

Reading Room copy.

**Occasional Paper No. 23**

**AN ESSAY ON JOHN RAWLS' THEORY OF DISTRIBUTIVE JUSTICE  
AND ITS RELEVANCE TO THE THIRD WORLD**

A. P. RAO



**CENTRE FOR STUDIES IN SOCIAL SCIENCES, CALCUTTA**

**PUBLICATIONS OF**  
**CENTRE FOR STUDIES IN SOCIAL SCIENCES, CALCUTTA**

**OCCASIONAL PAPER SERIES :**

*Mimeographed Occasional Papers for limited circulation for scholarly comments and critical evaluation of first drafts are meant for publication later in journals or books ; reference to subsequent publication of each of the following Occasional Papers are given in brackets :*

1. ASOK SEN : Iswarchandra Vidyasagar and his Elusive Milestones (Calcutta, Riddhi-India, 1977)
2. BHABATOSH DATTA : Budget Deficit, Money Supply and Inflation (*The Contents of Economic Growth and Other Essays*, Calcutta, Research India Publications, 1977)
3. SUNIL MUNSI : Railway Network Growth in Eastern India, 1854-1910 (*International Geography*, Vol. VI, 1976)
4. DIPESH CHAKRABORTY : Sasipada Banerjee : A Study in the Nature of the First Contact of the Bengali Bhadrakol with the Working Classes of Bengal (*Indian Historical Review*, Vol. II, No. 2, January, 1976)
5. AMIYA KUMAR BAGCHI : Reflections on Patterns of Regional Growth in India during the Period of British Rule (*Bengal Past and Present*, Vol. XCV, Part 1, No. 180, January-June, 1976)
6. GAUTAM BHADRA : Social Groups and Social Relations in the Town of Murshidabad, 1765-1773 (*Indian Historical Review*, Vol. II, No. 2, January, 1976)
7. SOBHANLAL DATTA GUPTA : Contemporary Studies on the Indian Pary System : An Evaluative Account. (*Socialist Perspective*, Vol. VI, No. 3, December, 1978 and Vol. VI, No. 4, March 1979)
8. SHIBANI KINKAR CHAUBE : Studies in the Constitution and Government of India : A Methodological Survey (*Teaching Politics*, Vol. IV, Nos. 1-2, 1978).
9. NIRMALA BANERJEE : Demand for Electricity

AN ESSAY ON JOHN RAWLS' THEORY OF DISTRIBUTIVE JUSTICE  
AND ITS RELEVANCE TO THE THIRD WORLD

A. P. Rao

March, 1979

CENTRE FOR STUDIES IN SOCIAL SCIENCES, CALCUTTA  
10, Lake Terrace, Calcutta-700029.

586

Library for Studies in Social Sciences  
LIBRARY

C-3

## P R E F A C E

The Centre's Occasional Paper Series is a medium for pre - publication distribution of the research results of its academic staff. It has also been decided that if papers or monographs are presented at the Centre's periodic Seminars by other scholars working in consonance with the research interests of some members of our academic staff, then such pieces may be included in the Series.

Dr. A.P.Rao, an eminent logician and social philosopher, resident in Jaipur, lectured on "Rawls' Theory of Distributive Justice and its Relevance to the Third World" at this Centre's Seminar on 8th, 9th and 10th May, 1978. He has kindly permitted us to pre-publish his monograph. One hopes that it will be published and given much wider distribution in the national market. Besides papers in Logique et Analyse, Notre Dame Journal of Formal Logic, Zeitschrift fuer mathematische logik und Grundlagen der Mathematik, Indian Philosophical Quarterly, Economic & Political Weekly, etc.; Dr. Rao's publications include A Survey of Wittgenstein's Theory of Meaning (Calcutta, 1965), Aristotle's First Philosophy (Visva-Bharati, 1968), Classical Theory of First Order Logic (Simla, 1970). His Critique of Free Logics is forthcoming. Undeterred by unemployment he is working on half a dozen inter-related projects each of which is at a different stage/ <sup>/of completion.</sup> -Those of us who know Dr. Rao are fully conscious of the struggle he is facing in his professional and personal life during the last decade.

Barun De  
Director, Centre for Studies  
in Social Sciences, Calcutta

THE NEW YORK PUBLIC LIBRARY  
ASTOR LENOX TILDEN FOUNDATION  
455 N. 5TH ST. N.Y.C.

