

### RAWLS' PLACE IN THE LIBERAL TRADITION\*

Today I propose to devote myself to bring out the significance of Rawls to, and in, the Anglo-American thought in particular, and the liberal democratic thought in general; in fact, his importance is in entwining the former with the central thread of the latter, so as to project a single tradition, which may appropriately be designated as the NATO tradition. I am *not* suggesting either that he, or that the financiers of his research, contemplated that. (I do *not* subscribe to conspiratorial explanations of intellectual activity, though I am prepared to take a bet on the plausibility of explanatory connections between projected ideals and personal experience.) But that is what it amounts to when we indulge in a *post facto* contextual analysis of his ideas; at least, that would make those ideas more intelligible. Further to understand his work in that fashion is not to misunderstand it, as ideas - that is, genuine and authentic ideas—have roots. We need not beseech the bowels of Marx to note that one's head is attached to his trunk, and that his trunk has in it his heart and his bowels. This is true, at least, when he is not an Indian academic.

Now the task at hand can be carried out in two ways, one of which is to briefly trace the development of liberal democratic thought both on the continent and on the Isles, and then show how Rawls fares in it. This is the same as to see Rawls in the context of the history of philosophy. This is the easy way too - though dull and irrelevant. So I will opt for the other way, namely to see Rawls in a much wider context; that is the socio-cultural context, of which philosophy and its history are two, but not the the only two, components. With this on my mind, I will take an excursion, a brief excursion, to the other side of the Atlantic.

Two centuries have passed since the Declaration (of Independence), and during these two centuries everything conceivable was done by the very society which the Declaration brought into existence to violate the spirit of the Declaration both inside and outside the U.S.A., and paradoxically in the name of the Declara-

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tion. As if this tragedy is not enough, destiny has ordained worse, even within this century. The contemplated Great Society remained a grand dream. The projected Affluent Society ended up in private abundance to some and public squalour to all. No one now believes that "the sky is the limit", as everyone has seen the Harlem *bustees*. There is a universal exclaim as to what right to privacy, and freedom of conscience mean when one cannot sit on his toilet seat with the confidence that it has not been covered by a concealed camera, or when one has to liquidate an entire alien society while knowing that it is worse than immoral, that is a simple mistake. The Founding Fathers envisioned one America, now there is the other America too. Enough, let me now move to this side of the Atlantic. There is a little more of culture (the third programme, A. J. Ayer, and all that), and a little less of vulgarity (say a volume on sex in a 10c how-to-do-it series); fine. The empire is lost, yet there is the Empress. Great Britain has shrunk into Little England; and the pound is following the empire. There are Popper and Powel, Berlin and Dahrendorf; but one can suffer them. Yet, things are not as smooth as they appear to be. There is the other Britan too, though it is not known whether this is so despite or because of welfare—statism. It is true that during Tawney's time 5% of them held 75% of their total wealth, but today 6% of them hold 60% of it. This may be a great improvement for the gradualist British mind. But on principle this is wrong, as too few have far too much than too many.

One hopeful sign of this dismal picture of the Anglo-American world is that each adult has a vote, though the voice of some voters has more weight than that of others. What the Duke of Edinburgh says is front page news in the *The Times*, but Dr. Jones of Edinburgh can manage to secure for himself an inch in the correspondence column of *The Mail*, and air his views. The situation is a little worse in the U. S. A.; but in both the countries the effectivity of one's political role is uniquely determined by his or her economic position and social status. In neither of these countries, no one, however, is deprived of daily victuals; nor does one go naked because of want. Nudity is, nevertheless, cultivated as culture, but that is a different matter. And in order to provide the most basic necessities to their citizens, these societies extend the very same disparities to other societies. This is to say that these societies meet the basic needs of their respective

citizens by *exporting injustice*. It is in this context Rawls is thinking, and, I hope, is asking: what is to be done? That has been the conscious or the unconscious source of inspiration for Rawls, as much as the crisis in the Athenian culture after the peloponnesian war has been the source of inspiration for Plato.

