

DEM Productions and the University of Oxford present

John Rawls

**A THEORY OF JUSTICE**  
the MUSICAL!

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John Rawls

**A THEORY OF JUSTICE**  
the MUSICAL!

by Eylon Aslan-Ley  
Ramin Sabi & Tommy Peto

An all-singing, all-dancing romp through 2,500 years of political philosophy

★★★★★  
"A truly remarkable musical. You would be a fool to miss it."  
Cherwell

★★★★★  
"Brilliantly executed"  
The Oxford Tab

★★★★★  
"Energy, ingenuity and intelligence"  
Oxford Theatre Review

"Brilliant: hilarious, witty, and profound. I cried with laughter..."  
Nigel Warburton, Virtual Philosopher

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@ATOJMusical 

StuPrint.com



**m**  
MARY WARD CENTRE

# Political Philosophy

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## Week 10.

## Liberalism and Justice

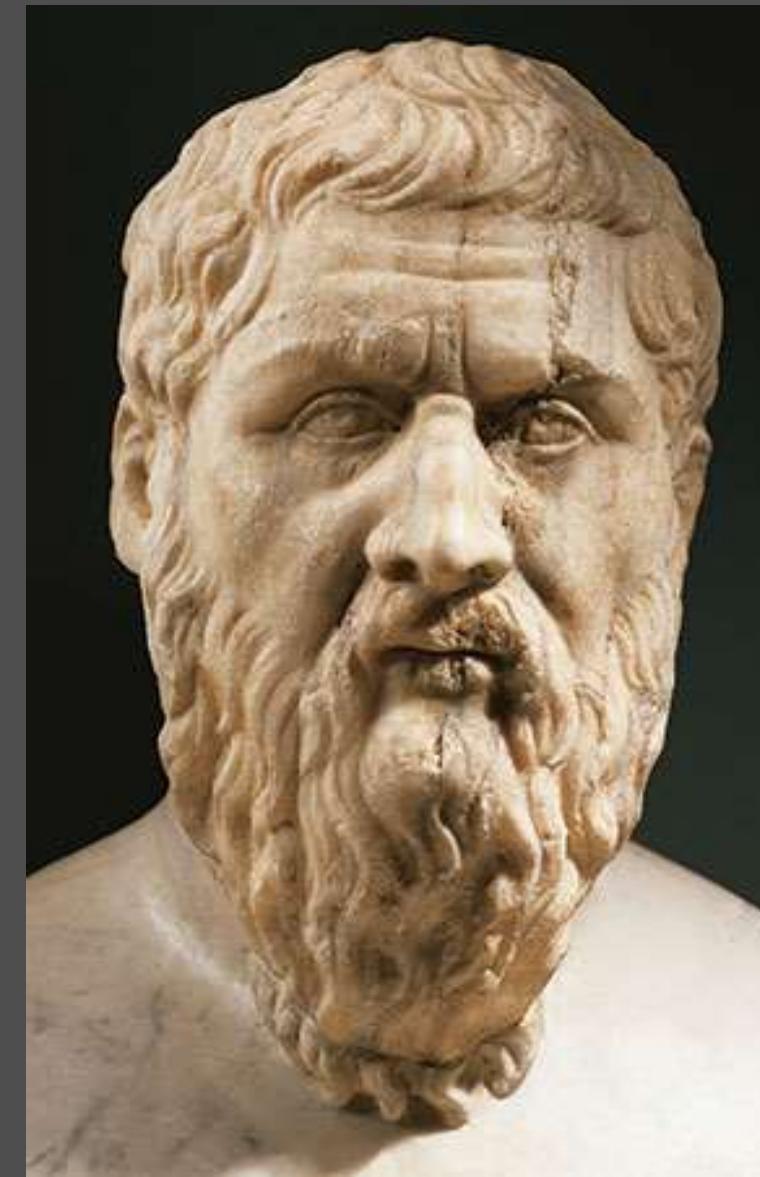
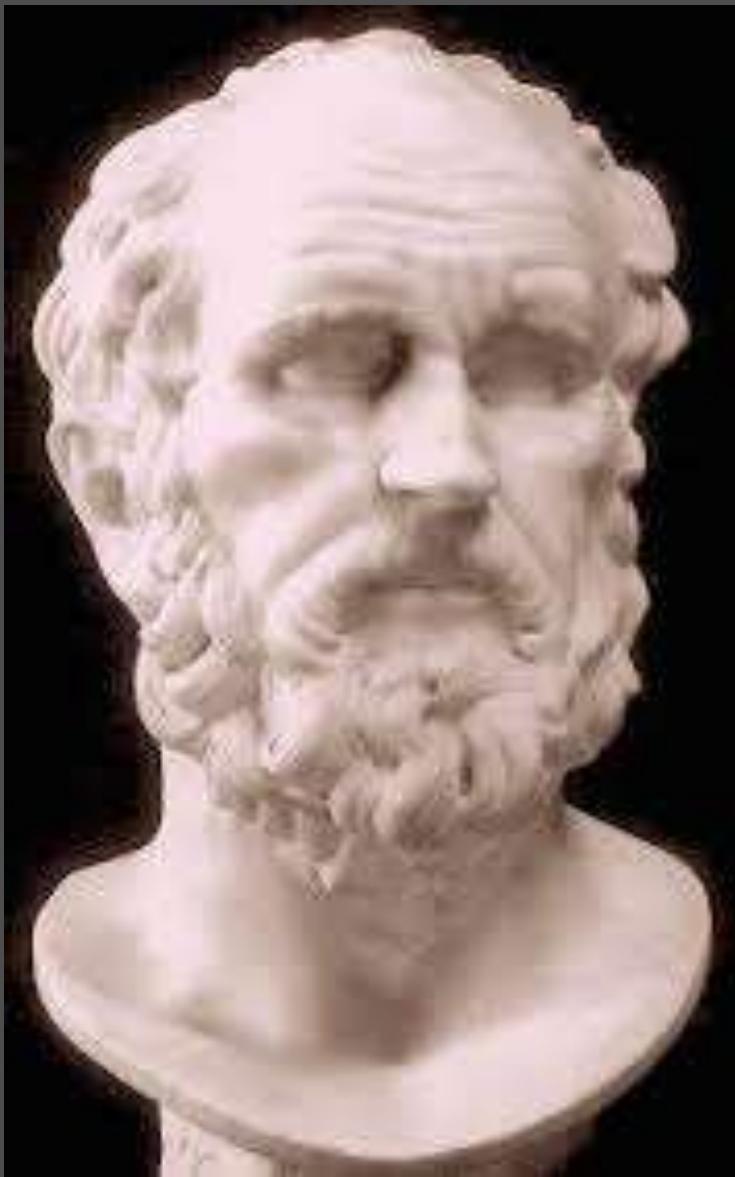
**C**venue 34

