## Rawls NC

#### A just society must find justification between citizens- specific metaphysical viewpoints fail since they’re not the basis of reasonable agreement. Freeman

Samuel Freeman [Avalon Professor in the Humanities at The University of Pennsylvania. Justice and the Social Contract: Essays on Rawlsian Political Philosophy. Oxford University Press. New York, NY. 2007. 37]

We have considered how the social contract plays a role within Rawls's conception of justice, from the point of view of free and equal persons and from the perspective of the parties in the original position. Let us now consider a second way in which agreement plays a role, implicit in a third perspective in Rawls's view, that of ourselves as members of a democratic society.45Rawls identifies the aim of political philosophy as [is] a practical one: to define a conception of justice that can [provide a shared public basis for the justification of political and social institutions.]46 Its task is to locate a basis for agreement in a culture that all can affirm and accept and that can serve as a basis for public reasoning and stable social cooperation. The practical aim of a political conception is to be contrasted with what we might call the [theoretical aim] of a moral conception, which is truth. [Justice as fairness . . . presents itself not as a conception of justice that is true, but one [something] that can serve as a basis of informed and willing political agreement between citizens] (JF, 230). This does not mean that Rawls is not interested in objectivity or truth (clearly Rawls thinks that the general facts assumed by his theory and the parties are true [TJ, 547/481 rev.]). Rather, there is a difference between the primary objects of a practical versus a theoretical inquiry. Whether Rawls's principles are or can be true, in the sense that they satisfy a metaphysical account of truth, is a separate issue which Rawls does not address. He thinks it important to [avoid the problem of truth and the controversy between realism and subjectivism] if justice as fairness is to achieve its practical aim in a democracy (JF, 230). This point is essential to Rawls's version of liberalism, as well as to understanding the sense in which his is a social contract view. The practical aim of a political conception does not by itself seem to imply any form of a social contract. For, we might imagine a society in which appeals to religious authority, or to self-evident truths about good reasons, provided the basis for public justification and agreement (cf. CP, 343). Rawls's point is that such appeals cannot work in a democracy. For, given that democratic [because] citizens have different and competing philosophical conceptions of the nature and bases of truth, objectivity, and so on, a basis for public reasoning and agreement cannot be achieved by a conception of justice that relies on such premises. Here the idea of social agreement comes in; such an idea [this] is implicit in what I will call the [practical] that Rawls sees as [is] appropriate for **a** democratic society.

#### This requires that place us behind a veil of ignorance. Freeman 2

[Freeman, Samuel, "Original Position", The Stanford Encyclopedia of Philosophy(Spring 2012 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/spr2012/entries/original-position/>>.]

The remedy for such biased judgments is to redefine the initial situation. Rather than a state of nature Rawls situates the parties to his social contract so that they do not have access to knowledge that can distort their judgments and result in unfair principles. Rawls's original position is an initial situation wherein the parties are without information that enables them to tailor principles of justice favorable to their personal circumstances. Rawls says, “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” (TJ, 12/11). This veil of ignorance deprives the parties of all knowledge of particular facts about themselves, about one another, and even about their society and its history. The parties are not however completely ignorant of facts. They know all kinds of general facts about persons and societies, including knowledge of the relatively uncontroversial laws and generalizations derivable from economics, psychology, political science, and biology and other natural sciences. They know then about the general tendencies of human behavior and psychological development, about biological evolution, and about how economic markets work, including neo-classical price theory of supply and demand. As discussed below, they also know about the circumstances of justice—moderate scarcity and limited altruism—as well as the desirability of the “primary social goods” that are needed to live a good life and to develop their “moral powers.” What they lack however is knowledge of any particular facts about their own lives or other persons' lives, as well as knowledge of any historical facts about their society and its population, level of wealth and resources, etc.. Rawls thinks that since the parties are required to come to an agreement on objective principles that supply universal standards of justice applying across all societies, knowledge of particular and historical facts about any person or society is morally irrelevant and potentially prejudicial to their decision.

This precludes all other frameworks b/c all framework assume equality but only the veil ensures impartiality by removing societal biases during decisionmaking.

#### The standard is consistency with principles derived under the original position. Prefer for an additional reason

#### The resolution is a hypothetical normative statement that doesn’t specify any particular government or worker so a hypothetical position that assumes impartiality like the veil of ignorance is most germane to text the resolution. Textuality is key to fairness b/c the wording of the rez is the most consistent basis for pre-round prep.

#### Additionally, under the original position, agents would adopt policies that ensure equality of oppurtunity. Garrett

Garrett, Jan. "John Rawls on Justice." Rawls on Justice. Western Kentucky University, n.d. Web. 06 Nov. 2012. <http://www.wku.edu/~jan.garrett/ethics/johnrawl.htm>.

A self-interested rational person behind the Veil of Ignorance would not want to belong to a race or gender or sexual orientation that turns out to be discriminated-against. Such a person would not wish to be a handicapped person in a society where handicapped are treated without respect. So principles would be adopted that oppose discrimination. Likewise, a self-interested rational person would not want to belong to a generation which has been allocated a lower than average quantity of resources. So (s)he would endorse the principle: "Each generation should have roughly equal resources" or "Each generation should leave to the next at least as many resources as they possessed at the start." The corollary of this, in rights terms, is that all generations have the same rights to resources, future as well as present. Rawls argues that self-interested **rational persons behind the veil** of ignorance **would choose** two general principles of justice **to structure society** in the real world: 1) Principle of Equal Liberty: [so that] Each person has an equal right to the most extensive liberties compatible with similar liberties for all. (Egalitarian.) 2) Difference Principle: Social and economic inequalities should be arranged so that they areboth (a)to **the greatest benefit [is for] of the least advantaged persons,** and (b) attached to offices and positions open to all under conditions of equality of opportunity. (1) is egalitarian, since it distributes extensive liberties equally to all persons. (2b) is also quite egalitarian, since it distributes opportunities to be considered for offices and positions in an equal manner. (2a) is not egalitarian but makes benefit for some (those with greater talents, training, etc.) proportionate to their contribution toward benefiting the least advantaged persons. (1) obviously echoes, without exactly duplicating, [libertarianism](http://www.wku.edu/~jan.garrett/ethics/libert.htm) in its commitment to extensive liberties. What does the Difference Principle mean? It means **that society may undertake projects that require giving some persons more** power, income, status, etc. **than others**, e.g., paying accountants and upper-level managers more than assembly-line operatives, **provided that** the following conditions are met: (a) **the project will make life better off for the people who are now worst off**, for example, by raising the living standards of everyone in the community and empowering the least advantaged persons to the extent consistent with their well-being,and (b) access to the privileged positions is not blocked by discrimination according to irrelevant criteria.

