

ENWUMERE DESTINY CHIZOBAM

16/LAW01/079

POLITICAL SCIENCE

POL 304: HISTORY OF POLITICAL THOUGHT II

ASSIGNMENT: Read the Chapter on Rawls (Full Name is : John Rawls) in the Political Thinkers, edited by David Boucher and Paul Kelly (ebook sent on whatsapp) and write short explanatory notes on:

1. John Rawl's First Principle;

2. The Second Principle: Distributive Economic Justice;

3. The Original Position;

4. Summarise John Rawls Idea of Justice

The essay "Justice as fairness: political not metaphysical" by John Rawls and was published in 1985. In it he describes his conception of justice.

John Rawls first principle: Equal basic liberties.

The first and most important principle states that every individual has an equal right to basic liberties, Rawls claiming "that certain rights and freedoms are more important or 'basic' than others". For example, Freeman argues, Rawls believes that "personal property" – personal belongings, a home – constitutes a basic liberty, but an absolute right to unlimited private property is not. As basic liberties, these rights are inalienable: no government can amend, infringe or remove such rights from individuals. Thomas Mertens says Rawls contends that principles for a society are just when chosen by representative citizens placed within "fair" conditions.

In A Theory of Justice, Rawls articulates the Liberty Principle as the most extensive basic liberty compatible with similar liberty for others; he later amended this in Political Liberalism, stating instead that "each person has an equal claim to a fully adequate scheme of equal basic rights and liberties".

The Second Principle: Distributive Economic Justice;

Rawls awards the Fair Equality of Opportunity Principle lexical priority over the Difference Principle: a society cannot arrange inequalities to maximize the share of the least advantaged whilst not allowing access to certain offices or positions.

Fair equality of opportunity Edit

This principle maintains that "offices and positions" should be open to any individual, regardless of his or her social background, ethnicity or sex. It is stronger than 'Formal Equality of Opportunity' in that Rawls argues that an individual should not only have the right to opportunities, but should have an effective equal chance as another of similar natural ability.

Difference principle Edit

The Difference Principle regulates inequalities: it only permits inequalities that work to the advantage of the worst-off. This is often misinterpreted as trickle-down economics; Rawls' argument is more accurately expressed as a system where wealth "diffuses up". By guaranteeing the worst-off in society a fair deal, Rawls compensates for naturally occurring inequalities (talents that one is born with, such as a capacity for sport).

Rawls justifies the Difference Principle on the basis that, since Fair Equality of Opportunity has lexical priority, the Just choice from Pareto optimal scenarios which could occur would be that benefiting the worst-off rather than the best-off.

The original position

In the original position, the parties select principles that will determine the basic structure of the society they will live in. This choice is made from behind a veil of ignorance, which would deprive participants of information about their particular characteristics: their ethnicity, social status, gender and, crucially, Conception of the Good (an individual's idea of how to lead a good life). This forces participants to select principles impartially and rationally. As a thought experiment, the original position is a hypothetical position designed to accurately reflect what principles of justice would be manifest in a society premised on free and fair cooperation between citizens, including respect for liberty, and an interest in reciprocity.

In the state of nature, it might be argued that certain persons (the strong and talented) would be able to coerce others (the weak and disabled) by virtue of the fact that the stronger and more talented would fare better in the state of nature. This coercion is sometimes thought to invalidate any contractual arrangement occurring in the state of nature. In the original position, however, representatives of citizens are placed behind a "veil of ignorance", depriving the representatives of information about the individuating characteristics of the citizens they represent. Thus, the representative parties would be unaware of the talents and abilities, ethnicity and gender, religion or belief system of the citizens they represent. As a result, they lack the information with which to threaten their fellows and thus invalidate the social contract they are attempting to agree to.

Summary of John Rawls idea of justice

Rawls, In A Theory of Justice, begins with the statement that, "Justice is the first virtue of social institution," meaning that a good society is one structured according to principals of justice. Rawls sets forth to determine the essential principles of justice on which a good society may be based. He explains the importance of principles of justice for two key purposes: first, to "provide a way of assigning rights and duties in the basic

institutions of society"; and secondly, to "define the appropriate distribution of the benefits and burdens" of society. He observes that, by his definition, well-ordered societies are rare due to the fact that "what is just and unjust is usually in dispute." He further notes that a well-ordered and perfectly just society must be formulated in a way that addresses the problems of "efficiency, coordination, and stability."