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ASSIGNMENT

Read the Chapter on John Rawls and write explanatory notes on:

- 1) John Rawl's First Principal
- 2) The Second Principal Distributive Economic Justice
- 3) The Original Position
- 4) Summarise John Rawls Idea of Justice

ANSWER

John Rawls was born in Baltimore, Maryland, on 21 February, 1921 and died in November 24, 2002. He grew up in Baltimore, where his father was a lawyer. He attended secondary school in Connecticut (the Kent School) and then entered Princeton University in 1939 as an undergraduate. There he was first introduced to political philosophy by Norman Malcolm, a student of Ludwig Wittgenstein's. He wrote his senior thesis on the problem of evil. Upon graduating in January 1943, Rawls joined the US Army as a private in the infantry (1943-6) and saw active service in the Pacific. He then returned to Princeton, in 1946, to begin graduate studies in philosophy, receiving his Ph.D. degree in 1951.

. He taught at Princeton and later received a Fulbright scholarship to Oxford University, where he was affiliated with Christ Church College (1952-1953). At Oxford Rawls attended,

and was especially influenced by, lectures by H. L. A. Hart on the philosophy of law. He was also influenced by the likes of Isaiah Berlin and Stuart Hampshire.

He was best known for his defence of Egalitarian Liberalism in his major work, a theory of Justice (1971). He is widely considered as the most important Philosopher of the 20th century. He was an American moral Political Philosopher in the liberal tradition.

Furthermore, the two themes during his era were i) the need for Philosophical Justification for Political Liberalism ii) Rawl's belief the utilitarianism wasn't living up to its expectation.

He then identified two principles i) The principal of equal basic rights , Liberty and ii) The principal of economic justice, which stresses on equality of opportunity, reciprocal benefits and egalitarianism. He also provides argument of these two principles. What is distinctive about these two arguments is that Rawl represents them as taking place ultimately in an idea arena for decision making, known as the 'The Original Position.' His notable ideas includes; Justice as fairness, The Original Position, Reflective Equilibrium, Overlapping consensus, Public reason.

Achievements: occupant of the John Cowells chair in Philosophy from 1974 till 1979 and became a successor to the likes of Nobel Laureate Kenneth Arrow, the James Bryant Conant University professorship (1979-91), received honorary doctorates from both Oxford and Harvard, awarded National Humanities Medal by President Clinton in 1999, the Rolf Schock Prize in Logic and Philosophy, in Stockholm.

JOHN RAWL'S FIRST PRINCIPAL

John Rawl's first principle is referred to as Equal Basic Liberties, which can also be referred to as the Theory of Justice that which was established in 1971 or "Justice as Fairness." Rawl admitted that he didn't achieve this objective until ten or so years. Rawl theory of Justice revolves around the adaption of two fundamental principles of justice which would, in turn, guarantee a just and morally acceptable society.

The first principle guarantees the right of each person to have the most extensive basic liberty compatible with the liberty of others. The second principle states that social and economic positions are to be i) to everyone's advantage and ii) open to all.

The first principle was said to be based on some tenets which includes; i) Basic rights ii) Liberty and equality iii) Justice and fairness

Rawls claims that for every individual citizen there are two fundamental capacities or powers and, correspondingly, two 'higher-order interests' in the realization of those capacities. Thus, each person has, over that person's entire life, (i) an interest in being able to formulate and live according to some particular conception of the good and (ii) an interest in exercising one's 'sense of justice' and being motivated by it, providing others do so as well.

The second fundamental capacity requires that everyone has over his life an interest in living cooperatively with the fellow citizen, on the terms of mutual respect and reciprocal benefits, under a stable scheme of basic Political Institution.

The notion of the two Powers or fundamental capacities necessitates that in a Democratic system, citizens are free and equal and every citizen is considered to have two Powers, at sufficient level to contribute to the society over the person's adult life.

Rawl's perception to this stipulates that citizens are equal and can be said to have reached a level that can be referred to as Threshold level.

John Rawl uses the idea generated from the fundamental capacities and the corresponding interest of citizens, to throw more light on the basis of Liberty; that each citizen has to be equal, liberty which is a way of acting or of not being injured should be inculcated into the constitutional right. It can also be weight amongst writers which is referred to as fundamental cases. The fundamental cases can be said to be part of the means to achieve the first interest (The conception of the good interest) and (The Justice Interest) which constitute of the second of the both fundamental cases.