It seems that — as Rawls seem to have thought — the political structure of this society is basically sound; if it is malfunctioning, it is because the economic structure has come to dominate over, and impinge upon, it. If only priority can be restored to the political, and the economic restructured in terms of the political, Rawls seems to have thought things may turn out well. But the restoration of such a priority is not an easy task, and the difficulty is not just in reorganising the very functioning of society, It is a formidable tasks in itself. The real difficulty is in providing a theoretical framework for such a reorganisation. To attempt at such a theoretical framework, we need to start with noting some salient features of the society, and how it came to acquire those features. All this is, I trust, at the back of Rawls' mind, and is contained in the unwritten part of his treatise \*

The capitalist mode of production, market economy ect., which are the dominant traits of this society, constitute a complex syndrome. One of its important symptoms is an idiosyncratic, if quixotic, conception of man — namely, that of man—as—a—consumer. This conception of man is entangled with, if not entailed by, the utilitarian empiricist conception of man and his rationality, that is that man is a maximiser and an appropriator. Coupled to all these is the empiricist world view according to which man's intellection about himself is dependent or contingent upon his phenomenal existence enveloping his passions, his habits, his customs etc. It is well-known that this stream of thinking grew along with the institution of political democracy, and that there was a constant influence and a continuous interaction between them, such that today it is difficult to isolate one without disturbing the other. It is beyond my skill to give a briefer, but a more discerning, history of the philosophical core of capitalist liberal democracy on the left of the Channel. I call this the *western tradition*.

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\* In what follows I will not be giving a chronological history, even a brief one. I will attempt a brief structural history of the issues involved, and indicate their interrelationships.

The eastern tradition of capitalist liberal democracy starting with Spinoza and Rousseau, and culminating in Kant<sup>1</sup> has a different philosophical core.<sup>2</sup> In what follows I will try to fix its essence taking its final form into consideration. Though in this tradition too man is conceived as a rational being, reason itself is construed differently. The two traditions have so to say two different concepts of reason. In the west it is almost equivalent to the strategy which man adopts to hook maximum returns among the options available to him. But in the eastern tradition reason is conceived to be autonomous, in the sense that man when once he opts for it—and he cannot but opt for it, as by nature he is rational—what his returns would be is determined objectively by reason itself; it is determined independent of his preferences for the outcome. Further, reason—that is, his essential nature—dictates his cheerful acceptance of outcome. Thus, in the rational activity of man, his subjectivity—which consists of his passions, his prejudices, and his preferences—has no role to play. There is another fundamental difference between those two traditions; and this difference is due to a dichotomy which is as old the Greeks, and which Euripides has articulated admirably as :

“Not that I do not know I am wrong,  
But, alas! my passion is too strong”.

May be because of geographical contiguity, this dichotomy between passion and reason has dominated the eastern tradition more than the western tradition. That is, perhaps, why in the east man is conceived as if he is bereft of passion—to be more accurate, as if he ought to be devoid of passion, where the force of the imperative is sustained by reason. To be free is not only to be free from external constraints, but also from inner passion. Man *per se* is man *sans* subjectivity.

Such diverse conceptions of man and his nature are bound to result in incompatible systems of personal and social *Ethik*. They indeed did, as is obvious from the differences between utilitarianism and Kantianism. As man conceives his *Ethik* in terms of his conception of himself and his nature, and designs his *Ethik* so that it may be in consonance with his nature, the identification of man with his phenomenal self in one tradition led to one kind of *Ethik*, and identifying him with his noumenal self in the other resulted in another kind of *Ethik*. (It should be obvious that if in one of

these traditions the obverse of the concept of man projected by the Greeks is taken into account, in the other the converse of it is taken into consideration. But in both the tradition their chosen side is held to be the real side of the coin. And, it would not be far-fetched to suggest that if one of these traditions took one aspect of the Christian conception of man as an admixture of the ape and the essence, the other took the other aspect.) That much about the diversity between the two traditions; now a word about their identity. In each of these traditions their respective systems of *Ethik* were grafted onto the same conception of polity, and man's role in it — that is, onto liberal democratic principles. These principles were conceived in the same way in both the traditions; they constitute, in both the traditions, the ideology of the rising bourgeoisie in conflict with *ancient regime*. Construed in terms of this conflict, it is natural that individual freedom should have been thought of as inversely proportional to the constraints which that regime could and did impose on individuals. Thus, it is not surprising, if the limit to individual freedom is thought to be determined by — in fact, solely by — his obligation to his fellow beings in granting the same to them. (This is the the essence of Mill and Kant lumped together and this is one half of Rawls' first principle ).

