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Reflection: Justice

Michael Sandel's book, "Justice, What's the Right Thing to Do?", explores different perspectives on justice and their pros and cons. It discusses various philosophers and scholars, exploring their views and then applying them to both hypothetical and real-life situations where that moral system is considered. In explaining these views, Sandel narrows down to what he believes to be the best system for society to follow.

The first form of justice Sandel mentions is the idea of utilitarianism. Basically, actions that maximize happiness and minimize pain are the correct moral actions. At first, this may seem like the most moral system, but reducing morality to a simple calculation also creates its faults. It takes the human element out of it and doesn't take the individual into account at all. In any system with majority rules, by definition, the minority suffers. In the example of the stranded English sailors (pg. 18), the faults in the system become clear. Three people decided that to survive, they would have to nonconsensually kill the fourth person on the lifeboat, simply because he was the weakest and had no family. In a utilitarian view, this is the correct moral option; three people surviving due to the murder of another is morally permissible. However, this does not take into account the view of the fourth person. They are simply a means to an end: a number, a calculation. Reducing people's lives to simple numbers in this way also reduces our humanity. If we do not transcend this idea of calculation, how are we any different than a simple equation? Is humanity's purpose to live happily and procreate, or can it be something that goes

beyond these natural processes? Shouldn't our chosen purpose in life be determined for ourselves, and not left up to a mathematical formula?

This idea leads me into the second view Sandel mentions: libertarianism. The basis of libertarianism is the idea of individualism. No one owes another anything, aside from not harming others in the pursuit of one's own life. An important example of this view is the concept of the redistribution of wealth, or the question of what people owe to their society. The question is: if a wealthy person earned their money fairly, do they owe any money to the less fortunate? A libertarian would argue that they do not, because they got their money by their own merit, so there is no obligation to give to the poorer citizens. If they were forced to give it away, in their view, it would be the equivalent of slave labor. A way Sandel uses to explain this further is by putting it in a different perspective. If a wealthy person is forced to give, for example, 20% of their earnings to the poor, then the poor people would effectively "own" the wealthy person for the work they did to earn that amount (pg. 33). A libertarian would say this is absurd, as the rich person should not be compelled to do 20% more work, just to give away their earnings to someone who didn't do that work. In their view, while it would be nice if the rich person were to give away their money, it should not be legally required. This view can seem appealing, likely because it sounds like the system in which most have spent their lives. We have been taught that fairness means one only owes an equal amount to what was given, and nothing more. But this system of keeping only to oneself leads to (as Sandel argues later in the book) ignoring the issues others are facing and letting those issues get worse. This is amplified further by their belief in the free market, but a free, unchecked market only increases the social and financial divide, as noted by John Rawls, who gives the best argument against libertarianism in the book.

John Rawls offers a heavy critique of libertarianism. While his ideals are still based on individual rights, he prioritizes equity. He argues that a free market causes unfairness due to many different aspects. Most are based on the circumstances of one's birth, or things like natural talent, social class, race, gender, sexuality, etc., all of which are outside the control of that individual. Another variable is the talents that are rewarded in a society; for example, a talk show host making millions of dollars while a teacher makes a fraction of that. These things impact how well people do in a society, but they are not voluntarily chosen, so how can people be judged by such factors? Rawls (and I) argue that this "free" system is not free at all. Therefore, many, if not all, of the characteristics rewarded in a capitalist system are based on luck, and not on fairness. Rawls' solution is the "veil of ignorance", meaning policies are made by a group that does not know where they are in society. They do not know their race, gender, family history, sexuality, natural talents, etc. This ensures that they will, at the very least, make sure the people who are at the bottom of the societal hierarchy are still relatively comfortable. So in this way, the redistribution of wealth is not "unfair" because it is a just correction to the luck that people were, or were not, born into. This system still has its flaws, however. Morality is still separate from the government. This creates the same problem as before: when people feel like they do not owe anybody anything morally, it allows them to ignore others' problems. The solution to this seems to be in adding morality to the government, but how do we go about that?

