

A Comparative Analysis Of The Ideas Of Robert Nozick And John Rawls

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Introduction

John Rawls and Robert Nozick offer two of the most influential modern accounts of justice, liberty, and the legitimate state. Rawls asks which principles free and equal persons would choose for the basic structure of society under fair conditions. Nozick begins from strong individual rights and asks how any state could arise without violating them. Their disagreement is not accurately described as compassion for the poor versus a belief that poor people deserve poverty. Rawls defends equal basic liberties and permits inequality when institutions are fair and improve the position of the least advantaged. Nozick rejects patterned distributions because he believes justice depends on how holdings were acquired and transferred, not on whether the final pattern matches a preferred level of equality. (Rawls, *A Theory of Justice*; Nozick)

The contrast therefore concerns the moral unit of political evaluation. Rawls evaluates the institutional rules that shape people's life prospects. Nozick emphasizes the historical rights of individuals over their persons and property. Both theories protect liberty, but they define threats to liberty differently. Rawls worries that social and economic institutions can make formal freedom practically unequal. Nozick worries that redistribution can make individuals serve purposes they did not choose. (Rawls, *A Theory of Justice*; Nozick)

Rawls's Project: Justice as Fairness

Rawls presents society as a cooperative system whose major institutions distribute rights, opportunities, income, wealth, and the social bases of self-respect. He does not begin by asking how to maximize total happiness. He asks what principles would be fair among persons who regard themselves as free and equal but know that real societies contain differences in talent, family circumstances, class, health, and fortune. (Rawls, *A Theory of Justice*; Rawls, *Justice as Fairness*)

His theory is constructed through the original position, a hypothetical situation in which representatives select principles of justice behind a veil of ignorance. They do not know their class, race, gender, talents, religion, generation, or conception of the good. This device is not a claim that actual people forget who they are. It is a method of excluding morally arbitrary advantages from the choice of principles. A person who does not know whether they will be rich or poor has reason to reject institutions that expose the worst-off to severe and avoidable deprivation. (Rawls, *A Theory of Justice*; Rawls, *Justice as Fairness*)

Rawls's Two Principles

Equal Basic Liberties

Rawls's first principle gives each person an equal claim to a fully adequate scheme of basic liberties compatible with the same liberties for others. These include political liberty, freedom of conscience, freedom of thought, freedom of association, personal integrity, and protections associated with the rule of law. The first principle has priority over economic gains. A government cannot justify suppressing political speech merely by claiming that doing so will increase national income. (Rawls, *A Theory of Justice*; Rawls, *Justice as Fairness*)

Fair Equality of Opportunity

Rawls's second principle applies to social and economic inequality. Offices and positions must be open under conditions of fair equality of opportunity. This requires more than formally allowing everyone to apply. People with similar talent and willingness should have reasonably similar prospects regardless of the class into which they were born. Education, health, discrimination, inherited advantage, and political influence therefore matter to justice. (Rawls, *A Theory of Justice*; Rawls, *Justice as Fairness*)

The Difference Principle

Inequality is permissible when it is arranged to the greatest benefit of the least advantaged members of society. The difference principle does not require equal income, nor does it prohibit incentives. Higher pay for scarce expertise could be justified if the institutional arrangement improves the life prospects of those with the fewest primary goods compared with feasible alternatives. The principle is comparative: it asks which structure makes the least advantaged group better off, not whether every inequality directly transfers money to that group. (Rawls, *A Theory of Justice*; Rawls, *Justice as Fairness*)

Nozick's Project: Rights, Acquisition, and Transfer

Nozick's *Anarchy, State, and Utopia* responds in part to redistributive theories such as Rawls's. He begins from the idea that individuals have rights that constrain what others, including the state, may do to them. People are separate persons with their own lives. They cannot simply be used as resources for producing an attractive social pattern. (Nozick)

