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***JOHN RAWL FIRST PRINCIPLE: EQUAL BASIC LIBERTIES***

Although Rawls intended his Theory of Justice to provide a 'convincing account of basic rights and liberties and of their priority', Rawls admits he did not successfully achieve this objective until ten or so years later. Rawls claims that for every individual citizen there are two fundamental capacities or power, corresponding, ‘two higher interests’ in the realization of those capacities. Thus, each person has over that person’s entire life

1. An interest in being able to formulate and live according to some particular conception of good.
2. An interest in exercising ones sense of justice and being motivated by it providing others to do so as well.

This is the ground on which Rawl’s notion that the citizens are equal: they are equal in havin reached what might be called this minimum threshold level.

Examples justified under the First Interest:

1. The Conception of Good Interest, The argument here is simply that people would not be able to have or live according to their own particular determined conception of good
2. The Sense of Justice Context, The main argument here then is simply that people could not live a unified and stable scheme of democratic political institution without having a practice of free political speech in place there.

This brings us to Rawls first principle of justice which states ***'Each person has an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all; and in this scheme the equal political liberties***.

***RAWLS SECOND PRINCIPLE: DISTRIBUTIVE ECONOMIC JUSTICE***

Rawls's account begins with the fact that people have different natural endowments and are born into and grow up in different social circumstances. No one can be said to be responsible for these factors in their own case. Nonetheless, factors such as natural endowment and initial social circumstance are not negligible; they powerfully affect a person's life prospects, advantageously for some and disadvantageously for others. Indeed, they may be the main sources of inequality between people.

Rawls believes that an absolute equality of opportunity with respect to such starting points can 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 outcomes is in order. Thus, Rawls introduces a further idea to complement equality of opportunity

1. And complete the line of argument. Rawls calls this new idea the ‘difference principle'; it adds two further remedial steps to the picture; it adds
2. The principle of everyone's continual benefit, which in turn is constrained by the idea that, where there are several mutually improving (that is, efficient) options available.
3. We should choose that option which most reduces the resultant inequality in outcomes (as) measured in terms of average income over a five-year period, say) between the topmost and bottom-most groups. The object of this three-step process is to reduce, ideally to minimize, the gap between persons by taking account of both starting points and end results.

We can get to Rawls's final specification of the difference principle by repeatedly employing the set of ideas just sketched. The difference principle can be represented, then, as proceeding through a series of stages each one of which embodies a conscientious effort at achieving equality of opportunity and each one of which then repeats the same theme: first satisfy the standard of mutual benefit (or of efficiency) and then reduce differences in outcome between the topmost and the bottom-most group. This repeated pattern continues at each stage until we reach an optimum point, at which no further mutually improving moves are possible: at this point we have minimized the difference in question (without making any group worse off in the process), and those least well off (the bottom 20 per cent, say) have here their greatest benefit. I believe the argument just sketched becomes logically conclusive if we make certain simplifying assumptions. We must first assume, as does Rawls, that we are starting from a hypothetical point of strict equality between people. This 'zero point' does not, of course, describe the way things actually are; rather, it is used merely to orient and clarify our thinking. And, secondly, we must assume that so long as the benefit of the least well-off group could possibly be higher, that of the other groups could also be higher, right on up to the optimum or goal point. The object of this second assumption is to identify a zone or context in which the procedure (the repeated pattern described earlier) can operate, with full effect, to achieve its intended end.

The question we must next consider is, 'How would the arguments for each of Rawls's two principles fare as formal arguments? How would they do in the original position?'

***The Original Position***

Rawls's contractarian method of justification is very complex. I will be able to mention only a few of its main features here. One feature that is often emphasized-and that Rawls continued to include even in his later writings-is that the 'parties' to the contract are placed (in what he calls the 'original position') behind a thick veil of ignorance. Here they are instructed in their subsequent reasoning to ignore their own particular traits (traits that distinguish them from most or, at least, many other people), to be unaware of (or to ignore) their actual place in society, to be unaware of their society's place in history or in institutional evolution, and so on. The point of the metaphor of the veil is to indicate that the parties should remove sources of bias and irrelevancy from their deliberations. Other features are important as well. The parties understand that they are deciding about principles of justice (principles for distributing certain primary goods-such goods as liberties, opportunities, income, and wealth-to individuals) and that they will have to live, for their entire lives, under the principles they have selected. Accordingly, they would want the principles selected to be clear and intelligible to all, with nothing hidden from view and everything up front and accounted for. (This Rawls calls the 'publicity requirement'.) Such principles, when looked at from a variety of perspectives, ought to be acceptable to persons in each of those perspectives-this Rawls calls the 'unanimity requirement'.

