

Rawls vs. Nozick: Competing Visions of Justice and Society

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The political theories developed by philosophers John Rawls and Robert Nozick offer opposing arguments for building an ideal society. For Rawls, society isn't simply individuals residing within the same borders but a basic structure of social cooperation and mutual benefit—one that necessitates the establishment and continuing support of political, legal, and economic institutions. On the contrary, Nozick's ideal society takes a minimalistic approach, resting on self-ownership and voluntary transactions without governmental interference. While Nozick's argument for self-ownership offers an appealing interpretation of individual freedom, it fails to consider the necessary role that social cooperation plays in achieving personal success and justice, as emphasized in Rawlsian thought.

Rawls' Principles of Justice and the Original Position

In his political philosophy, John Rawls proposes the original position as a hypothetical scenario crafted to establish fair and unbiased principles of justice. Rawls conceptualizes the original position as a neutral starting ground for selecting the principles to create a just society. The impartial foundation posited by the original position ensures equality in the adopted principles and protects them from manipulation by any parties. Removing power imbalances and eliminating unfair advantages in the original position obstructs advantageous groups from implementing unjust rules that benefit them at the expense of others.

Rawls argues that all parties in the conjectural society are driven by self-interest, naturally prioritizing their own accumulation of primary goods to the greatest extent possible. He defines primary goods, like liberty, rights, and wealth, as goods that enable one's ability to participate in and benefit from social cooperation, which Rawls identifies as the basis for a just society. Rawls proposes that those in the original position should be the ones who choose the principles of justice—by which primary goods are allocated—to establish fair, impartial, and just rules that dictate society. However, the only way to guarantee these goods' fair and just distribution is through what he identifies as the veil of ignorance. Rawls' veil of ignorance strips away all knowledge of personal identities, socioeconomic background, and personal beliefs, leaving individuals blind to any qualities that would make them susceptible to discrimination when selecting principles of justice. Therefore, when deciding societal rules, individuals are ignorant of their identity—meaning one could be rich or poor, non-disabled or disabled, talented or disadvantaged. The veil of ignorance prevents the perversion of justice by self-interest and bias by assuming the worst-off position, meaning one would want the societal structure that protects the least advantaged and is blind to arbitrary characteristics such as race, gender, and wealth.

Rawls believes the original position would necessarily reject utilitarianism—a theory that prioritizes the happiness of the greatest number of people, even if it puts the minority at a disadvantage—as it fails to protect individuals from becoming a sacrificial means to an end.

Understanding that people in the original position are blind to their identity, unknowing whether they would fall in the majority or minority, Rawls argues that they would reject a system with the ability to justify their oppression.

Nozick's Minimal State and Self-Ownership

In response to Rawls' focus on positive freedom—the right to act through social means—Robert Nozick offers a libertarian argument grounded in absolute negative freedom—protection from interference. Nozick argues for the prioritization of self-ownership, in which individuals possess absolute moral rights over their bodies, talents, and labor. This naturally extends to external property; what we mix our labor with or acquire through voluntary exchange becomes ours by the same right. Self-ownership is analogous to the rights one has over their material possessions, giving them the ability to buy and sell ownership rights as one would with land or cattle; however, this right finds its limit when exercising it would violate the self-ownership or property rights of another individual. For Nozick, just as no one can take what you have legitimately acquired, it is also true that the state cannot redistribute property without consent—to do so would be equivalent to taking a piece of a person themselves.

The most substantial difference between Nozick's and Rawls's visions is redistribution. The liberal state, as supported by Rawls, supports the redistribution of resources to ensure fairness. In contrast, the minimal state rejects redistribution, viewing it as theft and a violation of self-ownership. Rawls offers the difference principle as a basis for government interference in reducing inequalities, arguing that redistribution should serve to improve opportunity for the less advantaged and decrease the disparity between the least and most fortunate. In an appeal to rational self-interest, Rawls argues on behalf of the difference principle, believing that individuals under the veil of ignorance would only permit inequalities that benefit society's worst-off. Conversely, Nozick's minimal state only permits redistribution through voluntary and contractual exchange, as forced redistribution violates negative freedom—the absence of external interference. Therefore, state-enforced redistribution programs such as welfare, healthcare, and wealth taxes violate self-ownership and property rights.

Critiquing Nozick: The Necessity of Social Cooperation

Though Nozick's identification of self-ownership as the sole element of individual freedom seems convincing at first glance, its lack of consideration for the complexities of natural human behavior and the importance of community weakens its viability as a compelling argument. Rawls' focus on social cooperation acknowledges that genuine freedom requires collectivity, which self-ownership neglects in its isolation of individuals by transactional agreements. While self-ownership can be an attribute of personal liberty, positive freedoms realized through collectivism play a key role in one's ability to obtain individual freedom. Societal reciprocity boosts individual freedom by creating the conditions under which personal autonomy becomes meaningful.

Works Cited

Rawls, John. *A Theory of Justice*. Belknap Press of Harvard University Press, 1971.

Nozick, Robert. *Anarchy, State, and Utopia*. Basic Books, 1974.