

Discussion Guide, Advanced

Episode 8

According to the philosopher John Rawls, principles of justice are the outcome of a special kind of hypothetical agreement. They are the principles we would agree to if we were choosing rules for our society behind a “veil of ignorance,” where no one knows his or her age, sex, race, intelligence, strength, social position, family wealth, religion, or even life goals. Such ignorance makes it impossible for anyone to propose social rules designed to benefit him more than other people. Therefore, Rawls argues, the principles we would agree to behind a veil of ignorance would be fair and just.

Rawls's First Principle

Rawls thinks that two principles would be agreed to behind the veil of ignorance. His first principle says that everyone should have the same set of basic liberties, including the freedoms of speech and conscience, the right to hold office and to vote for elected officials, freedom from arbitrary arrest, the right to hold personal property, and so on. According to the first principle, a society in which some people are slaves or serfs, or in which very few people get a say in the government, would be unjust.

1.

Do you agree that everyone should have the same basic liberties, whether they are a man or a woman, young or old, rich or poor, part of the minority or part of the majority?

2.

Which liberties should everyone have?

3.

Why would it be unfair for some people to have more liberty than other people? Rawls thinks that the unfairness is explained by the idea of a hypothetical agreement made behind a “veil of ignorance.” For example, people would not agree to a system of liberties for men only if they didn’t know whether they themselves would wind up being men or women.

Is Rawls right to think that the unfairness of a society that distributes liberties unequally is best explained by the idea of an agreement behind the veil of ignorance? If not, what explains the unfairness?

1.

Rawls’s first principle says that everyone should have an equal chance to run for public office. Do you agree? By law, U.S. citizens who were born outside of the United States are not eligible to run for president. Do you think this law is unjust? Does Rawls’s theory provide the best way of thinking about the justice or injustice of this law?

2.

Rawls’s first principle says that everyone should have an equal chance to influence legislation and political affairs. However, today wealthy individuals and corporations exercise much more influence on the government and the laws than the average citizen might. Is this unjust? If so, do you think that Rawls’ theory best explains why it is unjust?

Fair equality of opportunity

Rawls's second principle of justice has two parts. The first part says that society must ensure that there is fair equality of opportunity. Fair equality of opportunity is different from formal equality of opportunity, or the idea of careers open to talents.

There is even a lack of *formal* equal opportunities when the best jobs are *legally* restricted to members of a powerful group. This was the case in the United States before the Civil Rights Movement and racial desegregation. However, there can be inequality of opportunity even without such legal restrictions. Often, poor kids who are very talented have unequal opportunities because their parents lack the money to send them to good schools, to pay for private lessons, and so on. Compared to equally talented children of rich parents, poor kids have fewer opportunities to develop their talents.

According to Rawls's idea of fair equality of opportunity, this is unjust. People with the same natural talents and the same willingness to use them should have the same chances of success, no matter how rich or poor their parents, no matter their sex, or race, or any other social distinction. Do you agree?

1.

If you think that poor kids should have the same chances of success as equally talented rich kids, does that mean you agree with Rawls's second principle? Suppose it turns out that satisfying this principle would require enormous taxes on the rich. After all, it would cost a lot of money to provide schools of the exact same quality to everyone. Do you think that justice requires such taxation?

2.

Rawls's idea of fair of equality of opportunity could also be seen to require steep inheritance taxes. After all, children who inherit lots of money have a huge advantage in the competition for jobs, money, and success. Do you think that children should be able to inherit great wealth from their parents?

3.

Should the children of rich parents be allowed to get very expensive, private math lessons, or singing lessons, or basketball lessons? What if such lessons give them a huge, unearned advantage in the race for jobs, careers, and wealth? Is it just for poor children to have much lower prospects as a result?

The Difference Principle

The second part of Rawls's second principle is called the difference principle, and it is even more egalitarian than Rawls's idea of fair equality of opportunity.

The difference principle says that there should be no differences in income and wealth, *except* those differences that make even the least advantaged members of society better off. Not even superior effort makes a person deserving of special rewards.

After all, argues Rawls, your ability to make a good effort is partly dependent on how good your childhood was, whether your parents loved you and provided encouragement, or whether you were neglected and abandoned. All of these are factors over which you had no control. Therefore, if you are now able to make a good effort, you can't really claim credit for it. Do you agree?

1.

Is it true that you can't really claim credit for your upbringing? Surely, your habits and temperaments today are partly the result of your upbringing. Does this mean that you don't really deserve what you get from making an effort?

2.

Think of some of the advantages that you have in your life. Do you deserve them more than other people who lack them? If so, why? If not, should these advantages be provided to everyone?

3.

Do you think it's unjust if some people do not get to vote in elections merely because they are a woman or merely because of the color of their skin?

4.

Do you think it's unjust if some people earn much less money and are much worse off than others merely because they are a woman or a member of a racial or ethnic minority?

5.

If you answered "yes" to the last two questions, do you think it's also unjust if some people are much worse off than others merely because they were born with fewer talents or with a debilitating disease and the need for expensive medicines? Why should people be worse off merely because of the way they were born?