



Philosophy: Morality and Justice - Audio

Nozick on Libertarian theories of justice

Winifred

In this audio recording Jonathan Wolff Professor of Philosophy at University College London talks with Jon Pike the author of Book Six about the American philosopher Robert Nozick, and libertarian theories of justice.

Jon Pike

Jo you're an expert on the libertarian thinker Robert Nozick, whose best known work is *Anarchy, State and Utopia*. Could you say what the key basic idea is that he brings to debates on distributive justice?

Professor Jonathan Wolff

Nozick's main contribution in this area I think is to undermine some things that people have taken for granted. So Nozick argues for which is now known as a libertarian position in political philosophy which gives assigns to individuals very strong individual rights over private property. This is –he calls the entitlement theory of property. “What's mine is mine and it's up to me to do what I want with what's mine.” Now intuitively this sounds like a very plausible position. If you think of your salary, the salary goes into your bank account. It is absolutely up to you what you do with that. Nozick want us to think about such things as taxation and the potential justification or lack of justification of taxation. So for example in one of is most notorious arguments he claims that taxation is he says on a par with forced labour. Now if you think about this, you pay your taxes, this is taken away. Most of us just moan a little bit but get on with life. But he says what are your taxes for? Where do they go? Quite a lot of it goes to support other people, people who are not working, people who are elderly. Now you may think that's absolutely fine. But it doesn't matter whether you think it's fine or not. The government will take that money from you whatever your view is. And to make it simple suppose your working a forty hour week and you're taxed twenty five per cent well that means of those forty hours ten of them you're working for other people whether you like it or not. Now you might say part of that goes to pay the expenses of government and so on and that's true but let's leave that to one side. Suppose all your tax money went to help the poor, help other people. Well that money is simply taken from you without your consent. In other words you are made to work for other people and other contexts would call that forced labour. And so he says taxation is on a par with forced labour. If you want to give your money away to the poor that's absolutely fine. That's a good moral choice but it shouldn't be for the government

to tell you what to do with that. So the libertarian argument is that the government in taxing you for the sake of other people interferes not only with your property but also with your liberty because it's forcing you to work for other people. If you want to work to get a reasonably decent wage then you must work for others.

Jon Pike

Okay. This sounds like a very, very strong claim that redistributive taxation is the same morally speaking as forced labour, slavery and it constitutes an analogy. Now when we confront analogies we can do a couple of things. One is we can say yes the analogy works and I accept where that takes me. So one might say well slavery is in some sense justified if redistributed taxation is justified. You can bite the bullet. Or you can say no the analogy doesn't work. There are differences between these two cases. Slavery is not like distributed taxation and those differences are morally relevant. So they mean that opposition to slavery doesn't carry over into opposition to redistributed taxation. Now I assume that we are not going to take the first line here of biting the bullet and saying well, slavery must be okay if redistributed taxation is okay. So what about the second line?

Professor Jonathan Wolf

Well just on that first line actually remarkably Jean Jacques Rousseau did say that he thought that forced labour was less contrary to liberty than taxation. And that making people work for others is in a way better for the sense of community than simply taking their money. This was I suppose a very Swiss view at the time that we wanted to get the bounds of community so everyone knew what they were doing in a transparent way. But you are right that the - that is an unusual position. I don't think any one in a contemporary debate is arguing the same thing although I suppose some people argue for national service or conscription which would be another way of saying if you make your contribution through your time rather than through your money. But you're absolutely right. The analogy is not a perfect one. I don't think we now all think that taxation is the same thing as slavery. I mean we can't do because if we did think that we would abolish taxation right away. But I think the strength of the analogy is it points out some disturbing similarities between taxation and forced labour. Nozick says it is on a continuum. Now that's a weak thing to say because you can put any two things on a continuum. But the clear challenge is really very connected to the issues of political obligation. What right does the state have to enforce a moral view against me? So there are some libertarians - Russian American Ayn Rand for example - who argues for the virtue of selfishness and argued that what we ought to do is to act in a self interested way as possible for the common good. Nozick doesn't say this. Nozick simply wants to make a distinction between what governments can force you to do and what morally speaking you ought to do. And so he's very keen to emphasise a way in which any law reduces your liberty, including laws about redistributive taxation. And so on his view what we have is a straightforward conflict between liberty and ideas of justice and on the libertarian view liberty trumps justice.

Morally speaking maybe you should give lots of money to charity. In fact when Nozick was first presenting his Anarchy, State, and Utopia he was in a class at Harvard, an undergraduate class. He was putting forward these libertarian ideas but just so that no one thought he was advocating selfishness as part of the class he handed round the charity box in order to show that he wasn't amoral. He was in fact highly moral and setting out the moral limits to the state.

Jon Pike

Professor Jonathan Wolff thank you very much.