ADAM HOUSE  
CHAMBERS STREET  
0845 260 1234  
[www.CtheFestival.com](http://www.CtheFestival.com)

venues vibrant vivacious variety

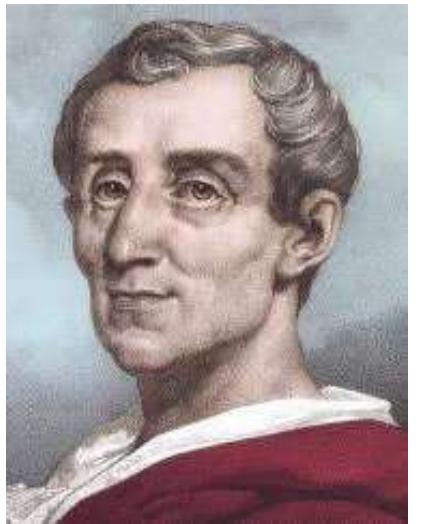
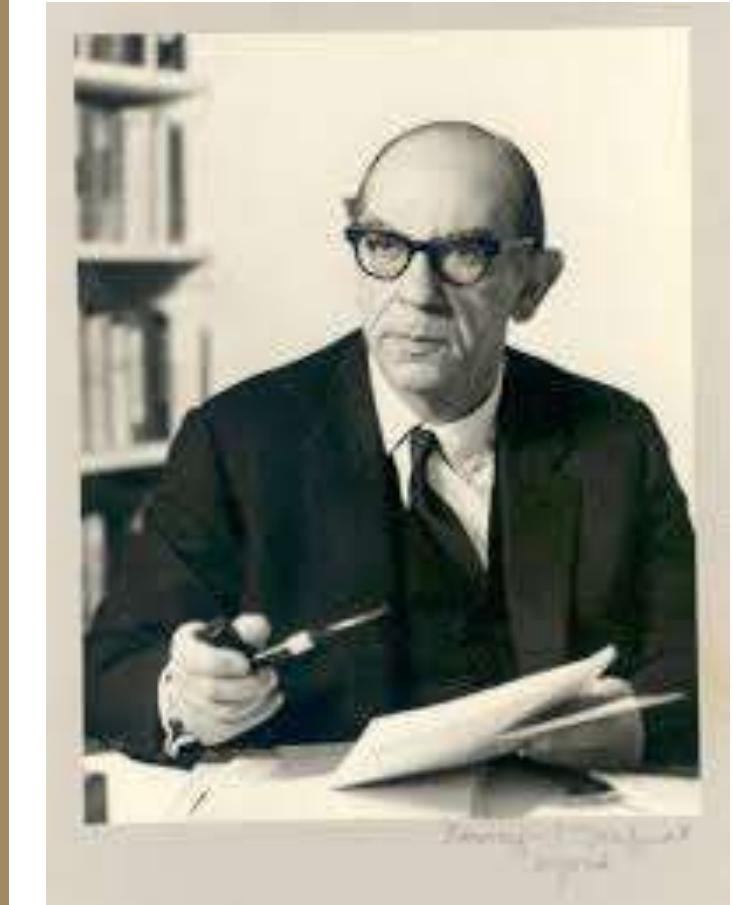
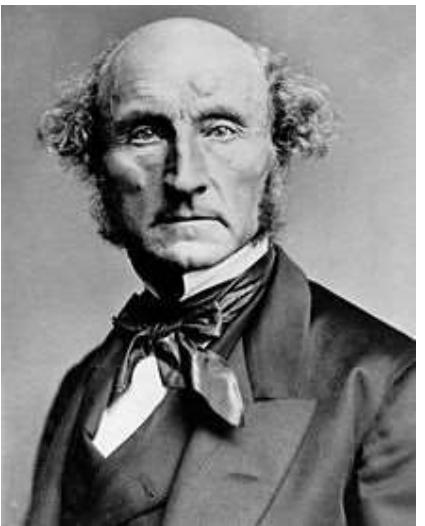
**31 Jul - 26 Aug (not 13)**  
**12.15pm (1hr40)**  
Tickets £9.50 - £11.50  
Concessions £7.50 - £9.50

**fringe**  
Fringe office 0131 558 0200  
and online [www.edfringe.com](http://www.edfringe.com)



# Thrasymachus in Plato's *Republic*

- Thrasymachus: ‘injustice, if it is on a large enough scale, is stronger, freer, and more masterly than justice’
  - Justice is nothing but the advantage of the stronger
  - Justice is obedience to laws
  - Justice is nothing but the advantage of another
- Socrates: “every kind of rule...does not seek anything other than what it is best for the things it rules and cares for, and this is true both of public and private kinds of rule”



# Introducing Liberalism

- Less a coherent doctrine than a tendency in Western thought since the early modern period to champion individual freedom and rights
- John Locke notable: freedom of speech, toleration (to some), republicanism, and government with the consent of the governed
- Over 18<sup>th</sup>-19<sup>th</sup> centuries, JS Mill champions the rights of the individual against government intervention and the ‘tyranny of the majority’
- Private property and laissez-faire capitalism all feature
- In the 20<sup>th</sup> century, Isaiah Berlin puts forward “Two Conceptions of Freedom” (1958) – negative freedom against interference from others, and positive freedom to control and develop oneself...



