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**COURSE: POLITICAL SCIENCE**

**COURSE CODE:**

**ASSIGNMENT**

**Read the Chapter on John Rawls in the political Thinkers, edited by David Boucher and Paul Kelly and write short explanatory notes on:**

1. **John Rawl`s First Principle**
2. **The Second Principle: Distributive Economic Justice**
3. **The Original Position**
4. **Summarize John Rawls idea of Justice**

**JOHN RAWLS FIRST PRINCIPLE**

Rawl was not able to achieve his aim on the basic rights and liberties using his *Theory of Justice* until about 10 years or so. From Rawl’s 1980 Dewey Lectures and 1982 Tanner Lecture which provides the best account of, and arguments for, his first principle of justice, the principle of equal basic liberties.

In Rawl’s lectures, he deduced that every individual citizen has two fundamental capacities, and correspondingly two higher-order interests’ in the understanding of those capacities that every individual has throughout their entire life;

1. An interest in being able to formulate and live according to some particular concept of good.
2. An interest in exercising one’s ‘sense of justice’ and being motivated by it, proving other do the same.

The second interest simply means that throughout the existence of an individual, the individual has an interest to live cooperatively with other citizens, on the terms of mutual respect and reciprocal advantage, under a unified and stable scheme of basic political and economic institution.

The concept of the two powers of the citizen is understood to include the idea that in a democratic society citizens are both equal and free. Every individual is convinced as having the two interest throughout existence so as to contribute as an active member of the society. In having these power at same level put all citizens in the same footing. This is the basis of Rawl’s concept that all citizens are equal, due to the equality it is termed same *minimum* threshold.

Rawl used the concept of the two powers and corresponding interest of the citizens to elaborate his basis on the basic liberties that every citizen has equality. Rawl identified both liberties and he considered calling the two fundamental cases. Those liberties that are part or a means of achieving the *first interest* (the conception of the good interest) constitute the first of these cases and those that are a part of or a means of achieving the *second interest* (the sense of justice interest) constitute the second of the two fundamental cases.

Rawl offers liberty of conscience and freedom of personal association as an example of liberties justified under the *first interest.* The argument here is simply that people would not be able to have or live according to their own view of what is 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. He offers freedom of political speech and of assembly as an example of the *second interest*. He conceives this interest as being exercised in a democratic institutional context. The argument here is that people could not live cooperatively with fellow citizens, on the terms of equality and mutual respect, under a unified and stable scheme of democratic political institutions without having a practice of free political speech in place there. Same is applied to liberty of political association and assembly.

The liberties are rather standard civil rights that can be found in some examples such as the European Convention on Human Rights (1954) or the United Nations Convention on Civil and Political Rights (1966 entered into force in 1976) or on a list of important rights in current American constitutional law. Most of the already stated determinate liberties on the list would be justified in either one or both of Rawl’s fundamental cases.

Finally, some liberties do not fall under any of the cases, but nevertheless, it is necessary for the proper and adequate exercise of those that do so fall. For example, the due process rights to such things as fair trial or the rights to bodily integrity are justified as necessary to the full flourishing of the liberties justified in the two fundamental cases.

In Rawl’s first principle of justice: ’Each individual has equal claim to fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all; and in his scheme the equal political liberties and only these liberties are guaranteed their fair value’.

**THE SECOND PRINCIPLE: DISTRIBUTIVE ECONOMIC JUSTICE**

Rawls thought that his idea of the second principle of justice is a sound one. He believes that no individual is responsible for their natural endowments. He also believe that everyone is born and bred in different circumstances. Rawls is of the idea that is natural factors are very powerful that they affect individuals deliberations and it can be the sole reason of inequality between people.

He develops the idea of ‘democratic’ equality of opportunity which is conceived as the taking of steps to reduce the differences in advantages to every individual from their starting points in life. In this idea it`s somewhat about making people feel less unequal so as to be contributing members of society. He believes that absolute equality is always not likely to be achieved.

Rawls introduced more idea to complement equality of opportunity and complete his line of argument. He calls this idea the ‘difference principle’ he added more remedial steps; the principle of everyone`s continual benefits which is constrained with the idea that there are more mutual improving options available. He is also of the idea that individual choose options that would reduce inequality between the bottommost and topmost groups. These steps is ideally to minimize the gap between persons by taking account of both starting points and end results.

This principle attaches positions and offices to individual fair equality opportunities and they are to be of great benefits to the least advantaged people. Each step from the difference principle involves procedures that would result to effective equality in the society.it is done to satisfy the standard of mutual benefits. This process continues until they are able to achieve an optimum output.

