Did Marx have a Principle of Distributive Justice?

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Are there any principles of distributive justice in Marx?

We can begin by asking what sense it makes to compare the views of distributive justice in Marx, Nozick and Rawls. After all, they lived in different periods separated by more than a century. Yet the distance in time turns out not to be of significance. Contemporary Western capitalism is still capitalism. The transition to what is now often called post-industrial capitalism is still capitalism, which continues to follow the same basic rules. Other difficulties are, perhaps, more significant. First, it needs to be shown that there are principles of distributive justice in Marx. Second, in order to construct a comparison, we will need to identify a common basis shared by Marx, Nozick and Rawls. In addressing these concerns, I will first discuss Marx and only then turn to Nozick and Rawls.

The central insight in Marx’s theory of capitalism concerns the controversial labour-theory of value. To put it in simple terms, this theory shows that the surplus-value created by workers in the normal functioning of the economic process is simply appropriated by the capitalist. This theory enables us to produce a mathematical representation of alienation within capitalism.
Marx’s contribution lies in disclosing the secret, basic to capitalism, whereby workers are paid wages that are not equal to – in fact, less than – the price of the labour-power expended in their work. The missing value, which is not paid for by the capitalist, is the profit of capital, that is, the value on top of the price of labour, which is known as surplus-value.

Now, we can ask ourselves: what are the principles on which Marx bases the labour-theory of value? Marx himself never addresses this question, and it is also not normally discussed by Marxist scholars. The question is raised by the libertarian theorist, Robert Nozick, in dialogue with Marxists who object to his view of so-called ‘self-ownership’. According to Nozick, Marx’s labour-theory of value is also based on this same principle. Nozick maintains that Marx regards the capitalist’s appropriation of surplus-labour as an injustice, since it can be said that it literally belong to the workers. It follows that, for Nozick, Marx’s critique of capitalism rests on the same conceptual basis as his own principle of ‘self-ownership’.¹

Perhaps Nozick is correct. Marx was not opposed to this principle; rather, Marx was opposed to the fact that this principle has effectively been violated in the normal functioning of the capitalist productive cycle. As Marx points out, it is only possible for capitalists to appropriate surplus-labour since the workers do not themselves possess the means of production.

It follows seamlessly that since Marx was critical of the separation of the workers from capital, then he should also be concerned with the process leading to this situation. How does this process arise?

In actual history it is notorious that conquests, enslavement, robbery, murder, briefly force, play the great part. In the tender annals of Political Economy, the idyllic reigns from time immemorial. Right and ‘labour’ were from all time the sole means of

¹ Cohen has discussed this problem in his book *Self-Ownership, Freedom and Equality* (Cohen 1995). He regards Nozick’s challenge as very a considerable one.
enrichment, the present year of course always excepted. As a matter of fact, the methods of primitive accumulation are anything but idyllic.¹

Now, if we suppose that the idyllic plays the main part, the question remains as to whether the model of capitalist distribution can be justified?

Although matters have played out as Marx said, across the whole course of history, force has taken a number of forms – if not the idyllic or legal process – playing the main role in the separation-process. Since nowadays, in certain circumstances, the various different separation-processes have been replaced by a universal, peaceful process, can we ask whether the division between individuals and the means of production – that is some individuals have it, whereas most lose control of it – and the resultant exploitation be justified?

This process can, indeed, be observed in the Russian and Eastern-European experience. After the historical transformations in Russia and Eastern Europe, there was a massive reallocation of state-owned property to individuals.² This property, which was formerly held publicly, is now held privately, thus replacing public ownership with private ownership.

But if, at first, there was no division, or separation, between individuals and the means of production, and the formerly publicly owned property was now equally redistributed among the people, then, theoretically, everyone had a share of property. As a direct consequence, the prerequisite conditions for exploitation, such as the division between people with respect to ownership of the means of production, did not exist.

However, the division, or separation, between the people and the means of production, was inevitable under the current conditions of private ownership within a market economy. Compared with the violent processes that have taken place in history, what has today happened is much more like an idyllic process, though in reality it entailed the abuse of political and economic power.

¹ Marx 1990, p. 620

² The historical transformation I mention here was the one happened at the end of 80s last century, in Russian it began with every person has been allocated a share of public property in the form of bond, but as soon as it has happened, the bond has been concentrated in few hands.
Marx himself never criticised the universal principle of distributive justice. He went no further than to note that it changes into its opposite under capitalism (or any class-based society). It is unjust because exploitation is unjust. In discussing the link between alienation and exploitation, Marx pointed to the relations of production and the system of private ownership.

