

Introduction to *Equality and Justice: Distribution of What?*, Peter Vallentyne, ed., Routledge, 2003.

### Distribution of What?: An Introduction

Peter Vallentyne

This is the fourth volume of *Equality and Justice*, a six-volume collection of the most important articles of the twentieth century on the topic of justice and equality. This volume and the second part of *Volume 5: Social Contract and the Currency of Justice* address the question of what kinds of good are relevant for justice (welfare, initial opportunity for welfare, resources, capabilities, etc.) Other volumes address the following issues: (1) the concept of justice, (2) whether justice is primarily a demand on individuals or on societies, and (3) the relative merits of conceptions of justice based on equality, on priority for those who have less, and on ensuring that everyone has a basic minimum, of the relevant goods (Volume 1); whether justice requires equality of some sort (Volume 2); the question of who (animals, members of other societies, future people, etc.) is owed justice (Volume 3); contractarian conceptions of justice (part of Volume 5); and desert and entitlement conceptions of justice (Volume 6).

Justice is concerned with the distribution of goods of some sort, but there is great disagreement about what the relevant goods are. This debate has largely taken place within the context of egalitarian theory (what should be equalized?), but the issue is a general issue of justice (what kinds of things is justice concerned with?).

One view is that justice is concerned with the distribution of well-being (quality of life). Well-being can be understood as happiness, preference satisfaction, or some more objective conception of quality of life (e.g., one that would include knowledge or friendship independently

of their value for happiness).

There are, of course, many competitors to the well-being view. One defended by libertarians is that justice is concerned with certain formal freedoms (e.g., personal security, freedom of movement, association, etc.). A second view—one defended by Elizabeth Anderson—is that justice is concerned with those capabilities that are necessary to function as a free and equal citizen. Social status (e.g., respect from fellow citizens) is on this view an important good. A third view—one defended by John Rawls—is that justice is concerned with the distribution of primary goods. These are resources that any rational individual would want more of (such as opportunities, wealth, and income). A fourth view—one defended by Ronald Dworkin—is that justice is concerned with external resources, understood as the competitive value (based on supply and demand) of the non-personal resources that one owns. This does not include personal resources (one's capacities), although Dworkin believes that an adjustment is needed to reflect personal resources as well (via a hypothetical insurance mechanism). A fifth view—one defended by Amartya Sen—is that justice is concerned with (personal) capabilities, which are the effective abilities of individuals to function (to do things as well as to be happy). Sen rightly insists that primary goods and non-personal resources fail to take in account what an individual is able to do with those things, which is, after all, of central importance. One problem with appealing to capabilities, however, concerns the assessment of the relative importance of the very large number of capabilities that individuals could have. Is the capability to see well more important (in a given context) than the capability to move about easily? How would this question be answered? One way of answering this question—one advocated by capability theorist, Martha Nussbaum—is to appeal to certain basic facts of human nature.

Well-being is arguably the most natural candidate for the good with justice is concerned. For it clearly matters for its own sake. It is, however, vulnerable to powerful objections, at least

if justice requires equality: First, it leaves little room for incentives and the benefits increased productivity that they could bring. Second, it leaves no room for individuals being accountable for their past choices. Suppose that everyone starts with equal well-being and effectively equal opportunities, and then some wisely choose to invest in their future while others unwisely choose not to. Several years later those who chose wisely are very well off, while those who chose unwisely are poorly off. Equality of well-being requires that resources be transferred from those who are well off to those who are poorly off, but this seems unjust. Why should those who chose wisely have to share their resources with those who chose unwisely?

This objection—raised most forcefully by Ronald Dworkin in his seminal “Equality of What” articles—has led many to hold that justice is concerned with the distribution of goods other than with well-being. This inference seems mistaken for two reasons. First, focusing on resources, for example, does not automatically solve the problem. Equality (or other pattern) of resources *at each time* (as opposed to initially) also requires transferring resources from those who chose wisely to those who didn’t. Second, the problem can be avoided by holding that justice requires equality of *initial* opportunities for well-being rather than equality of well-being at each point in time. Individuals, that is, should have effectively equal opportunities for a good life, but what they make of those opportunities is not a matter of concern for justice. This point is independent of whether the relevant outcome good is well-being, resources, or something else. In either case, many would argue, justice is concerned with the distribution of the opportunities for the good, and not with the good itself.

One way, then, that a theory of justice (whether based on well-being or other goods) can hold agents accountable for their choices is by being concerned with initial opportunities for well-being rather than outcome well-being. A second, and much more popular, way of leaving room for agent-accountability is by holding that justice is concerned only with the distribution of

advantages from brute luck, where something is a matter of brute luck for an agent if she should not reasonably have deliberately influenced its occurrence. One's initial opportunities are, of course, a matter of brute luck, but so are unforeseeable lightening strikes later in life. Winning the lottery, on the other hand, is typically not a matter of brute luck. Dworkin and other authors have argued that justice is concerned with brute luck advantage generally (including later adult brute luck) and not merely with the brute luck advantages of one's initial opportunities.

A different reason for holding that justice is concerned with goods other than well-being is the claim that individuals are accountable for their tastes, preferences, or capacity to generate well-being from resources. Justice is not, it is claimed, concerned with such matters. Now, to the extent that the tastes of individuals are modifiable by those individuals, it may well be that individuals are, to that extent, accountable for their tastes. A person who deliberately develops expensive tastes (e.g., who can no longer be happy if she is not drinking very expensive wine) is indeed accountable for that development, and justice is not concerned with inequalities in well-being due to such development. The opportunity for well-being view agrees with this. Matters are different, however, for the tastes that the individual started with or that were imposed by external forces. Many would argue that an individual who is born with an expensive taste that is not easily alterable (e.g., a person who can be happy only with expensive medications) is not accountable for the presence of those expensive tastes. It would be unjust, many would argue, to give the same external resources to this individual as to a similar individual who began life without this expensive taste. Thus, accountability for one's tastes may not require abandoning the well-being view. On the other hand, the well-being view holds that individuals born with less expensive tastes are entitled to fewer resources, and many object to this feature.

Independently of whether justice is concerned with the distribution of well-being, initial opportunity for well-being, brute luck well-being, resources (of some specified sort), initial

opportunity for resources, or brute luck resources, there is a further issue. Is justice concerned with these items as such, or only with the component thereof that was produced by our agency—as opposed to nature. Some—Thomas Nagel, for example—have argued that it is only the latter. Thus, for example, justice, it is argued, is concerned with the distribution of life prospects (of the relevant sort) produced by social institutions (e.g., discrimination on the basis of sex or race), but it is not concerned with the impact on this distribution of natural forces (e.g., the distribution of genes in an age in which there is no social manipulation of this distribution). On this view, justice is concerned only with the contribution of our agency to the distribution of goods—and not with the natural distribution thereof.

### Suggested Further Reading

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