Despite its being intergral to both the traditions, there are differences in the genesis of this idea in the two traditions. What Hegel says in the Preface to his *Philosophy of Right*, namely that "the owl of Minerva spreads its wings only with the falling of the dusk" is true with the western tradition, but not so with the eastern tradition. It is certainly untrue as far as the Germanic part of the tradition is concerned. By the time a theoretical articulation of this conception and the corresponding *Ethik* was attempted and was carried out, the British bourgeoisie gained considerable power; they were very much in, or they were sure of their being there. As such the legitimacy of their claim was not in question. Their attitude, hence, was a bit conciliatory and compromising, and their aims were prudential and pragmatic. As a result, their reasoning was matter of fact. But such was not the case with the German bourgeoisie; their class itself was taking shape when they were thinking out their ideology; their being in was still in future. So they had to establish the legitimacy of their claim; and in this they could not take recourse to any empirical evidence, for as a

matter of fact they were out. So they had to invoke reason. That explains why the western tradition is empirical and the eastern tradition is rational. In the west as consolidators they had to defend their right to what they owed, and in the east as claimants they had to establish their right to own what they did not own. Obviously, a monthly pay cheque makes a lot of difference to one's thinking.

As what I have said might create the impression that the western tradition is homogenous, I might add that we find there various shades of opinion—at least, two different streams of moral thought. One of them, as has already been noted, is utilitarianism in its multiple forms. As Trotsky has aptly put, it is “the ethics of bourgeois book-keeping”. Rawls too is unhappy with it, and yesterday I touched upon the source of his unhappiness. The other stream, with which Rawls is unhappy, is ethical intuitionism, or the olfactory school of moral philosophy, as it assumes that every one has a moral nose. Commenting on this schools, Trotsky in *Their Morals and Ours* remarked that “moralists of the Anglo-Saxon type...appear conscious or unconscious students of Viscount Shaftesbury, who—at the beginning of the eighteenth century!—deduced moral judgements from special “moral sense” supposed once for all given to man”. Surprisingly, Rawls' rejection of intuitionism is precisely Trostkian. It is based on two points; firstly, when two persons differ in their moral judgements there is nothing to which they can appeal except their respective moral noses which are the sources of the difference. In support of Rawls, I supplement that here is a fertile ground for Thrasymacheanism, that is that justice is the voice of the loud-mouthed. (God forbid that) Secondly, Rawls holds contra intuitionism, that there is no fixed or eternally given moral sense. Our judgements, he argues, more than once, in a sense are determined by our moral sense, but when once we arrive at moral judgements, these in their turn may lead to a modification of our moral sense. Thus the relationship between moral judgements and moral sense is dialectical. (Though Rawls may not like such a statement, as Trotsky would say, there is no superclass morality). That explains how Rawls rejects the moral philosophy of the western tradition, but that does not explain why he embraces the *Ethik* of the eastern tradition. My next move then, should be to explain that drift.

The ideology of consolidators should suit Rawls better, as in the Anglo-American world power is in the hands of the bourgeoisie. Yet, Rawls prefers the ideology of the claimants. Why? There must be a serious reason for it. As Rawls' rationality is British in character, if he preferred one strategy to the other, it must be due to his confidence that the outcome on the path he preferred is likely to be maximal. Now what could that anticipated maximal outcome be? It cannot be anything more than a conclusive legitimisation of capitalist liberal democracy. But why such a legitimisation is needed? It might be due to his awareness that the legitimacy of liberal democracy is being questioned afresh. This possibility coincides with actuality. Liberal democracy is under fire both from within the Anglo-American world, and from outside it. The liberal democratic tradition is under constant attack from the *other tradition* which began with Marx and has become acceptable to more than half of humanity. Liberal democracy, on the one hand needs to be protected from that external onslaught, and on the other hand it needs to be saved from internal subversion by those who come under the influence of the other tradition, and also from the intratraditional critics of the tradition. Both these groups are locating the source of the current Anglo-American predicament, which I portrayed at the outset, in the ideology of capitalist liberal democracy. Yet, at least part of the core of this ideology is basically sound. How to protect that part from a possible sap along with the rest? How to keep the essential core of the NATO societies in tact, while cleansing them to remove the ugly features they have come to acquire!

