

EQUALITY AND JUSTICE

Equality



EQUALITY AND JUSTICE

Hoffman and Graham:

Equality is a widely used political term, frequently misunderstood.

Political Left – supported as a way to create a more equal society

Political Right – criticized a drive to uniformity or a suppression of individual initiative.

EQUALITY AND JUSTICE

Types of Equality



EQUALITY AND JUSTICE

1. *Formal* Equality

If two people are alike in all respects, then there is no reason to discriminate between them. Are any two people alike??

EQUALITY

to a conservative



to a liberal



EQUALITY AND JUSTICE



2. *Moral* Equality

Presented in a negative form as a rejection of natural hierarchy, or natural inequality.

EQUALITY AND JUSTICE

3. *Equality Before the Law*

A widely accepted foundational belief of many, if not most societies.



EQUALITY AND JUSTICE

4. *Equal Liberty*

Is the political right correct to assume that equality and liberty (freedom) conflict?



EQUALITY AND JUSTICE

Starting wage of Walmart worker next year:

\$10 an hour

Hourly retirement pay of former Walmart CEO:

\$1,070 an hour

Hourly "earnings" for four Walmart heirs
over last 5 years:

\$445,776 an hour

Walmart can do A LOT more for its workers!

5. *Material Equality*

**Distribution of
income,
education,
health care,
etc...**

EQUALITY AND JUSTICE

6. *Equal Access*

Placing barriers in the way of certain groups acquiring material goods (jobs and services, etc...)



EQUALITY AND JUSTICE



7. *Equality of Opportunity*

Commands strong rhetorical support across the political spectrum

(the 100 yard dash)

EQUALITY AND JUSTICE

8. *Equality of Outcome*

Critics contend that egalitarians want to create a society where everybody is treated equally, irrespective of personal differences or individual choice.



EQUALITY AND JUSTICE

9. Affirmative Action

Umbrella term covering a range of policies intended to address the material deprivations suffered by historically discriminated groups.



EQUALITY AND JUSTICE

**Moral Autonomy,
Moral Equality,
and the
Enlightenment**



EQUALITY AND JUSTICE

For **Hoffman and Graham**:

The political implications of these philosophies are:

- 1) inequality must be justified and not dismissed as “the way of the world” and;
- 2) humans are *rational* (therefore capable of advancing and understanding arguments which lead to equality or inequality).

EQUALITY AND JUSTICE


Moral equality for **John Rawls** requires a “veil of ignorance” (not knowing our natural abilities, class, gender, religious or other beliefs) in order to discover which political principles we support...

EQUALITY AND JUSTICE

Moral equality for **Robert Nozick** requires that individuals have strong rights to self-ownership, they enjoy these rights equally, therefore we cannot do certain things, including taxing someone's legitimate earnings, etc...

EQUALITY AND JUSTICE

Affirmative Action Policies (p 70):

1. *Encouragement* – the job is advertised in newspapers read by particular communities, such as ethnic minorities.
 2. *Tie-breaking* – if two people are “equally qualified” then you choose the person from the “disadvantaged group.” This is the weakest form of affirmative action.
 3. *Handicapping* – An example of this would be requiring higher entry points, or grades, for applicants to university from wealthy backgrounds.
 4. *Quota system* – a certain percentage of jobs must be filled by a particular group – this is usually subject to a requirement of minimum competence.
- 

EQUALITY AND JUSTICE



EQUALITY AND JUSTICE

Justice

As described by

John Rawls in *A Theory of Justice* (1972)

and

Robert Nozick in *Anarchy, State, and Utopia* (1974)