John Rawls  
1921-2002



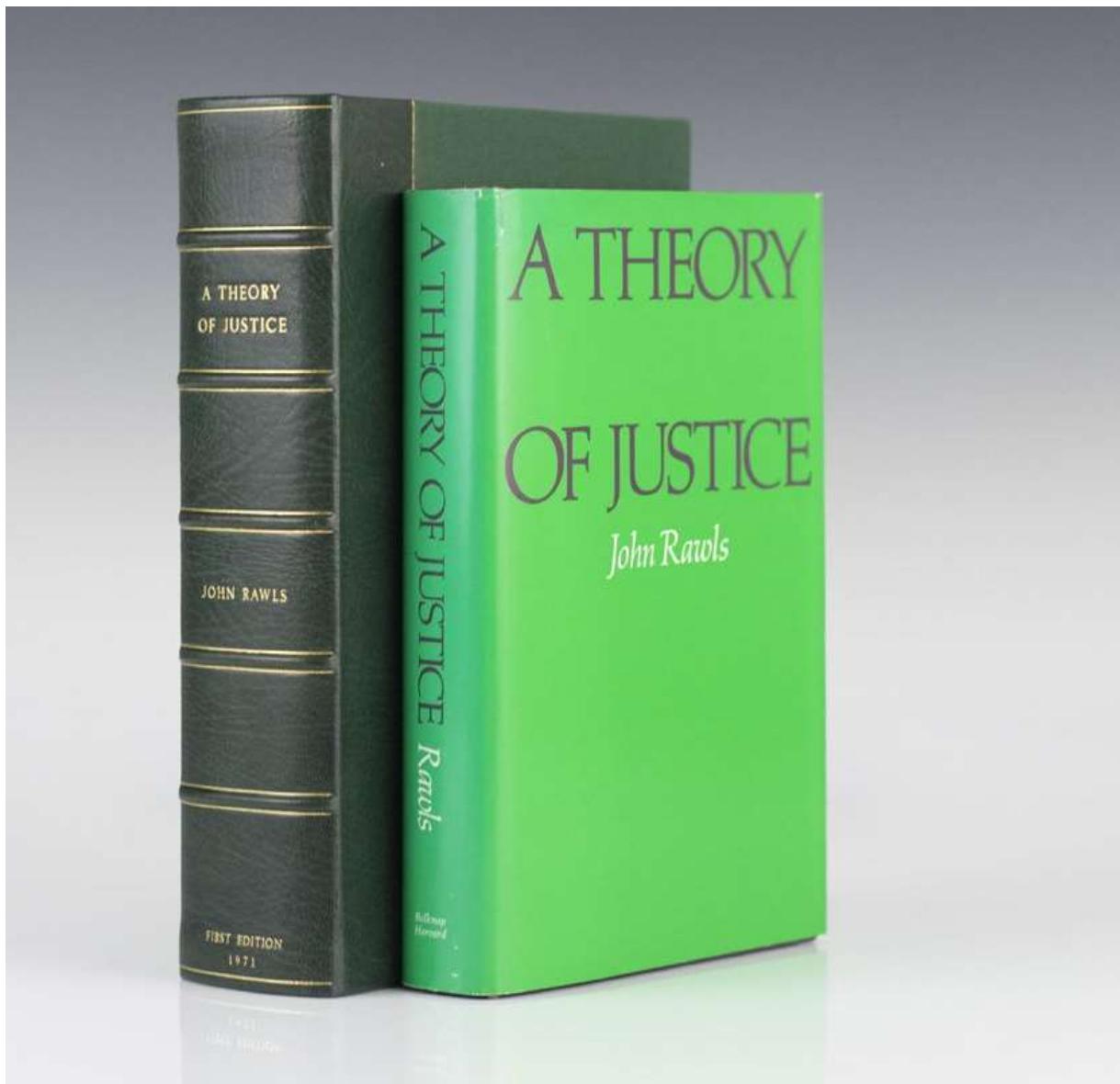
# Introducing John Rawls

- American moral and political philosopher in the normative tradition
- Perhaps the foremost political philosopher among English and American political philosophy academics
- *A Theory of Justice* (1971) credited with ‘the recent rebirth of normative political philosophy’ by Will Kymlicka
- Receives the National Humanities Medal in 1999, presented by President Clinton for work that ‘helped a whole generation of learned Americans revive their faith in democracy itself’
- Works throughout his life in Ivy League American universities, without connection to any major political movement, training the next generation of liberal political philosophers...

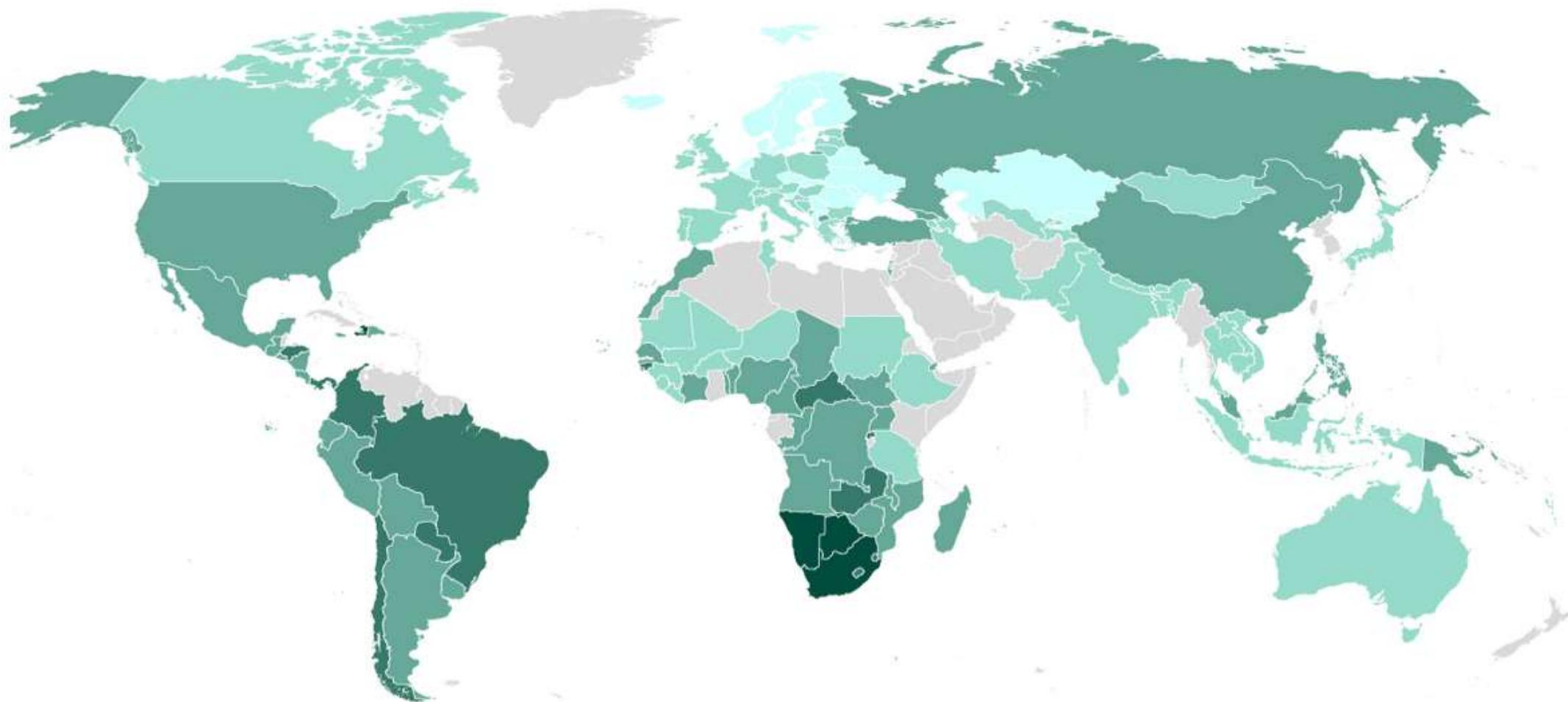
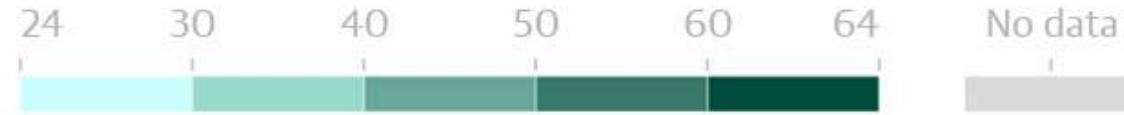


