

# The Principles and Varied Theories of John Rawls

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**ABSTRACT:** John Rawls, (born February 21, 1921, Baltimore, Maryland, U.S.—died November 24, 2002, Lexington, Massachusetts), American political and ethical philosopher, best known for his defense of egalitarian liberalism in his major work, *A Theory of Justice* (1971). He is widely considered the most important political philosopher of the 20th century.

Rawls was the second of five children of William Lee Rawls and Anna Abell Stump. After attending an Episcopalian preparatory school, Kent School, in Connecticut, he entered Princeton University, where he earned a bachelor's degree in 1943. He enlisted in the army later that year and served with the infantry in the South Pacific until his discharge in 1945. He returned to Princeton in 1946 and earned a Ph.D. in moral philosophy in 1950. He taught at Princeton (1950–52), Cornell University (1953–59), the Massachusetts Institute of Technology (1960–62), and finally Harvard University, where he was appointed James Bryant Conant University Professor in 1979.

## I. INTRODUCTION

In *A Theory of Justice*, Rawls defends a conception of “justice as fairness.” He holds that an adequate account of justice cannot be derived from utilitarianism, because that doctrine is consistent with intuitively undesirable forms of government in which the greater happiness of a majority is achieved by neglecting the rights and interests of a minority. Reviving the notion of a social contract, Rawls argues that justice consists of the basic principles of government that free and rational individuals would agree to in a hypothetical situation of perfect equality. In order to ensure that the principles chosen are fair, Rawls imagines a group of individuals who have been made ignorant of the social, economic, and historical circumstances from which they come, as well as their basic values and goals, including their conception of what constitutes a “good life.” Situated behind this “veil of ignorance,” they could not be influenced by self-interested desires to benefit some social groups (i.e., the groups they belong to) at the expense of others. Thus they would not know any facts about their race, sex, age, religion, social or economic class, wealth, income, intelligence, abilities, talents, and so on.[1]

The “basic liberty” mentioned in principle 1 comprises most of the rights and liberties traditionally associated with liberalism and democracy: freedom of thought and conscience, freedom of association, the right to representative government, the right to form and join political parties, the right to personal property, and the rights and liberties necessary to secure the rule of law. Economic rights and liberties, such as freedom of contract or the right to own means of production, are not among the basic liberties as Rawls construes them. Basic liberties cannot be infringed under any circumstances, even if doing so would increase the aggregate welfare, improve economic efficiency, or augment the income of the poor.[2,3]

In Rawls's view, Soviet-style communism is unjust because it is incompatible with most basic liberties and because it does not provide everyone with a fair and equal opportunity to obtain desirable offices and positions. Pure laissez-faire capitalism is also unjust, because it tends to produce an unjust distribution of wealth and income (concentrated in the hands of a few), which in turn effectively deprives some (if not most) citizens of the basic means necessary to compete fairly for desirable offices and positions. A just society, according to Rawls, would be a “property-owning democracy” in which ownership of the means of production is widely distributed and those who are worst off are prosperous enough to be economically independent. Although Rawls generally avoided discussion of specific political arrangements, his work is widely interpreted as providing a philosophical foundation for egalitarian liberalism as imperfectly manifested in the modern capitalist welfare state or in a market-oriented social democracy.[4,5]

## II. DISCUSSION

In *Political Liberalism* (1993), Rawls revised the argument for the two principles of justice by construing the contracting individuals as representatives of conflicting comprehensive worldviews in a pluralistic democracy. Other works by Rawls included *The Law of Peoples* (1999; published together with his essay “The Idea of Public Reason Revisited”), an outline of an international order based on liberal principles; *Lectures on the History of Moral Philosophy* (2000); *Justice as Fairness: A Restatement* (2001), a major recasting of the conception of justice as fairness and a further revision of the principles of justice and their supporting argument; and *Lectures on the History of Political Philosophy* (published posthumously in 2007).[6,7]

The subject matter of Rawls's theory is societal practices and institutions. Some social institutions can provoke envy and resentment.

Rawls's original thought is that equality, or a fair distribution of advantages, is to be addressed as a background matter by constitutional and legal provisions that structure social institutions. While fair institutions will influence the life chances of everyone in society, they will leave individuals free to exercise their basic liberties as they see fit within this fair set of rules. To carry out this central idea, Rawls takes as the subject matter "the basic structure of society," defined (as he later put it) as "the way in which the major social institutions fit together into one system, and how they assign fundamental rights and duties and shape the division of advantages that arises through social cooperation." Rawls's suggestion is, in effect, that we should put all our effort into seeing to it that "the rules of the game" are fair. Once society has been organized around a set of fair rules, people can set about freely "playing" the game, without interference.[8]

"Justice as Fairness" is Rawls's name for the set of principles he defends. He refers to "the two principles of Justice as Fairness," but the second has two parts. These principles address two different aspects of the basic structure of society: the "First Principle" addresses the essentials of the constitutional structure. It holds that society must assure each citizen "an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all." The second principle addresses instead those aspects of the basic structure that shape the distribution of opportunities, offices, income, wealth, and in general social advantages. The first part of the second principle holds that the social structures that shape this distribution must satisfy the requirements of "fair equality of opportunity." The second part of the second principle is the famous—or infamous—"Difference Principle." It holds that "social and economic inequalities ... are to be to the greatest benefit of the least advantaged members of society." Each of these three centrally addresses a different set of primary goods: the First Principle concerns rights and liberties; the principle of Fair Equality of Opportunity concerns opportunities; and the Difference Principle primarily concerns income and wealth. (That the view adequately secures the social basis of self-respect is something that Rawls argues more holistically). [9,10]

