redistributed* in accordance with the principle of justice, i.e. that they are taken away from some people, e.g. through taxation, and given to others. However, justice is not the only political value. So a full justification of redistribution needs to consider justice in relation to other values, such as liberty. To address this fundamental issue, a theory needs to develop an account of, e.g., the nature of society and the relationship between the individual and society.

According to 'equal access to advantage', we can argue that no one should face disadvantages that do not result from their own choices. For example, children should not gain or lose advantages as a result of their parents' choices. Respecting the moral equality of each person from birth requires that one's parents' situation does not give unequal access to advantage. Or again, one may face disadvantage through brute luck (a

Fourth, does what counts as a need within a society change over time, in response to what is available in that society? For instance, do people need TVs now, or computers, or fridges? If we say ‘yes’, this looks like ‘needs-inflation’; but if we say ‘no’, given how much available entertainment, information and communication, and available food depends on these three appliances, does that not make life much harder for those who can’t afford them?

Finally, egalitarians will object that ‘need’ does not do justice to equality. Our third theory argues that people will not always need what they deserve, nor will they always deserve what they need.

## **DESERT**

According to desert theories, theories of equality and need do not adequately take into account human beings as *purposive agents*, responsible for what they do and creative in response to life’s challenges. People should be treated according to their specific qualities and actions. Distributed goods are rewards people receive in response to how they choose to live.

What is it that makes people deserve what they do if it is not need or equality? Four possible answers:

1. Effort: Justice requires that people are rewarded in proportion to the effort that they make in their work. People deserve to keep what they produce as a reward for the effort they put into making it.
2. Compensation: Not only effort but *all* the costs someone incurs through their work deserves reward, and they should be compensated accordingly.

These theories ignore whether the person produces anything good or useful. But promoting an evil goal surely deserves no reward! Only work (or other activities) that is *socially productive* deserves reward.

3. Contribution: The value of the contribution that people make in terms of social productivity determines what they deserve to receive.
4. Virtue: Aristotle argues that justice requires that the virtuous are rewarded. (*Nicomachean Ethics*, Book V, §3) So a person’s virtues in general determine what they deserve.

### **Working out desert**

We can object that the idea of rewarding desert is impractical. How can we identify what should count as effort or cost? Or how virtuous someone is? What about social productivity? Some philosophers think we can determine this through the ‘free market’. The market will reward someone in proportion to how valuable their contribution is.

Unfortunately, this simply isn’t true. First, the market distributes rewards not according to value but according to how much and how many people desire what is offered. Is a footballer more socially valuable than a nurse? Second, market values are affected by other factors, such as scarcity. Gold is more valuable than iron because it is rarer, not because it is more useful. But no one deserves a greater reward for providing something just because it is scarce, unless it is also crucial to social welfare.

people to produce more wealth. This raises the *total amount* of goods in society. As a result, relatively poor people in an inegalitarian society may still be richer than people in an egalitarian society.

## **NEED**

Marx defended a version of equality related to need. He argues in *Critique of the Gotha Programme* that theories of justice have concentrated far too much on distribution of goods and not enough on the question of *production*. The principle he proposes is ‘from each according to his ability, to each according to his need’. (However, he argues that this is not a principle of justice, as his future communist society is one that is beyond justice.) The idea that justice lies in meeting people’s needs reflects the ideals of community and solidarity. It is not, strictly speaking, a principle of equality, because what people need is not equal.

### Developing a theory of needs

What is a need? Can we distinguish between what someone needs and what they want, or is a need simply a very strong desire? We can argue that a need is not like a desire at all, because it is not a *psychological* state. Whether a child needs to take medicine doesn’t depend on whether it wants to take it. And even if it really wants more chocolate, it may need to stop eating it. A need is ‘objective’, while desires are ‘subjective’. What someone needs depends on facts about their health, in the broadest sense, both physical and psychological. A need is what is necessary to achieve some (minimal?) level of human welfare or flourishing. So for a need-based theory of justice to work, we need to develop a theory of human welfare.

But is there any objective theory of human welfare? Human beings are social and cultural animals, and what they need in order to flourish therefore depends on the society in which they live. The needs theorist can say either

1. what justice in a society requires is that we meet people’s needs in that society; so justice is relative to society; or
2. needs secure some minimum level of welfare, which is universal. What else is needed to flourish relative to a particular society is not a matter of justice.

### Objections

Even if we can develop a theory of minimum welfare, it may not establish what is necessary for justice. For example, it is plausible that some human needs – even basic ones – relate to sex and others to friendship. But we do not think that justice requires the state to meet *these* needs! But why not?

Second, there is the danger of ‘needs-inflation’. For example, suppose a basic measure of flourishing is longevity. Will anything that increases longevity – diet, lifestyle, medical developments – therefore count as a need? Does justice always require making these available to everyone?

