

ETHICS AND SOCIETY: JUSTICE AND EQUALITY
PHILOSOPHY 150: HANDOUT 8

John Rawls's "A Theory of Justice"

I. The Concept of Justice

A. The concept of justice is concerned with how a society is morally required to *distribute politico-economic goods*.

- Rawls's concept of justice concerns rules that will govern *the basic structure*, which includes all major social institutions, principally the government and the economy, but also the family.
- Rawls's concept of justice concerns both national and international justice, as well as justice both within a single generation and across multiple generations.

II. The Conception of Justice

A. Different conceptions of justice have it in common that justice (the concept) is concerned with how a society is morally required to distribute politico-economic goods. They disagree over what those goods are and over how to distribute them.

B. A conception of justice, which is an interpretation of the concept of justice, will specify

- what politico-economic goods are, and
- how a society ought to distribute those goods.

III. Rawls's Conception of Justice

A. Goods

- Primary goods are things that a rational person wants no matter what else he wants.
- Natural and Social Primary Goods
 - Natural primary goods are things like health and intelligence.
 - Social primary goods are things like wealth, liberty, and a sense of self-esteem.

B. Distribution of Goods: Societies are to distribute primary social goods so as to make the worst off as well off as they can be.

IV. Rawls's *Specific* Conception of Justice: This involves two principles, listed below in order of priority.

- A. The First Principle, a.k.a. **The Principle of Greatest Equal Liberty**: Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.
- B. The Second Principle, including **The Difference Principle** and **The Principle of Fair Equality of Opportunity**: Social and economic inequalities are to be arranged so that they are [a] to the greatest benefit of the least advantaged, and [b] attached to offices and positions open to all under conditions of fair equality of opportunity.

V. Rawls's "Original Position" Argument for His Specific Conception of Justice

A. "Justice as fairness": Rawls's main argument for his conception of justice is that it would be the product of a *hypothetical social contract*. Rawls believes that principles of justice are justified by virtue of being the outcome of a fair agreement among rational parties.

B. The Original Position

- *The Nature of the Parties*: Those who have the right to be included in the social contract are all of the moral persons—and only the moral persons—from the same generation who will be affected by the outcome of the social contract.
- *The Parties's Beliefs*: The parties are behind *the veil of ignorance*. That is, they know neither the identity of any of the parties nor the identity of the parties's societies.
- *The Parties's Desires*: Each party tries to realize his conception of the good to as great a degree as possible.
- *The Agreement Process*:
 - All parties take advantage of the right to vote, and they must vote unanimously.
 - All parties take advantage of rights not to be coerced or deceived.
 - There is no unintelligence, and there is no ignorance among parties of the relevant facts.

C. The Maximin Rule: Parties in the original position should obey the maximin rule, according to which we should pick the option that has the best worst outcome, that is, we should choose so as to maximize the minimum payoff.

D. Conclusion: When the parties in the original position obey the maximin rule, they are led to adopt the two principles in IV.B, that is, Rawls's specific conception of justice.