INFLUENCES OF JOHN LOCKE AND JOHN RAWLS IN SHAPING ROBERT NOZICK'S ENTITLEMENT THEORY OF JUSTICE

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Abstract
Robert Nozick's Entitlement Theory of Justice was captured in his book *Anarchy, State and Utopia.* This book became widely celebrated in 1975 and won for itself, the US National Book Award in the category of Philosophy and Religion. It has been translated into eleven different languages and named one of the hundred most influential books between 1945 and 1995. This theory of justice actually has a heritage, it has a stem, and what influenced it. For everything, there is a cause and effect, no one speaks from nowhere. Consequently, using analysis as a method in philosophy, this paper would break into its constituent parts, the various postulations by John Locke and John Rawls respectively which form the background for Robert Nozick's Entitlement Theory of Justice. The paper found out that Robert's theory is a property right based theory and has a heritage from John Locke's defence of private property. It has another influence in the form of a reaction from John Rawls difference principle. These two thoughts from Locke and Rawls actually formed the spring board from which the Entitlement Theory of Justice Emanated. John Locke gave the premise on how to become entitled to a property while John Rawls demonstrated on the distribution of entitlement in his distributive justice.

Keywords: Property, Rights, Principle, Justice, Entitlement

Introduction
There is no end to thought and knowledge, submissions and conclusions are imperatively opened for further works to advance the knowledge with the current realities. This is the attribute of academics that makes the society to grow scientifically, theoretically, politically, morally, economically and so on. George Hans Gadamer a renowned philosopher has been credited with the

famous dictum of "no one speaks from nowhere". This assertion is very correct in all ramifications because for every effect, there is cause. The society grows and advances exponentially because people build on already existing knowledge of things, knowledge is not stagnated and as such, the world too.

Robert Nozick was a contemporary philosopher who has to his credit, the famous Entitlement Theory of Justice. The Entitlement Theory of Justice is contained in his book "Anarchy, State and Utopia", which won an award in the US National Book Award in the year 1975 just one year after the book was written. Robert Nozick's thought was triggered by the two significant thoughts from two major philosophers; John Rawls and John Locke. Nozick's theory on entitlement is a property based theory and equally a historical based theory, it claims a heritage from John Locke, in his theory of appropriation also known as the "Lockean proviso" and the state of nature (Nozick, 1974:178) A process normally giving rise to a permanent bequeathable property right in a previously unowned thing. In others words, what it is trying to establish is that (Nozick, 178) each owner's title to his holding includes the historical shadow of the Lockean proviso on appropriation. This Lockean theory of appropriation formed a basis for Nozick's first principle of Entitlement Theory of Justice, which is the principle of justice in acquisition.

Secondly, Robert Nozick's theory was a reaction to the thought of Nozick's Harvard colleague John Rawls, on his distributive justice. It was a critique of the social democratic liberalism of John Rawls. Rawls has two principles of Justice namely, the liberty principle and the difference principle. Nozick had a problem with the second principle and thus challenged it. This critique also formed part of the foundation of the second principle of the Entitlement Theory of Justice which is the principle of justice in transfer. Before delving into the background to Robert Nozick's Entitlement Theory of Justice, let us succinctly know who Robert Nozick was.

The Influence of John Locke's Theory of Appropriation in forming a Spring Board for Nozick's Entitlement Theory of Justice.

Anarchy, State and Utopia originated from John Locke's *Second Treatise on Government* and has a foundation on the natural law doctrine engraved in the state of nature. Nozick arrived at different conclusions from Locke himself in several ways based on the state of nature and appropriation. Nozick's journey on the justification of private property, and importantly how to arrive at the legitimate ownership of a property commenced with the examination of Locke's defense of private property. Locke views property in an unowned object as originating through someone mixing his labour with it (Nozick, 174). This was actually the foundation of his principle of justice in acquisition. Locke went further to postulate that whatsoever then he moves out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property (Locke, 1980:18). This is the condition under which one can own private property.

John Locke (1980,18) added a clause which is known as the Lockean proviso by stating that the ownership of the private property would be good provided one has left "enough and as good for others and also that what one takes is not left to spoil." When this is achieved, the fruits of the earth and the earth itself may come to be privately owned. This aspect of Locke's argument so stated is a comfortable platform which Robert Nozick grounded theory of private property. The right to property emanates from natural law, natural laws in Locke refers not to scientific laws governing physical process, but to normative laws (Lloyd, 1995:15). Thomas interpreted natural rights as (Lloyd, 18) simply rights conferred upon persons by the law of nature. Going further, on the issue of natural rights which provides for the property rights, (Lloyd, 18) it seems to be regarded by Locke as rights of control people have over themselves. This among others, includes the right to owe oneself, every human being possess a property in his own person, (Lloyd, 18) these rights protect you in controlling yourself so long as what you do is consistent with self-ownership rights of everyone else. Nozick reflected on John Locke's argument with the understanding that one becomes the

owner of something previously unowned by unavoidably mixing something one already owns with one's labour that could be seen as value. This postulation appears to be important in two ways thus:

> First, it gives a reason why the person who has appropriated some item or other has a right to exclude others from it: it contains something which is already that person's, something from which that person already has the right to exclude others. Second, it shows why one's rights to private property are just as strong as rights to one's person or body: they are based on the something very like body rights, rights to control one's own labour. (Wolf, 1991:102)

There is another side to this argument, it is the inquiry into the extent of the object with which one mixes one's labour judging from Locke's argument. Thus, Nozick gave an interpretation to this, using his demonstration of a private astronaut who clears a place on Mars and spilling a can of tomato juice in the sea. Nozick (175) inquires further why one's entitlement extends to the whole object rather than just to the added value one's labour has produced. Why does mixing one's labour with something make one the owner of it? Giving a reply to the question raised by Nozick, one can say that, mixing your labour with something makes at least, more useful and places more value on it. Locke argues that in appropriating land one actually gives back to mankind more value than one takes. The usefulness of cultivated land for Locke, is a thousand times as much as that of uncultivated value produced, and not the entire object.

