

## Justice as Fairness Reconsidered: The Contemporary Relevance of Rawlsian Liberalism

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### Abstract

Rawlsian liberalism through a critical examination of justice and equality in contemporary democratic societies. Drawing upon the central arguments of John Rawls, particularly those articulated in *A Theory of Justice*, the study explores the conceptual foundations of justice as fairness, the original position, and the veil of ignorance. It analyzes how Rawls' two principles of justice aim to reconcile liberty with distributive equality while safeguarding the interests of the least advantaged members of society. The paper further evaluates the continuing relevance of Rawlsian thought in addressing modern concerns such as economic inequality, social exclusion, and institutional fairness. By engaging with major critiques from libertarian, communitarian, and egalitarian perspectives, the study assesses whether Rawlsian liberalism remains a viable normative framework in pluralistic societies. The analysis concludes that despite certain limitations, Rawls' model continues to offer a robust moral foundation for balancing individual freedom and social justice in contemporary political theory.

**Keywords:** Rawlsian Liberalism; Justice as Fairness; Equality; Original Position; Veil of Ignorance; Distributive Justice.

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### Introduction

Questions of justice and equality have remained central to political philosophy, particularly in societies marked by widening economic disparities and cultural pluralism. Liberal democratic systems claim to uphold individual freedom while promoting fairness, yet tensions between liberty and equality persist in public policy and institutional design. In this context, the political philosophy of John Rawls offers one of the most systematic and influential attempts to reconcile these competing values within a liberal framework. In *A Theory of Justice*, Rawls proposes "justice as fairness" as a moral foundation for democratic institutions. He introduces the hypothetical device of the original position, where rational individuals, placed behind a veil of ignorance about their social status, talents, or personal

circumstances, select principles of justice to govern society. This thought experiment is designed to ensure impartiality and fairness in the formulation of social rules. From this framework emerge two core principles: the equal basic liberties principle and the difference principle, the latter permitting social and economic inequalities only if they benefit the least advantaged members of society. Rawlsian liberalism thus attempts to move beyond classical laissez-faire models of liberalism by incorporating substantive concerns for distributive justice. At the same time, it resists purely egalitarian doctrines by preserving individual rights and market incentives. This balanced approach has shaped contemporary debates in political theory, constitutional design, welfare policy, and global justice. However, Rawls' framework has also generated substantial criticism. Libertarian thinkers challenge its redistributive implications, communitarians question its abstraction from social identities and traditions, and radical egalitarians argue that it does not go far enough in addressing structural inequality. Revisiting Rawlsian liberalism today is therefore not merely an exercise in intellectual history but a necessary inquiry into whether justice as fairness remains adequate in addressing twenty-first-century challenges such as globalization, persistent inequality, and identity-based claims. This study re-examines the conceptual foundations and normative ambitions of Rawlsian liberalism, assessing its continuing relevance as a theory of justice and equality in contemporary democratic societies.

### **Historical Context and Intellectual Background of Rawlsian Liberalism**

The emergence of Rawlsian liberalism must be understood against the intellectual and political climate of the twentieth century. In the aftermath of two world wars, the Great Depression, and the rise of totalitarian regimes, political philosophers sought a moral foundation capable of defending democratic institutions while addressing social and economic inequality. Classical liberalism had emphasized individual liberty and limited government, but it struggled to respond adequately to the demands of social justice that became increasingly visible in industrial societies.

Within this context, John Rawls developed a systematic theory that redefined liberal thought. Influenced by the social contract tradition of thinkers such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau, Rawls revived the contractarian method but transformed it into a moral device for assessing principles of justice rather than explaining the historical origin of the state. At the same time, he engaged critically with utilitarianism, particularly the versions associated with Jeremy Bentham and John Stuart Mill, which justified social arrangements based on the maximization of aggregate happiness. Rawls argued that such an approach could permit serious violations of individual rights if doing so increased overall welfare. The publication of *A Theory of Justice* in 1971 marked a turning point in Anglo-American political philosophy. Rawls shifted the focus from utility to fairness, proposing that justice should protect the inviolable rights of individuals while also regulating social and economic inequalities. His work revitalized normative political theory at a time when behavioralism and empirical approaches dominated academic discourse. Moreover, Rawls' later writings, including *Political*

*Liberalism*, addressed the challenge of moral and religious pluralism in democratic societies, further expanding the scope of liberal thought. Thus, Rawlsian liberalism emerged as a response to both the perceived moral limitations of utilitarianism and the practical need for a theory capable of reconciling liberty with equality in modern constitutional democracies.