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'

Let me illustrate the force of this first role (screening) with an example, admittedly a rather extreme one. An avowedly racist principle would probably not pass through the filter afforded by the features of the original position. Thus, if people contemplated living in a multiracial society under that principle, it is clear that some of them would be seriously disadvantaged, indeed deeply harmed, by its operation. Everyone who took on, by hypothesis, the role of these injured parties would have to veto the racist principle; thus, it could not meet the unanimity requirement. Since anyone (given the veil of ignorance) could be in such a role, the racist principle would be decisively ruled out. For similar reasons it is likely that caste system principles or slavery principles would not survive the initial screening either.

In short, some principles (perhaps Plato's republic, with its endorsement of slavery, would be among them) would be filtered out, by the various features of the original position, and removed from any further consideration. But other principles, the various versions of utilitarianism, for example, might remain in contention after being examined under the conditions set by publicity, unanimity, the veil of ignorance, and so on. 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.

This brings us to the second main role of the original position: to rank the remaining eligible candidates, after the preliminary screening has been accomplished. In performing this second role, of ranking, the parties rely on the balance of reasons (determined in light of assessments that could be reached in the original position) to decide which of the remaining eligible candidates is best. If they can do so unanimously, there should be no real doubt about that particular ranking.

In sum, I think 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. I have stressed, in this discussion, his arguments for the second principle, in particular.' I have done this for two reasons, to achieve economy and simplicity of presentation and to emphasize (by looking at a single sample case) how the screening function of the original position would proceed. Now, let us turn to the second main function of the original position construct, to the ranking of the competing candidate principles that remain eligible after screening. Here we encounter the most memorable argument from A Theory of Justice, chapter 3 (the chapter devoted to the original position), the famous maximin argument. As should be expected, this argument actually presupposes and builds on the arguments allowed and the assessments reached, in the screening process, for the various candidate principles there. We can put the line of reasoning in the maximin argument quickly and intuitively, as follows. Behind the veil of ignorance and given the high degree of uncertainty there, each individual thinks that, since they don't know how or where they might end up, they should set things up in the principles they select, each one having a veto, so that the worst controllable outcome for anyone of them is the best of a bad lot, the best, that is, of the set of worst outcomes. This line of reasoning, which has its home in rational choice theory, is, as I have already indicated, sometimes called maximin reasoning, that is, reasoning literally on the principle of maximizing the minimum.

***SUMMARY OF RAWLS IDEA OF JUSTICE***

Rawls offers a theory of a just and well-ordered society which would distribute wealth, income, liberties, opportunities and positions of authority. He considers “justice as fairness” as a political -moral conception of justice. The principles of justice are two according to Rawls and these would justify a given body of social, moral and political ideas since they are congruent to our ferments convictions.

Utilitarianism was first developed in the nineteenth century by”the great utilitarian”. Utilitarianism essentially posits that a just society is one based on achieving the greatest good, or happiness, for the greatest number of people. However, Rawls rejects Utilitarianism, for it fails to take into consideration, the distinction that exists between individuals. Since it aims at the greatest happiness and tries to maximize greatest welfare, it fails to secure individual rights. Rawls relies on the social contract tradition in its Kantian form to account for principles that would guide individuals’ nominal selves, secure equal basic liberties to all and account for social values and community.

In A Theory of Justice, Rawls 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 asserts that existing theories of justice, developed in the field of philosophy, are not adequate:”My guiding aim is to work out A Theory of Justice that is a viable alternative to these doctrines which have long dominated our philosophical tradition.” He calls his theory-aimed at formulating a conception of the basic structure of society in accordance with social justice-justice as fairness. He claims that justice as fairness provides a practical political procedure, which satisfies the demand of modern democracies societies. Pluralism entailed by industrial societies is presumed to be the permanent features of modern democracies, which challenges the priority of philosophy over democracy.

However, Rawls’ theory has received large scale attention by some well-known Academicians. Some of them have disagreed and challenged its basic assumptions. These critical appraisals, but, indicate the importance of his work if one wants to deliberate on problems of contemporary social and political theory. In this thesis will try to excavate the philosophical understanding of the Rawl’s theory of justice and also try to identify the philosophical shift in his position under the light of some of major critiques.