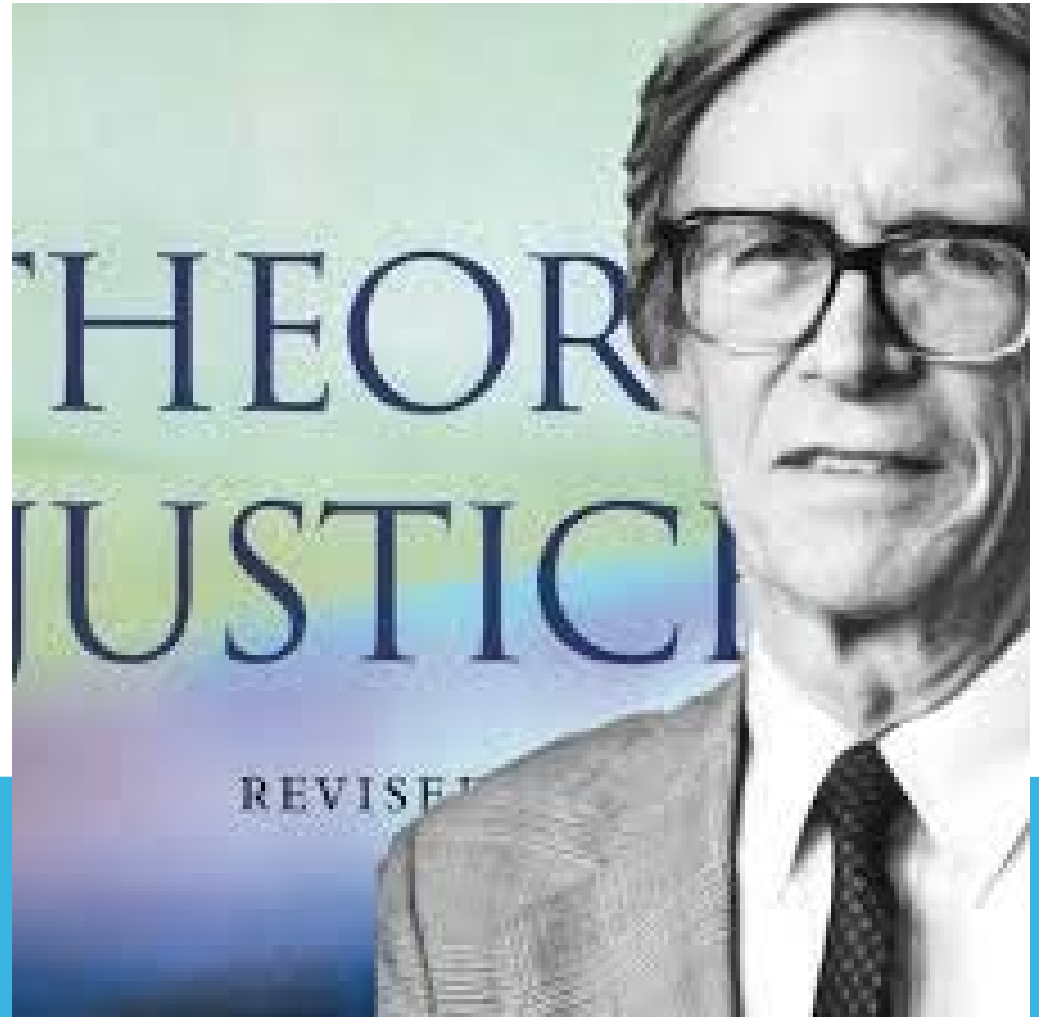
Begin this section with the exercise on page 77

EQUALITY AND JUSTICE

In contradistinction to the dominant 19th century theories associated with *utilitarianism*, Rawl's work focused on how we make moral decisions about distribution of resources (material, freedom, political power) and argued that his theory of justice would be significantly more “redistributivist” or egalitarian.

EQUALITY AND JUSTICE

His theory has two parts: 1) an explanation of how we decide what is just, and 2) a discussion of what he believes we would decide is just.



EQUALITY AND JUSTICE

He begins with a thought experiment he calls the “original position” which requires a “veil of ignorance” of the following: you do not know your class or social position, natural assets and abilities, strength and intelligence, particular psychological characteristics, gender, to which generation you belong, etc...However, you do know that you live in a society characterized by scarcity. In this original position, how would you want income to be distributed? For an analysis and discussion, see page 81.

