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 ASSIGNMENT QUESTIONS

Read The Chapter on Rawls (Full Name is :John Rawls) and write short explanatory notes on

1. John Rawls First Principle
2. The Second principle: distributive economic justice
3. The original position
4. Summarise john Rawls idea of justice

 ANSWERS

John rawls waS born in Baltimore, Maryland on 21 February 1921. He grew up in Baltimore, where his father was a lawyer. He attended secondary school Connecticut (the kent school) and then entered Princeton university in 1939 as in undergraduate. There he was introduced to political philosophy by norman Malcolm, a student of Ludwig wittgenstein’s.

Rawls married Margret warfield fox, also of Baltimore, In 1949. Among the many portraits she painted (in her career as an artist) were several of john Rawls. They have two sons and two daughters.

THE FIRST PRINCIPLE: EQUAL BASIC LIBERTIES

Rawls theory of justice has provided a convincing account of basic rights and liberties over the years although he admitted his theory didn’t fully convince the majority until years after the theory came into limelight

This theory focuses on the fundamental capacities or powers of every individual and correspondily, two higher-order interest in the realizations of those capacities. Rawls in this theory claims each person in their entire life has an interest in being able to formulate and live according to some particular conception of good and each person has the, over the persons life, an interest in living cooperatively with his/her fellow citizens and has mutual respect reciprocal benefit under institutions that have political and economic capabilities organized by a set of principles of justice which each citizen can affirm. Rawls idea in this theory is to conclude that in a democratic society citizens are both free and equal. Every citizen is conceived as having the two powers at a sufficient level so as to be a contributing member of society throughout their entire adult life. This then is the grounding idea behind Rawls notion that all citizens are equal .

Rawls in this theory identifies which basic liberties each citiens is to have equally. Those liberties that are part of a means of achieving the first interest ( the conception of the good interest ) or a means of achieving the second (the sense of justice interest) constitute the second of the two ‘fundamental cases’

The basic liberties constitute in effect, a determinate and well defined set. For the most part, these liberties are rarher standard civil rights, of the sort that would be found, for example, In the European convention on human rights (1954) or the united nation’s convenant or civil and political rights (1996, entered into force in 1976), or on a list of important rights in current American constitutional law.

For Rawls, all the liberties just specified should be counted among the basic constitutional rights. These basic liberties and rights are not founded on basic or natural rights. Rather they are most likely to be congenial to the public political culture of a modern democratic society.

Thus we have come to the conclusion of the first principle of justice. ‘each person has an equal claim to a fully adequate scheme of equal basic rights and liberties, and only those liberties are to be guaranteed their fair value.

THE SECOND PRINCIPLE: DISTRIBUTIVE ECONOMIC JUSTICE

Unlike the first principle, Rawls thought the the account and information of this second principle of justice, as found in A THEORY OF JUSTICE (1971), was substantially sound

This account of the second principle begins with the fact that people grow up in different social circumstances. These factors such as natural endowment and initial Social circumstances powerfully affect a person's life prospects better than it affects others. This is so because; they may be the main sources of inequality between people

Rawls's starts his theory from this point. He first develops the idea of 'democratic' equality

of opportunity-conceived as the taking of remedial steps, conscientiously, to reduce the initialdifferential in advantages that accrues to individuals, arbitrarily, from the first stage of their lives. 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 pointcan 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 outcomesis in order. Thus, Rawls introduces a further idea to complement equality of opportunityand complete the line of argument. Rawls calls this new idea the ‘differenceprinciple'.

With these assumptions, we have concluded our account of Rawls's argument for his second principle of justice, the principle of distributive economic justice. In this theory we can clarify one thing 'Social and economic inequalities are to be attached to positions and offices 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 ORIGINAL POSITION

In simplest terms the original position is an arena for deliberation and decision about principles

of justice its various features are meant to frame and constrain the debate about such principles. '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 screening device for the candidate principles, that is, 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.