Among the many things required for that, the most important is to show that the core of liberal democratic ideology constitutes something which is just a reflection of human nature itself—human nature, in its noumenal and essential aspect, and not in its phenomenal and accidental aspect. Having shown that, proceed to reason out or deduce from that all the other principles required for a re-ordering of the society. That alone would establish the necessary rationality of the core of liberal democracy, and the irrationality of rejecting it as such a rejection can then be shown to be contrary to the essence of man or the negation of human nature. That is why new defenders of liberal democracy had to look at Kant for inspiration. Indeed, this very mode of finding out the legitimacy of liberal democracy was suggested by Kant

"A constitution", he wrote in the *First Critic*, "allowing the greatest possible human freedom in accordance with laws by which the freedom of each is made consistent with that of all others—I do not speak of the greatest happiness, for this will follow of itself—is at any rate a necessary idea, which must be taken as fundamental not only in first projecting a constitution but in all its laws." Thus comes Rawls' new liberal theory—a research programme with classical grandeur. But Rawls' theory falls flat when Kantian tests are applied to it.

The deduction of such necessary ideas can be accomplished only by a free and autonomous individual. Though he would carry it over independent of his relation to other individuals. That is as an a social being, his ideas and thoughts would have social bearing and social relevance, as he construes his freedom in terms of granting to his fellow beings what he would grant unto himself. That is how Rawls' Original person was conceived. But, despite his being so conceived, he has some impure blood in his veins, for he resembles more with Locke's contractor, who in his "wish and care", to use a transparent couplet of Pope, "is to a few paternal acres bound", than he does with Kantian individual. This is the profile with which he emerges when he is put to Kantian scrutiny. The original person retains the western conception of rationality, and also the western notion of moral action. As I have already mentioned the salient features of the former, I will go straight to the latter. The original person believes that it is his duty to work towards a just society, if he can or in so far as circumstances permit. This is to say that he relates what he thinks he ought to do with what he thinks he should do by imposing a condition. Kant would treat that irrational, for he sees an unconditional implication between *the ought* and *the should*; what could be is not a middle term linking them. (Those who are familiar with the other tradition may note that the issue at hand is precisely the same as the one involved in the classic debate on what has come to be called Bernsteinian adventurism; Bernstein, as is well-known from Lenin's, if not his own, writings, is a Kantian marxist).

Kant's point is that not doing what one's reason dictates that he ought to do will bring him only a sense of shame, which a rational man will shun. Rawls agrees with this; yet, he holds



(vide p. 246 of his *A Theory of Justice*), that we should bring about a just society into existence "if we can". Such a compromising attitude, on so important a matter, will not be pardoned by the Kantian individual, as he holds that "nothing, indeed, can be more injurious, or more unworthy of a philosopher, than the vulgar appeal to so-called adverse experience" (First Critique). Why then Rawls—a Kantian as he is or trying to be—should hold what he did? Is it because that Rawls' original person, being familiar with psychological theories, is sure of being able to get over the consequent sense of shame after a couple of sittings with a therapist! Or is it because—like the Indian middle class—he removed that word from his dictionary;<sup>3</sup> I do not claim to know; however, I intend to claim to know that Rawls is projecting his original person out of his own image, I am *not* using an *argumentum ad hominem*. I know elementary logic sufficiently well to be able to afford such a bad move in my arguments—even if they be polemical. If I said that, it is because Rawls himself asserts (on p. 50, *op. cit.*) that "for the purpose of (t) his book, the views of the reader and the author are the only ones that count. The opinions of others are used to clear our own heads."<sup>4</sup> I reserve my views for tomorrow, and will try here to clarify to myself Rawls' views. Attempting at it, I juxtapose Rawls, his original person, and Kant.