EQUALITY AND JUSTICE

Rawls argues that faced with the choices on page 81, as rational agents in the original position, people would pick number 10 (realizing that they could end up in the bottom quarter of society and wanting to be as well off as possible).

The Democratic Conception: The Two Principles of Justice

1. *Equal Liberty* – each person guaranteed a set of basic liberties

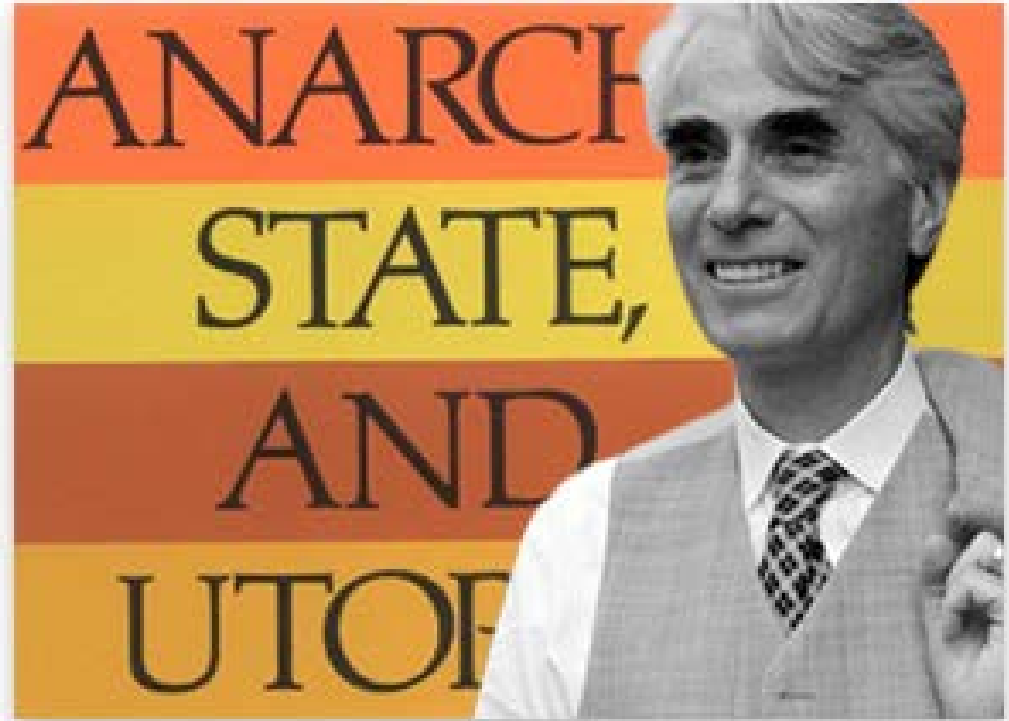
2a. *Equal Opportunity* – there must be equal access to jobs and services

2b. *Difference Principle* – inequalities are only justified if they benefit the least advantaged members of society.

Rawls suggests that the rational strategy is to pick B2. Do you believe we would?

EQUALITY AND JUSTICE

Robert Nozick advances an alternative to Rawl's egalitarian theory of justice. He seeks to defend the notion of the state against philosophical anarchists who argue that the state can never be justified. He defends instead the idea of a *minimal* state.



EQUALITY AND JUSTICE

A minimal state provides security only. A more extensive state (one that intervenes in the economy and provides welfare benefits) cannot be justified. **Jonathan Wolff** calls **Nozick** a “one-value” political philosopher, that one-value being the *right* to private property, which by definition excludes other people from the use of something. **Nozick’s** “entitlement theory” of justice is thus based on the inviolability of private property rights. There are 3 parts to this theory:

