The Veil of Ignorance

- What is a fair agreement situation among free and equal persons when the purpose of the agreement is fundamental principles of justice for the basic structure of society?
  - certain facts are relevant to entering into a fair employment contract – a prospective employee's experience and motivation for example
  - but these may not be relevant to other fair agreements
  - Rawls argues that Locke's social contract starts from a problematic original position: a state of nature where people know all the facts about themselves and where everyone is *politically* equal, but not equal in other ways (eg different gender, different wealth, etc.)
  - to get rid of these biases, Rawls starts with a different initial position: the parties to his social contract do not have access to knowledge that can distort their judgments and result in unfair principles.
    - The representatives of Rawls's original position do not have information enabling them to tailor principles of justice favorable to their personal circumstances.
    - The so-called “veil of ignorance” is thick: the representatives behind it do not know any particular facts about themselves, about one another, and even about their society and its history.
  - Let's think about some reasons why Rawls's position is better/worse than Locke's (take away the fact that Locke ends up with a constitutional monarchy; you could have a constitutional presidency)

- Some problems with Rawls's model:
  - How can anyone make a rational choice without knowing their fundamental values?
    - Answer: the original position is just a fiction – a “thought experiment”. So, whether or not it is psychologically possible for a person to enter into the original position and come to a decision there in ignorance of all particular facts is irrelevant to Rawls's argument.
      - What is important is to see what resources – the minimum – are needed to make such decisions about justice
      - if you start with as little as Rawls wants us to start with, where can we end up?
    - Another problem: if the people in the original position have no knowledge of the ultimate good, no matter how this is defined, the representatives will not be able to discover the principles of justice that best promote the ultimate good. And isn't this what justice is supposed to be?