# Introducing John Rawls

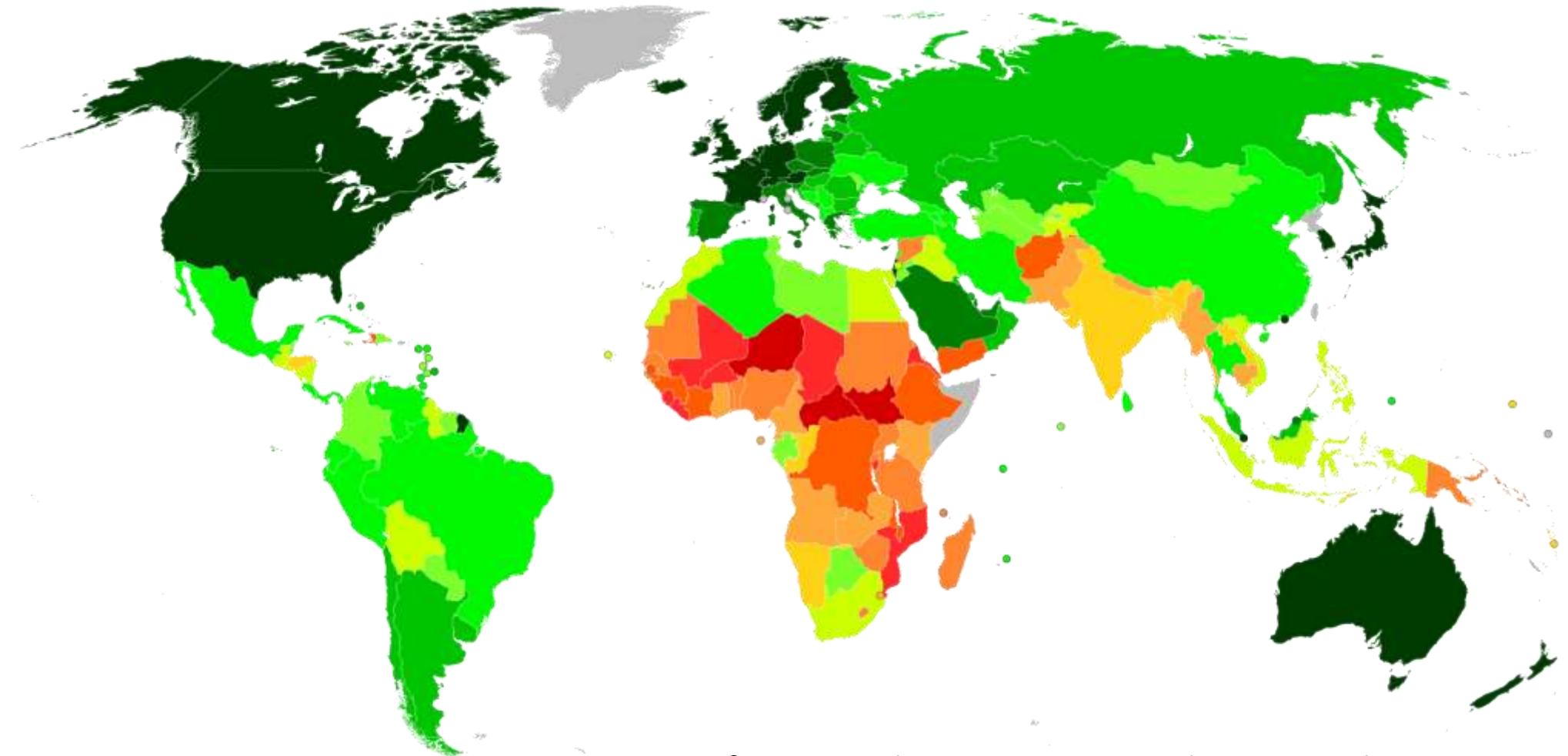
- Relatively privileged early life in Baltimore, the son of an attorney
- But as a child, loses two brothers to diseases he had contracted...
- Initially a devout Episcopalian, but military service over 1943-46 in the Philippines disillusioned him
- In post-war Japan, the Americans were also charged with reconstructing the country's society and politics without reference to what had been before...
- After 1946 he finishes a PhD at Princeton, studies for a time under Isaiah Berlin at Oxford, then works at Cornell and then Harvard
- A quiet man with a stutter and a deliberately low public profile



Gini index for income inequality ranges from zero (absolute equality) to 100



Guardian graphic | Source: World Bank estimate. Map shows most recent Gini index estimates for 140 countries



List of countries by UN Human Development Index, 2018  
(dark green = best, to yellow, orange and dark red = worst)

# What is justice in society?

- Consensus on the nature of justice is tricky...
- All western societies in theory claim to defend justice, usually through protecting freedom of speech and assembly, universal suffrage to all adults, religious toleration, as well as some kind of redistributive taxation that alleviates poverty through welfare and social care...
- There's often disagreement – justifiably – about the relationship of political and legal equality with economic (in)equality
- Yet each of us is led by our values, social position and upbringing to argue for certain priorities over others
- For Rawls, democratic pluralism is necessarily a good thing...



# Some theories of distributive justice

Egalitarian.

“To all the same”; “Everything for Everyone”

Meritocratic (Randian?)