Although the OP attempts to collect and express a set of crucial constraints that are appropriate to impose on the choice of principles of justice, Rawls recognized from the beginning that we could never just hand over the endorsement of those principles to this hypothetical device. Rather, he foresaw the need to "work from both ends," pruning and adjusting things as we go. That is, we need to stop and consider whether, on reflection, we can endorse the results of the OP. If those results clash with some of our more concrete considered judgments about justice, then we have reason to think about modifying the OP.[11,12]

Alternatively—and this is what Rawls means by working "from both ends"—instead of modifying the OP, we might decide that the argument from the OP gives us good reason to modify the considered judgments of justice with which its conclusions clash. Eventually, we may hope that this process reaches a "reflective equilibrium." If it does, Rawls wrote, "we shall find a description of the initial situation that matches our considered judgments duly pruned and adjusted."

The reflective equilibrium has been an immensely influential idea about moral justification. It is not a full theory of justification. When it was introduced, however, it suggested a different approach to justifying moral theories than was being commonly pursued. The idea of reflective equilibrium takes two steps away from the sort of conceptual analysis that was then prevalent. First, working on the basis of considered judgments suggests that it is not necessary to build moral theories on necessary or a priori premises. What matters, rather, is whether the premises are ones that "we do, in fact, accept." Rawls characterizes considered judgments as simply judgments reached under conditions where our sense of justice is likely to operate without distortion. Second, the sort of pruning and adjusting that Rawls assumes will be involved in the search for reflective equilibrium implies that theories need not aim for a perfect fit with theory-independent "data." Whereas the practitioners of conceptual analysis had raised to a fine art the method of generating counterexamples to a general theory, Rawls writes that "objections by way of counterexample are to be made with care." Checking a theory's fit with one's more concrete considered judgments is only a way-station on the route to reflective equilibrium. Reaching it might involve revising some of those more concrete judgments. A third novel idea about justification thus emerges from this picture: it involves arguments built in various different directions at once. The resulting justification, as Rawls puts it, "is a matter of the mutual support of many considerations." [13,14]

### III. CONCLUSION

Eventually, the hope is that each person will reach a reflective equilibrium that coincides with every other person's. Since it is up to each person, however, to determine which arguments are most compelling, Rawls stresses that the reader must make up his or her own mind, rather than trying to predict or anticipate what everyone else will think. [15]

Rawls's alternative proposal is that the common-sense precepts about desert generally presuppose that the basic structure of society is itself fair. When they are qualified in line with this presupposition, Rawls supports them. To prevent the unqualified and the qualified claims from being confused with each other, however, he uses the term "legitimate expectations" as a term of art to express the claims of desert appropriately so qualified. A crucial idea of

Justice as Fairness is that fundamental principles of justice must be respected for the rules of social cooperation to be fair, and that when they are, we should allow the free operation of the market largely to determine people's legitimate expectations. (This dialectical clarification of the moral import of desert, however, did not satisfy all commentators. [16])

#### REFERENCES

1. A Theory of Justice, rev. ed., Harvard University Press, 1999 [cited as TJ].
2. Political Liberalism, rev. ed., Columbia University Press, 1996 [cited as PL].
3. Collected Papers, ed. Samuel Freeman, Harvard University Press, 1999 [cited as CP].
4. The Law of Peoples, Harvard University Press, 1999 [cited as LP].
5. Lectures on the History of Moral Philosophy, ed. Barbara Herman, Harvard University Press, 2000.
6. Justice as Fairness: A Restatement, ed. Erin Kelly, Harvard University Press, 2001.
7. Lectures on the History of Political Philosophy, ed. Samuel Freeman, Harvard University Press, 2007.
8. Beitz, Charles. 1979. Political Theory and International Relations. Princeton University Press.
9. Daniels, Norman. 1985. Just Health Care. Cambridge University Press.
10. Dreben, Burton. 2003. On Rawls and Political Liberalism. In Freeman, 2003: 316-346.
11. Estlund, David. 1998. The Insularity of the Reasonable. *Ethics* 108: 252-75.
12. Gutmann, Amy and Dennis Thompson. 1996. Democracy and Disagreement. Harvard University Press.
13. Harsanyi, John C. 1955. Cardinal Utility in Welfare Economics and in the Theory of Risk-Taking. *Journal of Political Economy* 61: 309-21.
14. MacIntyre, Alasdair. 1984. *After Virtue*, 2d ed. (1st ed. 1981) (University of Notre Dame Press).
15. Nozick, Robert. 1974. *Anarchy, State, and Utopia*. NY: Basic Books.
16. Nussbaum, Martha C. 2005. *Frontiers of Justice: Disability, Nationality, Species Membership* (Harvard University Press).