### **Justice as Fairness: Conceptual Foundations**

At the core of Rawls' philosophy lies the idea of "justice as fairness." This formulation reflects his conviction that principles of justice must be chosen under conditions that ensure impartiality. Rather than deriving justice from historical tradition or collective utility, Rawls grounds it in a hypothetical agreement among free and equal persons. Justice, in this view, is not merely about outcomes but about the fairness of the procedures that generate social rules. The central conceptual device supporting this framework is the "original position," a thought experiment in which rational individuals choose principles of justice behind a "veil of ignorance." Stripped of knowledge about their social class, talents, gender, religion, or personal ambitions, individuals are compelled to adopt principles that protect them regardless of their eventual position in society. This structure ensures that justice is based on reciprocity and moral equality. From this procedure, Rawls derives two principles of justice. The first guarantees equal basic liberties for all citizens, including freedom of speech, conscience, and political participation. The second regulates social and economic inequalities, permitting them only if they satisfy the "difference principle," meaning they must work to the greatest benefit of the least advantaged. Importantly, Rawls gives lexical priority to basic liberties, ensuring that economic gains cannot override fundamental rights. Justice as fairness therefore represents a middle path between strict egalitarianism and unrestricted market liberalism. It affirms that individuals are moral equals deserving of equal respect, while also recognizing that inequalities may be justified when they improve the position of those who are worst off. Through this framework, Rawls constructs a coherent liberal theory that integrates freedom, equality, and institutional fairness into a unified moral vision.

#### **1. The Original Position and the Veil of Ignorance**

John Rawls introduced the idea of the Original Position as a hypothetical situation used to determine fair principles of justice.

##### **Original Position**

The Original Position is an imaginary situation in which rational individuals come together to decide the principles that will govern society. The purpose of this situation is to ensure that the rules chosen are fair to everyone.

In this position, individuals act as free and rational persons who want to secure the best possible conditions for themselves. However, they must choose the rules of society without knowing their own place in that society.

### **Veil of Ignorance**

To guarantee fairness, Rawls proposed the concept of the Veil of Ignorance. Under this veil, people do not know:

- Their social class
- Their wealth or economic status
- Their gender or ethnicity
- Their natural abilities or talents
- Their religion or political beliefs

Because individuals lack this information, they cannot design rules that favor their own group. Instead, they must select principles that are fair for everyone, especially those who might end up in the least advantaged position.

Therefore, the Veil of Ignorance ensures impartiality and encourages people to design a society that protects everyone's rights and opportunities.

## **2. The Two Principles of Justice**

From the decision-making process in the Original Position, Rawls argues that people would agree on two fundamental principles of justice.

First Principle: Equal Basic Liberties

The first principle states that every individual should have equal rights to basic liberties. These liberties include:

- Freedom of speech
- Freedom of religion
- Freedom of thought
- Freedom of association
- Political participation (right to vote and hold office)

This principle emphasizes that liberty must be equal for all members of society and cannot be sacrificed for economic advantages or social benefits.

### **Second Principle: Social and Economic Inequalities**

The second principle deals with the distribution of wealth, opportunities, and social advantages. Rawls accepts that inequalities may exist, but they must satisfy two conditions:

1. Fair Equality of Opportunity – Everyone should have equal chances to access positions and opportunities regardless of social background.
2. Benefit to the Least Advantaged – Any inequality must improve the condition of those who are worst off in society.

Thus, the second principle aims to create fairness in economic and social arrangements while still allowing some differences in income and status.

### **3. The Difference Principle and Distributive Equality**

The Difference Principle is an important part of Rawls' second principle of justice.

#### **Difference Principle**

According to Rawls, inequalities in wealth or power are acceptable only if they benefit the least advantaged members of society.

For example:

- Higher salaries for skilled professionals may be allowed if their work improves social welfare and benefits everyone.
- Economic growth should help uplift poorer sections of society.

In other words, inequalities must work to improve the position of those who have the fewest resources.

#### **Distributive Equality**

Rawls' theory focuses on distributive justice, which concerns the fair distribution of social goods such as:

- Wealth and income
- Opportunities
- Rights and liberties
- Social status

However, Rawls does not support absolute equality. Instead, he proposes fair equality, where resources and opportunities are distributed in a way that protects the least advantaged.

This approach balances freedom and equality by ensuring both basic rights and fair economic arrangements.