TO  
MY SON AND DAUGHTER WHOSE INNOCENT  
SMILES KEPT ME GOING ALL THESE DARK  
DAYS

Faint, illegible text, possibly bleed-through from the reverse side of the page.

Page 10

CONFIDENTIAL

Faint, illegible text at the bottom of the page, possibly bleed-through.



This essay is an off-shoot of the three lectures I delivered at the Eastern Regional Centre of the Indian Council of Social Science Research at Calcutta during the summer of 1978. It is not intended to be a contribution to philosophy proper; it should be taken as my first exercise in liberal education. I am grateful to the Director of the Centre, Professor Barun De, for providing me an opportunity to meet, and exchange my views on Rawls' moral philosophy with, sociologists, economists, political scientists, and historians. Though they may not feel the same, I am happy at the encounter.

A.P.Rao

ACKNOWLEDGEMENT

These pages would have been blank but for R.S.Bhatnagar who kept me alive by a constant supply of books and journals when I did not have access to any library.

A.P.Rao

SECRET

The following information is being furnished to you for your information and guidance. It is based on the results of a review of the records of the [redacted] and is intended to provide you with a general overview of the [redacted] activities. The information contained herein is classified [redacted] and is to be controlled in accordance with the [redacted] security requirements. It is to be disseminated only to those personnel who have a valid [redacted] need to know and who are authorized to receive this information. The information is to be destroyed when it is no longer required for [redacted] purposes. If you have any questions regarding this information, please contact the [redacted] office.

## PROLOGUE

Moral philosophy in the Anglo-American world for <sup>/far</sup> too long has been boring and irrelevant. If it is a little less so today, this is largely due to the continuous contribution of John Rawls of Harvard, who has been, from 'Justice as Fairness' published in the Philosophical Review (1958) to 'Basic Structure as Subject' appearing in the American Philosophical Quarterly (1975), persistently pursuing a problem of utmost importance to the liberal democratic societies. The response to his work during these two decades has been immediate and immense; and since 1971 - the year in which his A Theory of Justice appeared - Rawls studies have become a heavy industry. Professional journals devoted to philosophy, politics, and economics (it has a PPE flavour) must have consumed additional pulp to push through the ever growing Rawlsiana. Even if this academic exuberance is ignored, it cannot be denied that by now Rawls has become an integral part of the general intellectual culture, and the ideology, of the Anglo-American world. The intellectual community on either side of the Atlantic today is equi-familiar with Milton's Paradise Lost and Rawls' A Theory of Justice. If the New York Review of Books informed its readers that Rawls' was the "most substantial and interesting contribution to moral philosophy since the war", the Encounter was confident that "for better or for worse, all serious discussions of the principles of social justice will for years to come refer to, and be by action or reaction, shaped by (Rawls') ideas". All this is true; and it is also true that Rawls not only brought some freshness into the Anglo-American moral philosophy, but also rescued liberal thinking from sterility, and liberal ideology from impotence. That is why liberal conservatives, liberal radicals, and liberal, all are busy coming to terms with the new arch-priest of liberalism, or the arch-priest of new liberalism, that Rawls has come to be.

The criticism levelled at Rawls, or the modifications suggested to his ideas, or the riders offered to his theses are no more than the belly-aches that the liberals are having in their attempts to internalise Rawls' new liberal ideology. From Robert Wolf to Brian Barry, or from C.B. Macpherson to A.K. Sen, all of them are in the liberal tradition; and hence their criticism of Rawls is intra-traditional. It is fortuitous that all of them are placed in the Anglo-American academies, but as such their criticism happens to be intra-regional too. From outside that tradition, and that region, there is hardly any comment on Rawls. Further, a critique of Rawls which is matching to his treatise in sweep and skill is yet to be written; and this is unfortunate. And this is unfortunate for several reasons. First, in matters theoretical to be right is not required to be great, just as in matters practical to be great is not to be flawless. Even if Rawls is wrong- and he is wrong on several counts - he undoubtedly is one of the greatest liberal thinkers and is the greatest living liberal thinker. His book, surely, is the New Testament of Liberalism. Secondly, in view of the significance which his work has gathered in liberal ideological documents, it is likely to become an instrument of a new deception, enabling the Anglo-American world first to deceive itself afresh, and secondly to deceive, once again, others on the fringe of that world, and who for historical reasons have intellectual affiliations and institutional affinities with that world. That, I believe, should explain my picking up Rawls as the subject of this essay.