Third, should justice be concerned with needs taken ‘absolutely’ or take into account comparisons between people within a society? If we include comparative measures, then as society becomes richer, people’s ‘needs’ increase. But if we avoid all comparison, society could contain *great* inequalities without any injustice – as long as everyone achieves a minimum standard of welfare.

same income, since people have different preferences, for some their income may be more than enough, for others it may feel like too little.

Strict equality also overlooks inequalities in what people *need*, e.g. people with disabilities may need expensive treatment. People also have different ambitions, with some working hard to achieve good things in life, others being lazy. Strict equality means that differences between people are being treated *unequally*. Finally, to live their lives equally well, people require equal *opportunities*. But what is an equal ‘amount’ of opportunity?

### Developing egalitarianism

Instead of strict equality, some philosophers argue for ‘equality of welfare’. The point of equality is for people to have equally happy lives. But first, there is a real difficulty in measuring this. Second, people who have ‘expensive tastes’ will require more money (or resources generally) to achieve the same level of happiness as someone who has simpler tastes. Fine wine costs more than orange juice. Does justice really require that they get these extra resources? (We discuss a different measure of equality of welfare, need, as a distinct principle of justice below.)

An alternative, then, is ‘equality of resources’, where this includes opportunities as well as material goods. Everyone’s ‘bundle’ of resources is equal if no one *envies* anyone else’s bundle. Once we achieve this, then how people handle their resources from then on is up to them. This will lead to inequality, but the purpose of justice, as it understood by egalitarians, is surely to eliminate any disadvantages people suffer that are *not the results of their own choices*. Differences between people that result from what they inherit genetically or through upbringing should be eradicated; but people are morally responsible for their choices and actions. If you choose to drink fine wine, you can’t expect extra money to support your choice.

We can object, however, if two people have different capacities (not resulting from their own past choices), then presenting them with equal resources will not ensure equality, because one will be able to do more with that resource than the other. To take everything into account, we should argue for ‘equal access to advantage’. People should be able to make equal use of whatever makes life go better (‘advantage’).

### Objections

Despite the increasing sophistication of egalitarianism, there are three strong objections to it.

First, we cannot ensure equality and respect the results of people’s choices, because it is impossible to distinguish between those aspects of people’s lives that result from their inheritance (genetic or upbringing) and those that result from their choices. For instance, strength of will makes a great difference to a person’s ambition and achievements. But is it itself inherited or related to choices? If both, what part each? What of people’s talents – inherited or developed through choice? In what proportion?

Second, objections from other political principles: any egalitarian principle of justice will restrict people’s freedom, especially if we try to maintain equality over time; and it will also conflict with what people deserve.

Third, we can object that *everyone* will be better off if we do not respect equality. Economic inequality, e.g. higher salary for better or more work, creates incentives for

## Competing Principles of Justice

Formally, justice is the principle that each receives their ‘due’. So we are required to treat equals equally, and if what someone is due depends on some quantifiable attribute (e.g. ability in some area), we should treat differences proportionally.

The concept of justice can be divided into two important strands: justice in punishment and justice in the distribution of goods in society. We will not discuss theories of punishment. Justice in the distribution of goods divides into ‘political’ justice, regarding the distribution of basic liberties and rights; and what the syllabus calls ‘social, economic or distributive justice’, regarding goods such as money and opportunities. Our main focus will be on the latter.

A theory of distributive justice develops and defends a principle of distribution. First, this specifies which ‘goods’ are being considered, e.g. happiness, liberty, income, wealth, or opportunities. Second, the principle may say how to divide the good up. We shall look at three suggestions.

### EQUALITY

Different interpretations of ‘equality’ are relevant to justice. First, as already noted, justice involves *formal* equality. Second, there is the idea that, *morally* speaking, all people are equal, e.g. all people deserve moral respect or have the same natural rights. This idea has not been popular historically, with many societies discriminating on grounds of sex, race or caste.

On the basis of moral equality, we may argue for ‘assumed’ equality: justice requires a distribution of strict equality unless we can give good reasons why another distribution would be better. Inequalities need to be justified. If we argue that inequalities cannot be justified, we get egalitarianism, the view that justice requires equality. Most philosophers hold this in relation to basic rights and liberties (political justice), but reject it for social justice.

Egalitarianism is certainly impractical in society as we know it, but the question is ‘what does justice *require?*’, not ‘can we bring about justice in society?’. Our question and discussion is therefore, in the first instance, theoretical. However, the point is always to develop a theory that *can be used* in some way to inform political thinking and events.

#### Strict equality

The simplest argument for egalitarianism is that people should receive equal amounts of goods, as this is the best way to respect their moral equality. But immediately there are problems. First, what counts as the same ‘amount’ of goods? We could say that people should receive exactly the same goods – food, house, means of transport, etc. But this is bizarre, and it is not a good interpretation of equality, because people have *different preferences*. And suppose we create strict equality – if we allow people any form of freedom with their money, inequalities will quickly emerge. Even if we give them the