Nozick defends a minimal state limited primarily to protecting people against force, theft, fraud, and breach of contract and to enforcing rights. He attempts to explain how such a state could arise from

voluntary protective associations without violating rights. A state that goes beyond these functions by redistributing resources or directing personal choices requires a separate justification that Nozick generally finds inadequate. (Nozick)

The Entitlement Theory of Justice

Justice in Acquisition

A person may be entitled to a holding if it was acquired justly from unowned resources. Nozick draws from John Locke but recognizes a proviso: appropriation must not worsen the position of others in the relevant sense. This part of the theory is difficult because real property histories often involve conquest, colonization, enslavement, exclusion, and state grants rather than clean first acquisition. (Nozick)

Justice in Transfer

A holding may also be just when it is received through a voluntary transfer from someone entitled to it. Gifts, exchanges, and wages can satisfy this principle when they are genuinely voluntary and free from fraud or coercion. Nozick argues that repeated free choices can disrupt any preferred pattern of distribution. (Nozick)

Rectification of Injustice

If acquisition or transfer was unjust, rectification is required. This third principle is crucial and often neglected in simplified accounts. Nozick does not claim that every existing fortune is legitimate merely because the current owner possesses it. Historical theft, slavery, discrimination, broken treaties, and fraud can create claims for repair. He did not provide a complete formula for rectification, leaving a major challenge for applying entitlement theory to actual societies. (Nozick)

The Wilt Chamberlain Argument

Nozick's famous Wilt Chamberlain example challenges patterned theories. Imagine that an initial distribution satisfies a chosen principle. Many people then voluntarily pay a small additional amount to watch a talented basketball player. Chamberlain becomes much wealthier. The new distribution no longer fits the original pattern, but every transfer was voluntary. Maintaining the pattern would require repeated interference with people's choices. (Nozick)

The example demonstrates tension between liberty and continuous patterned equality, but it does not settle every issue. Real markets rely on legal institutions, infrastructure, education, inherited assets,

bargaining power, and background rules. Whether a transaction is meaningfully voluntary can depend on those conditions. Rawls can argue that voluntary exchanges are acceptable within a just basic structure and that taxation need not continually cancel every unequal result. (Nozick)

Liberty in the Two Theories

Both philosophers reject the idea that society may sacrifice individuals whenever doing so increases total welfare. Rawls secures basic liberties through his first principle; Nozick secures side constraints against coercion. Their difference concerns the relation between property and social institutions. Nozick treats strong property rights as extensions of individual freedom. Rawls treats property rules as part of the basic structure that must be justified to citizens. (Rawls, *A Theory of Justice*; Nozick)

For Rawls, a person may be legally free to run for office yet lack fair political influence if wealth dominates campaigns and access. A child may be formally free to attend university yet lack a fair chance because of severely unequal schooling. For Nozick, correcting these inequalities through taxation risks violating the rights of those compelled to fund the correction. The dispute is therefore not liberty against equality in a simple sense; it is a dispute over which liberties are fundamental and what institutions make them fair. (Rawls, *A Theory of Justice*; Nozick)

Taxation and Redistribution

Nozick provocatively compares taxation of earnings from labor to forced labor because the state claims part of the product of a person's time. The argument expresses his concern that individuals own themselves and should decide how their labor benefits others. Critics respond that earnings are possible within a legal order that defines contracts, property, corporations, money, inheritance, and market enforcement. Taxation finances institutions that make economic activity possible and can be democratically authorized. (Nozick; Rawls, *A Theory of Justice*; Singer)

Rawls does not defend taxation without limit. Fiscal policy must fit equal liberty, fair opportunity, and the difference principle. A tax system could be unjust if it concentrates political power, blocks productive activity without benefiting the least advantaged, or burdens some groups arbitrarily. Rawls's framework evaluates the whole institutional scheme rather than assuming every redistributive program is fair. (Nozick; Rawls, *A Theory of Justice*; Singer)

Natural Talent and Moral Arbitrariness

Rawls argues that natural talents and social starting positions are morally arbitrary. A person may work hard, but the value the market assigns to that effort depends on abilities, demand, education, and institutions the person did not create alone. Society may allow talented people to earn more as an incentive, yet the resulting inequality should work within a cooperative system beneficial to all.