What I propose to do in this essay will nowhere be near the type of the critique which I said is yet to be written. If I am not attempting it, it is not just because no one could possibly accomplish it in an essay as brief as this, but also due to lack of resources. Thus, in what follows I will try to scrape through one small patch in the vast area which Rawls has surveyed and mapped. I will, to be more specific, comment upon some of the ideas and arguments from the first and the third chapters of Rawls' book. These, however, are central to his theory, and constitute the core of his theoretical insight. Rawls himself is sure of their centrality. Yet, these cannot be evaluated in isolation, as Rawls has written, after twenty years of sustained effort, a well thought out treatise. So though I intend to cover just two chapters of it, I will be touching upon the rest of it. Thus for the purpose of this essay, I will show major interest in those two chapters, pay minor attention to the second and the fourth chapters, and show ancillary interest in the remaining parts of the book. And in the first Chapter I will present the basic theses of Rawls, without a word either of criticism or comment. In this I will follow closely the footsteps of Rawls; indeed, I will allow Rawls to speak for himself. I will devote the second chapter to fix Rawls' place in the tradition of liberal ideology, and in the third chapter I will try to evaluate Rawls' contribution by juxtaposing it with an alternative to it. I reserve the Epilogue to hint at the relevance of Rawls' thought to us.

#### CHAPTER - 1

In order to understand the significance of his contribution, we may have to handle Rawls in the fashion suggested by the master liberal, namely Kant; this is desirable as Rawls is consciously trying to be a Kantian. This Kantian style of handling things theoretical, as Kant himself remarked in the Preface to the Second Critic, "is more philosophical and architectonic in character, namely to grasp the idea

of the whole correctly and then view all parts in their mutual relations". Thus it is appropriate to approach Rawls through his master-plan.

From Monday morning to Sunday evening we find ourselves categorising several types of things either as just or as unjust. Individuals and institutions, legal systems and specific laws, rules of some procedure and results of some allocation, are judged to be just or unjust. And we pass similar judgements on societies at large; we talk about unjust societies and discourse about just societies as frequently, and apparently as indifferently, as we talk of just institutions and unjust individuals. It may not be the case that the predicate 'is just' is used precisely in the same sense in all these contexts, or it may be that all these different applications of that predicate are not unrelated. Now let us indulge in a bit of reflection and ask ourselves: what do we mean when we say that some thing is just? or variantly: what do we mean by 'justice'? In view of the variety of things to which the predicate 'is just' is applied, we can surmise the complexity involved in answering the question; so it may not be out of place to delimit our discourse, and first try to fix what we mean by 'justice' in one of its many possible uses, and then go to extrapolate the knowledge and skill acquired in handling this specific use of the term to handle issues covering the other uses of the term. Thus let us ask: what do we mean when we say that a society is just? The issue is intuitively clear; but how to handle it? To begin with let us take our intuitive understanding into consideration. We know intuitively what we mean by a society, what we mean by justice, and what we mean when we say that a society is just. The final product of our inquiry need not be - and it will not be, as will be shown a little later - doomed by these subjective clarities. Our aim is to arrive at an absolutely objective theory and find a rational justification providing an objective support to that theory. Our move from the intuitive intelligibility of the meaning of 'social justice' to a rational theory of social justice

is like rebuilding a ship while keeping afloat on it. This methodological link-up between our intuitive notions and the corresponding theoretical concepts precludes our inquiry ending up either in an a-prioristic phantasm or in an inutile utopia. (Platonism pre-empted!) These creatures, like the ever multiplying formal languages, might be having their own charm; and hence bringing them into existence might be an interesting game in itself. But if we intend to have a theory of the grammar of the language we use in our common parlance, and not indulge in the pastime of designing formal languages, however beautiful and elegant they may turn out to be, we need to start with our intuitive grasp of grammaticity in our own language. The way one ought to arrive at the principles of justice is the way in which the principles of grammar are (to be) arrived at, for they both are practical principles. Now consider a proficient user of a language; he has an intuitive grasp of what constitutes grammaticity with respect to the language in which he is proficient. Given any locution he can tell whether it is permissible or not. If not, he would speak ungrammatically, and hence will not be a proficient speaker of that language; but that contradicts the hypothesis. Yet, he may not be able to specify the principles determining grammaticity in the language in which he is proficient. This is to say that to use a language grammatically is one thing, and to specify and stipulate the principles of grammar of that language another. And a theoretical unification of such principles is a much more difficult task requiring a lot of theoretical sophistication. Similarly, any adult of average intelligence does have a sense of justice, and a notion of society; but he may not be able to formulate a theory of justice, or a theory of society, for whose validity his subjective surety and intuitive intelligibility are irrelevant. Yet, one who has such abilities, in order to achieve those ends, will have to start with those ultimate irrelevancies. The isomorphism between theories of grammar and theories of justice goes beyond the foregoing. Both of these are feedback theories, in the sense that the theoretical concepts and

principles of these theories may affect a revision in the corresponding intuitive understanding, as much as such an understanding affects the formulation of those principles. Further these principles are required to satisfy some conditions, falling short of which they stand in need of a revision.

