

## Chapter 6

### Justice

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## 2. Social justice

Social work has been called the altruistic profession. As their professional calling, social workers help others. But we can help individual clients by changing the society within which they live as well as by concerning ourselves with the personal difficulties they have, and social workers have a professional obligation to work for social justice. The Code of Ethics says that social workers 'should advocate for living conditions conducive to the fulfillment of basic human needs and should promote social, economic, political, and cultural values and institutions that are compatible with the realization of social justice' (6.01; see 6.04).

Even if social workers were not committed to this end as professionals, it takes little examination of what it is like to be working within the profession to understand why they would be motivated to achieve this end. A caseworker soon discovers, first, that many clients' particular problems are social problems -- lack of educational opportunity, lack of a stable and adequate source of income, lack of child-care facilities, and so on -- and, second, that what the caseworker can do for these clients within the system is little compared to what could be done by changing the system.

We shall first examine what are called the conditions of justice, what must be true in

order for issues of justice to arise. We will then examine two competing visions of justice, one that emphasizes individual liberty, but accepts wide disparities in how individuals are to be treated in society, the other of which emphasizes the essential equality of individuals and ensures that each will be benefitted by any gains of society as a whole. These are not the only contenders among substantive principles, but they represent incompatible ideals that will allow us to see how we might agree on the end of achieving social justice and yet have such completely different visions of justice that we would disagree on everything else.

But however incompatible the ideals of these two visions of justice, at least one other vision -- that of Marxism -- requires a radically different understanding of what is essential for justice. We shall consider this alternative when we have finished briefly sketching the other two.

### **a. Conditions of justice**

It is a condition of any question of justice that what is being distributed be moderately scarce. If what was being distributed was not scarce at all, everyone could have as much as they wanted, and there would be no need to concern ourselves with how to distribute the thing justly. If it were very scarce -- like a single glass of water on a life boat with 20 passengers -- then justice is not possible. So we are only concerned about questions of justice when there are some of the goods in question, but not enough for everyone to have as much as they might want or need.

Social workers are committed by the Code of Ethics to 'promote the right of clients to self-determination and assist clients in their efforts to identify and clarify their goals' (1.02). That commitment assumes that each of us can have a particular vision of a life for ourselves and that each of us has a right to the general means to realize that vision -- equality of opportunity, for instance, sufficient income or wealth to satisfy at least our basic needs, and so on.

Such goods as opportunity and income are basic goods -- extremely valuable to us as means to an end, namely, achieving our particular vision of the good life for ourselves. But, unfortunately, it is true of everything of value to us in achieving our particular visions for ourselves that it is at least moderately scarce. And so, in determining how to distribute such basic goods, we need to agree on a principle of distribution, a substantive principle of justice. As we shall see, that turns out to be much harder than it might at first appear. Let us begin with a view articulated best by the philosopher Robert Nozick.

### **b. Justice as free transactions**

Whenever we go shopping, we take money (or a credit card), and when we decide to buy something, we give the merchant money, and the merchant gives us the goods -- milk, clothes -- we have purchased. This exchange redistributes the goods of the world. You had some money which the merchant now has, and the merchant has some goods which you now have. If this redistribution of goods is to be just, there must be a substantive principle of justice underlying it and it must be justifiable. We can best see that principle and understand how it works by pursuing an analogy.

Monopoly is a game in which money and property are distributed. At the end of the game, if the game is played to the end, one player is likely to have most if not all the wealth of the game -- all the money and all the property. The players begin even. Each is given the

same amount of money, \$1500, and none begin with any property. They are all subject to the same rules, and as the game proceeds, money and property are redistributed. A player gets \$200 for going around GO; so \$200 goes from the Bank to the player who passed Go. Another collects \$6 rent; so \$6 goes from one player to another. Each play in the game not only shifts one's position on the board, but also holds the potential for shifting one's fortunes. Will one land on Boardwalk? Will one land on Parking -- diagonally across the Go and sometimes filled with the money from fines and assessments?

We all know what can go wrong in such games. If someone cheats by taking money from the bank without permission, or by turning over mortgaged cards without paying off the mortgage, or by refusing to pay Community Chest by burying the tax card in the deck without admitting that it was the tax card, then the game is unfair, and the outcome of the game is unfair to the extent that it reflects the unfairness in the game. If the final distribution of winners and losers depends upon someone having unmortgaged Boardwalk without really paying off the mortgage, for instance, then the winner did not really win and the losers did not really lose.

