



Realistic Justice

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Overview

1. Critique of libertarianism
2. Critique of luck egalitarianism

1. Critique of libertarianism

Libertarianism cannot be right because

- Recognizing the (negative) liberty of others **alone** is **not** status-equality

Remember: Status equality is (i) **individuality**, (ii) **security of life** and (iii) **general social inclusion** are three basic interests which have to be met in order to recognize others as others.

- Recognizing others individually through negative liberty is not enough for social inclusion.
- Negative liberty allows only instable and short-term cooperative relations („hire and fire“).

2. Critique of luck egalitarianism

Luck egalitarianism: Distribution under correction of **all** social and natural differences.

Social differences: levels of education and material wealth

Natural differences: levels of talents independent of education and wealth (Mozart/Salieri)

Argument 1: social differences at beginning of life are not individually “deserved”, therefore they have to be made equal.

Argument 2: natural differences=talents are not individually deserved, therefore they have to be corrected (compensated, made equal.)

2. Critique of luck egalitarianism

Argument of luck egalitarian:

- (1) Equality needs not be justified, but **inequality needs to be justified.**
- (2) Unequal **distribution** need to be justified in the same way as unequal **status** (basic rights of recognition).
- (3) Unequal social **wealth** and unequal **talents** need to be justified.
- (4) Unequal starting positions at beginning of life and unequal talents are not deserved, so they cannot be justified.
- (5) Inequality which cannot be justified, needs to be corrected.
- (6) **Correction** of unequal talents: either compensation of untalented or downleveling the talented.

2. Critique of luck egalitarianism

Where is the mistake in luck egalitarianism?

- Justice is not a game which humans play against “the world” but a game **against each other**.
- If A has a house and B has a house, and earthquake destroys A’s house, this is not “unjust”.
- If A has Mozart’s talents and B has Salieri’s talents, this is not “unjust”.
- What is not unjust, needs not be corrected on behalf of **justice**. But it can be corrected either out of **prudence** (insurance) or **benevolence** (disabled vs. abled).

Conclusion: Mistake in LE is its conception of justice. LE takes justice to correct the fates of the universe.

2. Critique of luck egalitarianism

Where is the mistake in luck egalitarianism? (cont.)

But **why** is it wrong for justice to correct the fates of the universe?

Because:

- (1) One needs a **metaphysical** presupposition to think of a duty to correct the fate of the universe.
- (2) It is beyond human **psychology** to correct the fate of the universe.

Why (1)? The fate of the universe **is not related to me** – but it is **me** who should correct its outcome.

Difference: The harm to B **is caused by me** – therefore it is **me** who should correct this harm.

2. Critique of luck egalitarianism

Example fate vs. human causation

- a) Brakes in my new car do not respond and I crash with a woman.
- b) Brakes in my new car are working, but I do not see the woman and kill her in driving.
- c) Brakes in my new car are working, but I want to kill the woman.

Fate: (a) - no moral responsibility (new car)

Human causation: (b)-(c) – moral responsibility obvious

2. Critique of luck egalitarianism

Why (2)? Beyond human psychology

- Morality/justice must be a set of rules we can **orient** ourselves to in our activities.
- We need clear criteria of **responsibility** and **non-responsibility**.
- If we miss such criteria, we enlarge the set of “accidental” events (careless driving = accidental)
- Responsibility means **rights claims** of those who are the direct or indirect objects of our actions.
- We have responsibility against **each other**, and not against the fate of the universe.

Conclusion: Social egalitarianism is psychologically adequate, luck egalitarianism is not.

2. Critique of luck egalitarianism