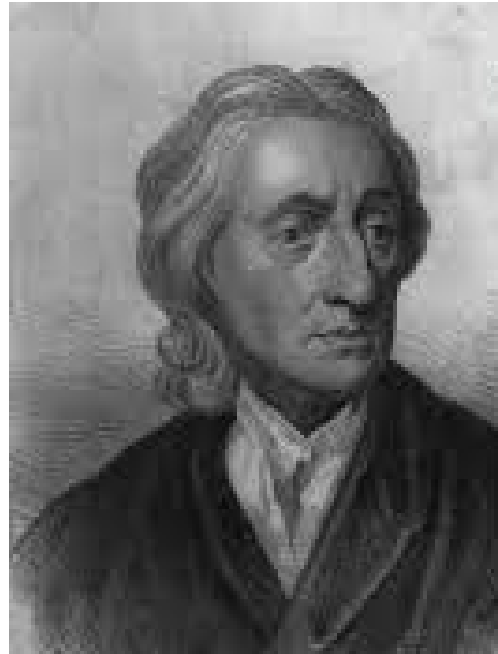
1. Just Acquisition
2. Just Transfer
3. Rectification

EQUALITY AND JUSTICE

Just Acquisition

Locke and Nozick

First question: how did anybody acquire the right to exclude other people from something?



"All mankind... being all equal and independent, no one ought to harm another in his life, health, liberty or possessions."

John Locke

EQUALITY AND JUSTICE

Locke attempted to answer this by reconciling *Christianity* (the dominant ideology under feudalism), with *capitalism* (the ascending ideology growing out of the Enlightenment)? He utilized 3 Christian premises:

1. God had entrusted the material world to human beings, who were its stewards and thus had a duty to respect it.
2. The implication of 1 is that the world is owned in common by humanity.
3. God as creator had rights to what he created. As God's creatures human beings have a duty to God to preserve themselves.

The problem for **Locke** according to Hoffman and Graham?

EQUALITY AND JUSTICE

Capitalism poses
a challenge
because it is
wasteful of
natural
resources
which violates
stewardship;
(climate change?)

THIS CHANGES EVERYTHING
**CAPITALISM vs
THE CLIMATE**

EQUALITY AND JUSTICE

Capitalism
implies private
ownership and
not common
ownership;



EQUALITY AND JUSTICE

Capitalism pushes large numbers of people into poverty and starvation thus undermining their capacity to fulfil their duty to God to preserve themselves.



EQUALITY AND JUSTICE

Just Transfer

Locke and Nozick

Second question: Can one justly transfer what you have not justly acquired? (should we “forbid capitalist acts between consenting adults”?)