In the *German Ideology*, Marx, together with Engels, analysed the changes in the relations of production over the course of their historical development. Still later, in the famous 1859 ‘Preface’ to *A Critique of Political Economy*, Marx stressed that the development of the relations of production was based on the forces of production. According to Marx, although the elimination of such conditions is the prerequisite for the elimination of distributive injustice (exploitation), the elimination of such conditions itself depends on a certain level of productive forces.

What I could say is that the universal dimension does not come into conflict with the historical dimension; in other words, in a certain historical period the capitalist model could no longer justify its relations of production, just like the existence of slavery or feudalism in a certain period of history. This is Marx’s standpoint.

The above analysis tries to combine the historical dimension with the universal dimension by dealing with the historical process of the changing relationship between persons (from not divided to divided into different classes) and things (property, means of labour). These historical changes are, to some extent, guided by the universal dimension, no matter how far it becomes its opposite in a class society. In fact, my analysis follows in the tracks of Marx himself, if we remember that Marx asked himself these same questions on the relations of capitalism in his 1844 *Manuscripts*.

**Are there any principles of distributive justice in Robert Nozick and John Rawls?**

Robert Nozick regards capitalism as resting on the protection of private property, deriving from the principle of ‘self-ownership’. He believes that capitalists getting profits from the
investment of capital could be justified by means of justifying the process by which control of the means of production is divided between capitalists and workers. According to Nozick, if the original process of appropriation of property (or the means of production) is legal, then its result – the derivation of profits from it – can also be justified, since this can be seen as the chain of justice.

My argument is that although the principle of ‘self-ownership’ could even justify the original process of the separation between individuals and the means of production, or the initial appropriation of the external world for only some individuals, it cannot justify the transformation of property into capital, by which, furthermore, some people can appropriate the labour of others. This can be explained only by the theory of economic games and economic efficiency.

What concerns Nozick is only the rights of those individuals whose property could be taxed for purposes of redistribution, as he describes in the preface of Anarchy, State, and Utopia. He uses the principle of ‘self-ownership’ to counter the idea of redistribution by the state, regardless of the fact that part of the worker’s individual rights have already been taken from her.

It is at the point of redistribution that the liberal John Rawls differs from Nozick. Rawls does not challenge the principle of ‘self-ownership’, Where he differs from Nozick is that he does not protest the policy of redistribution as an offence against rich people’s ‘self-ownership’ while he does protest serious differences in distributive outcomes, pays attention to redistribution, and seeks to achieve some kind of equality within the terms of social class structure. What concerns him is only equality of opportunity, although he knows that for those in different economic positions, the first step on their career-paths will never be equal.¹

As such, as regards ‘self-ownership’ and social class structure there are no differences between Rawls and Nozick. We can see this clearly from Rawls’s principles of justice as fairness. What is important for Rawls, apart from equality of opportunity, is equality of 

¹ See Rawls 1971, p.78.
liberty. While he is aware of the effects of social class structure, he never questions the relations of production and their rules, nor the existence of private ownership.

Seeing that distributive justice would unavoidably result in serious inequality, especially under the conditions of class difference, he stresses justice as fairness, which not only justifies distributive inequality from the point of economic efficiency and equal opportunity, as well as equal liberty, but also amends the inequality with regard to redistribution.

**From principles to contexts: comparing Marx, Nozick and Rawls**

From Marx’s point of view, private ownership of the means of production is the cause of capitalist exploitation. This can only be explained through the double relationship between people and people, and people and things. That is to say, an individual can only take control of and enslave others when he owns the means of production, or an individual can only be taken control of and enslaved by other people when he owns nothing.

For Nozick and Rawls, the existence of private ownership is explained by Locke, being based on the principle of ‘self-ownership’, the rule of equal exchange guaranteed by the free contract. Neither of the two deal with the fact that as soon as social separation has taken place (property centralised in the hands of some and separated from others), even with equal rights in terms of liberty and opportunity, the principle of ‘self-ownership’ becomes its opposite.

Liberal theory does not mention the real problem behind the phenomenon of free contracts, which is not only the relation between two persons, since it is also associated to the relation between people and things. On this point, we can distinguish Marx’s position from liberalism.