These conditions are:

1. The principles "should be general". "The predicates used in their statement should express general properties and relations", and no proper names and specific predicates should occur in them.\*
2. The principles are to be "universal in application"; this is to say that they should hold for everyone.
3. The principles must be public in the sense that there should be universal awareness and universal acceptance of those principles.
4. The principles must impose order on conflicting claims.
5. The principles should be final; they should constitute the final court of appeal.

These are constraints of the concept of right over the concept of justice. These constraints are not intended to define the concept of right; but any reasonable definition of the concept of right will incorporate their substance. The imposition of such constraints is reasonable. If the principles of justice (or of grammar) are to serve their intended purpose or role, such requirements "are natural enough".

Let us now attend to the more important task of hitting at the principle of justice. It seems that it is far easier to arrive at the principles of grammar than the principles of justice. As every proficient speaker of a language has a sense of the grammar of that language, "if we can describe one (such) person's sense of grammar we shall

\* All the passages and expressions occurring in quotes and without citations are of Rawls; and are taken from his A Theory of Justice.



know many things about the general structure of language". We can pick up that person arbitrarily; for instance, you can choose the first proficient speaker you meet after your first cup of tea tomorrow. (You can identify a proficient speaker on the basis of your intuition and your proficiency in that language.) But, inspite of the fact that every adult of average intelligence "has in himself a whole form of moral conception", we need to be much more careful in our choice, if the principles of justice are to satisfy the constraints of the concept of right. Locke cautioned us long ago that if a bull were to fashion God out of his own image, God will come out with a pair of beautiful horns. So in order to avoid the bull-God fallacy we need to impose constraints on our choice of persons whose moral sense we intend to use, such that neither what nature has endowed them, nor what their contingent social position has conferred on them, will adversely affect the principles to be arrived at. Since one's sense of justice is likely to be determined by one's social position and other specific contingencies of historical societies, we need to find a vantage point, or a secure position, where such contingencies are not only inoperative, but also are non-existent. That would constitute a preferred position where everyone's sense of justice is precisely the same as that of everyone else. That position, to be designated as the original, need not have an historical locus. It, indeed, is a hypothetical position, where everyone is under a veil of ignorance in regard to all and only contingent properties.

---

\* That constitutes Rawls' pre-emptive strike against a possible marxist attack on his theory in which relativity of ideas and economic determination of ideologies might be used; in Chapter 3, I will try to clinch Rawls' theory using these two weapons, and show how Rawls' strike is too weak to counteract the strike which he seems to be anticipating.

In the original position "no one knows his place in society, his class position or social status; nor does he know his fortune in the distribution of natural assets and abilities, his intelligence and strength, and the like". Let persons in the original position be called original persons. They do not have any knowledge of their good-individual or or collective-, nor do they have any information about their respective plans for life. They do not know the special features of their psychology, which means the same as to say that they are ignorant of their own inclinations and aspirations. They are also assumed to be unaware of "the particular circumstances of their own society", namely its "economic or political situation or the level of civilisation and culture". They "have no information as to which generation they belong". But, and that is important, "they know the general facts about human society. They understand political affairs and the principles of economic theory; they know the basis of social organisation and the laws of human psychology". Indeed, they know everything that is needed to frame the principles of justice, and nothing that might push the principles to a point where they may violate the constraints of the concept of right. In a word, the original person is a theoretical construct, whom you may call a declassé, or whom Hegel might have dismissed as an abstract man. I will return to him in the next chapter, and note here that the theoretic need to bring him into existence is to allow the projected concept of justice generate its own legitimacy. These restrictions on the original person seem natural - as Rawls would claim - for "no one should be advantaged or disadvantaged by natural fortune or social circumstances in the choice of principles (of justice); ... it should be impossible to tailor principles to the circumstances of one's own case ... (So) one excludes the knowledge of those contingencies which sets men at odds and allows them to be guided by their prejudices". That legitimises the imposition of the veil of ignorance.

