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Q4(c)

Examine the entitlement theory of justice

UPSC Civil Services Mains 2022 · PSIR GS 1 · 15 marks · Justice

Justice: Conceptions of justice with special reference to Rawl's theory of justice and its communitarian critiques.

Core demand of the question

- Examine the entitlement theory of justice. (15 marks)

Revision summary

Nozick's entitlement theory judges holdings by a just historical chain, not by an end-state pattern.

Acquisition, voluntary transfer, and rectification are the three principles.

The Chamberlain example defends inequality that arises from consent.

Rectification, if honest about conquest and caste, could undo much of the theory's conservative use.

Rawls and Indian social-revolution clauses reject the minimal state that the theory prefers.

Introduction

Robert Nozick in *Anarchy, State, and Utopia* (1974) stated the entitlement theory of justice. A distribution is just if it arises from just acquisition, just transfer, and rectification of past injustice. There is no further patterned end-state that the state may impose.

Body**The three principles**

- **Justice in acquisition:** how unowned things may be appropriated, drawing on **Locke's** labour mixed with nature, plus a proviso that others not be worsened in a severe sense.
- **Justice in transfer:** voluntary exchange, gift, and bequest. The **Wilt Chamberlain** example says that fans who pay to see him make him rich, and that this inequality is not unjust.
- **Justice in rectification:** past theft and enslavement require repair, which Nozick admits is historically hard.
- Whatever comes from a just history is just, even if it is highly unequal. Patterned principles such as 'to each according to need' or **Rawls's** difference principle would constantly interfere with voluntary moves.

Against **Rawls and Harrington**

- **Rawls** uses a hypothetical procedure to pick a pattern that then regulates institutions. Nozick calls that a patterned or end-result principle that treats goods as if they fell from heaven.
- Harrington's equality of estates would, for Nozick, violate liberty of transfer.

- The minimal state is limited to protection against force, theft, and fraud, and to enforcement of contract. A redistributive welfare state is on this view on a par with forced labour.

Examination

- The theory states clearly why liberty of holding matters and why a snapshot of equality is not by itself justice.
- It understates how acquisition in history is conquest, enclosure, and caste monopoly, so rectification could be enormous if taken seriously, as **Ambedkar**'s structural wrong suggests.
- **Locke**'s proviso is thin in Nozick's reading. Ecological limits and landless labour sit uneasily with first occupancy.
- **Hayek** is a cousin on markets as discovery, but Hayek still allowed a minimum income that Nozick's strict view resists.
- Indian **Articles 38 and 39**, land reform, and reservations are patterned on purpose. Entitlement theory explains the libertarian objection; it does not settle the constitutional aim of social revolution.

Flow diagram

Nozick entitlement -> Just acquisition
Nozick entitlement -> Just transfer
Nozick entitlement -> Rectification
Nozick entitlement -> Minimal state
Rawls pattern -> Difference principle

Conclusion

Entitlement theory defines justice as a just history of holdings, not as a fair pattern of shares. Acquisition, transfer, and rectification are the three tests. It is a powerful critique of constant redistribution and a weak sociology of how property actually arose. **Rawls**, **Ambedkar**, and the Directive Principles refuse to stop at Nozick's minimal state.

Facts & figures

Anarchy, State, and Utopia, 1974

Nozick's statement of entitlement justice and the minimal state.

Wilt Chamberlain

Thought experiment that voluntary payments upset a patterned equal distribution without injustice, on Nozick's view.

Locke proviso

Appropriation must leave enough and as good for others; Nozick weakens it to not worsening others' situation.

Articles 38 and 39

Directive Principles that mandate a social order and distribution of material resources to serve the common good.

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