Similarly, if there is no cheating, but there is coercion, the game is unjust. An older sibling may tell a younger, 'You better not buy B & O: that's mine!' To the extent that the final result of the game reflects that earlier coercion, it is as unjust as if the person stole the B & O.

Yet if all the transactions of the game are uncoerced and if there is no cheating, the final results, whatever they may be, seem just. No one who plays seems to have any proper grounds of complaint even if everything is lost. Or, at least, that is the way we think about the game and about similar situations where people start out with equal shares and, though a series of transactions, end up with unequal shares.

For instance, no one complains about races in which there are winners and losers. As long as everyone started at the same mark, the result is deemed just provided that there was no cheating or coercion. In competition in the marketplace, no one seems entitled to complain when, at the end of the day, the farmer ends up with less fruit and produce and more money and various customers have less money, but some fruit or produce. As long as they were not cheated, and no one was coerced, the exchanges of money for fruit and produce seem just, the final distribution at the end of the day as just as the distribution at the beginning.

Such examples are convincing because, it is claimed, any distribution that is achieved through free and uncoerced transactions from an originally equal distribution is just. What matters on this view is not what shares of any distribution anyone has, whether one has more or less than another, but how the distribution was achieved. If it was achieved in a just way, then it is just -- even if the final distribution is very unequal as in Monopoly. One person has everything, and the rest have nothing. But, on the theory of justice being articulated here, that distribution is just provided it was achieved in a just way.

One implication of this theory is that the apparent vast disparities in our social system may in fact be just. We cannot tell just by looking at how things are now. We shall instead have to determine how the disparities were achieved. What matters is that people within society are allowed to engage in free and uncoerced transactions. If government interferes with their capacity to engage in such transactions, the end result of such transactions is unjust to the extent the result reflects the interference. On this view, taxes are a form of interference because money is redistributed not through free and uncoerced transactions, but through the government's demanding a share. Regulations regarding buying and selling would be a form of interference because they prevent people from freely doing what they wish to do. The vision is of a society unfettered by governmental regulations, in

which persons engage in exchanges with each other, buying and selling what they wish as they wish. Whatever happens as a result of such transactions is just provided the original distribution was just and provided there is no coercion or cheating.

This can be a powerful vision, especially when we view it as explaining our everyday commercial transactions and their results -- whether, for instance, our having our house and furniture is just when others have neither. It surely resonates with the system of capitalism in which we live. Justice has been called 'the first virtue of social institutions' because, among other things, it sets the normative relations between citizens. Justice as free transactions tells us that it is just to buy and sell and trade and that we are not being unjust in having more than others provided only that we achieved what we have through free transactions. Cheating and coercion are the great sins in such a social system, for they impede justice.

### **c. The implications for social work**

This vision sets a view before any social worker about where this society ought to be heading if it is to become a just society, and it is a view that has implications for how a social worker ought to respond to the problems faced by individual clients. That is, if we have this view of justice, we will think that our clients can face only two sorts of problems. Either (a) the system is somehow preventing them from realizing their full potential by restricting, in some way, their transactions with their fellow citizens or (b) the clients are themselves not taking advantage of what the system allows.

If the problem is (a), a social worker ought to work to remove governmental regulations that hamper free enterprise, must work to prevent cheating in the system and must work to purify the system of any coercive elements that may harm clients in pursuing their aims.

If the problem is (b), a social worker must meet a client's problems by offering options and encouraging the client. 'You ought to be more self-confident of your capacities to succeed,' or 'You have a number of personal assets, and you need to develop those if you are going to succeed in this society,' or 'You seem to have difficulty in competitive situations. Let's work on that by practicing competitive games?'

In short, the vision of justice has implications for a social worker's practice. If a social worker accepts this vision, then he or she will be obligated to tell clients to strive to succeed within the system to the extent the system satisfies the theory of justice. That is, failures of a client become the personal responsibility of a client on this theory of justice if a client does not compete well within the social system, and a social worker would have the obligation to tell a client that and to try to help the client compete better.

One virtue of this theory of justice is that it attempts to maximize the liberty of those within the system. They are free to do whatever they wish with whatever assets they have, provided that they do not coerce or cheat others in making transactions. But the theory has its problems. We can best bring these out by examining what we might call 'the lottery of life.'