In comparison with Marx, we see that for Nozick and Rawls, the problem of the differences between the rich and poor only concerns the type of distribution. There are no essential differences between them, although Rawls knows that ‘those starting out as members of the entrepreneurial class in property-owning democracy, say, have a better prospect than those who begin in the class of unskilled labourers.¹

¹ Rawls 1971, p. 78.
Marx’s labour theory of value can be understood only in terms of a dual relation:
a. The relation between people and things (means of production) relies on the relation between people (workers must be employed by those who own the means of production).
b. The equal relations between people are distorted by social division (those who own the means of production not only dominate the work of others, but also dominate the surplus-labour of others).

The distributive theory of liberalism obscures two relations:
a. The relation between two people when they exchange their own products is different to the relation between capitalists and workers when capitalists employ workers, since the latter is the result of social division.
b. As soon as the social division has happened, the principle of self-ownership and those universal rules that should be obeyed by all people in freedom and equality become heir opposite.

Marx uncovered and criticised both points a and b, which, in liberals’ eyes, can be justified if the process is legal.

The key problem, here, is not only that with which the early Marx was concerned, namely the separation between capital and workers (Marx goes further than this), but also how to judge surplus-value in general: who produces it, workers (employees) or capitalists (employers)?

Based on the analysis sketched out above, it is clear that it is difficult to make out the difference between Marx and liberalism with regard to the principle of distributive justice, but it is much easier to distinguish the differences in the way they look at the real context. According to Marx, the separation between individuals and property is the precondition of alienated labour and distributive injustice (exploitation). That is why Marx wants to change the social structure (relations of production), not the principle itself.
Even for Marx, justice in distribution does not mean equal distribution.

For Marx, only public ownership of the means of production can guarantee distributive justice. Public ownership of the means of production not only transforms surplus-labour from something in the hands of private owners to something in the hands of the state, such that it no longer belongs to individuals but to the whole of society, and also transforms the relationship between employees and employers, who become equals. Since private-owners-as-employers no longer exist under the conditions of public ownership, there are now only managers, and the proletariat-as-employees also no longer exist. Both the managers and workers are, theoretically, the owners of the means of production. They are now in an equal position.

Even so, for Marx there is a distinction between equal rights and equal distribution. In the *Critique of the Gotha Programme*, Marx criticised a confusion between equal rights and equal distribution.

For Marx it is clear that equal rights are still based on the rule of bourgeoisie. He therefore divides communism into two stages, since at first it is still a form of commercial economy: ‘Here obviously the same principle prevails as that which regulates the exchange of commodities, as far as this is the exchange of equal values’. Equal rights still do not mean equal distribution, therefore, he wrote, ‘Hence equal right here is still in principle – bourgeois right’.

Since equal rights are, by their very essence, still a remunerative right based on the principle of justice, and do not mean equal distribution to every single person, equal distribution according to one’s contribution might actually mean an unequal distribution of consumer

1 Marx 1989, p. 86.

2 Ibid.
goods to each person. Therefore, equal rights actually means unequal distribution, even if based on the principle of justice under the condition of public ownership, drawing a connection between a person’s effort and the rewards she receives. As such, Marx believes that it remains a bourgeois right.

If distributive justice means differences in distribution, hence unequal distribution, or, we could say, there are still contradictions between these two. In order to satisfy the latter, we have to change the former, that is, change the principle of distribution, the problem Marx studies with respect to the second period of communism. But even a view of equal rights under the conditions of public ownership has to face up to a difficult problem. If remuneration implies differences in distribution, how then should we deal with the accumulation of differences? Could this difference be transformed into things(or means of production)? If the answer is yes, then the process of history would repeat itself. If the answer is no, then the differences are limited.

The tensions between distributive justice and equality are clear, whether under the conditions of private ownership or public ownership. With the former, inequality comes from the separation of objective conditions, inevitably increasing social division; with the latter, it is difficult to keep inequality within certain limits, especially given the role of modern science.

Rawls did not say that there are conflicts between the principle of justice and capitalism, but when he says that the coherence of society requires something more than justice, this shows that he has recognised the existence of a contradiction.

Marx never thought that distributive justice could be achieved under the conditions of the capitalist system. Marx was also not so naïve as to believe that it could be easily achieved after the transformation of the capitalist social structure into the socialist social structure. Marx saw that the equal rights of distributive justice (the principle of remunerative distribution) would unavoidably result in unequal material allocation, even after the elimination of the separation of workers from the means of production and under the conditions of public ownership. In order to achieve equal distribution, the principle of remunerative distribution should be replaced by distribution according to people’s needs. That is the principle beyond remunerative distribution, which belongs to the second stage of
communism as Marx suggested in his *Critique of the Gotha Programme*: ‘From each according to his abilities, to each according to his needs!’

**References**


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1 Marx 1989, p. 87.