Though the original person has neither self-knowledge, nor empirical knowledge, he has the necessary theoretical knowledge about society, man, and their relationship. (Assume that he had a Lent term course on welfare economics at the King's, and that during the Michaelmas he was at the LSE doing game theory; also assume that while holidaying during the Christmas he browsed through Arrow/<sup>and</sup> Sen). One might wonder how this is possible, for sociology, economics, and politics are empirical sciences. I will take up this issue too in the next chapter; so for the present let us be good Kantians, or Rawlsians, and hold that synthetic-a priori knowledge is possible in these areas of inquiry, and then note in brief what such knowledge of the original person consists of.

We are now at the first tricky turn in Rawls' argument. He assumes a lot of things about the original person and creates the impression that the original person has the knowledge of those things, though he does not say that the original person knows those things. So what I believe I should do is to list the minimum things which the original person will have to know in order to be able to be one who has at least a nodding acquaintance with social, economic, and political theories, which Rawls says that he has. The original person knows "that a society is a more or less self-sufficient association of persons who in their relations to one another recognise certain rules of conduct as binding and who for most part act in accordance with them; ... (and) further than these rules specify a system of cooperation designed to advance the good of those taking part in it", though none of them has any idea as to what his good is. That much about the original person's knowledge or ignorance. In addition, we know a few more things about him and his nature, such that we can safely predict how he would behave in a controlled situation. This is to say that we assume that he is rationally self-interested, and hence is non-envious, for "a rational individual does not suffer from envy". From this implication it should be clear that the meaning attached to rationality

"is the standard on familiar in social theory"; it is essentially Anglo-American in its nature. The original person - being British in his rational behaviour - prefers a larger share to a smaller one, and has "a coherent set of preferences between the options open to him". Among the strategies available to him he chooses one which will fetch him more, and is likely to fetch him that. Though he seeks more, he does not mind others too seeking more; and he will not settle for less, if only others have less. In short, he is a non-envious maximiser.

We gathered sufficient information about the original person, but, as yet, it is not clear why he should seek principles of justice; why cannot he play his maximising game without any further fuss. This is not a demand for a motivational explanation, though where reasons are absent, motives should be dug up. But being what he is, he cannot act from motives; so there must be reasons - objective and situational - compelling him to seek principles of justice. Then let us ask: what are the circumstances in which the original person would seek principles of justice? As a plausible answer we may note that there are three factors involved in any such set of circumstances. Two of them are contingent, and the third is necessary. I will first consider the latter. Though "society is a cooperative venture for mutual advantage, it is typically marked by a conflict as well as identity of interests as collective maximisation makes it possible for all to maximise than any would be able to maximise individually. And there is a conflict of interests as in the collective produce each would prefer a larger share to a lesser one. Of the two contingent factors one is objective, and the other subjective. The objective situation is the sine qua non for social cooperation; and it is a moderate scarcity of resources. This is to be called Hume Constant, as it is due to the Scottish sceptic David Hume. The subjective factors constitute the sine qua non for social conflicts. Though each person may have a long-term rational plan for life, each of these plans may be oriented towards a different end.

Here is a pure possibility. This is likely because no original person has a conception of his good. (This is possible as the original person, being educated at some Anglo-American academy, does not have any substantive theory of his good.) Thus the circumstances in which principles are needed - circumstances of justice, for short - "obtain whenever mutually disinterested persons put forward conflicting claims to the division of social advantages under conditions of moderate scarcity". This is an articulate Cambridge (Mass.) argument; and at the same time it is a classic anomaly.

Let me explain how the anomaly crops up. Original persons would not seek principles of justice unless they know that the circumstances of justice obtain in their society; and "this much", writes Rawls in A Theory of Justice, "they take for granted about the conditions of their society. A further assumption is that the parties try to advance their conception as best as they can" (p. 128). But under the veil of ignorance they are deprived of all knowledge of their conception of their good (vide, *ibid*, p. 137). Further, Rawls emphasises that the "principles of justice are chosen behind a veil of ignorance" (see *ibid*, p. 12). Thus if the choice of principles becomes rather shady, the concept of an original person is handled inconsistently. Intending to say more about this in the next chapter, I now ask: why does Rawls indulge in this sort of an (apparent?) anomaly? A plausible answer is that he wants to show, indeed prove - for he talks of "moral geometry" - that the original person would choose the principles of justice, which Rawls as a liberal has on his mind. Without allowing the original person the knowledge that the circumstances of justice obtain in his society, it can at most be shown that the original person could choose the Rawlsian principles of justice. But unless it is shown that the original person would choose principles - that is, his liberalism - Rawls' liberalism would not gain a substantive force, and would remain formal and schematic. Ignoring

this for the present, I will move to consider Rawls' argument that the original person would choose his principles of justice, for that is the way in which Rawls is trying to convince us that the original person, like him, is a full-blooded liberal.