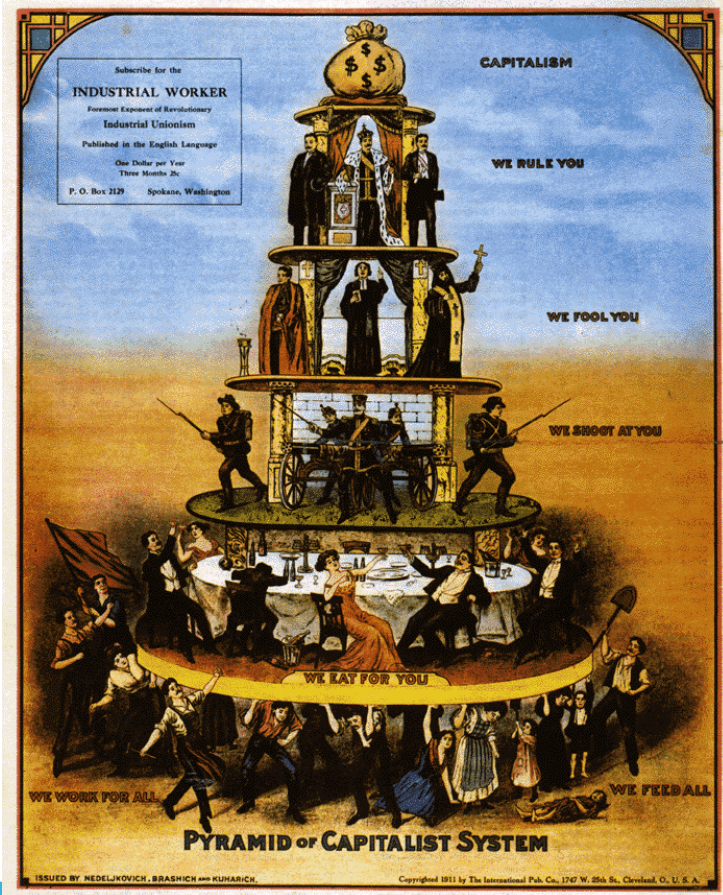


EQUALITY AND JUSTICE

Rectification

Locke and Nozick

Third question: If something is acquired or transferred as a result of fraud, theft, or force, what mechanism exists to rectify the situation?



Example: if you steal a dollar and make a million dollars as a result, what should you pay back – the dollar or a million dollars?

EQUALITY AND JUSTICE

**Gerald Cohen and the
Marxist Perspective
on Distributive
Justice**



EQUALITY AND JUSTICE

First, some necessary background on Marxism.

As **Hoffman and Graham** show, **Marx's** critique of private property has to be located in his theory of history: as humans become more productive, this generates two struggles – a struggle against nature and a struggle between human beings over the “mode of production” or structure of economic organization. In all forms, there is a class relationship built on exploitation (i.e. slavery in ancient modes of production, exploitation of labor under capitalism). For **Marx**, the key features of capitalism included:

EQUALITY AND JUSTICE

Ownership

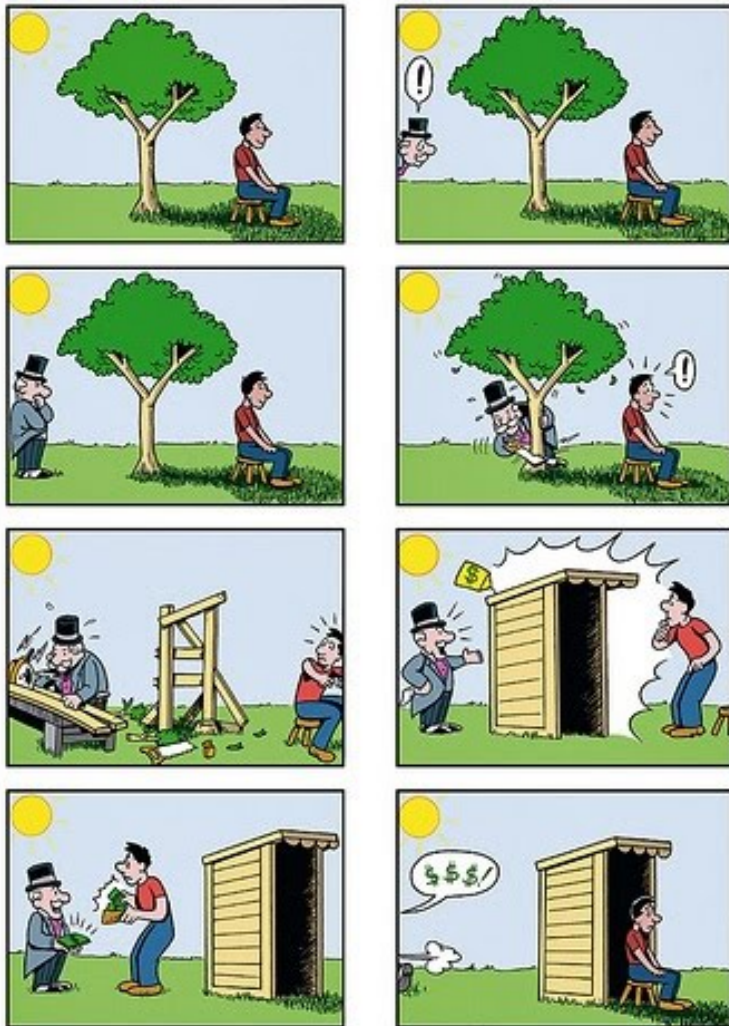
Which pits the capitalists (bourgeoisie) against the proletariat (the working class)



EVERY MORNING
I WAKE UP ON
THE WRONG SIDE OF
CAPITALISM

EQUALITY AND JUSTICE

CAPITALISM



Capital

Which can be defined as an “expanding source of value” is unequally owned.