### **d. Natural features and social circumstance**

One cause of injustice is that persons are born into social circumstances which make a profound difference to the kinds of lives they are able to lead. It is no fault of their own

that they are born into such circumstances, and by the time they become responsible enough to make decisions, the circumstances may already have worked such harm as to stunt forever the person's life chances. This impediment of being born into social circumstances that are less than optimal is compounded when one is born with a natural feature that is a deficit in the social system in which one must live.

Consider the following case:

### *6.3 Differing social circumstances*

The social worker, Amanda, is visiting a client in the city. The woman has a son, Thomas, 4, and lives generally by herself in a small ramshackle house. She has a scar down her arm, put there by her occasional boy friend who blow torched it one night when he was angry. Her son has a hearing defect, and though he is intensely curious and talkative, Amanda has a difficult time understanding him. He repeats what he hears, and what he hears is not clear.

Amanda has finally found public housing for the woman and her son and explains the conditions. It costs, but her welfare payments will be increased to pay for it. Her boyfriend cannot live with her however.

They talk, and after pointing out that living in public housing will finally put Thomas in a position where his hearing impairment can be helped, Amanda says, 'It will also give you a reason for not seeing that man again. So he won't be able to hurt you.'

The woman says, after a slight delay, and in tears, 'You don't understand. He's my man, and any man is better than none.' She refuses to move.

One may regret the woman's decision, thinking it a manifestation of a fatalism she could try to overcome. But the plight of her son is more dramatic. He is bright and inquisitive, but having been born with a hearing defect, and living in such social conditions that he is unable to obtain help, he will not be able to make himself understood readily and will have difficulties in school and in his social life. A natural defect, perhaps readily remedied, condemns him to less than a full life because, through no fault of his own, he was born in a system which left his well-being up to a mother who, for whatever reason, was unable to provide for proper medical aid at the time when it would do the most good.

What we might call natural assets and deficits are distributed at birth. Some are born with features that will aid them in seeking their own conception of the good life; others -- like Thomas -- are born with features that will impede their seeking the good life for themselves. We are all born into certain social circumstances. Our parents are poor or rich, upper-class or lower-class, educated or not, and so on. Our prospects for life are to some extent determined by these circumstances. Those parents who presume that their children will go to college, for instance, are more likely to have children who go to college.

Thomas has been hit by bad luck twice in the lottery of life. He was born with a hearing defect, and he was born into social circumstances that make help difficult to obtain. It seems unjust that matters should be so arranged in a society that children should be harmed so much because of something that is not their fault. It is one thing to condemn someone to less than a full life for something they choose to do. That is how we justify sending those who commit crimes to jail. It is quite another thing to put someone at risk of living less than a full life because they are born with a defect in social circumstances that make it difficult to correct. They are not responsible for having been born with a defect that will substantially alter their life prospects, and they are not responsible for being born into

social circumstances that make correcting that defect in a timely way unlikely. It thus seems unfair that they should be penalized in trying to achieve their life prospects.

It seems particularly so because we live in a capitalist society. Some natural features are thus obviously more valuable than others because wealth and income are distributed in large measure on the part of one's capacity to achieve the good life for oneself. Native intelligence and a willingness to work count for more than a natural sense of cooperation in a society in which one acquires goods through competitive practices. Thomas was born into a system, that is, that values articulate individuals who can make themselves clear.

What count as natural assets and natural deficits are themselves socially determined. Any particular society is an artifact, a creation of human beings, and it can be changed if human beings wish to change it. In one sort of society, some natural features may be assets that are deficits in another sort of society. For instance, in Eskimo cultures a willingness to share everything has survival value while, in other cultures, such altruism might count as naivete.

That natural assets and deficits are social artifacts is important to keep in mind because it is arguable that societies ought to be arranged so as to compensate those who are not well-endowed from birth with the natural features that make for success within a particular society. Those persons who are born mentally handicapped in some severe way are unable to compete in society, through no fault of their own, and it is not just, it may be argued, to have a social system so arranged as to deny them the benefits the social system arranges for others who are born with what the system makes natural assets. Those who are born with natural features that are assets within such a society should get no credit for being born that way any more than those who are born with what are considered deficits should be held responsible.

We should look carefully at a theory of justice that fails to compensate those who lose out in a social system because they lack the natural features the system defines as assets, and we should look equally carefully at a theory which rewards those who win out because they are born with natural features the system considers assets.