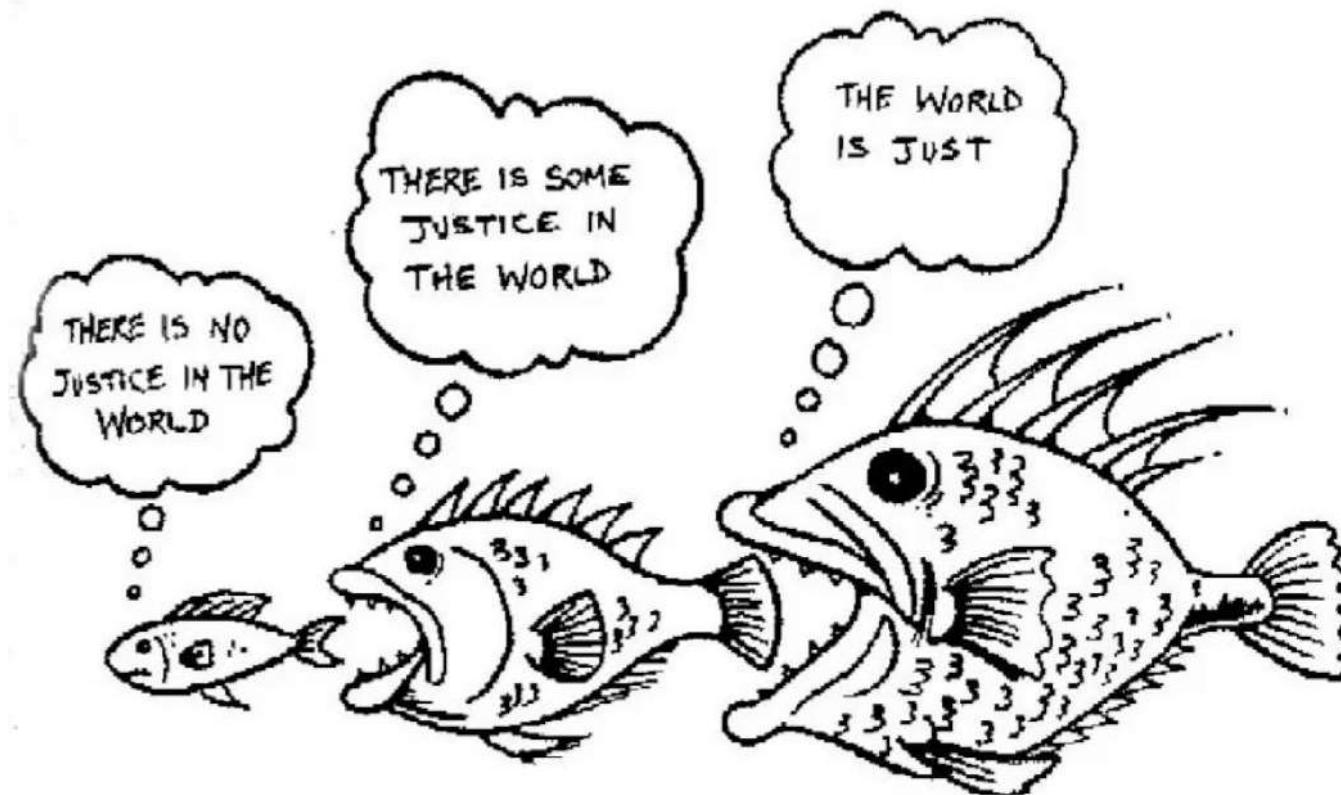
“To each according to their merit.”

Socialist.

“From each according to their ability, to each according to their need.”

Libertarian

“From each what they freely choose to contribute, to each what they have made or others have freely chosen to contribute.”



# Justice as fairness

- A just society must be run on just principles
- Society is a system of cooperation for mutual advantage between individuals
- Principles of justice should ‘define the appropriate distribution of the benefits and burdens of social co-operation’
- Principles of justice must be:  
‘the principles that free and rational persons concerned to further their own interests would accept in an initial position of equality as defining the fundamental terms of their association’
- Fairness therefore involves a just, even (though not necessarily equal) distribution of wealth, opportunities, liberties and bases of self-respect...

DOGBERT THE CEO

I EARN 420 TIMES  
WHAT YOU MAKE.  
THAT MEANS I'M 420  
TIMES SMARTER.



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ACTUALLY, IT  
MEANS THE SYSTEM IS  
DEEPLY FLAWED.



IF YOU WERE 420  
TIMES SMARTER, YOU  
WOULDN'T BE  
CONTRADICTING YOUR  
BOSS RIGHT NOW.



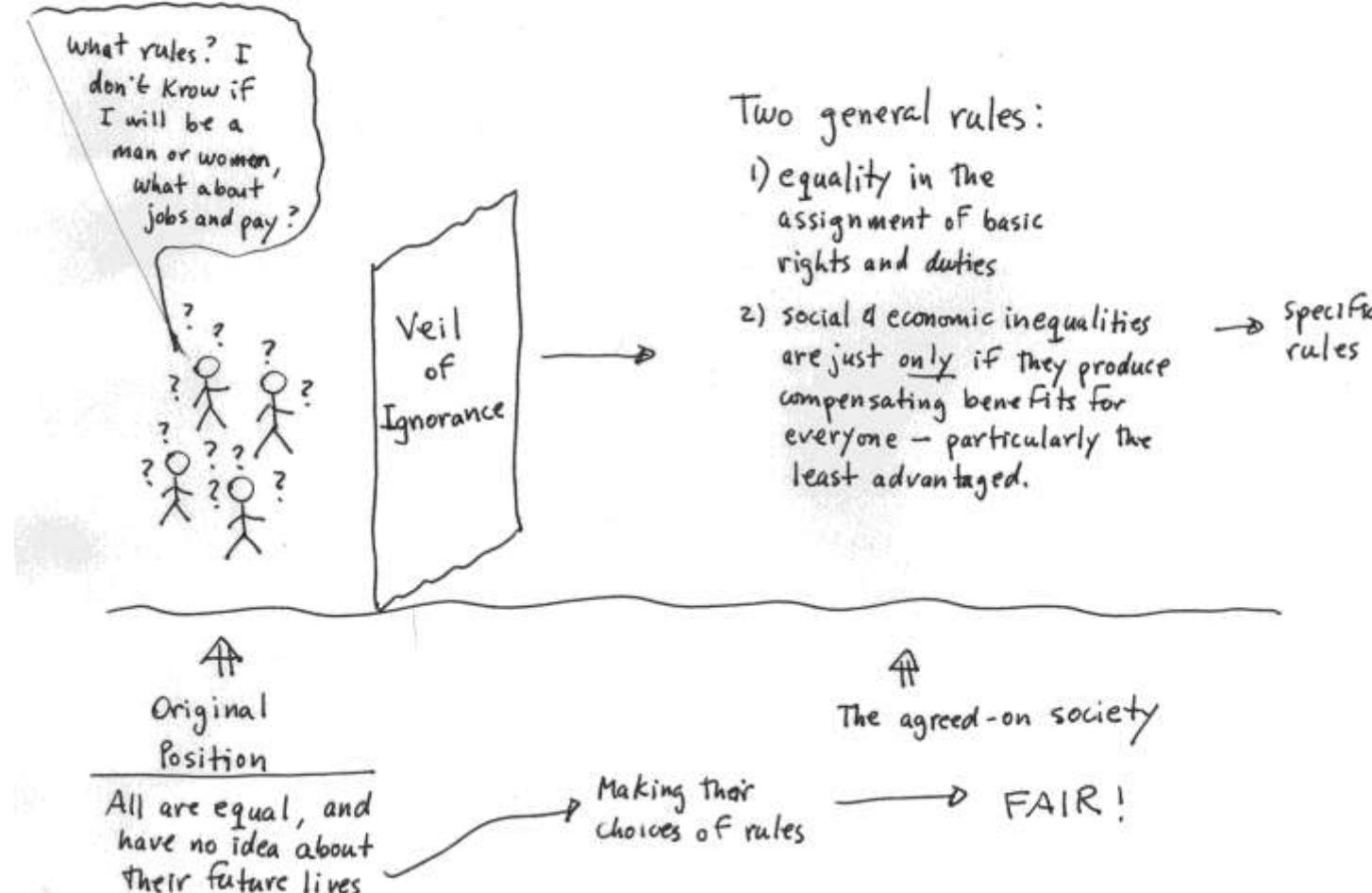
# The Original Position and Veil of Ignorance