EQUALITY AND JUSTICE

Exploitation

The true value of labor is not the price it commands in the market (the wage) but the amount of time that goes into the production of the commodity (labor value). Workers do not receive the full value of the product.



EQUALITY AND JUSTICE

*Use Value and
Exchange Value*



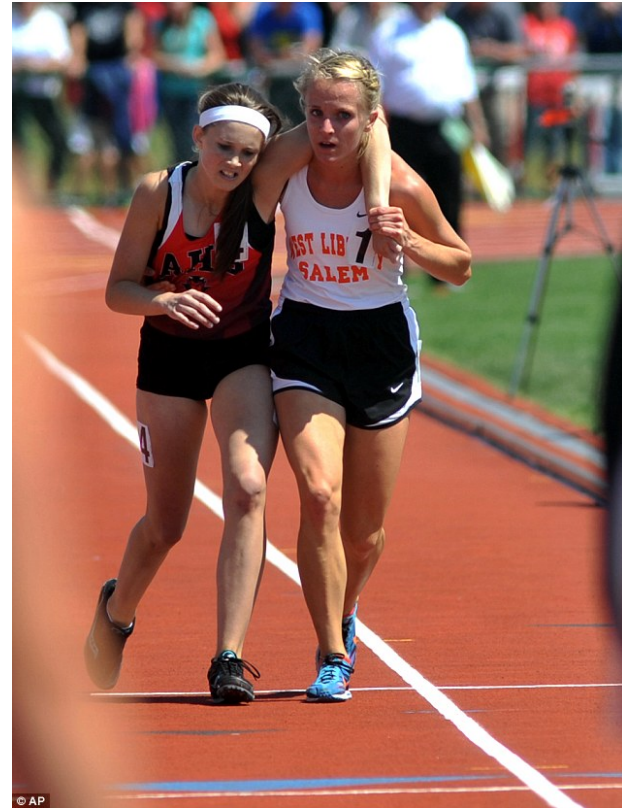
The value you get from a commodity (UV) and its price (EV).

Every commodity has use value, but not everything that has use value is a commodity (i.e. air).

EQUALITY AND JUSTICE

Markets

The interaction between individuals that takes place through the “laws” of supply and demand.



Marx argues that the market is not in long-term equilibrium (it actually has continual booms and busts), and that the market assumes people are by “nature” selfish. But are they? What does history show?

EQUALITY AND JUSTICE

Cohen vs. Nozick – Capitalism does give people the freedom to buy and sell labor, but defenders of capitalism make an illegitimate claim that society is comprehensively free: they falsely equate “capitalism” with the “free society.” In fact, capitalism does not guarantee the maximum amount of freedom possible, because a moralized definition of freedom is used – that is, the validity of private property rights is taken for granted, such that freedom comes to be defined in terms of private property, and any infringement of it is a reduction of freedom.

EQUALITY AND JUSTICE

Cohen vs. Rawls – There are three main Marxist objections:

1. **Rawls** has an incoherent model of human psychology (motivation).
2. **Rawls** restricts the principles of justice to the basic structure of society, and that conceals exploitation.
3. **Rawls** rejects self-ownership as morally irrelevant to the distribution of resources.

EQUALITY AND JUSTICE

So, I suppose we should end this section by going back to the beginning (our thought experiment on page 77) and see if anyone has changed their mind on which types of taxes are “fair” and which ones are not....

EQUALITY AND JUSTICE



EQUALITY AND JUSTICE

.....Sorry, had to throw that in. It is in honor of our next unit on “democracy”