

1. What are the two principles of “justice as fairness”?

- First Principle: each person has an equal right to the most extensive system of equal basic liberties compatible with a similar scheme of basic liberties for all.
- According to the second principle, social/economic inequalities are just only if they meet the conditions of: (i) *fair equality of opportunity*: equally talented and motivated people have equal chances to attain desirable social positions (SGE); (ii) *difference principle*: Socio-economic inequalities must work to the greatest benefit of least advantaged social group.
- The two principles are an alternative to utilitarianism and to libertarianism.
 - ✓ The right to equal basic liberties and a fair distribution takes priority over maximizing general welfare.
 - ✓ Justice does not require stringent protection for liberty as such, but for basic liberties; and justice requires regulation of choices in the name of equality.

2. What, more exactly, do the principles say?

- On the meaning of the *priority* of basic liberties
 - ✓ Though not a libertarian, Rawls gives priority of liberty—that is, to the liberties covered by the first principle.
 - ✓ Priority of liberty implies that restrictions on the basic liberties protected under the first principle can only be justified if those restrictions better protect the system of basic liberties, not, e.g., to improve the socio-economic conditions of less well-off.
- On the meaning of the difference principle
 - ✓ The difference principle permits inequalities for, e.g., training costs and incentives, because and insofar as these work to benefit of least well-off.
 - ✓ Intuitive idea is that an economic structure is not a race or talent contest, but one part of a fair scheme of cooperation, designed to ensure a reasonable life for all.
- Aim to achieve a "reconciliation of liberty and equality": (i) principles give weight to values of liberty and equality; (ii) together require that we maximize the minimum “worth of liberty.”

3. What are the arguments for the two principles?

- Rawls proposes a social contract argument and an “informal argument.”
- Both arguments driven by the basic idea that justice requires *fair terms of cooperation between individuals who are understood to be free and equal*, and that such treatment requires that society mitigate the effects on people’s lives of the “arbitrariness of natural contingency and social fortune.”

- Informal argument focuses on second principle, and aims to take us from formal equality of opportunity to a more demanding conception of equality: the latter is required to mitigate the contingencies of social and natural fortune.

4. Why not natural liberty (NL)?

- According to NL, a distribution of resources is *just* if and only if it results from a social system with: (i) Equal basic liberties (first principle); (ii) “Formal equality of opportunity” (no legal obstacles to social mobility); (iii) An economy that operates for the common advantage (works efficiently).
- Fundamental idea: if society ensures liberties, then outcomes depend on free choices, not on artificial and unjustified limits imposed on those choices. Justice reflects this pedigree in choice.
- Inequalities under NL reflect inheritance, natural talent, preference/aspiration, and simple good luck. So outcomes reflect choices made from very different starting positions.
- Criticisms of NL: (i) legal obstacles to opportunity are not the only obstacles; (ii) natural liberty does not make outcomes dependent on choices: they also reflect unequal starting positions; (iii) social mobility is legally constrained under natural liberty, because law is implicated in barriers to mobility.

6. Why not Liberal Equality (LE)?

- LE supplements natural liberty with *fair equality of opportunity*: people equally endowed and equally motivated ought to have equal chances of attaining social advantages.
- Distribution is just iff it results from choices in a system that meets four conditions: (i) equal basic liberties; (ii) “formal equality of opportunity;” (iii) fair equality of opportunity; (iv) economy that operates for the common advantage, in efficiency sense.
- Criticisms of LE: (i) social positions affect aspirations and talents. So if people born into different social classes develop different abilities and make different efforts, then fair equality does not end the dependence of advantage in life on social class; (ii) If we are troubled when differences in life chances reflect differences of social background, then we also have reason for being troubled if they are determined by differences in natural endowment (Friedman vs. equality of treatment).

7. Why Democratic Equality (DE)?

- Mitigate effects on life chances of contingencies of social position, natural endowment, luck.
- Adds difference principle (DP) to requirements of liberal equality. A distribution is just if and only if it results from choices within arrangements that: (i) protect basic liberties; (ii) ensure fair (and formal) equality of opportunity; (iii) operate efficiently; (iv) in which inequalities can reasonably be expected to contribute to the maximal well-being of the least well-off group.
- Rationale for DP in two stages:
 - ✓ In a society of equals, no one should be (dis)advantaged by natural or social contingencies. So there is a presumption in favor of equality.
 - ✓ But taking equality as starting point, some inequalities enable all to share in the benefits of the arbitrary distribution of talents.
- DP represents an agreement to “treat the distribution of natural talents as a common asset.”