We are, in effect, here making use of the fourth step in our method of tracking harms. For we are here asking what harms will be unmitigated, produced or entrenched by the particular arrangement Nozick argues is just.

#### **e. Difficulties with justice as free transactions**

The theory of justice as free transactions does nothing to nullify the conditions of social circumstance. If one is born into a social position that makes it difficult to utilize one's natural assets, the theory does not compensate in any way for that problem. We start off a game of Monopoly even with others, and it is that even start which explains in part why no one complains of uneven results. Any eventual unevenness is the result of their own play and luck, good or bad. But if the distribution of money at the beginning of the game had been uneven, so that some were, as it were, born into different starting positions, with significantly different assets, then it is not obvious that the outcome of the game would be thought just, even if the transactions were uncoerced and free of cheating. If someone begins with \$5000 and another with \$10, then no matter how good the luck of the latter, it will be difficult to purchase enough property early on to make a run at winning the game.

Taken as an analogy of a society, Monopoly fails because it supposes people start out equally situated while, in real life, they start out in different social circumstances, some so advantaged by the successes of their parents that it is difficult for them to fail and some so

disadvantaged that it is difficult for them to succeed. Monopoly presupposes an even playing field, as it were, while the game of life is marked by the unevenness that societies impose in discrimination -- against women and certain ethnic groups, for instance.

Monopoly also fails, like the theory, to compensate for natural deficits. If one is born with low intelligence, or some other feature that harms one's capacity to engage in transactions, or if the system is biased against women, for example, a person with the 'wrong' natural characteristics may be disadvantaged in a system that emphasizes such transactions. Again, it is no fault of one's own to be born with such features, and yet the system is so designed that someone with such features is less likely to achieve success than someone who is born with natural assets.

Of course, the assets and deficits are 'natural' only in the sense that they are natural features of people. That such features are deficits or assets is a result of having a social system which makes them deficits or assets. Monopoly makes competitive features assets and makes deficits of such cooperative or charitable behavior as letting someone get all four railroads so they can have a complete set. A different game, or different social system, might make competitive features deficits and cooperative features assets.

So the vision of justice at issue is doubly at fault, it may be argued. For it first defines what count as assets and deficits, making justice depend upon them, and then fails to compensate those who, through no fault of their own, fail to have those natural features the social system deems assets.

The vision is thus open to the objection that it distributes the goods of society on the basis of characteristics which are themselves socially determined and which are not distributed justly. For it is arguable that because no one deserves what natural features they have or what social circumstances they are born into, it is unjust to distribute the goods of society, like opportunity and income, on the basis of any natural features or social circumstances.

The theory picks out some natural features as crucial, namely, those helpful to engaging in transactions, and it picks those features, it is claimed, because they encourage the liberty of individuals and, when emphasized, produce the most efficient system. The argument is that when people are free to do whatever they wish, without interference, they will produce more than when a governmental agency is telling them what to do or restricting their actions.

But one additional problem the theory faces is that in attempting to encourage liberty, it may undermine it. In the game of Monopoly, those who lose out lose out completely. Unless one modifies the game to allow for bank loans, some players will slowly or quickly lose all their assets through bad luck or bad play. The implication is that if we were to adopt this vision of justice for our society, some would not make it. They will simply not have enough natural talent to make it, or to overcome bad luck or a poor inheritance, in a society that values the capacity to engage in transactions. So they will lose their liberty because they will lose the capacity to engage in any transactions at all. In the worst case, they will die, and in cases less worse, they will have nothing to sell. Similarly, those who win in the game will have their liberty diminished because there will be fewer and fewer individuals with whom they can engage in transactions. They are, of course, not likely to notice that because, unlike Monopoly, real societies produce new wealth and new players all the time, but the point is that the liberty of individuals depends upon the choices available to them, and if the choices are diminished, so is their liberty. Those who succeed in such a system are impoverished by the loss of liberty of those who fail, and that is some evidence that a just society cannot be arranged the way Monopoly is. Even the winners lose something if matters are so arranged that there are winners and losers.

But justice as free transactions is not the only substantive principle of justice we could adopt as our vision of a justice society. John Rawls has articulated a very different theory.