#### Minimum wage increase is inconsistent with Rawl’s original position, instead he advocated for a negative income tax to ensure equality of oppurtunity. Bungay

Bungay, Felix. [Student at the University of Cambridge reading an MPhil in Intellectual History and Political Thought.]"John Rawls: For School Choice, Against the Minimum Wage." Bleeding Heart Libertarians. Bleeding Heart Libertarians, 12 June 2013. Web. 11 Apr. 2015. PH

When looking at contemporary liberal political thought, philosophers like Samuel Freeman and John Tomasi like to play up the difference between classical liberals, like Hayek and Friedman, and high liberals, like Rawls and Nagel. I happen to think there’s more common ground between the two groups than is commonly perceived. Let’s say, to engage in a thought experiment, we locked Rawls, Freeman, Friedman and Hayek in a room and we asked them to come up with some public policy positions. We’ll give them food and water, but they can’t leave the room until they all unanimously agree on a position. What policies (if any) would arise – or would they all just be stuck in the room arguing for eternity? If I said they would agree to scrap the minimum wage, have a wholly private school system funded by vouchers and scrap most welfare and replace it with a simple negative income tax, would you believe me? When discussing fair equality of opportunity in A Theory of Justice, Rawls says that the “Government tries to insure equal chances of education and culture for persons similarly endowed and motivated either by subsidising private schools or by establishing a public school system.” Significantly, Rawls himself does not think that the government needs to provide education or necessarily establish a public school system to fulfil the requirements of equal opportunity; a fully private school system is not ruled out. As Samuel Freeman says, Rawls’s “writings imply that a publically funded and regulated but still entirely private education system (for example, a voucher system) would be compatible with FEO.” Milton Friedman would be jumping for joy. What about the minimum wage then? Well in an interview with PBS, Samuel Freeman said Rawls was opposed to the minimum wage (meanwhile the Economist tells us that Obama’s plan to raise the minimum wage makes him a Rawlsian – that’s poor scholarship): “He [Rawls] thought we ought to get rid of a minimum wage and let the labor market just go as low as it would and let employers just pay two, three dollars an hour if they could and let the government come in and supplement that.” And what form did Rawls believe this supplement ought to take? Well, he again drew on Milton Friedman and argued for a negative income tax. When discussing the institutions associated with the second principle (chapter 5 of ToJ), Rawls says that “the government guarantees a social minimum either by family allowances and special payments for sickness and unemployment, or more systematically by such devices as a graded income supplement (a so-called negative income tax).” So while Rawls, Freeman, Friedman and Hayek may not be best buds, there is perhaps more ground for positions associated with the “free market right” to be found in the work of Rawls than either classical or high liberals commonly discuss. Rawls the deregulatory school choice enthusiast is quite a different tale from the one you normally hear.

#### Thus, the negative advocacy is that the governments of the aff actors will implement a negative income tax program, replacing all other welfare programs. Sorman 11

Sorman, Guy. "Replace the Welfare State with a Cash Subsidy for the Poor." Why Not a Negative Income Tax? The Manhattan Institute, Winter 2011. Web. 12 Apr. 2015. PH

Republicans would do well to revisit Friedman’s alternatives. The most familiar is the school voucher, which students could use as tuition at any school, public or private, willing to accept them. But one of the most inventive and potentially effective of Friedman’s alternatives to statist bureaucracy receives far less attention than vouchers do. Liberals tend to dismiss Friedman as an extremist libertarian, a blind advocate of selfishness, an enemy of any kind of social help. This was always an absurd charge. In his 1962 book Capitalism and Freedom, Friedman acknowledged that some form of welfare was necessary in capitalist societies and that the state would likely play a role in its provision. The trick was to imagine a very different, radically improved, and more efficient form of welfare—what Friedman’s son, David, also an economist, calls “libertarian redistributionism.” What kind of program could help protect every citizen from destitution without granting excessive power to bureaucrats, creating disincentives to work, and clogging up the free-market economy, as the modern welfare state has done? Friedman’s answer was the negative income tax, or NIT. The NIT is easy to describe. “The basic idea,” Friedman wrote in a 1968 Newsweek column, “is to use the mechanism by which we now collect tax revenue from people with incomes above some minimum level to provide financial assistance to people with incomes below [a minimum] that level.” Already, he pointed out, no one pays taxes on the first few thousand dollars of income, thanks to personal exemptions and deductions. Most earners pay a fraction of their “positive taxable income”—that is, the amount by which their earnings exceed that first few thousand dollars. In Friedman’s plan, the poor would similarly receive a fraction of their “negative taxable income”—the amount by which their earnings fell short of that level. This direct cash grant would replace all other welfare programs for the poor, which, Friedman rightly observed, were generating a huge bureaucracy and extensive welfare dependency.