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Assignment

1. John Rawl's First Principle :equal basic liberties

The first principle affirms that all citizens should have the familiar basic rights and liberties: liberty of conscience and freedom of association, freedom of speech and liberty of the person, the rights to vote, to hold public office, to be treated in accordance with the rule of law, and so on. The first principle accords these rights and liberties to all citizens equally. Unequal rights would not benefit those who would get a lesser share of the rights, so justice requires equal rights for all, in all normal circumstances.

Rawls's first principle confirms widespread convictions about the importance of equal basic rights and liberties. Two further features make this principle distinctive. First is its priority: the basic rights and liberties must not be traded off against other social goods. The first principle disallows, for instance, a policy that would give draft exemptions to college students on the grounds that educated civilians will increase economic productivity. The draft is a drastic infringement on basic liberties, and if a draft is implemented then all who are able to serve must be equally subject to it, even if this means slower growth. Citizens' equal liberty must have priority over economic policy.

The second distinctive feature of Rawls's first principle is that it requires fair value of the political liberties. The political liberties are a subset of the basic liberties, concerned with the right to hold public office, the right to affect the outcome of national elections and so on. For these liberties, Rawls requires that citizens should be not only formally but also substantively equal. That is, citizens who are similarly endowed and motivated should have similar opportunities to hold office, to influence elections, and so on regardless of how rich or poor they are. This fair value proviso has major implications for how elections should be funded and run, as will be discussed below.

2.. The Second Principle :Distributive Economic Justice

Rawls's second principle of justice has two parts. The first part, fair equality of opportunity, requires that citizens with the same talents and willingness to use them have the same educational and economic opportunities regardless of whether they were born rich or poor. “In all parts of society there are to be roughly the same prospects of culture and achievement for those similarly motivated and endowed”

So, for example, if we assume that natural endowments and the willingness to use them are evenly distributed across children born into different social classes, then within any type of occupation (generally specified) we should find that roughly one quarter of people in that occupation were born into the top 25% of the income distribution, one quarter were born into the second-highest 25% of the income distribution, one quarter were born into the second-lowest 25%, and one-quarter were born into the lowest 25%. Since class of origin is a morally arbitrary fact about citizens, justice does not allow class of origin to turn into unequal opportunities for education or meaningful work.

The second part of the second principle is the difference principle, which regulates the distribution of wealth and income. Allowing inequalities of wealth and income can lead to a larger social product: higher wages can cover the costs of training and education, for example, and can provide incentives to fill jobs that are more in demand. The difference principle allows inequalities of wealth and income, so long as these will be to to everyone's advantage, and specifically to the advantage of those who will be worst off. The difference principle requires, that is, that any economic inequalities be to the greatest advantage of those who are advantaged least.

The difference principle is partly based on the negative thesis that the distribution of natural assets is undeserved. A citizen does not merit more of the social product simply because she was lucky enough to be born with the potential to develop skills that are currently in high demand. Yet this does not mean that everyone must get the same shares. The fact that citizens have different talents and abilities can be used to make everyone better off. In a society governed by the difference principle, citizens regard the distribution of natural endowments as a common asset that can benefit all. Those better endowed are welcome to use their gifts to make themselves better off, so long as their doing so also contributes to the good of those less well endowed.

The difference principle thus expresses a positive ideal, an ideal of deep social unity. In a society that satisfies the difference principle, citizens know that their economy works to everyone's benefit, and that those who were lucky enough to be born with greater natural potential are not getting richer at the expense of those who were less fortunate. One might contrast Rawls's positive ideal to Nozick's ideal of libertarian freedom, or to ideas about economic justice that are dominant within contemporary society. “In justice as fairness,” Rawls says, “men agree to share one another's fate.”

3. The Original Position

Rawls belongs to the social contract tradition, although he takes a different view from that of previous thinkers. Specifically, Rawls develops what he claims are principles of justice through the use of an artificial device he calls the “Original position” in which everyone decides principles of justice from behind a veil of ignorance. This "veil" is one that essentially blinds people to all facts about themselves so they cannot tailor principles to their own advantage:"...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."

According to Rawls, ignorance of these details about oneself will lead to principles that are fair to all. If an individual does not know how he will end up in his own conceived society, he is likely not going to privilege any one class of people, but rather develop a scheme of justice that treats all fairly. In particular, Rawls claims that those in the Original Position would all adopt a maximin strategy which would maximise the prospects of the least well-off.”They are the principles that rational and free persons concerned to further their own interests would accept in an initial position of equality as defining the fundamentals of the terms of their association."

Rawls bases his Original Position on a "thin theory of the good" which he says "explains the rationality underlying choice of principles in the Original Position". A full theory of the good follows after we derive principles from the original position. Rawls claims that the parties in the original position would adopt two such principles, which would then govern the assignment of rights and duties and regulate the distribution of social and economic advantages across society. The difference principle permits inequalities in the distribution of goods only if those inequalities benefit the worst-off members of society. Rawls believes that this principle would be a rational choice for the representatives in the original position for the following reason: Each member of society has an equal claim on their society’s goods. Natural attributes should not affect this claim, so the basic right of any individual, before further considerations are taken into account, must be to an equal share in material wealth. What, then, could justify unequal distribution? Rawls argues that inequality is acceptable only if it is to the advantage of those who are worst-off.

The agreement that stems from the original position is both *hypothetical* and *ahistorical*. It is hypothetical in the sense that the principles to be derived are what the parties would, under certain legitimating conditions, agree to, not what they have agreed to. Rawls seeks to use an argument that the principles of justice are what *would* be agreed upon if people were in the hypothetical situation of the original position and that those principles have moral weight as a result of that. It is ahistorical in the sense that it is not supposed that the agreement has ever been, or indeed could ever have been, derived in the real world outside of carefully limited experimental exercises.

4.Summary of John Rawls idea of Justice

Rawls says that the conception of justice is an inherent nature of our social as well as practical life. Barker also expressed a similar idea. However, in the opinion of Raws “Justice in the first virtue of social intuitions as truth is of system of thought”. Justice is related to the social institutions which guide and mould the actions and ideas of social beings.We cannot imagine of a well ordered society whose core concept is not justice. Justice binds all men and institutions of society. The joining capacity and feature of justice has been forcefully advocated by Barker and Rawls shares the views of Barker.

John Rawls has viewed justice in the background of society and for this reason he says that the main concern of the subject matter of justice is social structure which is the core of the society. That is justice deals with the basic social structure. The social institutions are very important in the sense that they take the responsibility of distributing the fundamental rights and duties efficiently.

It is an important task for the social institutions to allocate judiciously the privileges and advantages for the people of society. Constitution, social, political and economic arrangements are included into these social institutions. Thus justice may conveniently be regarded as a social principle which determines the ways and procedure of distributing the rights and duties for the members of society. He further calls justice a social scheme on the basis of which rights, duties, opportunities and condition are allotted. Thus justice is both a principle and a scheme.

So we can say after Rawls that “various conceptions of justice are the outgrowth of different notions of society against the background of opposing views of the natural necessities and opportunities of human life”. In any liberal society opposing views must exist side by side and out of them a common opinion will one day emerge which will give rise to justice.So justice may duly be regarded as a “proper balance between competing claims (emphasis added)”. This point of Rawls reminds us of Rousseau’s general will which is the outcome of deliberations held at open general meeting and participated by all citizens.