**THE ORIGINAL POSITION**

This is a dominant feature of John Rawl`s social contract account of justice, “justice as fairness” in ‘Theory of Justice’. This is made to be a fair and impartial point of view that ought to be adopted by every human in their reasoning about fundamental principle of justice. It is said that his contraction method of justification is a very complex one. This principle expects every human to see themselves as free and equal who agree and commit themselves to the principle of social and political justice. Another idea of’ the original position’ ‘is to set up a fair procedure so that any principles agreed to will be just’.

There are a lot of features but the most variant feature is the “veil and ignorance”. To ensure this impartiality, they are instructed in their subsequent reasoning to ignore their own perculiar traits; traits that differentiates them from others. They are also instructed to ignore their actual place in society, to be unaware of their society`s place in history or institutional evolution. The metaphor of this ‘veil’ is to indicate that the parties should remove sources of bias and irrelevancy from their deliberations. The people understands that they are deciding on principle of justice {principles of distributing primary goods} this goods include liberties, opportunities, income and wealth and it is with these selected principles they would have to live their entire lives. There is something Rawls call the ‘publicity requirement’ and according to it, humans would want these selected principle to be clear and intelligible to all with nothing hidden and everything upfront and accounted for. And these principles ought to be accepted by every human in different perspective, this Rawls calls the ‘unanimity requirement’.

Rawls envision two roles for the original position. The first role of the original position is to serve as a screening device for the candidates principles; that is principles taken from a short list of main historically available theories of justice. This includes Plato`s republic, various versions of utilitarianism and so on. Its feature here is to checklist against any of the candidate principles that needs to be measured and assessed. Throwing more light into this role, an example of society that has an avowedly racist principle would probably not pass through the features of the original position. If people live in such society with the principle they are likely to be at an advantage and this is because many will be harmed by its operation. Everyone with the hypothesis of the injured party will veto the racist principle and by this it doesn`t meets the ‘unanimity requirements’. This is because anyone with the ‘veil of ignorance’ could be in such a role, hence would rule out the racist principle. There other principles such as the slavery principle which would likely not survive the initial screening. But their various utilitarian principles that can pass the test of veil of ignorance, publicity, unanimity and so on.

The second role has to do with ranking the remaining candidates after the initial screening has been accomplished. Looking closely at the veil of ignorance feature, individuals selects the principles that would affect their deliberations and it is with this principle that they would live their entire lives. There is an uncertainty of starting point for the individuals and they are opportune to choose the right principle to live their entire life. If they pick a strictly equality life, parties would live a life filled with equality and would have no reason to give this equality up except they have benefits for each an all which amounts to loses for another. With this, it is that which is advantageous to all that will not be vetoed out. It is best to pick that which is mutually beneficial to all.

The most memorable argument from ‘A Theory of Justice’, the famous ‘maximin argument’. This argument actually presupposes and builds on the arguments allowed and the assessments reached, in the screening process, for the various candidate principles there. This reasoning has its home in rational choice theory. It is all about maximizing the minimum. The maximin argument ranges over, are fact generated by the main competing principles under review by justice as fairness, and by its strongest competitor, the principle of maximizing average utility. It is these particular outcomes, as determine by this competing principle that the maximin argument chooses between.

Rawls view of utilitarianism and others, especially in the setting afforded by the original position, would allow the serious weakening of some of the demands of justice as fairness or would do so for some people at least. The argument focuses on the loss of equal basic liberties of the sort as seen in the first principle. This marks Rawls view for preferring the ‘principle of justice’ over their presumed competitor.

This maximin test provides what in the context of the original position is a compelling reason for the ranking of the two principles as a set above the principle of average utility.

**SUMMARY OF RAWLS IDEA OF JUSTICE**

‘A Theory of Justice’ is a work of political philosophy and ethics. This work was done to provide a theory alternative to utilitarianism and addresses the problem of distributive justice; the socially just distribution of goods in the society. It opposes other form of justice.

Rawl argues for a principled reconciliation of liberty and equality that is meant to apply to the basic structure of a well ordered society. He believes that parties should face moderate scarcity and all should be purely not egoistic. He wanted individuals to make choices that would enable them live well. He offers a fair choice situation and this brought forth ‘the original position’ with its ‘veil of ignorance’. Rawls believed that with this, parties would find favored principles of justice to be attractive, winning out other varied alternatives such as utilitarianism.

In conclusion, Rawl is one who is concerned with the assuring political stability in a pluralist or multicultural social environment hence the reason for ‘A Theory of Justice’.