(Rawls, A Theory of Justice; Rawls, Justice as Fairness)

Nozick objects that speaking of talents as a collective asset risks treating talented persons as means for others. Even when no one morally deserves their natural capacity, they still possess themselves and may decide how to use it. This objection highlights a tension in Rawlsian language: institutions can regulate rewards without claiming ownership of persons. (Rawls, A Theory of Justice; Rawls, Justice as Fairness)

Historical Injustice

Nozick's historical approach appears especially powerful where property was acquired through obvious injustice. A present distribution cannot be justified solely by its pattern if the holdings arose from dispossession. Rectification may require returning property, compensation, institutional reform, or other remedies. However, tracing counterfactual ownership across generations is extremely difficult. (Nozick; Rawls, A Theory of Justice; Singer)

Rawls's approach may handle some consequences through fair institutions without reconstructing every transaction. Policies addressing segregation, unequal education, or inherited disadvantage can improve fair opportunity and the position of the least advantaged. Critics may argue that forward-looking distribution is insufficient when identifiable groups have specific claims arising from past wrongs. A complete theory of justice may therefore need both fair structures and historical repair. (Nozick; Rawls, A Theory of Justice; Singer)

Applications to Contemporary Policy

Health Care

A Rawlsian analysis may support broad access to essential health care because serious illness can destroy fair opportunity and the ability to use liberty. A Nozickian analysis would be skeptical of compelling individuals to finance extensive services, though voluntary insurance, charity, mutual aid, and limited public protection could be accepted depending on the argument. (Nozick; Rawls, A Theory of Justice; Singer)

Education

Rawls gives education a central role in fair equality of opportunity. Large inequalities caused by family wealth require institutional correction. Nozick protects parents' freedom to spend resources on their children and questions whether the state may equalize outcomes by restricting such transfers. The conflict shows how family liberty can reproduce social inequality. (Nozick; Rawls, A Theory of Justice; Singer)

Inheritance

Nozick's transfer principle generally protects voluntary gifts and bequests, subject to just prior ownership. Rawls may permit inheritance but regulate it when accumulated wealth undermines fair opportunity or equal political liberty. The issue tests whether property rights include an unlimited power to shape opportunities after the owner's death. (Nozick; Rawls, *A Theory of Justice*; Singer)

Strengths and Limitations

Rawls provides a systematic way to think about constitutional liberty, opportunity, and social cooperation. His veil of ignorance helps expose advantages that people might defend only because they know their own position. The theory's challenges include defining the least advantaged, identifying feasible alternatives, and translating abstract priorities into policy. (Nozick; Rawls, *A Theory of Justice*; Singer)

Nozick powerfully explains why individuals should not be treated as instruments of collective goals. His focus on acquisition, transfer, and rectification reveals that distributive snapshots can ignore history. His difficulties include specifying just initial acquisition, addressing unequal bargaining conditions, and developing a workable theory of rectification. A minimal state may also struggle to protect people whose formal rights are undermined by severe private power or deprivation. (Nozick; Rawls, *A Theory of Justice*; Singer)

Conclusion

Rawls and Nozick present rival but serious visions of a free society. Rawls asks citizens to choose institutions without knowing the advantages they will receive and defends equal liberties, fair opportunity, and inequalities beneficial to the least advantaged. Nozick begins with individual rights and evaluates holdings through just acquisition, voluntary transfer, and rectification rather than a preferred final pattern. (Nozick; Rawls, *A Theory of Justice*; Singer)

Rawls should not be reduced to simple equality, and Nozick should not be portrayed as believing that poor people deserve suffering. Their disagreement concerns whether justice primarily governs institutional distributions or protects historically grounded entitlements against redistribution. Contemporary debates about taxation, health care, education, inheritance, and reparative justice continue to draw from this unresolved tension. (Nozick; Rawls, *A Theory of Justice*; Singer)

Works Cited

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