- Suppose we designed a society from scratch – what provisions could be made to ensure social justice among different individuals?
- Rawls turns to the social contract theory of Locke, Rousseau, and Kant
- In particular, to replace the social contract with ‘the original position’, a set of principles that free, self-interested, rational and equal persons could adopt, that result in fairness for all
- This necessitates adopting ‘a veil of ignorance’ about our own social position...

*Q: what does Rawls mean by the original position? What is the importance of adopting the veil of ignorance? Are you persuaded?*

[e.g. 673]

## Rawls' Theory of Justice as Fairness



- 'Just as each person must decide by rational reflection what constitutes his good, that is, the system of ends which it is rational for him to pursue, so a group of persons must decide once and for all what is to count among them as just and unjust.
- This original position is not, of course, thought of as an actual historical state of affairs, much less as a primitive condition of culture. It is understood as a purely hypothetical situation characterized so as to lead to a certain conception of justice.
- Among the essential features of this situation is that no one knows his place in society, his class position or social status, nor does any one know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance. This ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances.' – Rawls, *A Theory of Justice* [673]

# “The Veil of Ignorance”

- Choosing principles of justice that will apply to us and everyone else, but when we do, we choose from behind a “veil of ignorance” – in a disinterested way
- Being wilfully ignorant of our own characteristics, e.g. gender, age, ethnicity, religious belief, our own abilities, etc., which might distort our views
- Without knowledge of our particular circumstances, we cannot choose to advance our private interests, hence we must choose “universally”
- Reminiscent of Kant’s notion of the categorical imperative and Rousseau’s concept of “the general will”

'The parties in the original position have no direct interests except an interest in the person each of them represents and they assess principles of justice in terms of primary goods. In addition, they are concerned with securing for the person they represent the higher-order interests we have in developing and exercising our ... moral powers and in securing the conditions under which we can further our determinate conceptions of the good, whatever it is.'

- Rawls, *Political Liberalism*

'For example, if a man knew that he was wealthy, he might find it rational to advance the principle that various taxes for welfare measures be counted unjust; if he knew that he was poor, he would most likely propose the contrary principle. To represent the desired restrictions one imagines a situation in which everyone is deprived of this sort of information ... [the kind which] sets men at odds and allows them to be guided by their prejudices.'

- Rawls, *A Theory of Justice*, 676



## Two Principles of Justice

1. Each person has an equal claim to a fully adequate scheme of basic rights and liberties, compatible with the same scheme for all
2. Social and economic inequalities are to satisfy two conditions:
  - a. they are to be attached to positions and offices open to all under conditions of fair equality of opportunity;
  - b. they are to be to the greatest benefit of the least advantaged members of society (*The Difference Principle*)

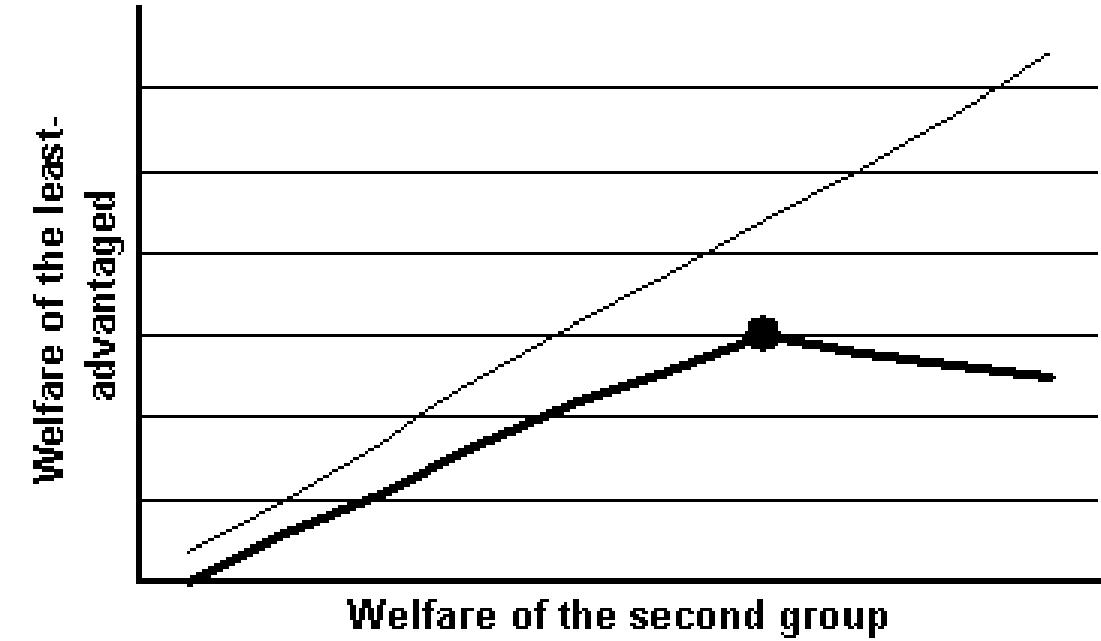
# Rawls' first principle.