#### **Basic Liberties**

According to John Rawls, a just society must guarantee equal basic liberties to all citizens. Basic liberties are the fundamental rights that allow individuals to live freely and participate in social and political life. These liberties include:

- Freedom of speech and expression
- Freedom of thought and conscience
- Freedom of religion
- Freedom of association
- Political liberty (right to vote and participate in government)
- Freedom of the person and protection from arbitrary arrest

- Rights protected by the rule of law

Rawls believed these liberties are essential for maintaining the dignity and autonomy of individuals in a democratic society. Every person must enjoy the same basic liberties regardless of their social or economic position.

### **Priority of Freedom (Lexical Priority of Liberty)**

Rawls argues that basic liberties have priority over other social or economic advantages. This idea is called the Priority of Liberty.

It means that:

- Basic freedoms cannot be restricted simply to increase economic benefits or social welfare.
- Liberty must come before considerations of wealth or efficiency.

For example, a government cannot limit freedom of speech or political participation just to improve economic productivity. According to Rawls, protecting liberty is more important than achieving economic gain.

Rawls describes this as a lexical priority, meaning that the first principle of justice (equal liberty) must always be satisfied before the second principle (economic and social inequalities).

## **2. Rawls and Contemporary Economic Inequality**

Modern societies often face serious problems of economic inequality, such as unequal distribution of wealth, income, and opportunities. Rawls' theory offers a framework for addressing these issues.

### **Rawls' Perspective on Inequality**

Rawls does not insist on complete economic equality. Instead, he argues that inequalities can exist if they satisfy two important conditions:

1. Fair Equality of Opportunity – Everyone must have a fair chance to obtain education, employment, and social positions. Social background should not determine life opportunities.
2. The Difference Principle – Economic inequalities must benefit the least advantaged members of society.

This means that policies and institutions should work to improve the living conditions of poorer groups.

### **Application to Contemporary Economic Issues**

Rawls' ideas are often used to evaluate modern economic systems such as capitalism and welfare states.

Many scholars argue that governments should adopt policies consistent with Rawlsian justice, such as:

- Progressive taxation
- Public education and healthcare
- Social welfare programs
- Equal employment opportunities

- Anti-discrimination laws

These policies aim to reduce unfair inequalities while still allowing economic incentives and innovation. In many contemporary debates on global inequality, scholars draw on Rawls' framework to argue that economic institutions should be designed in a way that improves the well-being of disadvantaged groups.

### **Criticism and Debate**

Some economists and political theorists criticize Rawls' approach. For example, Robert Nozick argued in *Anarchy, State, and Utopia* that redistributive policies may violate individual property rights. Others believe Rawls' theory does not go far enough in addressing structural inequalities. Despite these debates, Rawls' theory remains one of the most influential frameworks for discussing justice, democracy, and economic inequality in modern political philosophy.

### **Conclusion**

The philosophy of John Rawls represents one of the most influential attempts in modern political thought to reconcile the values of liberty, equality, and fairness within a democratic framework. Rawls' theory of justice as fairness, most systematically articulated in *A Theory of Justice*, provides a moral foundation for evaluating social institutions and public policies. Rather than grounding justice in historical entitlement or utilitarian calculations of overall happiness, Rawls proposes that just principles must arise from a fair procedure of agreement among free and equal individuals. At the philosophical level, Rawls revives the social contract tradition, originally associated with thinkers such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau. However, Rawls transforms this tradition by presenting the contract not as a historical event but as a moral device that helps determine fair principles of justice. Through the original position and the veil of ignorance, individuals are imagined as rational and mutually disinterested agents who must choose principles that protect them regardless of their social position. This theoretical framework emphasizes the moral equality of persons and ensures that social institutions are structured in ways that respect each individual as a free and equal citizen. One of Rawls' major philosophical contributions lies in his rejection of classical utilitarianism, a doctrine associated with thinkers such as Jeremy Bentham and John Stuart Mill. Utilitarianism evaluates social arrangements according to the maximization of overall happiness or utility. Rawls argues that such an approach can justify sacrificing the rights of some individuals if doing so increases the total welfare of society. In contrast, Rawls maintains that justice requires protecting the inviolability of individual rights. No person's liberty should be compromised merely for the sake of greater collective benefit. Rawlsian liberalism therefore rests on the conviction that individuals possess equal moral worth and that social institutions must reflect this equality. The first principle of justice, which guarantees equal basic liberties, affirms the importance of political freedom, freedom of conscience, and legal equality. These

liberties form the moral foundation of democratic citizenship. The second principle, including fair equality of opportunity and the difference principle, introduces a framework for regulating social and economic inequalities. Rawls acknowledges that inequalities may arise in complex societies, but insists that they must be arranged so that they benefit the least advantaged members of society.

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