Rawls' original person is a hypothetical being; that he is hypothecated to capitalists is another matter, and I will consider that too tomorrow. Hypostasising the original person is the first methodological move of Rawls in his attempt to develop his theory; the next move is to move like a geometrician to deduce the rest of the projected theory as theorems and corollaries. This is to say that Rawls' theory of justice is a hypothetico-deductive theory. Kant will not have, I presume, any objection for its being such a theory; nor will he be unhappy at the second move. He will, I trust, raise an important objection to Rawls' first move. He would insist that a concept as important as that of an original person, on which is dependent the very possibility of the theory, not be hypostasised, but be deduced transcendently. A word about what transcendental deduction of a concept means seems to be in order here.

To transcendently deduce a concept is to show the legitimacy

of that concept. In explaining this I purloin half a point from the left Kantain Wolf ( see his *Poverty of liberalism*, Beacon Press ). Consider, for instance, that a sociologist asks the ICSSR for a grant to study the distribution of *Vandhyaputras* ( i. e. sons of barren women ) in different linguistic communities in the country. The situation being what it is, he would get the grant all right. But at least in our private conversations we laugh at it, for we know that it is preposterous, as the concept of *vandhrapuras* is an illegitimate one, and hence *vandhyaputras* do not exist. Logic bars the joint possibility of women being barren and her having a son. Now suppose that some other or the same sociologist ask for a grant to study the distribution of power-crazy philosophers in our universities. He will not get the grant; but that is not the point. The point is that, though we might wonder why such an obvious and universal phenomenon needs to be investigated further, we do not consider the project an illegitimate one. The reason for this is our knowledge that concept of power-crazy philosophers is a legitimate one. This to say that a description of power-crazy philosophers, or an explication of the concept power-crazy philosophers, is logically consistent, and hence our unhesitating inclination to entertain the possibility of these being power-crazy philosophers. ( Unfortunately there are too many of them; that is why there is a lot of power and little philosophy. ) It is important to note that the explication should itself be free from illegitimate concepts. When once an explication of a concept meeting these logical criteria is provided, that concept will have been legitimised, or will have been transcendently deduced. And Rawls' concept of the original person falls short of these requirements.

I am not suggesting that Rawls' original person is a bundle of contradictions, though I do believe that it may not be difficult to show him to be that. It may, however, be equi-possible to reform him to be consistent. So I propose to establish a weaker truth, namely that Rawls' characterisation of the original person contains in it at least one illegitimate idea. Perhaps, that too is too strong; hence I will settle for the weakest, but sufficient truth, namely that Rawls' characterisation contains at least one idea whose legitimacy he has not established, and whose legitimacy he may not be able to establish. If I succeed in showing this much, I hope, I will have

succeeded in showing that Rawls needs to rethink, and reformulate his theory in order to repair it from its present defects.

Rawls assumes that the original person knows all the general truths of sociology, economics, politics, and psychology but that he does not have any knowledge of any particular fact. Is this possible? An answer to this question depends upon the answer a more general issue receives; and that more general issue is: what is the epistemological status of the social sciences? Or variantly, how do we arrive at our knowledge of human affairs? Rawls must have tacitly accepted that the social sciences are synthetic *a priori* disciplines; this is the same to say that he must have held that reason itself yields empirical knowledge of human affairs. Accepting that is the *sine qua non* for assuming that the original person knows all the general truths about man and society, without ever having a substantive notion of his own good. This implies that Rawls is giving to the social sciences the epistemological status that Kant gave to the physical sciences. That being so, Rawls and Kant are bound to collide. Keeping physics and psychology in the same epistemological basket would prove to be suicidal to Kant, as that would clinch the duality of Man and Nature which is so dear to his heart. The gulf between "the moral law within", and the "starry heaven high above" is unbridgeable, though, perhaps, unbearable; that is what Kant would say. It is not however, necessary that Rawls should accept this aspect of Kantianism. He can reject that duality. But that itself will not solve the problem. For solving the problem at hand, Rawls will have to establish that synthetic *a priori* knowledge in the social sciences is possible. Rawls will have to write *his* First Critique showing how social sciences are possible; just as Kant wrote showing how physical sciences are possible. Until then the original person's claim to the possession of the type of knowledge that Rawls claims for him will have to be taken with a pinch of salt. If so, Rawls theory will have to be treated as an undertrial.