In short, some principle would be filtered out, by the various features of the original position, and removed from any further consideration. They have passed through the initial screening. This means simply that these principles can be formulated and argued for under the constraints of the original position. Unlike the discredited principles, these

principles will have purchase there. We have already noted that one of the main features of the original position is the veil of ignorance. Thus, extreme uncertainty about starting points and outcomes for any given individual

would characterize the deliberations in the original position, in which individuals are

called upon to construct and then to choose the principles of justice that they would prefer to

determine the basic structure of their society, in which they are to spend their entire lives.

In conclusion Rawls's view is that utilitarians and others, especially in the setting afforded by the original position, would allow the sacrifice or the serious weakening of some of the demands of justice as fairness, or would do so for some people at least. Here the argument focuses, in particular, on the loss of equal basic liberties of the sort enshrined in the firstprinciple.

JOHN RAWLS IDEA OF JUSTICE

**In** justice as fairness the original position of equality corresponds to the state of nature in the traditional theory of the social contract. This original position is not, of course, thought, of as an actual historical state of affairs, much less as a primitive condition of culture. **It** is understood as a purely hypothetical situation characterized so as to lead to a certain conception of justice. Among the essential

features of this situation is that 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. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance. This ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances. Since all are similarly situated and no one is able to design principles to favor his particular condition, the principles of justice are the result of a fair agreement or bargain.

For given the circumstances of the original position, the symmetry of everyone's relations to each other, this initial situation is fair between individuals as moral persons, that is, as rational beings with their own ends and capable, I shall assume, of a sense of justice. The original position is, one might say, the appropriate initial status quo, and thus the fundamental agreements reached in it are fair. This explains the propriety of the name "justice as fairness": it conveys the idea that the principles of justice are agreed to in an initial situation that is fair. The name does not mean that the concepts of justice and fairness are the same, any more than the phrase "poetry as metaphor" means that the concepts of poetry and metaphor are the same.

Justice as fairness begins, as I have said, with one of the most general of all choices which persons might make together, namely, with the choice of the first principles of a conception of justice which is to regulate all subsequent criticism and reform of institutions. Then, having chosen a conception of justice, we can suppose that they are to choose a constitution and a legislature to enact laws, and so on, all in accordance with the principles of justice initially agreed upon. Our social situation is just if it is such that by this sequence of hypothetical agreements we would have contracted into the general system of rules which defines it. Moreover, assuming that the original position does determine a set of principles (that is, that a particular conception of justice would be chosen), it will then be true that whenever social institutions satisfy these principles those engaged in them can say to one another that they are cooperating on terms to which they would agree if they were free and equal persons whose relations with respect to one another were fair. They could all view their arrangements as meeting the stipulations which they would acknowledge in an initial situation that embodies widely accepted and reasonable constraints on the choice of principles. The general recognition of this fact would provide the basis for a public acceptance of the corresponding principles of justice. No society can, of course, be a scheme of cooperation which men enter voluntarily in a literal sense; each person finds himself placed at birth in some particular position in some particular society, and the nature of this position materially affects his life prospects. Yet a society satisfying the principles of justice as fairness comes as close as a society can to being a voluntary scheme, for it meets the principles which free and equal persons would assent to under circumstances that are fair. In this sense its members are autonomous and the obligations they recognize self-imposed. A final remark Justice as fairness is not a complete contract theory. For it is clear that the contractarian idea can be extended to the choice of more or less an entire ethical system, that is, to a system including principles for all the virtues and not only for justice. Now for the most part I shall consider only principles of justice and others closely related to them; I make no attempt to discuss the virtues in a systematic way. Obviously if justice as fairness succeeds reasonably well, a next step would be to study the more general view suggested by the name "rightness as fairness." But even this wider theory fails to embrace all moral relationships, since it would seem to include only our relations with other persons and to leave out of account how we are to conduct ourselves toward animals and the rest of nature. I do not contend that the contract notion offers a way to approach these questions which are certainly of the first importance; and I shall have to put them aside. We must recognize the limited scope of justice as fairness and of the general type of view that it exemplifies. How far its conclusions must be revised once these other matters are understood cannot be decided in advance.