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SHORT EXPLANATORY NOTES FROM POLITICAL THINKERS EDITED BY DAVID BOUCHER AND PAUL KELLY ON ;

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FIRST PRINCIPLE :EQUAL BASIC LIBERTIES

Rawls wanted his Theory of Justice to make a promising account on basic rights and liberties but this was not achievable until ten years later. Rawls lectures in 1980 and 1982 provides his best account for his best principle of Justice that is The principle of equal basic liberties. He claims that “every individual has two fundamental capacities and correspondingly two higher order interests”. In the realization of those capacities, the first capacity is that everyone has interests in being able to make and dwell according to a particular belief of the good while the second capacity is that everyone has interests in exercising ones sense of justice and being motivated by it.

These two powers in a democratic society suggests that all citizens are equal and free and with this they would be able to contribute to the society. This is the idea behind Rawls notion that all citizens ae equal. Being explanatory, Rawls presents liberty of conscience and freedom of personal association as examples justified and the first interest that is the concept of good interest . He also offers freedom of political speech and assembly as examples under the second interest that is the sense of justice interest. The argument here is that people cannot live cooperatively with fellow citizens on terms of equality and mutual respect.

The basic liberties constitute a determinate and well defined set and these sets are most times found in European Convention on Human Rights (1964) or UN Convention on Civil and Political Rights . Some liberties fall under neither case but are necessary for proper and adequate exercise of those that fail. For Rawls, all these liberties specified should be counted among basic constitutional rights. Now Rawls first Principle of Justice is “Each person has an equal claim to a fully adequate scheme of equal basic rights and liberties which schemes compatible with the same schemes for all; and in this scheme the equal political liberties(e.g the right to vote and to campaign), and only those liberties , are to be guaranteed their fair value”

SECOND PRINCIPLE : DISTRIBUTIVE ECONOMIC JUSTICE

In this principle, Rawls believes that people have different abilities and are born into different circumstances. Factors like natural endowment and initial social circumstance powerfully affects a person’s life prospects. He starts his argument by developing the idea of democratic equality of opportunity. He believes that total equality or opportunity with respect to such starting points can never be achieved . He then introduces another idea to complement equality of opportunity and he calls the idea the ‘difference principle’ and then add two other remedial steps which are the principle of everyone’s continual benefit and we should choose that option which most reduces the resultant inequality in outcomes between the topmost and the bottom most groups.In his final explanation of the ‘difference principle’ he repeatedly employed the set of ideas just sketched. This principle can be represented then go through stages that make it achieve equality of opportunity . This repeated pattern continues until we reach a optimum point. With these assumptions it is left to state the second principle that is “ Social and economic inequalities are to satisfy two conditions first, they are to be attached to positions and offices open to all under conditions of fair equality of opportunity and second , they are to be the greatest benefit of the least advantaged members of the society”.

THE ORIGINAL POSITION

Rawls contrast method of justification is very complex. One feature of it is overemphasized and that is the parties of the contract are placed behind a thick veil of ignorance. Here they are told to distinguish traits and be unaware of their place in the society. The point of the metaphor of the veil is to show that the parties should not be bias. Some other features are important as well and that the parties should know that they are deciding about justice and they will have to live under the principle. The original position is a place for decision and to deliberate about the principles of justice. Rawls gives two main roles for the original position . The first is to serve as a screening device for the candidate principles such as Plato’s republic, various versions of utilitarianism. The second role is to rank the remaining eligible candidates after the preliminary screening is complete. In this role, the parties rely on balance of reasons to decide which of the remaining eligible candidate is the best .

After checking out these principles, extreme uncertainty about starting points and outcomes for any given individual would characterize the deliberations of the original position. With this, we see that Rawls argument for his second principle fares rather well. For example the change from the idea that no one is responsible for their own starting points that people should use their natural endowments and social origins in a way everybody benefits . The second example, the mutual benefit of the earlier argument would gain strong endorsement behind the veil of ignorance and this would happen if we assume the start of strict equality. This argument can also be seen from another perspective, in the original position, a certain amount of role-play is allowed meaning individuals are always allowed to assume their starting points. The third example is where persons have equal ranks and each has claim to share primary goods , then the parties could prefer a mutually beneficial outcome that make the difference in the topmost and bottom most groups and inequality will reduce . Rawls's straightforward arguments for each of his two principles would fare well in the original position construct; the arguments could be formulated and would hold up, under the constraints identified there. 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.

SUMMARY OF JOHN RAWLS IDEA OF JUSTICE

In totality of Rawls idea of justice, his idea was to show how principles would be adopted universally with work borders on general ethical issues. He introduced the “veil of ignorance” in which all parties in the social game would be placed in a situation which is called the “original position”. He proposes that the most reasonable principles of justice for a society are those that individuals would themselves agree to behind the “veil of ignorance” in circumstances which each person has different ends and goals, different backgrounds and talents, each ought to have a fair chance to develop his or her talents and to pursue those goals with fair equality for opportunity. It is not meant to be a competition where those with talents or gifts prevail but it should be complete cooperation among all so that there may be a reasonable point to live for all.