The view of the epistemological nature of the social sciences is peculiar, and is incompatible with the conception of social sciences currently accepted in the Anglo-American academies of which the original person is plausibly assumed to be a product. Despite that—and that is surprising—his sociological knowledge is identical, both in content and in scope, with what passes off under the same

name in the Anglo-American academies. Consequently, the original person is totally ignorant of the sociological theories, and public policies, of the other tradition. For him Marx is a four letter word; he may not know this either, as this is a particular orthographic truth. Why does Rawls keep him ignorant of that tradition? A clue to this can be found in the way the original person behaves when he has to choose his second principle of justice. Why should he contemplate only the possibility of his society being capitalist! Why should he entertain only the possibility of his being a market economy! Surely, it is not rational to write a programme to bring a just—or a little more just—society into existence by considering one of the several possible alternatives. If the original person indulged in unidimensional thinking, it is because it serves Rawls' interests. As I intend to return to this point again, here I will note just that Rawls is writing a programme for a just society within the framework of capitalism, and with the unpleasant belief that capitalism and capitalists are there, and would continue to be there. That is why Rawls' attempt has some Miltonic sadness attached to it. Did not Milton try to justify the ways of God to man, while accepting that it is Charles II that rules! Thus we have Rawls' *Justice Lost*.

That apart, the original person, as he is, is methodologically a dubious character. Rawls has put into his head all and only those things that he needs to deduce all and only those principles that he did deduce. This is not short of assuming what one needs to establish, and hence is poor reasoning. The restricted knowledge of the original person—he is only a fragment of a scholar—adversely affects Rawls' rational theory of justice. This, however, is not Rawls' failure alone. The fate of all rational theories of society is the fate of rational theology. Kant, it is true, made us aware how it is the destiny of reason that it itself has limits. But rational theology, and rational theories of society, fail not because of the limits of reason itself, but because they do not use reason sufficiently—because they do not reason out to the limiting point. Rawls too fails because of insufficient reasoning. To elaborate this point, I will start with rational theology. (I intend this not as an argument by analogy, but only as a heuristic device to drive a point nearer home.)

Here is a highly damaging but brief comment by Al-Gazali on rational theology, which I quote from a third source ( Rescher, *Distributive Justice* : Prentice Hall ).

“ Let us imagine a child and a grown-up in the heaven who both died in the True Faith, but the grown-up has a higher place than the child. And the child will ask God, “ why did you give that man a higher place ? ” And God will answer, “ he has done many good works ”. Then the child will say, “ why did you let me die so soon that I was prevented from doing good ? ” God will answer, “ I knew that you would grow up a sinner, therefore it was better that you should die a child ”. Then a cry goes up from the damned in the depths of Hell, “ why, O Lord, did you not let us die before we became sinners ? ”.

It might be rational, and it might also be just, on the part of God that he should distribute sin and punishment, and virtue and reward, in that particular way. But there is no reason why he should not have distributed the propensity to sin, and the desire for virtue, equally among his children, so that all of them would have died when they were of the same age having had the same number of fornications to their credit, as it should be obvious—, would have secured for themselves the same place, and—and that is important—would have formed a *community of equals*. God could have done that; but he did not do that, if all those *religious writings* are right. And I presume that he did not do that as he knew that when once he does it his importance would be undermined. Who does anything which leads to his own dispensibility! God is after all human. But worse is that had any one held that God could have done that, God would have condemned him to Hell, and would have further rationalised why he should be there. My aim here is not to indicate divine intentions and inclinations; so I proceed to point out that Rawls' attitude to capitalism is like that of God's. It might be perfectly rational that the original person should—given capitalism—choose the principles of justice which he did choose. But there is no reason why he should choose capitalism— at least accept it as an *inevitable option*. ( A contradiction in terms ?— but that is not of my making; it is the proper word for the original person's choice ).