By way of illustration, Rawls offers liberty of conscience and freedom of personal association as examples of liberties justified under the first interest (the conception of the

good interest). The argument here is simply that people would not be able to have or live according to their own particular determinate conception of the good, whatever it was, and in particular would not be able to revise any such conception, without liberty of conscience or freedom of personal association.

Rawls was also a propagator of Freedom of speech and assembly, which is an example of the second Principle (The sense of justice interest), which conceives this interest as being carried out in a Democratic society. Emphasis here is based on the fact that citizens can't live a cooperative life with each other, except there is an established Democratic Political Institution.

. The point from the second interest is that people cannot live cooperatively with their fellow citizens, in terms of equality and mutual respect, under a unified and stable scheme of democratic political institutions without having a practice of free political speech and assembly in place. It can be seen that the above-mentioned basic liberties can be justified under the European Convention on Human Rights (1954) or the United Nations' Covenant on Civil and Political Rights (1966, entered into force in 1976), or on a list of important rights in current American constitutional law. Although there are some of these liberties that fall under neither case directly but are, still necessary for the proper and adequate exercise of those that do fall under the liberties. Liberties such as the right to fair trial or right to bodily integrity are seen as necessary to the full flourishing of the liberties justified in the two fundamental cases.

The Synopsis of John Rawls' First principle, examines that each citizen in a society has equal claim to full basic rights and liberty, which the same rights can be applicable to other citizens. In addition, there is also the equal political liberty for citizens i.e. the right to vote and be voted for, the right to campaign which must be in a Democratic society.

JOHN RAWLS' SECOND PRINCIPLE DISTRIBUTIVE ECONOMIC JUSTICE

Distributive justice concerns the socially just of the allocation of resources.

The Economic, Political and Social frameworks states that each Society has its Laws, Institutions, Policies etc. result in different distributions of benefits and burdens across members of the society.

These frameworks are the result of human political process and they constantly change both across societies and within societies over time.

The structure of these frameworks is important because the distribution of benefits and burdens resulting from them fundamentally affect's people lives.

Rawls's account begins with the fact that people have different natural endowments and are born into and grow up in different social circumstances. No one can be said to be responsible for these factors in their own case. Nonetheless, factors such as natural endowment and initial social circumstance are not negligible; they powerfully affect a person's life prospects, advantageously for some and disadvantageously for others. Indeed, they may be the main sources of inequality between people.

Rawls's take on distributive justice, was based on the principle of equality. He first develops the idea of 'democratic' equality of opportunity-conceived as (1) the taking of remedial steps, conscientiously, to reduce the initial differential in advantages that accrues to individuals, arbitrarily, from their starting points in life. E.g. State-supported primary and secondary education (of good quality and at no cost to the individual student) would be an example of such a step. The leading idea here is to try to make people somewhat less unequal at the point where they actually enter into adult life, as citizens and as workers. And to make sure that everyone there, so far as possible, has the basic capabilities required to be contributing members of society. Rawls believes that an absolute equality of opportunity with respect to such starting points can never be achieved. And it is precisely where fundamental equality in starting points is not fully and strictly achieved, or cannot be, that concern for reducing the inequality of resultant outcomes is in order. Thus, Rawls introduces a further idea to complement equality of opportunity and complete the line of argument. Rawls calls this new idea the 'difference principle'; it adds two further remedial steps to the picture; it adds (1) the principle of everyone's continual benefit, which in turn is

constrained by the idea that, where there are several mutually improving (that is, efficient) options available, (2) we should choose that option which most reduces the resultant inequality in outcomes (as measured in terms of average income over a five-year period, say) between the topmost and bottom-most groups. The object of this three-step process is to reduce, ideally to minimize, the gap between persons by taking account of both starting points and end results. The "difference principle", can be said to be represented through different stages, but geared towards achieving equality of opportunity by repeating the same theme. First satisfy the standard of mutual benefit (or of efficiency) and then reduce differences in outcome between the topmost and the bottom-most group. This repeated pattern continues at each stage until we reach an optimum point, at which no further mutually improving moves are possible: at this point we have minimized the difference in question (without making any group worse off in the process), and those least well off (the bottom 20 per cent, say) have here their greatest benefit.