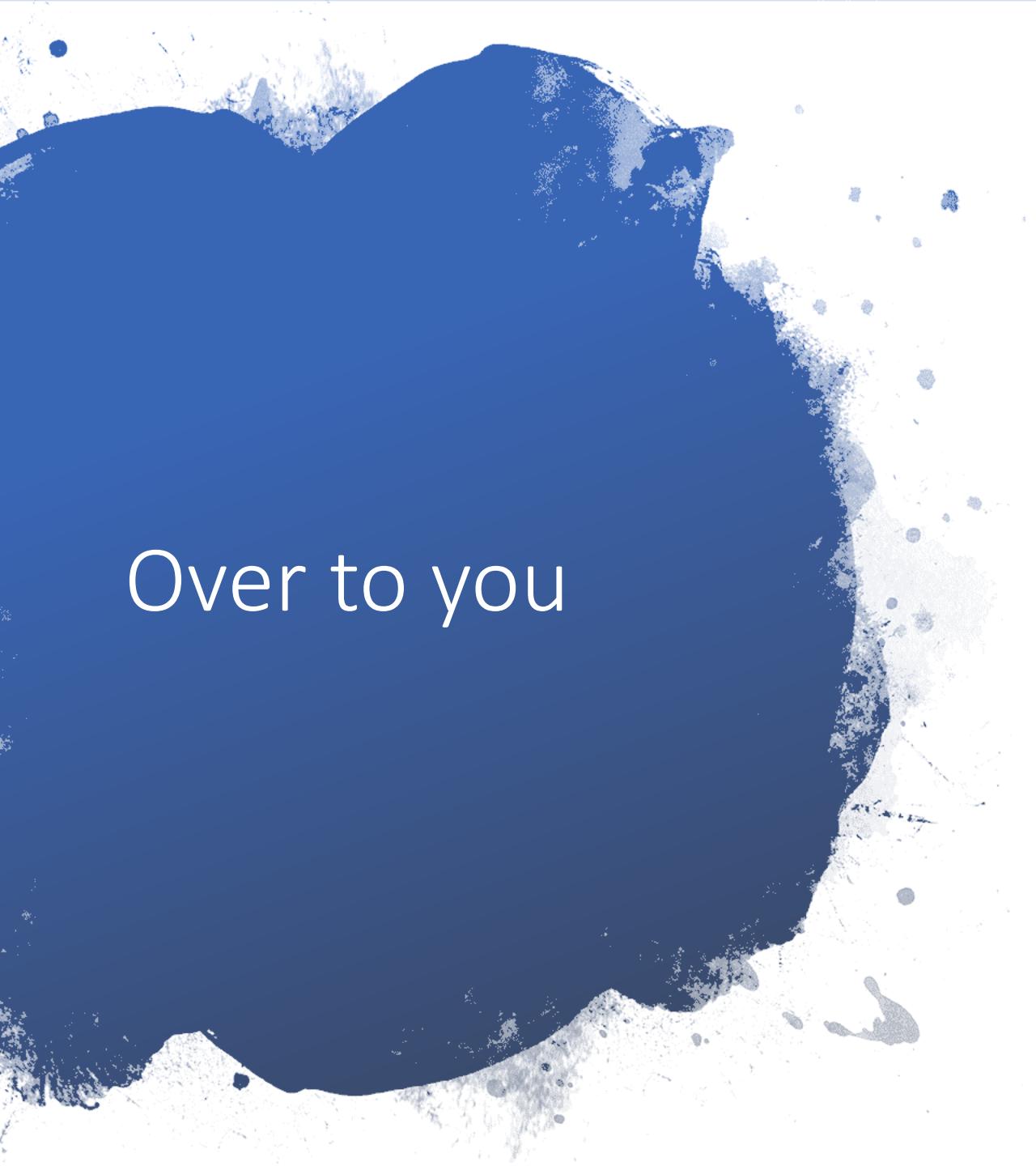
- The basic liberties for all citizens:
  - Political liberty (right to vote and be eligible for public office).
  - Freedom of speech and assembly.
  - Liberty of conscience and freedom of thought.
  - Freedom regarding your own person.
  - Right to hold personal property.
  - Freedom from arbitrary arrest and seizure as understood under the rule of law.

# Rawls' second principle.

- Holding positions of authority and offices of command open is clear enough.
  - For example, no hereditary positions.
  - No exclusions based on gender, race, etc.
  - No “tests” based on wealth or property.
- Arranging social and economic inequities so that everyone benefits is less clear.
  - However, Rawls provides the framework for thinking about this – original position and veil of ignorance.

- *Difference Principle*: ‘social and economic inequalities ... are to be to the greatest benefit of the least advantaged members of society.’
- The rich group is only allowed to have more welfare as long as their marginal contribution to the welfare of the poor group is positive
- *Maxi-min rule*: ‘a person would choose for the design of a society in which his enemy is to assign him his place.’





Over to you

Let's evaluate Rawls' claims together

1. What are the strengths and weaknesses of Rawls' two principles of justice?
2. What kind of political solutions follow from the difference principle? Are you persuaded that these are sufficient for late 20<sup>th</sup> or early 21<sup>st</sup> century societies?

- ‘The inequality in expectation is permissible only if lowering it would make the working class even worse off. ... given the rider in the second principle concerning open positions, and the principle of liberty generally, the greater expectations allowed to entrepreneurs encourages them to do things which raise the long-term prospects of the laboring class. Their better prospects act as incentives so that the economic process is more efficient, innovation proceeds at a faster pace, and so on. Eventually the resulting material benefits spread through the system and to the least advantaged.’ [684]
- ‘All social primary goods – liberty and opportunity, income and wealth, and the bases of self-respect – are to be distributed equally unless an unequal distribution of any or all of these goods is to the advantage of the least favored.’ [697]