This is puzzling as by virtue of his first principle he preferred a community of equals. He chose the first principle like a thinker of the eastern tradition. Then he ought to have proceeded like him to choose other principles, that is ought to have deduced all the other principles from the first; but he did not do that. If he did, he would have ended up in the imperativeness of socialised mode of production. To evade it, or as if to evade it, he swapped his continental rationalism with British reasoning, and shifted from the continental conception of moral action to the British conception of good behaviour. Had the original person, contrary to the needs of Rawls, stuck to the continental conceptions, Rawls' theory would have been different. Anyhow, this is suggestive; it suggests an important point, which can be made perspicuous on the analogy of Einstein's theories of relativity.

Just as Einstein's general theory of relativity is cosmic in its scope, Rawls' general theory of justice is *apparently* universal; the import of the qualification will be made tomorrow. Rawls' general theory begins and ends with the first principle of justice. And just as the special theory of relativity holds good locally, Rawls' special theory of justice holds good for capitalist societies. If that theory is relativised to socialist societies, it yields Rawls' socialist theory of justice. (Strictly speaking, such a relativisation yields a pseudo-socialist theory of justice, and hence may be acceptable to, indeed only to, the British Labour Party, and the South Avenue Socialists. I will return to this point in the next lecture). Now, the choice between these two special theories, that is Rawls' capitalist theory of justice and Rawls' socialist theory of justice, is precisely a choice between capitalist mode of production and socialised mode of production. The debate, then, is not really about justice, but about modes of production. Thus we come to note the priority of the economic in our thinking about justice. Rawls is standing on his head down, he needs to be kept on his feet. I do not claim any originality in this criticism, for I have used here a fundamental intuition of Marx. "Any distribution whatever of the means of consumption", he wrote in *A Critique of Gotha Programme*, "is only a consequence of the distribution of the conditions of production themselves. The latter distribution, however, is a feature of production itself".

I have not completed my comment on the acceptance of

capitalism by the original person. Earlier I likened it to the acceptance of an inevitable rape. Having rethought about it, I feel that it is worse. My rethinking was sparked off by a poem on rape by Thomas More. The lady vehemently protested, and the man lost his patience.

"Now I warn you", he said, "if you do not shut up and lie down at once, I am off.

Cowed by this fearful threat, the girl immediately lay down.

"All right, go ahead", she said, "but remember, you forced me into it".

Thus the original person's acceptance of capitalism is, with an apology to libbers, effeminate, and that does not do any good to those who want to bring a just society into existence, even in the Anglo-American world. Yet, that is one of the dominant traits of the liberals. They delude themselves in thinking that revolutionary ideals can be realised on this wretched earth without combating the conservatives and capitalists.

Yes, revolutionary ideals, while concluding yesterday's lecture I noted how Rawls' ideals are the ideals of the French Revolution. Concluding this lecture I will note that his failings too are of the French Revolution. The revolution stripped off the privileges of the *ancient regime*, but retained the right to property and inheritance. This, over a period of time, swallowed the very ideals of the revolution, and led to the movement towards socialism. Rawls too is granting those rights; thus a fresh hope for a new fillip in socialist movement.

C-245,  
Dayananda marg,  
Tilak Nagar,  
Jaipur.

A. P. Rao

#### NOTES

1. Marcuse would like it to be Hegel. Though I believe that he has a point, I let it be Kant. for that is sufficient for the purpose at hand; and that is what Rawls too holds.

2. Rawls draws a lot from Rousseau and Kant; their names occur frequently in his text. Surprisingly, Spinoza is not mentioned even once. This is rather intriguing as Spinoza is the first point of contact between the two traditions (through his influence on Locke, of course). Rawls too is trying to reconnect and reconcile the two traditions.

3. As if to rationalise this "abnormality", Indian middle class social philosophers are belabouring to show how *hypocriacy is necessary* for the very functioning of society; a classic argument towards that end is in Daya Krishna's *Social Philosophy - Past and Future*, IIAS, Simla.

4. That goes to support the plausibility of my recasting Rawls' theory by projecting it from the point of view of the original person and his rational deliberations, and assuming that the original person is Rawls' alter ego. This does *not* mean that Rawls' treatise is confessionary; but I am inclined to believe that had Rawls grown in a different socio-economic situation the original person would have been different from what he is. I demonstrate this point at length in the next chapter.