

## Nozick's Wilt Chamberlain Argument

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Robert Nozick's Wilt Chamberlain-Argument is notorious: It is very simple, and its premises sound fairly reasonable, but its conclusion is perplexing: Egalitarian (and other patterned) theories of justice are supposedly not acceptable. Many philosophers are convinced that there is something wrong with the argument, but it is not so easy to find a flaw in it. Nozick presents the argument in *Anarchy, State, and Utopia* after having introduced his own theory of justice, the entitlement theory. According to this theory, every distribution of property that arose from voluntary, free transfers of justly acquired property is just. The entitlement theory is, in Nozick's terminology, unpatterned; for a distribution of property to be just, it does not have to fit any particular pattern. The entitlement theory leads to a libertarian position in political philosophy, condemning redistributive welfare states as unjust. In contrast, egalitarians hold that a just state has to redistribute property in order to achieve an egalitarian distributional pattern in society. The egalitarian pattern can take many different forms. An egalitarian theory of justice may, for example, aim for equality of opportunity for welfare or, as in John Rawls' theory of justice, aim for equality of certain primary goods except when inequalities are to the benefit of the least advantaged.

The Wilt Chamberlain Argument is designed to show that all patterned theories of justice, including egalitarian theories as the most prominent subclass, are intuitively not acceptable. The basic outline of the argument is as follows. Intuitively, it is morally unproblematic freely to transfer property to other persons, e.g., to pay Wilt Chamberlain for watching him play basketball. But free transfers of property will inevitably upset any distributional pattern. Liberty upsets patterns, as the title of the corresponding chapter in *Anarchy, State, and Utopia* says. If this is right, how could justice demand preserving a patterned distribution of property?

If patterned theories of justice are indeed not acceptable, then Nozick's unpatterned entitlement theory of justice would constitute the obvious alternative. But maybe this is too hasty. It seems to me that the Wilt Chamberlain Argument is most appealing when directed against egalitarian theories only, not against any form of patterned theories. Particularly premise P2 in the formalized version below is less convincing if  $D_1$  in premise P1 is not specified as an egalitarian distributional pattern but as, for example, a distributional pattern prescribing that nobody should fall below a certain baseline of welfare. Nevertheless, a refutation of egalitarian theories of justice alone would still be a provocative result. Egalitarian critics of the argument will then probably have to reject either premise P3 or P4. If one wants a less limited version of the argument, one can simply substitute "egalitarian" by "patterned" in P1 and call it "patterned principle" instead of "equality principle."

It is not clear how those holding alternative conceptions of distributive justice can reject the entitlement conception of justice in holdings. For suppose a distribution favored by one of these non-entitlement conceptions is realized. Let us suppose it is your favorite one and let us call this distribution  $D_1$ ; perhaps everyone has an equal share, perhaps shares vary in accordance with some dimension you treasure. Now suppose that Wilt Chamberlain is greatly in demand by basketball teams, being a great gate attraction. (Also suppose contracts run for a

year, with players being free agents.) He signs the following sort of contract with a team: In each home game, twenty-five cents from the price of each ticket of admission goes to him. (We ignore the question of whether he is "gouging" the owners, letting them look for themselves.) The season starts, and people cheerfully attend his team's games; they buy their tickets, each time dropping a separate twenty-five cents of their admission price into a special box with Chamberlain's name on it. They are excited about seeing him play; it is worth the total admission price to them. Let us suppose that in one season one million persons attend his home games, and Wilt Chamberlain winds up with \$250,000, a much larger sum than the average income and larger even than anyone else has. Is he entitled to this income? Is this new distribution D2 unjust? If so, why? [...] If D1 was a just distribution, and people voluntarily moved from it to D2, transferring parts of their shares they were given under D1 (what was it for if not to do something with?), isn't D2 also just? (Robert Nozick 1974: *Anarchy, State, and Utopia*. New York: Basic Books: 160-161)

### The Argument

P1. A society is just if and only if the distribution of property in the society has a certain egalitarian distributional structure  $D_1$  (Equality Principle assumption).

P2. When people freely transfer their property to other persons, they change the distributional structure  $D_1$  into a new distributional structure.

P3. It is not unjust for people freely to transfer their property to other persons (Liberty Principle).

P4. Whatever distributional structure results from a just distributional structure by not-unjust steps is itself just (Preservation Principle).

C1. It is not unjust for people freely to transfer their property to other persons and whatever distributional structure results from a just distributional structure by not-unjust steps is itself just (*conjunction*, P3, P4).

P5. If P2 is true, then the following concretion of P2 is true as well: If people start from a just distributional structure like presumably  $D_1$  and then freely transfer their property to Wilt Chamberlain, then the distributional structure in the society will have changed to a new distributional structure  $D_2$ .

C2. If people start from a just distributional structure like presumably  $D_1$  and then freely transfer their property to Wilt Chamberlain, then the distributional structure in the society will have changed to a new distributional structure  $D_2$  (*modus ponens*, P2, P5).

P6. If C1 is true, then the following conditional is true as well: If people start from a just distributional structure like presumably  $D_1$  and then freely transfer their property to Wilt Chamberlain, then the resulting distributional structure will be just.

C3. If people start from a just distributional structure like presumably  $D_1$  and then freely transfer their property to Wilt Chamberlain, then the resulting distributional structure will be just (*modus ponens*, C1, P6).

C4. If people start from a just distributional structure like presumably  $D_1$  and then freely transfer their property to Wilt Chamberlain, then the distributional structure in the society will have changed to a new distributional structure  $D_2$  and if people start from a just distributional structure like presumably  $D_1$  and then freely transfer their property to Wilt Chamberlain, then the resulting distributional structure will be just (*conjunction*, C2, C3).

P7. If C4 is true, then D<sub>2</sub> is just.

C5. D<sub>2</sub> is just (*modus ponens*, C4, P7).

P8. If P1 is true, then D<sub>2</sub> is not just.

C6. D<sub>2</sub> is not just (*modus ponens*, P1, P8).

C7. D<sub>2</sub> is just and D<sub>2</sub> is not just (*conjunction*, C5, C6).

C8. P1 (the Equality Principle) is false (*reductio*).

**Abbreviated Version of the Argument** (not included in final publication)

P1. A society is just if and only if the distribution of property in the society has a certain egalitarian distributional structure D1. (Equality Principle)

P2. When people freely transfer their property to other persons they change the distributional structure D1 into a new distributional structure.

P3. It is not unjust for people to freely transfer their property to other persons. (Liberty Principle)

P4. Whatever distributional structure results from a just distributional structure by notunjust steps is itself just. (Preservation Principle)

C1. If people start from a just distributional structure like presumably D1 and then freely transfer their property to Wilt Chamberlain, then the distributional structure in the society will have changed to a new distributional structure D2.  
(From P2)

C2. If people start from a just distributional structure like presumably D1 and then freely transfer their property to Wilt Chamberlain, then the resulting distributional structure will be just.  
(From P3, P4)

C3. D2 is just.  
(From C1, C2)

C4. D2 is not just.  
(From P1, C1)

C5. P1 (the Equality Principle) is false.  
(*Reductio*)<sup>1</sup>

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