The problem of social justice is the problem of the derivation of a rule for evaluating the distribution of desired objects among individuals in a society.¹ This essay seeks to demonstrate that the institution of property can be grounded in species characteristics and taken therefore as an ultimate value (or "natural boundary" to individual rights). If successful, this demonstration provides the foundation for the following rule of social justice: The distribution of produced objects among individuals in a society is just to the extent that the control over these objects is congruent with property rights.

PRODUCED VERSUS NONPRODUCED PROPERTY

"Property is theft," thundered the French socialist Proudhon in 1840. To this my reply is: "Property is deserved." By this I mean that a property right is the feeling of legitimate entitlement experienced by an individual with respect to some object. The term object should be understood in a maximally general sense, including not only physical but incorporeal objects (for example, information).
Apparently the feeling of ownership is triggered by several stimuli, including considerations of equal treatment, random assignment, and first occupancy. But these stimuli seem to apply only with respect to the acquisition of nonproduced (or unheld) objects. As Nozick aptly suggests, they apply to objects that appear “from nowhere, out of nothing.” But, at least since humans were expelled from the Garden of Eden, our wealth has owed its existence primarily to the sweat of our brows. This discussion therefore focuses on the most powerful and economically important stimulus of all, one that Proudhon in 1860 not only recognized but applauded, namely, the act of production.

In what follows no attempt is made to set forth a total theory of property rights, and hence of social justice, by taking up each and every mode of what Nozick calls “just acquisition.” Instead the meaning of property right is narrowed down to the feeling of legitimate entitlement with respect to an object produced (directly or indirectly) through one’s own efforts. In order to avoid misunderstanding on this point, it is well to employ the more precise terminology of the economist: A property right is the feeling of legitimate entitlement with respect to the marginal physical product (or marginal value product) of one’s own labor. (“Labor” includes not only the expenditure of “raw” labor power but the effort of directing and supervising it.) An indirectly produced object is one that the producer acquires in exchange for his marginal physical product. The unimportance of the distinction between direct and indirect production is well illustrated by the attitudes of the Mbuti (formerly called Pygmies), a hunting and gathering society of the Ituri Forest of Zaire. Since the late 1950s, tribesmen have been trading antelope meat with commercial meat dealers in return for items such as cassava flour and rice. The Mbuti regard the meat they have produced and the trade goods as so equivalent that they sometimes refer to their antelope hunt as a “hunt for cassava flour.”

**ENTITLEMENT VERSUS POWER**

Entitlement is visualized as a vector of distinct rights. These rights would include those listed below and perhaps others as well: