

# Rawls principles of justice philosophy essay



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What is justice. Merriam-Webster defines justice as the quality of being just, impartial, or fair; the principle or ideal of just dealing or right action; conformity to this principle or ideal. For our purposes, justice is also seen as a concept that is balanced between law and morality. John Rawls states that justice is the “ first virtue of social institutions”. He states that justice is best understood by a grasp of the principles of justice which are expected to represent the moral basis political government. These principles indicate that humankind needs liberty and freedom to the extent that they do not harm others. He believes, correctly I agree, that justice is significant to human development and prosperity.

Rawls states that the challenge of justice is to ensure a just distribution of primary goods that include powers and opportunities, rights and liberties, means of self-respect, income and wealth among others. He disputed the earlier predominant common source of injustice, the utilitarianism theory (which states that justice is best defined by that which provides the greatest good for the greatest number of people). The theory of utilitarianism completely ignores the moral worth of an individual. This theory does not take into consideration the minority aspect of the population. Rawls writes about one such example of this mistreatment of the minority in relation to how the Jewish people were treated by the Nazis in Germany. In respect to the mistreatment of minorities, Rawls writes that you cannot reimburse for the sufferings of the distressed by enhancing the hoys of the successful. Fairness, according to him, occurs when the society makes sure that every individual is treated equally before the law and given a chance to succeed in a “ socially-moderated” life.

He developed a concept that he deemed the original position, which gives people a chance to decide on the principles of justice from a “veil of ignorance”. This original position is a hypothetical situation where no one has any advantage over another. I find the veil of ignorance very interesting. Behind this veil, all individuals are specified as rational, free and morally equal beings in society. They do not know anything of themselves, their natural abilities, or their set position in the society in which they live. They have no idea of their sex, race, nationality, or individual tastes. Would they choose differently if they weren’t aware of these things? Would their society be less judgmental? I firmly believe so. I believe they would make choices about their lives that would adopt a strategy that would maximize the prospects of the not-so-well off, and make society a better balanced society. According to Rawls, the people in the original position, behind said veil of ignorance, would adopt principles that would monitor the assignment of rights and duties and regulating the distribution of social and economic advantages in the society. His difference principle allows inequalities in the distribution of goods when the states inequalities benefit the least well off members of the society.

However, Michael Sandel, noted author of *Justice: What’s the Right Thing to Do?*, would state that the idea of the veil of ignorance is unachievable. He argues that we are entangled with our communities, our pasts, and our sense of the possible future. If we are ashamed of what our country does, or proud of it, we are tacitly admitting that we are “claimed by moral ties that we have not chosen and implicated in the narratives that shape our identity as moral agents.” Sandel also believes the just society can be better

achieved through a more emotional, patriotic and even religious appeal, rather than through Rawls's abstract liberalism. Sandel thinks that Rawls's liberal theory of justice fails because the neutrality of values associated with it begins with the false assumption that citizens are unencumbered selves totally unbound by any history, civic loyalties, sociopolitical circumstances, aims and attachments. We are all undeniably entwined with our communities.

Other than Sandel, another critic of Rawls's position is Susan Moller Okin, author of, "Reason and Feeling in Thinking About Justice". One would think that Rawls's theory would support feminist thinkers who seek to overturn the injustices suffered by women. The original position being supposedly blind to gender and tradition, and so, it seems, are the principles of justice Rawls derives. However, Susan Okin has several arguments against Rawls's theories, or in favor of adjustments to his theories. One of her first problems is that Rawls's theory is limited to "public" justice - the deliberators are meant to be "heads of families" - not necessarily gendered - but entails that justice does not apply within families. Thus sacrifices for domestic arrangements such as childbearing, childcare, and housework, traditionally made by women, are simply not considered. He simply assumes families are "just institutions", which in my opinion is far from true. Rawls also stresses the role of proper moral development, which he believes is to take place within families. Upbringing must be both loving and just. However, how can a proper upbringing take place if the women of the family are not placed on equal foundations with the men? Rawls underplays the role of emotion in rational decision-making. This is not to say that only women use emotions to

make decisions, but that the idea that anybody could make any decision free from emotional influences is a characteristically male attribute.

Nevertheless, Okin thinks that in the right hands, Rawls's original position, which is blind to gender and tradition, has the potential to provide a framework for critique of systems which are gender-biased. It's just that Rawls fails to do this.

The general conception of this principle is that all primary goods, such as liberty and opportunity, self-respect, incomes, and wealth, are supposed to be distributed equally unless an unequal distribution of any or all of these primary goods are to the advantage of the least favored. The good is the satisfaction of rational desire thus making the " goods" different, but all people having a right to said goods. All individuals have equal right to the most general of basic liberties. Economic and social inequalities are to be set in a way that they are both rationally projected to be everyone's advantage, and to be attached to positions that are open to all people in society.

Rawls writes about three general principles of justice. The first said principle is the principle of greatest equal liberty. This principle states that each person has an equal right to the most basic liberty. It determines the basic rights that should be retained such as, "...the political liberties to vote, run for office, own property, and to have freedom of speech." These have to be protected to guarantee the development and prosperity of others. The second of Rawls's principles is the principle of fair equality of wealth and opportunity. According to this principle, everyone should have the same opportunities to make wealth, work, or govern in a public office. The only difference being the knowledge and skills of the individual. He states that it

is in everyone's advantage if positions of authority are accessible for any person to lead the community. The third principle of Rawls indicates that any social and economic inequalities should be arranged so that they are to the greatest benefit to the least advantaged individuals in society. It indicates that for any effective change to be considered as an improvement, it should affect the least privileged. This principle is often referred to as the "difference principle."

Another critic of Rawls is Robert Nozick, author of *Anarchy, The State and Utopia*, which was primarily written to refute the theories of John Rawls. Specifically, Nozick takes issue with Rawls' conception of distributive justice as it pertains to economic inequalities. Rawls wrote that economic inequalities should only be permitted if they are to the benefit of society, and especially if they are to the benefit of its least advantaged members; this has come to be known as "the difference principle". Nozick believed that no one had any business "permitting" economic inequalities at all. To Nozick, as long as economic inequalities arise from voluntary exchange, they cannot be unjust. Rawls saw the importance of liberty, but he also saw the tragedy of inequality, particularly as it pertains to extreme poverty. To Rawls, it is unconscionable that some should be born into a life of misery and poverty while others enjoy great wealth without lifting a finger. To Nozick, the unconscionable thing is that anyone should feel justified in appropriating property that is rightly entitled to someone else.

I believe that while Rawls's theory of justice is admirable, it does have some flaws and weaknesses. Rawls's theory is not a formula for deciding what is right and wrong, but a framework for proposing principles of justice. No one

can really know what a specific set of people would actually decide if they didn't know what sort of people they would be, what sort of lives and what appetite for risk they would have. But that does not mean the thought experiment cannot be used as a test. Would people who knew they could turn out to be Jewish, in a context of historic embedded anti-Semitism, agree to principles which allowed public bodies to impose anti-Jewish quotas, purportedly as a way to avoiding the possible consequences of anti-Semitism? Unlikely.