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## **Rawls' Principles of Justice; Equity, and the Justification of Reservation in India**

### **Two Principles of Justice**

In his concept to construct a doctrine that may serve as the basis for the distribution of benefits and burdens among persons coming from their mutual cooperation, John Rawls calls for a combination of 'equality' and 'diversity' principles. In reality, Rawls' primary goal, as he confesses, is to develop a philosophy of justice that may serve as a viable alternative to the utilitarian principle of justice<sup>1</sup>. Despite the fact that it was accepted by a majority of social and political theorists, he believes that the concept of utility was unable to alleviate the issues of ordinary individuals relating to the distribution of the state's fruits. In this paper, we will look at John Rawls' famous theory of justice, in which he lays forth two principles of justice and their relative importance. Then we will look at how Rawls' idea of equality compares to the philosophical word "Equity," and how his "Difference Principle" might be used to rationalize India's reservation policy.

All social essential goods-liberty and opportunity, income and wealth, and the foundations of self-respect-are to be distributed equally unless an unequal distribution of any or all of these things is to the benefit of the least favored, according to Rawls' general notion of justice (1971: 303). Rawls relates the concept of justice to an equal share of social goods in this fundamental view, but he adds a crucial twist. We treat people as equals by eliminating only those inequalities that disadvantage them. Certain inequalities will be acceptable to everyone if they serve everyone by attracting socially beneficial talents and energies. If providing someone else more money than I do serves my interests, then equal concern for my interests argues that we should accept, not prevent, that inequality. Inequalities are allowed if they increase my initial equal share, but they are not acceptable if they invade my fair portion, as utilitarianism suggests. We might conceive of this as granting the poorer people a veto over disparities, which they would use to reject any inequalities that sacrifice rather than boost their interests, according to Rawls (Rawls 1978: 64)

However, because the numerous goods allocated according to that principle may conflict, this basic conception is not yet a complete theory of justice. We might be able to raise someone's income by taking away one of their essential liberties, for example. In one way (income), this unequal distribution of liberty benefits the poorest people, but not in another (liberty). What if an unequal distribution of income benefits everyone in terms of money, but generates an opportunity divide that disadvantages those with lower income? Do the gains in income

outweigh the losses in liberty and opportunity? The broad notion leaves these problems unanswered, and hence fails to address the issue that rendered intuitionist theories useless.

We need a priority scheme for the many aspects in the theory. Rawls' answer is to divide the basic notion into three parts, each of which is arranged according to a lexical priority principle. The 'Two Principles of Justice,' according to Rawls, would be chosen among various alternatives in the 'Original Position' behind the 'Veil of Ignorance.' The two principles of justice are as follow:

First Principle-Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.

Second Principle-Social and economic inequalities are to be arranged so that they are both:

- (a) To the greatest benefit of the least advantaged, and
- (b) Attached to offices and positions open to all under conditions of fair equality of opportunity.

First Priority Rule (The Priority of Liberty)-The principles of justice are to be ranked in lexical order and therefore liberty can be restricted only for the sake of liberty.

Second Priority Rule (The Priority of Justice over Efficiency and Welfare)-The second principle of justice is lexically prior to the principle of efficiency and to that of maximizing the sum of advantages; and fair opportunity is prior to the difference principle. (1971: 302-3).

Some social goods are more important than others, according to these principles, and so cannot be compromised for improvements in other goods. Equal liberties are given priority over equal opportunity, which is given priority over equal resources. But, within each group, Rawls' simple premise holds true: Inequality is only permitted if it benefits the poorest members of society. As a result, the priority criteria have no effect on the fundamental idea of fair shares within any category.

Rawls makes two arguments in support of his justice concepts. One is to compare and contrast his theory with what he considers to be the dominant ideology in the area of distributive justice, namely, the ideal of equal opportunity. He claims that his theory more closely matches our well-considered intuitions about justice, and that it more clearly expresses the fundamental principles of fairness to which the dominant ideology appeals. The second point of contention is somewhat different. Because his principles of justice are the result of a hypothetical social contract, Rawls claims that they are superior. He says that if individuals in a pre-social state were to pick which principles should govern their society, they would choose his.

In this essay, I will focus on Rawls' arguments for the second principle guiding the distribution of economic resources, which he refers to as the "difference principle." The first element of the second principle necessitates equal opportunity for everybody. These rules take precedence over the difference principle, and policies or institutions that violate them cannot be justified by the difference principle. The difference principle determines the distribution of income and wealth, as well as the social bases of self-respect and positions of responsibility and power. It claims that discrepancies in the distribution of these goods are only acceptable if they help society's poorest

members. The argument for the principle is built on the notion that citizens have two moral capabilities as their highest interest. The ability to propose and act on universally accepted principles of justice is the first power. The ability to keep, alter, and pursue a vision of good is the second power. As a result, every principle of justice, including those regulating social and economic inequities, must be acceptable to all citizens and assist each citizen in pursuing his or her own vision of the good.