Locke is of the opinion that the world was collectively owned ab initio among human beings. Based on the fact that the whole earth is owned in common, there must be justified ways of coming to own some private property. Consequently, it is illegitimate to consume something unless one is its individual owner, and second, it is necessary to consume things in order to preserve oneself (Nozick 174). In his *First Treatise,* Locke was of the opinion that there is an obligation to consider the poor out of one's excess which he technically referred to as surplus. Nozick shares a different view with Locke on some rights, namely, the right to charity and the right to

private property, he insisted that they are not the same. Locke views the world as naturally owned in common while sees it as naturally unowned in common. These divergent views fermented the problem of individual appropriation. In the Lockean view, how things we owned in common could be shared and in the Nozickean view, what gives another the entitlement to exclude others from what once belonged to either of them. Nozick did not attempt to clarify his position concerning the twin issues of the foundation of private property rights, and his relation to Locke's writings on property. No wonder Nagel describes Nozick's position as 'Libertarianism without foundations'.

Worthy of note here is that Nozick did not completely endorse Lockean rendition of private property based on the fact that Locke's account was far from the libertarian view point, but it formulated for Nozick, the foundation stone on which his theory of private property was built. At least, Nozick acknowledged that any adequate theory of justice will contain a version of Locke's proviso that 'enough and as good' must be left for others. A very important thing to note here is that Nozick widely accepts Locke's mixing of labour in the defence of private property in his Entitlement Theory of Justice. Nozick also accepts and amended Lockean position. Nozick takes and uses the Lockean proviso as a necessary and sufficient condition for the justification of appropriation of private property.

The Influence of John Rawls in Robert Nozick's *Anarchy State and Utopia*

Anarchy, State and Utopia is a response critique of the social-democratic liberalism of John Rawls who was Nozick's Harvard colleague. John Rawls has to his credit, two principles of justice namely:

> Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all. Secondly, social and economic inequalities are to be arranged so that they are both: to the greatest benefit of the least advantaged, consistent with the just savings principle, and attached to offices and positions open to all under conditions of fair equality of opportunity. (Rawls, 1971:302)

John Rawls' principle of justice is arranged in two orders, the first principle is the liberty principle, this liberty principle should take priority over the second principle. This principle must be met satisfactorily before economic justice is considered. Robert Nozick was not comfortable partly with the conclusion of John Rawls' Second Principle of Justice which is the difference principle; it states that social and economic inequalities are to be arranged so that they are to be of greatest benefit to the least-advantaged members of society. John Rawls supports equality and gives room for inequalities if only it benefits the worst off in the society. John Rawls accepts that the issue of justice arises by viewing society as a 'cooperative venture for mutual advantage (Rawls 4). When people come together, the tendency is that more would be produced and obviously, there would be a surplus. This brings about the issue of how resources should be distributed, that is, how to manage distribution and the kind of distributive justice to be employed by the society at large.

John Rawls suggested that inequalities can be permitted, but that could be permissible only on the condition they are made in the interests of all. Inequalities could be justifiable only if they improve the condition of the worst-off group in the society. But this condition would have two sides, the worst-off group would be happy and at home with this principle while the best-off group would prefer that they be allowed to acquire resources without limit and would not prefer to promote the interest of the worst-off. The worst off are happy, but the best-off may feel unfairly treated. The best-off would take it that the difference principle is quite unfair to them. Consequently, the goal of Rawls' principle which is that there should be a fair distribution to all, will no longer be achieved. This is so based on the fact that, for the worst-off, the principle is good and favourable, but for the best-off, the principle is bad and unjust. This principle of distributive justice fails because it is to the advantage of the worst-off.

Conclusion

Robert Nozick was known for his widely celebrated three principles of justice. However, which are namely: the principle of justice in acquisition (that is justification and condition for acquisition of property), the principle of justice in transfer (that is the distribution of entitlement) and finally, the rectification of justice in case there is a violation of any of the two above. The argument for the justification of private property according to John Locke, gave a background for Nozick's reflection on entitlement and the formulation of the first principle of justice. The arguments projected by John Rawls in support of the difference principle ignited a reply from Nozick. Robert Nozick argues that Rawls' Difference Principle deconstructs the separateness of persons, which is the individuality of the human person. This principle seems to be using the better endowed as a resource for the less well endowed, it is tantamount to making someone engage in a forced labour and afterwards, use his wages or output for another. If people do not deserve their natural rights, they may still be entitled to them. This led Nozick to propound the entitlement theory of justice as a remedy for Rawls' difference principle and as a kind of refutation to Jo1hn Rawl's thought.

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