#### **f. Justice as fairness**

It is wrong to punish people for something they did not do. It is thus wrong to send people to jail when they committed no crime, and it is equally wrong that people should be penalized in any way for things they are not responsible for. But you are not responsible for having been born into a particular social position, and you are not responsible for having been born with whatever natural features you may have, some of which may be assets in our society and some of which may be deficits. So, one might argue, a just world would be one in which people are not penalized in their quest for the good life for themselves by natural and social contingencies for which they are not responsible.

We might imagine modifying a society modelled after Monopoly in a series of stages, each modification responding to a harm done in such a society and all the modifications leading to a very different kind of society, articulating a very different vision of justice. For, first, as we saw, those who are born into poor social circumstances are harmed by their birth in those positions through no fault of their own. In a real society, unlike Monopoly, individuals do not start out equally situated. One way to compensate for the inequality is to ensure that everyone has an equal chance to be a success in the society.

But we must distinguish between different ways of understanding what it means to have an equal chance. What is called formal equality of opportunity guarantees that when we all compete for positions, each person is judged wholly on merit. The person who most merits the position wins it. But individuals with equal natural talents will not compete on a level playing field if all that is required is formal equality of opportunity. For those born into poor social circumstances have that much farther to go to catch up with those, with equal natural talents, born into the best social circumstances. The latter will generally win the best positions not because their natural talents are better, but because their social circumstances allow them to develop better what natural talents they do have.

Requiring formal equality of opportunity after people have been affected by their social positions comes too late, it can be argued, to help those harmed by being born into less fortunate social positions. What is needed is real equality of opportunity. That means that society must be arranged so that those with equal natural talents rise, or fall, to the same level no matter where they may be placed by birth in the social scale. Providing real equality of opportunity requires a fundamental change in the way in which we educate our children, guaranteeing real equality of opportunity throughout the educational system. It would require fundamental changes in the ways in which we rear and support our children, making sure that some are not harmed by their family circumstances.

But even providing real equality of opportunity will not help those who are born without the natural features the society values. Those who cannot make it in a competitive system will not be helped by a system that guarantees that natural talents rise to their natural levels regardless of the social position in which one was born, for they lack the natural talents to make it. Yet it is not just, it is claimed, for those people to suffer for being born with whatever natural features preclude their making it in a competitive system. It is not their fault they lack those features, and it is unjust, it is claimed, so to arrange a social system that they are penalized for having the features they have.

What is needed, the argument continues, is some floor below which people are not

allowed to fall, a floor high enough so that they can live a decent life. Society should compensate them for its having made valuable natural features they do not have.

With real equality of opportunity, and with a floor below which citizens are not allowed to fall, a society can compensate those who would otherwise be harmed in a social system arranged like Monopoly. But such modifications leave untouched those who are born with natural features the system designates as valuable and who are born into such good social circumstances that they can parlay their position into great gains for themselves. Yet, it is argued, they deserve their success as little as those without the favored natural features deserve their failures. We should look at the distribution of natural features as a lottery, with no one deserving whatever features they have. Because society determines which features are valuable and which are not, rewarding some for having those valuable features is as unjust as penalizing those who lack those features. Society should not be arranged so that the distribution of income and wealth and other social goods depends upon natural characteristics for which no one can properly claim credit.

Instead, it is argued, it should be arranged so that benefits accrue to those with natural talents only if they are to the benefit of everyone. This arrangement effectively puts a cap on everyone's income and wealth as well as a floor. Indeed, any difference between the cap and the floor can occur only if those making more advantage those on the floor. If any rise, all rise. Injustice, on this view, is an inequality that is not to the benefit of all.

#### **g. The implications for social work**

We can envision the social structure that would occur under this theory of justice by imagining a situation in which persons are normally competitive -- students in a classroom, for instance, vying for grades. What the theory requires is that those with natural assets which would normally allow them to rise to the top use those assets only for the benefit of all. Natural assets become public assets and natural deficits public deficits. Each member of the class would get the grade of the person who gets the lowest grade unless getting a higher grade advantages everyone. So each member of the class would try to raise the lowest grade as high as possible. The students thus do not compete, but cooperate for grades. Altruism becomes a social virtue and competitive self-interest a social vice.

As with the view of justice as free transactions, this view sets before a social worker a vision of society for which we can aim. To the extent that we let individuals fall through the social net, we are unjust; to the extent that we fail to have real equality of opportunity, we are unjust; and to the extent that we allow some individuals to amass income and wealth that is not to the benefit of all, we are unjust. Social activism means working for a deep egalitarianism, on this view, and this view has implications for practice in particular cases as well.