The book mentions a type of moral responsibility that's not reflected in libertarianism or Rawls' veil: obligations of solidarity. Basically, an obligation of solidarity is thinking about your life story as connected and tied to the life stories of others. In other words, things that you did not directly cause or affect could still be with your moral responsibility to amend. For example, if America formally apologized for its treatment of indigenous peoples, that would be an obligation

of solidarity. Nobody living in America today was directly involved in the past wrongdoings that the early American settlers inflicted upon the indigenous population. By apologizing, we can perhaps give a little peace of mind to the indigenous people and ensure that people learn from the past and improve. To say that America is obligated to give this apology is to argue that obligations of solidarity are valid and should be the law. Believing in these obligations is not simply believing in charity, or that it would be nice if people were kind to one another; it is saying that this is what we owe each other morally. This is a stark departure from the ideas of libertarianism, and since our country is founded on libertarian principles, it can be tough for us to understand or accept this form of morality.

The biggest potential issue with these obligations is their subjective nature. In choosing these obligations, the government must take moral stances on certain issues. What do we owe each other, and to what extent? An example would be the issue of immigration. The argument that immigration from Mexico into the US is bad because it lowers the standard of living here is not arguing from the stance of humanity or neutrality; it's an argument from patriotism. If, for the sake of the argument, this stance is valid, the Mexican citizens' standard of living would increase, to the detriment of the Americans'. So in a world of vast disparities, how much does one owe to their own country as opposed to everybody? By letting obligations of solidarity into law or society in this way, it allows morals to enter politics, which can be controversial.

Rawls argued that anyone who passed a moral law was effectively forcing their system of morality upon everyone else (pg. 121). This case can certainly be made, but could it not also be made for every other form of government or law? A law, by definition, forces people to do what the country thinks is correct or safe, even if it is not the opinion of everyone. For example, automatic weapons may be illegal, but semi-automatic weapons are legal. By passing that law,

the government is drawing a line between what is “allowed” for the sake of public safety, but many people may not agree with their stance. Some may believe that all guns are dangerous and should be illegal, and others might argue that automatic weapons are not dangerous enough to be regulated by the government. But few would believe this law to be unjust simply because it forces the government’s views; most objections would be about where that line was drawn. So the argument that moral laws are bad because they force people’s opinions is likely invalid, at least to American standards.

Many people are most likely in favor of morals in politics, but they only mean their own morals. This is the true inherent problem. People disagree and do not want the opposite side’s morals to be enforced. For example: same sex marriage. Most people are either for or against same-sex marriage and have opinions on whether it is a valid union, legally or morally. (Of course, there are the libertarians who believe it should be privatized, but I would think that is a small minority.) It is the same issue as the automatic weapons; people want there to be moral laws in place, but they just want them to be based on their own morals. As a defender of morality in politics, it is important to be able to combat this criticism and come up with a fair way to implement it.

In my view, there is a solution to this issue. I think that a majority of people want essentially the same things in regard to the morals of society. This may seem like an impossible position to take, as we are constantly surrounded by contrasting views and no one can seem to agree about anything. But I think the issue involved with that is not morality, for the most part, but instead: a lack of education. I believe that a great many views people hold (including some from me) are only held because of ignorance of the full extent of the view, or its consequences. For example, the people who do not believe that systemic racism exists and therefore are against

any laws that allow for equity for racial minorities; if they were to be educated on how it is most definitely real, and all of its effects, they may change their view on it. This effort is obviously easier said than done. In a time filled with widespread misinformation at the speed of a click and a seemingly insurmountable amount of cognitive dissonance, voluntarily educating people on the effects (especially long-term) of certain laws or policies is extremely difficult. But if people can have open minds to facts and other people's points of view, then I believe it would be possible to get many more people on the same page for a lot of potential moral laws.

In conclusion, although I agree with Rawls on a lot of issues, I think he is wrong in the views he still holds from libertarianism. I believe morality should have a place in government, and improving education on these moral laws may help more people agree to pass them. We are not a statistic, we are not an equation, we are not isolated; we are conscious, we transcend, and we are all in this together. When we start thinking of ourselves as complex beings all connected in a web of other lives, we can start to understand how to make our society stronger and more moral.