

# John Rawls

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In his path-breaking works, John Rawls intended to find the common principle of social and political order that should prevail in society regardless of diverse cultures, religions, and ideologies (Goodin, 138). It is the principle of justice that self-interested ‘rational’ individuals and the ‘reasonable’ public can share for the sake of making a just society. Putting it the other way, “He [Rawls] considers the institution of a given society to be *just* if they are organized according to the principles that presumably would have been agreed upon by rational individuals in the original position” (Harsanyi 1975, 594; original italics)<sup>1</sup>. In this sense, Rawls develops his theory of social contract which “would be confirmed by the entire population, under ideal conditions, after perfect and complete consideration.”<sup>2</sup> Hence, for Rawls the notion of values and morals (justice, equality, collective identity, belonging, trust, and solidarity) became the most important variables which political scientist should take into account. This is Rawls’ contribution to modern political science which has been dominated by ‘bloodless technical concepts’ such as attitude, cognition, socialization, and system (Goodin, 138).

In his systemic theory of political life, Easton noticed that it was impossible to neutralize researcher’s moral premises in political science. Thus in order to construct systemic theory of real political life Easton contends that value premises (of researchers and of people in question) must be taken into account since values are embedded in institutions. In this sense, Easton criticizes

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<sup>1</sup> John C. Harsanyi (1975), “Can the Maximum Principle Serve as a Basis for Morality? A Critique of John Rawls’s theory”, *The American Political Science Review*, Vol. 69, No. 2 (June), 594-606.

<sup>2</sup> *Stanford Encyclopedia of Philosophy*, cited in Paul Treanor’s web pages; <http://web.inter.nl.net/users/Paul.Treanor/rawls.html>

overlooking of values in historicism. It, however, should be noted that the location of value in Eaton's approach is not as much fundamental as that of Rawls. While Easton embraces value premises as important variables, other variables such as situational, psychological, and historical data are important as well. On the other hand, it is the value (or the principle of justice) that governs social relations and generates a just society in Rawls' analyses.

Old institutionalism emphasizes not only the institutions of political system such as "law and constitution, legal and legislative instruments" (Goodin, 374), but also takes into account the way values, norms, and principles are institutionalized (Goodin, 378; in fact, the former is more important than the latter in the old institutionalist approach). Later (old) institutionalism had shifted analytical emphases from the state and legal structure to values, cultures, and socialization (Goodin 382).

Rawls's institutionalist approach, on the other hand, as we have seen above, begins with the "first virtue of social institutions" (*i.e.* justice; Harsanyi, 594). Alternatively to utilitarian tradition, Rawls suggests negotiations or contracts between rational agents could/would reach a 'fair-minded agreement' (Harsanyi, 594) which ends up with a just society. Therefore, Rawls's contractarian approach to institution and society is basically normative discourse (Goodin 137). The fundamental difference between Rawls and old institutionalists is the location of value in their approaches.

The location of values in Rawls's approach is, at the same time, the target of criticisms by many political scientists. Sandel, for example, argues that "Rawls's theory of justice wrongly presupposes a moral self prior to social relationships guided by principles of justice, a self "unencumbered" by particular culture and commitments into which he or she is thrown" (Goodin, 495). A further criticism continues from this point that Rawls's social contract is based upon the "hypothetical situation in which all participants would have to agree on the most basic institutional agreements of their society while under this veil of ignorance [of their own social and economic

positions, special interests in the society, or personal talents and abilities]” (Harsanyi, 594).

Furthermore, it is argued that Rawls’s approach is biased toward the ‘western liberal-democracy society’ which he was grown up and was intended to defend (Paul Treanor, web page).<sup>3</sup>

According to the rational choice theory, the outcome of rational individual behavior is supposed to be desirable for most people. However, as the ‘paradox of turnout’ of Downs’s voting model indicates, an outcome often appears to be undesirable (*i.e.* not voting is the rational choice) (Goodin, 692). How can this problem be solved? According to Rawls’s theory of justice and social contract, people are not only rational but also reasonable. The principle of justice agreed by all participants would make themselves act reasonably at the social level. Although, thus, there exists costly information, it might be possible to arrive at a socially desirable outcome (*i.e.* voting). Consequently, “it is a society where citizens and legislators are never motivated by their own selfish interests or (in the case of the legislators) by the selfish interests of their constituents, but rather are always motivated by strong sense of justice. As such this society is almost the opposite of the society picture in Anthony Downs’s *An Economic Theory of Democracy*” (Harsanyi, 603).

Many controversies and criticisms have arisen since the publication of *A theory of Justice*. In fact, Rawls’s theory has been attacked by both the left and the right. It is partly due to the ambiguity and fictitiousness of principles (the liberty principle and the equity principle) that Rawls suggested. As I noted above, the social contract is the hypothetical situation. This situation is not verifiable/falsifiable by empirical (deductive) methods which are widely adopted by rational choicers, in particular. As a matter of course, the principles are inductive and normative hypotheses.

One implication derived from the principle (in particular, the equality principle or the maximin principle) is the activist/interventionist role of the state (Goodin, 481). For example, the optimal rate of tax (or the progressive income tax system) can be obtained based upon the maximin

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<sup>3</sup> Paul Treanor, “The Politics of John Rawls”, <http://web.inter.nl.net/users/Paul.Treanor/rawls.html>

principle. This, however, has been challenged by the right-wing politicians and conservative economists (*e.g.* supply-side economists or utilitarians). Harsanyi, for instance, argues that “we should resist such a moral code [of Rawls], because an alternative moral code, the utilitarian one, is readily available to us...we must never commit ourselves seriously to moral principles or political ideologies that are bound to lead to morally utterly *wrong* policies from time to time” (Harsanyi, 605, 606; original emphasis).

In sum, it seems to me that Rawls’s principle should be understood as a normative statement. It does not mean society must have a unitary consensus at the level of moral premises. However, Rawls suggests one possible or acceptable criterion which enhances the average welfare of the nation. Thus, the principle of justice is a necessary condition rather than the sufficient condition for a just society.