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Freshman Writing Intensive Seminar UIC1101-11

24 November 2019

John Rawls: Justice as Fairness

In his essay on “Justice as Fairness”, John Rawls provides a unique model of justice through his notion of the original position: a situation wherein individuals decide principles of justice favorable to all without any knowledge of their personal circumstances. For the readers, this model of justice through the original position seems to be only hypothetically applicable if not for his principles of justice which strive to justify this model in practical situations. Nevertheless, the readers may still find criticism in reaping the extent of its benefits for justice in the world.

In order to consider the extent of these benefits, however, the readers must first understand the role and principles of justice according to Rawls. From the beginning of the essay, Rawls seems to emphasize the need for social cooperation which can only be achieved “when society recognize certain rule as binding” (Rawls,4). Certainly, if everyone “accepts the same principles of justice”, these social cooperation or institutions can satisfy them since they are “adjudicated from a common point of view” (Rawls,4). For instance, if a private school (the social institution) follows a strict uniform policy, the students(the society) are not expected to make excessive demands of allowing colored clothes. In that sense, Rawls argues that a well-ordered society is created where “general desire limits the pursuit of other ends” (Rawls,5). When excessive desire is curbed, institutions can now “distribute fundamental rights and duties” (Rawls,6). This equal distribution is what Rawls describes as the basic structure or conception of justice.

Indeed, this basic structure can in turn be further conceptualized as the principles “free and rational men would accept in an initial position in society” (Rawls,10). In this initial or original position, the chosen individuals are under a veil of ignorance where “no one knows his place in society” (Rawls,118). This veil seems to be necessary for Rawls because if “each desires to protect his interests, no one has a reason to acquiesce loss for himself” (Rawls,13). Rawls further stipulates that the individuals in this original position must be “rational and mutually disinterested with wealth, prestige and dominion”(Rawls,12).The importance of this factor is exemplified when Rawls stresses that “if a man knew he was wealthy ,he might find it rational to advance the principle that various taxes for welfare means be counted unjust; if he knew he was poor, he would most likely propose the contrary factor.” Thus, the veil of ignorance and rational individual is crucial so that “no one should be advantaged or disadvantaged by natural fortune or social circumstance” (Rawls,16)

However, Rawls contends this veil of ignorance and the original position to not be a basis for total ignorance. In order to distribute equal rights and make sane choices for the good of society, there must be an innate “understanding of political affairs and the principles of economic society” and “no limitation on general laws and theories” (Rawls,119). This knowledge coupled with the original position then can be utilized to analyze the “judgements about the basic structure of society which we now make intuitively” (Rawls,17). For instance, individuals in society can psychologically check whether we would still consider racial discrimination as a violation of basic rights if placed in the original position. The readers consider this to be an interesting social experiment but not wholly convincing in justifying the use of Rawls’ concept of Justice practically. However, the readers must concede that in terms of welfare, Rawls’ model of justice is a social ideal especially when compared to Utilitarianism. Indeed, in many ways Rawls’ provides the principles of justice as an “alternative to utilitarian thought” (Rawls,20). In utilitarianism ,all actions are permissible if they are beneficial for the majority. However, instead of focusing on the majority, Rawls includes the basic rights of all individuals with a person only receiving higher authority or wealth if it benefits the entire community. The readers understand this conferring of authority to be unavoidable in any system of justice since there needs to be a higher designated authority to form a well-ordered society. For instance, in a government, a Prime minister or President is needed to manage the affairs and distributing the basic rights of society. If we extend this analogy to the everyday workplace, Rawls might even consider a business tycoon in his model of justice to be counted as fair given that he provides individuals with employment in his company.

Despite finding everyday analogies to support Rawls’ model of justice, the readers believe it to be considerably idealistic in bringing justice in the practical world. Indeed, the impracticality of Rawls’ model lies in the unfortunate fact that the original position and the veil of ignorance are only hypothetical situations that individuals are required to make. This leads to an uncertainty in the motives of the individuals choosing the rights for society since even if society manages to shield certain individuals from their own self or social standing, the information they will be fed in the name of general knowledge or political or economic theory could still form biases. In the end, the model would not be as effective because the individuals distributing the rights will still remain biased. Nevertheless, as a hypothetical experiment, the readers consider Rawls’ Justice as fairness and the notion of original position to be a thoughtful consideration for society.