Rawls argues that rules that allow for more inequality than the difference principle require the poorest to tolerate inequities that do not benefit them, which is a violation of reciprocity. Furthermore, if citizens are to follow their goals, they must have self-respect. Self-respect is based on both having the resources to achieve one's goals and having others recognize one's value. Because it maximizes resources and reflects the determination of the better off to share their fate, the difference principle encourages the poorest to have self-respect more than alternative principles. Finally, Rawls contends that a theory granting certain people benefits that do not benefit the poorest members of society indicates that the latter are not equally deserving members of society. This jeopardizes societal stability by driving people to withdraw from the public sphere in a gloomy resentment.

The difference principle asserts that the least advantaged social group's long-term expectations should be maximized. In Rawls' theory, the application of this principle is constrained by a number of constraints, the most important of which is that the necessity of the broadest equal liberty for everyone takes precedence. To make things easier to understand, we'll assume that this and other constraints will be met.

The difference principle can be used to defend inequality in the following way: if a representative man's higher expectations in one social group benefit the least advantaged, then those higher expectations are consistent with justice. Because the lack of that discrepancy would result in the least advantaged receiving less than the practicable maximum, violating the difference principle. The application of the difference principle necessitates the identification of the least advantaged group. Rawls believes that it is impossible to prevent some arbitrariness in this process, and that a perfect definition may be unneeded.

### **Equity and Equality**

Equity theories tell us which inequalities are unfair. They are based on the premise that societal imbalances that are perceived as unfair are less likely to persist. They enable a more open discussion in the public sphere on how inequities should be compensated in order to achieve a just society. It is based on the notion that people are both free and equal. The majority of them are based on the precedence of the righteous over the good. In this situation, the principles of justice that define each person's rights are independent of any particular view of what constitutes a good life. They differ in terms of the relevant object of justice, as well as the principles of justice, and thus in terms of compensable inequities.<sup>1</sup>

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<sup>1</sup> Meuret D. (2014) Equity Theory. In: Michalos A.C. (Eds) Encyclopedia of Quality of Life and Well-Being Research. Springer, Dordrecht. [https://doi.org/10.1007/978-94-007-0753-5\\_913](https://doi.org/10.1007/978-94-007-0753-5_913)

When we talk about equality, we mean that everyone gets the same thing. Equity is about finding the right match for people and ensuring that they get what they need to succeed and what is best for them. Consider what would happen if each student in a classroom was given a pair of shoes. Because everyone received the same exact thing, that would be an illustration of equality. The truth is that we don't all have the same foot size. So, if everyone was given size 6 shoes, the chances of those shoes fitting everyone are quite tiny. Everyone having shoes that fit them in their exact size would be considered equity.

So when Rawls talks about equality in his theory of justice, it is more about equity keeping in mind that the second principle of justice.

### **Justification of Reservation in India**

Reservations in Indian institutions and government positions are based on caste, economic standing, ability, and other social factors, and extend back to practically our independence. By raising the percentage of reserved seats and integrating more social categories among the beneficiaries of reservation, the state has only broadened the scope of reservation. Several critics have questioned whether the reservation system achieves its goal of integrating historically excluded populations into society. There is a constant debate on the relevance of reservation in these institutions.

The Indian constitution provides that the state shall not discriminate against any citizen solely on the basis of race, religion, caste, sex, or birthplace. The term "discrimination" refers to making negative distinctions about or distinguishing unfavorably from others, whereas the term "only" means that discrimination can be done on other grounds as well, such as special provisions for women and children, socially and economically disadvantaged peoples, or Schedule Castes and Schedule Tribes. It ensures that all citizens have an equal opportunity to work in the public sector and forbids discrimination based on religion, race, caste, sex, descent, birthplace, residency, or any combination of these factors. At the same time, it ensures that services provided by the state are reserved for citizens who are considered vulnerable. Thus, these articles are compatible with John Rawls' theory of justice, as he believes that arbitrary circumstances such as one's birth family, caste, creed, race, and other characteristics should not decide one's chances in life to obtain anything greater than what one was born with. However, in order to maximize the benefits for the poorest members of society, he emphasizes offering preferential treatment to those who are below average in order to raise them up to the average, to attain true equality, which he refers to as beneficial inequality. He goes on to say that the goal of such positive inequality should be to make it easier for those without wealth to hold positions of power in the public sphere, which he refers to as the equal opportunity principle. (Bhonsle)

### **Conclusion**

Conclusively, in this paper we talked about John Rawls' famous theory of justice, in which he lays out two justice principles and their relative importance. Then we looked at how Rawls' concept of equality corresponds to the philosophical term "Equity," and how when Rawls calls for citizen equality, he really means equity because his principles include a fairness component. Finally, we discuss how his "Difference Principle" could be applied to India's reservation

policy. Because they are in the worst-off position in society, these principles of John Rawls have been applied in the Indian context in the form of reservations in public jobs for backward class people, differently abled people, and others. Because they are in the worst-off position in society, reservations are necessary to ensure justice in opportunities. The level of reserve, however, must not be excessive, or the privileged groups will be denied opportunities. As a result, it can be claimed that John Rawls' concept of social justice has aided in ensuring social justice in Indian society to some extent.

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