This argument may just be based on speculations, but to prove it right there must be some form of assumptions. We must first assume in-line with Rawl, that we are coming from a hypothetical point of strict equality between people. And secondly, we must assume that so long as the benefit of the least well-off group could possibly be higher, that of the other groups could also be higher, right on up to the optimum or goal point. The object of this second assumption is to identify a zone or context in which the procedure (the repeated pattern described earlier) can operate, with full effect, to achieve its intended end. With these two assumptions in place, we have completed our account of Rawls's argument for his second principle of justice, the principle of distributive economic justice.

John Rawl's main idea on distributive Justice is aimed at making every citizen equal, when they entire into adulthood as citizens and workers and also for them to have the capacity to be contributing members of the society. Rawl also calls for strict equality, so long as the inequalities in question would make the least advantaged in society material better off than they would be under strict equality.

JOHN RAWL'S THE ORIGINAL POSITION

The original position is the central feature of John Rawl's Social contract account of Justice, "Justice as fairness," set forth in a Theory of Justice. The original position is designed to be a fair and impartial point of view that is to be adopted in our reasoning about fundamental principles of Justice. The main distinguishing feature of the Original position is "the veil of ignorance".

John Rawl sees the Original Position to also mean "The Parties". Here they are instructed in their subsequent reasoning to ignore their own particular traits (traits that distinguish them from most or, at least, many other people), to be unaware of (or to ignore) their actual place in society, to be unaware of their society's place in history or in institutional evolution, and so on. The point of the metaphor of the veil is to indicate that the parties should remove sources of bias and irrelevancy from their deliberations. Other features are important as well. The parties understand that they are deciding about principles of justice, principles for distributing certain primary goods such goods as liberties, opportunities, income, and wealth to individuals and that they will have to live, for their entire lives, under the principles they have selected.

The Original Position is said to be in-line with the Principle of Justice, as it brings about decision about the principle of Justice, "Justice as fairness" and its various features which is meant to either frame or constraint the debate about the principle. 'The idea of the original position is to set up a fair procedure so that any principles agreed to will be just.'

Rawls envisions two main roles for the original position. In its first role the original position is to serve as a medium for screening a candidate principles, i.e. principles taken from a short list of main, historically available theories of justice-such as Plato's republic, various versions of utilitarianism, and so on. Here the features of the original position serve as a checklist against which the candidate principles are to be measured and to be assessed.

E.g. A principle of racism will not pass the Original position screening for candidate principle. Thus, if people contemplated living in a multiracial society under the original position principle, it is clear that some of them would be seriously disadvantaged, indeed deeply harmed, by its screening. Everyone who took on, by hypothesis, the role of these injured parties would have to veto the racist principle; thus, it could not meet the unanimity requirement. Since anyone (given the veil of ignorance) could be in such a role, the racist

principle would be decisively ruled out. For similar reasons it is likely that caste system principles or slavery principles would not survive the initial screening either.

The second responsibility of the Original Position is to rank the eligible candidates after the Parliamentary screening has been carried out.

In performing this second role, of ranking, the parties rely on the balance of reasons (determined in light of assessments that could be reached in the original position) to decide which of the remaining eligible candidates is best. If they can do so unanimously, there should be no real doubt about that particular ranking.

SUMMARY OF JOHN RAWL'S IDEA OF JUSTICE

Rawls constructs justice as fairness around specific interpretations of the ideas that citizens are free and equal and that society should be fair. He sees it as resolving the tensions between the ideas of freedom and equality, which have been highlighted both by the socialist critique of liberal democracy and by the conservative critique of the modern welfare state. Rawls holds that justice as fairness is the most egalitarian, and also the most plausible, interpretation of these fundamental concepts of liberalism. He also argues that justice as fairness provides a superior understanding of justice to that of the dominant tradition in modern political thought: utilitarianism.

The idea of Justice can be said to be the central idea of Rawl's work, as justice can be seen in his three works; i) The first principle ii) The Original Principle iii) The Principle of Distributive Economic Justice.

RAWL'S FIRST PRINCIPLE

From Rawl's First Principle which is the Equal Basis Liberty, the principle is still built on the basis of Equality, Justice, fairness, and basic rights towards the citizens of a state.

