

Moral Issues in Business

Chapter 3

Justice

The Nature of Justice (some definitions)

- Fairness
 - involves the fair treatment of members of groups of people or else looks backwards to the fair compensation of prior injuries.
- Equality
 - the burden of proof is on those who would endorse unequal treatment. Is there any good reason why A has more than B?
- Desert
 - everyone should get what he or she deserves.
- Right
 - that which is owed to persons for their own sakes.

Preamble – U. S. Constitution

We the people of the United States, in order to form a more perfect union, establish **justice**, insure domestic **tranquility**, provide for the common **defense**, promote the general **welfare**, and secure the blessings of **liberty** to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Five Rival Principles Of Distribution

- To each an equal share
- To each according to individual need
- To each according to personal effort
- To each according to social contribution
- To each according to merit

Rival Principles of Justice

- Utilitarianism: Utilitarians want an economic system that will bring more good to society than any other system.
- Libertarianism: “a state that taxes its better-off citizens to support the less fortunate ones violates the liberty of individuals by forcing them to support projects, policies, or persons that have not freely chosen to support.”
- Egalitarianism: each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override.

Peter Singer, (1946-)

- Utilitarian Philosopher
- Princeton Professor
- Author: *Animal Liberation*, *Practical Ethics*, *Should the Baby Live?*

From Singer's Rich and Poor

The path from the library at my university to the Humanities lecture theater passes a shallow ornamental pond. Suppose that on my way to give a lecture I notice that a small child has fallen in and is in danger of drowning.

Would anyone deny that I ought to wade in and pull the child out? This will mean getting my clothes muddy, and either canceling my lecture or delaying it until I can find something dry to change into; but compared with the avoidable death of a child this is insignificant.

A plausible principle that would support the judgment that I ought to pull the child out is this: If it is in our power to prevent something very bad happening, without thereby sacrificing anything of comparable moral significance, we ought to do it. This principle seems uncontroversial. It will obviously win the assent of consequentialists; but non-consequentialists should accept it too, because the injunction to prevent what is bad applies only when nothing comparably significant is at stake.

Thus the principle cannot lead to the kinds of actions of which non-consequentialists strongly disapprove—serious violations of individual rights, injustice, broken promises, and so on. If a non-consequentialist regards any of these as comparable in moral significance to the bad thing that is to be prevented, he will automatically regard the principle as not applying in those cases in which the bad thing can only be prevented by violating rights, doing injustice, breaking promises, or whatever else is at stake.

Most non-consequentialists hold that we ought to prevent what is bad and promote what is good. Their dispute with consequentialists lies in their insistence that this is not the sole ultimate ethical principle: that it is an ethical principle is not denied by any plausible ethical theory.

Nevertheless the uncontroversial appearance of the principle that we ought to prevent what is bad when we can do so without sacrificing anything of comparable moral significance is deceptive. If it were taken seriously and acted upon, our lives and our world would be fundamentally changed. For the principle applies, not just to rare situations in which one can save a child from a pond, but to the everyday situation in which we can assist those living in absolute poverty.

In saying this I assume that absolute poverty, with its hunger and malnutrition, lack of shelter, illiteracy, disease, high infant mortality and low life expectancy, is a bad thing. And I assume that it is within the power of the affluent to reduce absolute poverty, without sacrificing anything of comparable moral significance. If these two assumptions and the principle we have been discussing are correct, we have an obligation to help those in absolute poverty which is no less strong than our obligation to rescue a drowning child from a pond.

Not to help would be wrong, whether or not it is intrinsically equivalent to killing. Helping is not, as conventionally thought, a charitable act which it is praiseworthy to do, but not wrong to omit; it is something that everyone ought to do.

This is the argument for an obligation to assist. Set out more formally, it would look like this.

First premise: If we can prevent something bad without sacrificing anything of comparable significance, we ought to do it.

Second premise: Absolute poverty is bad.

Third premise: There is some absolute poverty we can prevent without sacrificing anything of comparable moral significance.

Conclusion: We ought to prevent some absolute poverty.

Our affluence means that we have income we can dispose of without giving up the basic necessities of life, and we can use this income to reduce absolute poverty. Just how much we will think ourselves obliged to give up will depend on what we consider to be of comparable moral significance to the poverty we could prevent: color television, stylish clothes, expensive dinners, a sophisticated stereo system, overseas holidays, a (second?) car, a larger house, private schools for our children and so on.

Robert Nozick (1938-2002)

■Political Theorist

■Harvard professor

■Author: *Anarchy, State and Utopia*, *The Nature of Rationality*

Nozick's Wilt Chamberlain Example

Suppose that WC is greatly in demand by basketball teams, being a great gate attraction. He signs the following sort of contract with a team. In each home game, twenty-five cents from the price of each ticket goes to him. The season starts, and people cheerfully attend his team's games; they buy their tickets, each time dropping a separate twenty-five cents into a special box with WC's name on it. They are excited to see 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 WC 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?

There is no question about whether each of the people was entitled to the control over the resources they held. Each of these persons chose to give twenty-five cents of their money to WC. They could have spent it on going to the movies, or on candy bars.... But they all, or at least one million of them, converged on giving it to WC in exchange for watching him play basketball.

If the people were entitled to dispose of the resources to which they were entitled, didn't this include their being entitled to give it to, or exchange it with, WC? Can anyone else complain on the grounds of justice?

John Rawls (1921-2002)

■ Political theorist

■ Harvard professor

■ Author: *A Theory of Justice, Political Liberalism, Justice as Fairness: a restatement*

Rawls's Just Society

• The Original Position

- Imagine that those who engage in social cooperation choose together, in one joint act, the principles which are to assign basic rights and duties and to determine the division of social benefits.

• The Veil of Ignorance

- No one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength and the like.

• Two Principles

- There must be equality in the assignment of basic rights and duties.
- Social and economic inequalities are just only if they result in compensating benefits for everyone, and in particular for the least advantaged members of society.

• How would you cut the cake?

- If you will get the last piece, it is in your best interest to cut the pieces as equally as possible so as to get the largest possible piece.

Rawls on Utilitarianism

It hardly seems likely that persons who view themselves as equals ... would agree to a principle which may require lesser life prospects for some simply for the sake of a greater sum of advantages enjoyed by others.

Rawls on Libertarianism

Liberty and the worth of liberty are distinguished as follows: liberty is represented by the complete system of the liberties of equal citizenship, while the worth of liberty to persons and groups depends upon their capacity to advance their ends within the framework the system defines.... But the worth of liberty is not the same for everyone. Some have greater authority and wealth, and therefore greater means to achieve their aims.