For many of the cases that come before social workers will reflect injustices within the system. Individuals will find that they are not getting ahead, even with natural talent, and will find that some impediment to real equality of opportunity is blocking them. Or they will have fallen through the floor and discover that there is no support for them within the system. The need for social workers would diminish considerably were the theory of justice as fairness realized, for many of the individuals put at risk by our current system would be taken care of in a system with real equality of opportunity and with a floor. But, also, the concerns of social workers would change. In justice as free transfers, a social worker's job would be to make sure the system does not prevent individuals from achieving their true potential and to encourage clients to take advantage of what the system offers them. But in

justice as fairness, a primary concern would be those who are so self-interested as to attempt to gain advantages for themselves which do not benefit all. Bill Gates would become an object of concern rather than a role-model.

#### **h. Difficulties with justice as fairness**

This vision of a just society is deeply egalitarian, and it has some significant disadvantages. For one thing, it is not at all clear how one could institute it without a heavy loss of liberty. The advantage of justice as free transfers is that once the system begins, everyone is free to do what they want to do consistent with allowing everyone else freedom. Anything that interferes with freedom creates injustice. Normally, individuals in a society come to occupy different positions, with different assets and deficits, through their own individual efforts and through luck, both bad and good. A storm that demolishes your house puts you at a disadvantage vis-a-vis others through no fault of yours, and a deal that you make at a flea market puts you at an advantage though it harms no one else. Individuals become differentiated one from another through their own acts and acts of nature, and yet, in a society in which justice as fairness operates, continual tinkering is required to make sure that any significant differentials are to the benefit of all. Individuals would not be free to do whatever they wished, and significant transfers of income and wealth would be required to create a floor below which people cannot fall and to make sure that those who would otherwise rise high within the system gain only when the gains are for the benefit of others. Justice as fairness requires a loss of liberty. We trade liberty for what the theory claims is fairness.

Tied to this concern about a loss of freedom is that the theory would make a society just only at the price of great inefficiency. The more egalitarianism is required, the more transfers from one to another are required and, it seems, the more individual incentives for using one's talents are reduced. One may respond that we are socialized into a competitive system and that we may just as well be socialized into a cooperative one. But it needs to be argued on independent grounds that competitive appetites are not natural features of individuals, and the concern is that if they are natural features, the system is at odds with what humans will do in any event and that this creates friction and thus, in that form as well, a source of inefficiency in the system.

Besides, it may be argued, though it is just to provide for those who, through no fault of their own, have natural features that disadvantage them in society, the argument for a high floor is less plausible when one considers those who have the natural features that are assets in a society, but fail to develop them, through no fault of society's. Someone who fails to develop their talents is still supported by the system and thus by other individuals within the system who are effectively working for those persons as well as for themselves. That seems unjust. Why would some provide for others who are perfectly capable of providing for themselves, but refuse to? The incentive to develop one's talents for the benefit of all is reduced if others could develop theirs as well, but do not wish to and yet still are supported by the system.

Besides, some may object, those who do have what society recognizes as assets can develop them for their own benefit only if others benefit as well. So the features that make them distinct individuals become public property, as it were, to be used to benefit all if used to benefit any. Individuals are not allowed to choose any sort of life they wish, to develop their talents any way they wish, but only for the benefit of all. That may be good, but the price may be too high. We lose individuality as well as liberty.

### **i. Alternative theories of justice**

We may compensate for both natural and social differences or not. Justice as fairness compensates fully for both; justice as transfer compensates for neither. If there are no other differences that a system of social justice arguably needs to compensate for, these theories represent the limits. But, obviously, there are alternatives.

We might compensate for natural differences, providing a floor, for example, but not compensate for social differences. Or we may compensate for social differences, providing real equality of opportunity, but not compensate for natural differences. Or we may compensate for some natural differences and not for others or for some social differences and not for others. Or we may compensate for all social differences and some natural differences, and so on. Each of these alternatives would need to be explored for their harms and benefits if we are not convinced that either of the two visions we have examined properly captures a just society.

In exploring these various alternatives as well as the two visions we have examined, however briefly, we would be exploring differing forms of social organization. A society organized so that it would be just on Nozick's justice as free transactions would differ in significant ways from one organized so that it would be just according to Rawls's justice as fairness.

