

### Rawls: The sense of justice

**THE PROBLEM.** We enquire into the conditions where members of the moral community—the community founded on the principles of justice to be explored later—have the psychology that enables the stability of that community. Rawls isolates two traditions in moral psychology that dealt with (roughly) this question. One is empiricist and is loosely affiliated with utilitarianism: people are encouraged to perform acts beneficial to others. This is achieved by approval and disapproval of the relevant actions by other members of the community. The other tradition is rationalist and is loosely affiliated with deontology. As the person grows up, he naturally acquires the sensibility required for the continuous life in the society. Sympathy toward others is basis of this development.

Rawls indicates his desire to combine both traditions. However, as far as I can tell, he leans toward the rationalist tradition.

**AUTHORITY.** The first stage of moral development is dominated by the morality of authority. It characterises, for the most part, the stage that children may reach in their development. There are two steps here. First, parents love the child, and their love is manifested in various ways. In turn, though initially he is motivated by urges and desires, the child learns to love and *trust* the parents back. The proper parental love encourages and supports the child for his own sake: he is appreciated for what he is, as a person. He recognises his parents as competent, loving individuals, and his trust in them emerges naturally.

This is the root of the parental authority. Having earned the child's trust and established their authority, the parents may inform the child of various moral precepts. He accepts them blindly, so to speak, simply on the strength of their authority. He has no tools to examine and criticise them. In this sense, the morality of authority is 'primitive'.

**ASSOCIATION.** As an individual grows up, he enters into various associations with other members of the society. These associations may be educational, professional, anything whatever. They characterised by certain roles and rules of conduct. The individual learns the *ideals* of what it is to be a good student, brother, friend, colleague, or citizen. He also learns to see things not only from his own perspective, but the perspective of his peers.

Yet, Rawls notes, these social skills are not sufficient for a genuine moral development. Con artists and other fraudsters possess these skills in abundance. What is required, as a necessary addition to social skills, is 'attachment' to association and its members. It emerges in the course of the person's cooperation with other members and contribution to the general good of the association. Then can develop feelings of guilt when he fails to do his part. Without that guilt feeling there will be at most an outward display of sociable attitudes, without any serious commitment, while taking advantage of others when opportunity presents itself.

The second psychological development, Rawls argues, will be emulation of those people who contribute to the well-being of the association. In particular, we'll strive to emulate those who possess complex skills, and we'll wish to learn those skills ourselves.

**PRINCIPLES.** Someone who has the morality of association understands the principles of justice. He understands the ideas of equality, impartiality, and fairness. But he is not yet motivated by them. Instead, he observes that behaving in conformity to these principles wins him the approval of others, improves his reputation etc. He is motivated by these effects, not by the principles themselves. Rawls now considers the possibility that a person might wish to be not just a 'respected citizen/associate/partner', but also a just person.

Rawls speculates that this ability to act as a just person may be a product of a further psychological law. This law yields in us a recognition of justice created by the institutions that tend to the benefit of a community. Here we adopt two positions. Sometimes we are in a position of a legislator willing to legislate exactly the arrangements that benefit us and those toward whom we developed the attitudes of friendship and trust, or reform the extant unjust arrangements. On other occasions, we are in a position simply to accept and uphold the just arrangements that have already been legislated.

A most interesting question here is how the morality of principles is supposed to differ from the morality of association. Rawls in effect claims that the morality of principles can be based solely on reason. As members of an association, our moral attitudes were tied to the emotions (e.g., those generated by friendship) we had toward other members. When we are governed by principles, we might not have any particular emotions toward other members, as happens, e.g., in modern states. We choose actions entirely on the ground of their conformity to the right principles. Thus, we liberate ourselves from the ‘accidental circumstances’ we are placed in—from our family or friendship ties, in particular.

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*Remark 1* (Williams). This liberation from the contingent relations we may have with other people will be criticised by Williams (later on in the course).

Still, Rawls admits, emotional attachments may strengthen the purely ‘moral emotions’ we have toward others. For example, they may intensify guilt, indignation, or joy we feel when we violate or observe rational principles in our behaviour.

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Furthermore, it is not as though we fetishise principles, duties, or rights. We do not say:

(1-1) I want to do what is right, full stop! Why I want to do it has no further explanation!

As Rawls puts it, the morality of principles is not based on any inexplicable inner conviction, or ‘conscience’. Our sense of justice, that finds its highest expression in the morality of principles, is a product of a rational reflection on how best to organise the lives of free and equal individuals. And we naturally want to be such individuals ourselves, and to live among such individuals.

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*Remark 2* (Original position). We discuss later on how this rational reflection may go, according to Rawls.

**MORAL AND NATURAL ATTITUDES.** In an interesting §74 Rawls aims to show that there is no conflict between natural affection and resentment and moral emotions. In particular, the lack of moral feelings is a symptom of the lack of natural attitudes, and the presence of natural attitudes is a symptom of moral feelings ‘once the requisite moral development has taken place’.

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As far as I can tell, the idea is this. Suppose that Ann is a complete moral individual driven by the morality of principles. Suppose also that Ann loves Ben, and that Cyd assaults Ben. Then Ann feels indignation at Cyd’s action—a moral attitude. But this indignation is also a sign of Ann’s love for Ben. Suppose now that Dan is *not* indignant at Cyd’s action. Then this is a symptom that Dan is (naturally) indifferent to Ben.



This, I think, is not an altogether convincing defence of the link between natural and moral emotions. First, think of Eve, another member of the well-ordered society. Ann has no special affection or hatred toward Eve who lives in another city. Suppose that Cyd assaults Eve, and Ann reads about it in the newspaper. By assumption, Ann is capable of indignation at this act. But *should* we conclude that Ann has or develops some ‘natural’ love for Eve? Ann may be a cold fish, but this doesn’t rule out her membership in the well-ordered society. Second, return to Ann and Ben. If Cyd assaults Ben, who is loved by Ann, we expect Ann to be pained by that. But Rawls seems to demand that Ann also pass a moral judgement based on moral principles. The worry here is that this is superfluous. Personal, direct pain is enough. Not only that: if Ann’s response is dominated by moral indignation (supported by appeal to universal principles), rather than personal pain, Ben may suspect that Ann’s love isn’t very strong at all.

*Remark 3.* Superfluity: we return to this issue in our discussion of Williams.