# Some criticisms of Rawls

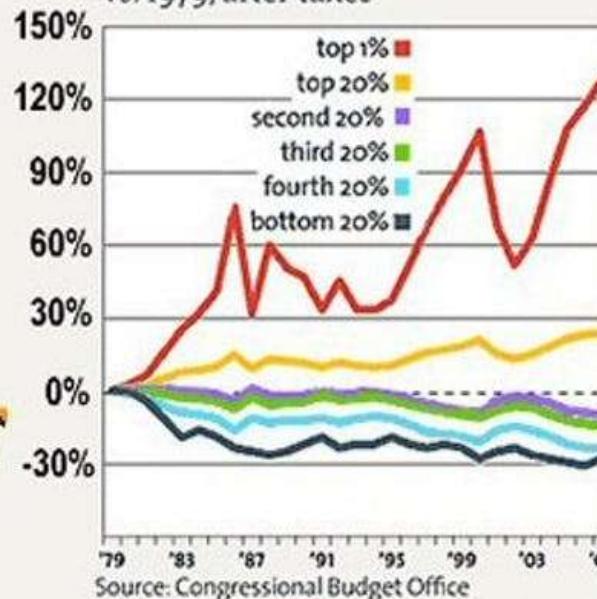
- The ‘veil of ignorance’ is an interesting thought experiment, but it’s impossible for most of us to abandon the values and attitudes that also constitute our personal identity. Claiming to do is naïve
- We can’t just begin with our intuitions about what is ‘just’: we must also think about where these intuitions come from, or what interests they might serve, or how prevailing ideologies shape them (R Geuss)
- Rawls’ arguments for permitted inequality for the entrepreneurial class is reminiscent of discredited trickle-down economics, while the state’s role in mild amelioration of poverty seems insufficient

# Trickle Down Economics



How's THAT  
WORKING  
FOR YOU?

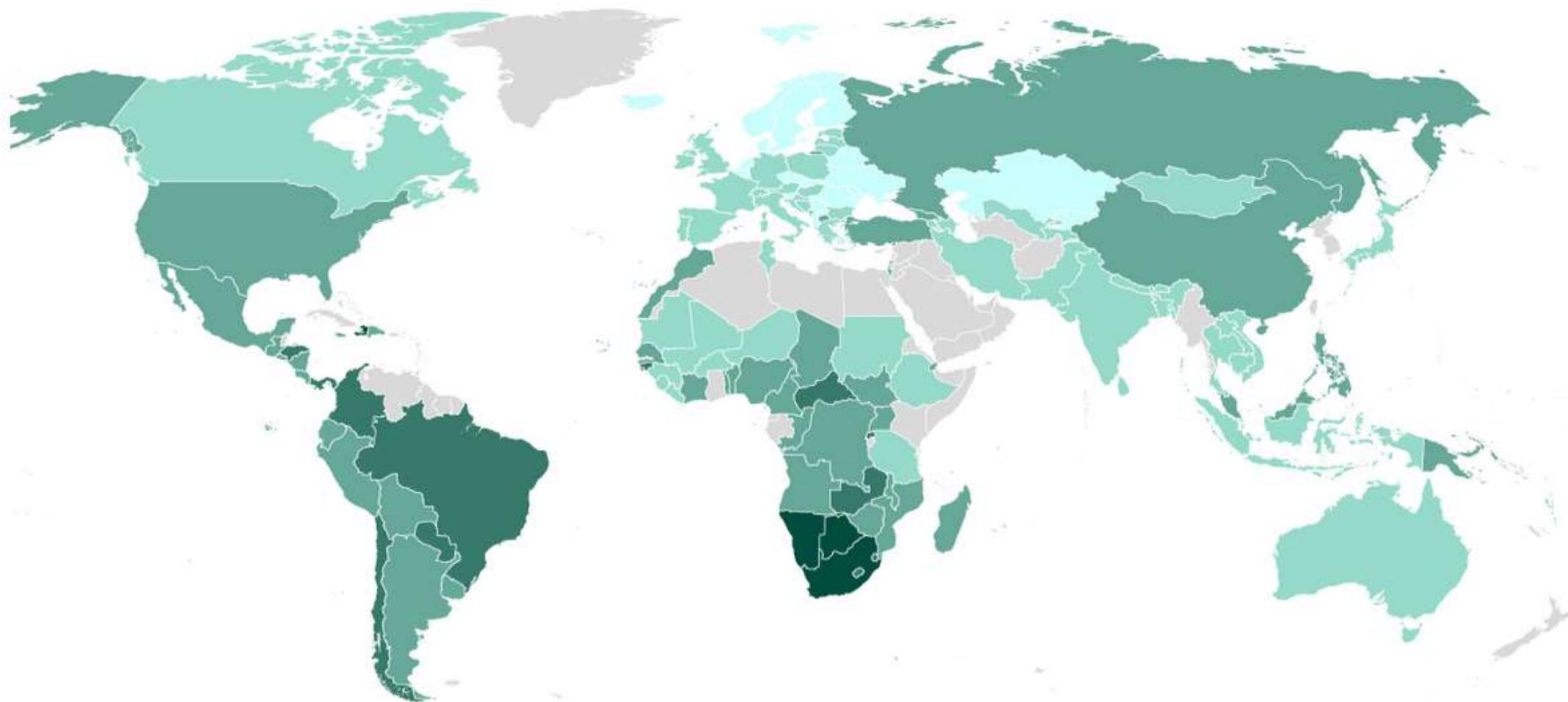
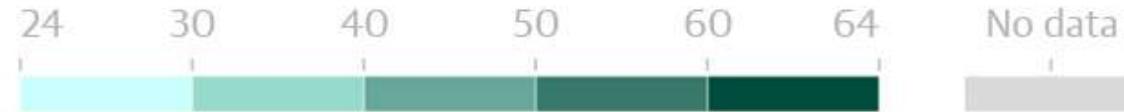
CHANGE IN SHARE OF INCOME  
vs. 1979, after taxes



Source: Congressional Budget Office

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Gini index for income inequality ranges from zero (absolute equality) to 100



Guardian graphic | Source: World Bank estimate. Map shows most recent Gini index estimates for 140 countries

# Poverty causing 'misery' in UK, and ministers are in denial, says UN official

🕒 16 November 2018 | 

     Share



UN Special Rapporteur Philip Alston travelled the country for his report on poverty

Ministers are in a "state of denial" about poverty, a UN expert has said following a 12-day tour of the UK.

# Next week... Peter Singer and Arne Naess

- Do animals have rights? What kind of relationship should human beings have with the rest of nature?
- We'll explore these questions through Peter Singer's 1975 *Animal Liberation*, attacking speciesism: Ch1, "All Animals are Equal"
- and Arne Naess's 'deep ecology', which draws on Spinoza, Gandhi and mountaineering to argue that all beings have a right to self-realisation, one aided by recognising how interconnected we are
- Email any questions to [dan.taylor@marywardcentre.ac.uk](mailto:dan.taylor@marywardcentre.ac.uk)