Not only would the wealth and income generated by those within the society be distributed in different ways, but what would count as social virtues -- as a 'good person' -- would differ too. Someone who takes advantage of every competitive opportunity to increase his or her wealth is an entrepreneur in a society organized to express justice as free transactions. Entrepreneurs are generally to be praised. Helping the least advantaged would be not an act of justice, but of kindness -- not required, but nice to have. We would praise such acts, but we would not think them expressions of a just individual, but of an individual who is, besides being just -- neither cheating nor coercing -- also kind.

But in a society organized to express Rawls's justice as fairness, helping the least advantaged is an act of justice, provided that everyone benefits. It is not kindness to help those in need of help. Rather, they have a claim upon us. We shall be living in an unjust society if there exist inequalities not to the benefit of all.

We need only imagine a society 'writ small' -- a group of social work professionals working together, a classroom of students -- to appreciate the significance of how the differing visions of justice can make a difference to the ways in which those within the society interact and to the structure of the society as a whole. A classroom in which inequalities in grades are unjust unless they are to the benefit of all means that the very best students will need to work together to help those least advantaged -- or everyone will achieve the grade to be achieved by the least advantaged. On the other hand, a classroom in which only 10% are to obtain A's, 20% B's, 30% C's and so on does not encourage cooperation. Each act of helping that may advantage another student will disadvantage the student who is helping. A society organized so as to satisfy Nozick's justice as free transactions will be highly competitive while one organized to satisfy Rawls's justice as fairness will be highly cooperative. The relations between members of the society will thus differ significantly, and the distribution of the society's resources -- grades in the case of a classroom -- will differ significantly as well.

Because social work is an altruistic profession, concerned as a profession to empower and help others, social work must consider what is the most just society, what social struc-

ture will best achieve the end of helping those most in need. Justice as fairness and justice as transfer both presuppose the economic organization of society ought to be capitalism, but, as Marx made clear, capitalization is only one form of economic structure and his argument is that it is inherently unfair.

Marx's attack on 'bourgeois capitalism' sends a mixed message about what social work is obligated to do to fulfil its mission. On the one hand, Marx attacks the rhetoric of justice as 'an ideological device for presenting bourgeois interests under the guise of allegedly universal values.' We may sometimes think an individual is trying to dress up an action done out of self-interest by giving us 'ethical' reasons for it. 'I only did it because I want to help you.' Marx's critique is that capitalism has developed an entire 'ethical' system simply to dress up unbridled self-interest so that it may appear just and responsible. Were we to take Nozick's justice as free transactions to its logical end and prohibit, as unjust, any interference by the government in how we engage in commerce and so prohibit taxation that is used now to aid those in need, we would have a system without a safety net -- or, more accurately, a safety net secured only by the kindness of those who have succeeded in the 'dog-eat-dog rat race' of unbridled capitalism. So for us to ask whether socialism is just is for us, from Marx's point of view, to use concepts that presuppose capitalism to query a system which rejects it. The answer ought to be 'Not applicable.'

And yet, on the other hand, Marx argues for a system of distribution which, in a pure form, would seem to distribute society's benefits 'according to need.' A medical system which distributed health care on the basis of need would be far different than ours, which generally distributes health care on the basis of ability to pay, but it would still distribute health care. So it seems not unreasonable to ask, 'Is that distribution just?' Indeed, part of the power of Marx's conception seems to derive from his critique of capitalism as being unjust, the exploitation of one by another, and from his description of a socialist system in which the benefits of society are distributed according to need as being inherently just, treating each member of society as a person entitled to have his or her needs satisfied merely by being a fellow human being in that society. That is why 'the Marxian approach to justice [seems] essentially a Rawlsian one in that it concentrates on the alleviation of basic needs.'

When we lay out the competing visions of justice as free transactions and justice as fairness, we do not mean to exclude a vision of justice and thus a vision of society that may differ radically from those that would express the two visions we have examined, however briefly. It is one more reminder that we cannot assume that others share our vision of what is ethical and that the first step in understanding the sources of conflict in an ethical situation is coming to see the issue from the point of view of those with whom we disagree. What may seem terribly unethical from our perspective may, within the boundaries of another ethical vision, be the only ethical thing to do. Only then can we properly begin to assess the competing judgments and determine what we ought to do, all things considered.