This can be stated in Rawls claims that for every individual citizen there are two fundamental capacities or powers and, correspondingly, two 'higher-order interests' in the

realization of those capacities. Thus, each person has, over that person's entire life, (i) an interest in being able to formulate and live according to some particular conception of the good and (ii) an interest in exercising one's 'sense of justice' and being motivated by it, providing others do so as well. John Rawls uses the idea generated from the fundamental capacities and the corresponding interest of citizens, to throw more light on the basis of Liberty; that each citizen has equal claim for basic liberty, liberty which is a way of acting or of not being injured should be inculcated into the constitutional right.

While the second principle talks about the social and economic inequalities which satisfy two conditions; they are attached to offices and positions open to all under conditions of fair equality of opportunity and they are to be to the greatest benefit of the least advantaged members of society (the difference principle).

THE ORIGINAL PRINCIPLE

The Original Principle also has some traits to Justice, the Original Principle which also stands for "The Parties" is also said to understand that they are deciding about principles of justice, principles for distributing certain primary goods such goods as liberties, opportunities, income, and wealth to individuals and that they will have to live, for their entire lives, under the principles they have selected.

The Original Position is said to be in-line with the Principle of Justice, as it brings about decision about the principle of Justice and its various features which is meant to either frame or constraint the debate about the principle. 'The idea of the original position is to set up a fair procedure so that any principles agreed to will be just.'

. The original position posits that real citizens will choose representatives (veil of ignorance) that will represent the majority of individuals in society in coming to an agreement on which principles of justice should order the political institution. The original position provides requirements that will produce a just and fair principle, these include the publicity requirement, that is, for the principle to be clear and available to all citizen, the unanimity requirement, that is, those representatives have to look at

varieties of the perspective and all representatives must accept each of the perspectives etc.

Also, from the duties of the Original Principle, which is to screen the candidate principles i.e. principles taken from a short list of main, which are seen as available theories of justice such as Plato's republic, various versions of utilitarianism, and so on. Here the features of the original position serve as a checklist against candidate principles which are said to be measured and to be assessed to verify if they are just to the society.

RAWL'S SECOND PRINCIPLE OF DISTRIBUTIVE ECONOMIC JUSTICE

This principle is based on equality in the allocation of resources within a State, which is still being just. Rawls's take on distributive justice, was based on the principle of equality. He first develops the idea of 'democratic' equality of opportunity-conceived as (1) the taking of remedial steps, conscientiously, to reduce the initial differential in advantages that accrues to individuals, arbitrarily, from their starting points in life. E.g. State-supported primary and secondary education (of good quality and at no cost to the individual student) would be an example of such a step. The leading idea here is to try to make people somewhat less unequal at the point where they actually enter into adult life, as citizens and as workers. And to make sure that everyone there, so far as possible, has the basic capabilities required to be contributing members of society. The principle of Distributive Economic Justice can be divided into two halves viz: i) Fair equality of opportunity, which requires citizens with the same talents and skills and are willing to use them, should have the same educational and economic opportunity regardless of their class (upper or lower). ii) The second part of the second principle of justice is the **difference principle**, which regulates the distribution of wealth and income.

In summary, John Rawl's theory of Justice revolves around the adaptation of two fundamental principles of Justice which would, in turn, guarantee a just and morally acceptable society.

Rawl idea on Justice, can be stated in his book "**Justice as fairness,**" which was a guide to describe to all an acceptable way to behave that is just and that will be applicable in the society. The original position, introduce impartial procedures which will be used to judge by all to have a fairly decided one. In his second book, Rawls used the term to identify the expected result of using such procedures here then 'justice as fairness' referred to the two principles of justice themselves and the main institutions required to embody them. His idea of Justice describes a society of free citizens holding equal basic rights and cooperating within an egalitarian economic system.

REFERENCES

- i) Audard ,C, 2007, John Rawls, Montreal: McGill- Queen's University Press.
- ii) Daniels, N 9 (ed), 1975, Reading Rawls: Critical studies on Rawls' A theory of Justice, New York: Basic Books. Re-issued with new preface, 1989.
- iii) Boucher, D. and Kelly, P (eds.). 2003, *Political Thinkers From Socrates to the Present*, Oxford University Press, United States.
- iv) Young, S. (ed.), 2016, Reflections on Rawls: An Assessment of his Legacy, London: Routledge.