As yet the stage is not completely set to show that the original person would go for principles of justice -for any principles of justice, that is; his knowledge that the circumstances of justice obtain in his society is only one of the reasons for his seeking the principles. There is another reason as well; it may even be the case that it is more important than the obtaining of the circumstances of justice, in the sense that it may be possible to show that the latter is derivative of and secondary to the former. And that is implicit in the knowledge of the original person- specifically in his knowledge of social theory. I will make it explicit. "A society", he knows, "is well-ordered when it is not only designed to advance the good of its members but when it is also effectively regulated by a public conception of justice. That is, it is a society in which (1) everyone accepts and knows that others accept the same principles of justice, and (2) the basic social institutions generally satisfy, and are generally known to satisfy, the principles". These basic institutions, whose function is to "distribute fundamental rights and duties and determine the division of advantages from social cooperation" constitute the basic structure of the society. Legal protection of freedom, competitive markets, private property in means of production, monogamous family etc., are Rawls' examples of basic institutions; (and who likes these except the first!) Now what are the basic goods which the basic structure of society is designed to distribute? They are the things which "every rational man is presumed to want". They are either natural, like health and intelligence, or social, like liberty, opportunity, income, wealth, and self-respect. A distribution of natural goods does not, obviously, arise at all, for they are distributed by Nature itself. But they need to be taken into account as an

unequal distribution of these should not affect a just distribution of the social goods. That is why they acquire importance in any theory of a well-ordered and just society.

All that is required is fairly well-set to ask what it means that the original person would choose a set of principles of justice or would subscribe to the concept of justice which those principles incorporate, and answer that it just means that his deliberation would result in those principles. Let us see how this happens. The veil of ignorance holds the key. It might be argued that the principles of justice must be "chosen in the light of all knowledge available", and not from behind the veil. This objection, however, is not reasonable as "the rationality of a person's choice does not depend upon how much he knows, but only upon how well he reasons from whatever information he has, however incomplete". Further, behind the veil of ignorance, the original person is almost identical with his noumenal self. As such he is different from others only numerically. This is to say that, behind the veil, he is one among the many identical persons. There is thus equality of persons, and as a consequence of this, autonomy of persons. Among equals no one would be able to dominate over the other; otherwise they would cease to be equals. Equality implies that each treats the other as an end in himself. We have already noted about the rationality of the original person. Autonomy, rationality, and his mere numerical difference with others constitute the nature of a person in so far as he is taken to be the same as his noumenal self. Now as any of his choices not only cannot be contrary to his nature, but also will have to be consistent with it, an original person behind the veil would choose firstly right to liberty, and equal right to liberty for all. And being rational, that is being a maximiser, he would also go for more of it rather than less. "Since it is not reasonable for him to expect more than an equal share in the division of social goods, and since it is not rational for him to agree to less, the sensible thing ... is to acknowledge as the first principle

of justice one requiring an equal distribution". Further, it hardly needs to be mentioned, in view of his nature, while choosing for himself he is choosing for all. Thus behind the veil an individual choice is really a collective choice. (Sen's duality is transcended!) Anyhow that would be his first choice; and that is Rawls' first principle of justice. As he formulates it,

"Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others".

What else would the original person choose? Being behind the veil, he does not know what his position would be in the set-up, nor does he know how much of the cake he would be able to get. He naturally would want and like more, but he knows that he would not be able to get all that he would like to have, for "the mere existence of others" precludes it. So he would settle for, as Rawls puts it, the following.

"Social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all".

This is Rawls' second principle of justice.

Some clarification regarding the nature and the scope of these principles is in order at this stage itself. So I will attend to it before I take up the revisions of and modifications in the principles which Rawls suggests so as to make these pure procedural principles applicable to concrete situations requiring adjudication. First, it is not claimed that these are the only principles of justice; these are, at most, exemplars of the family of principles which together are intended to capture the richness of the concept of justice. But whatever may the



other principles turn out to be, they are to be arrived at precisely the way in which these are arrived at.

"The principles of justice are also categorical imperatives in Kant's sense. For by a categorical imperative Kant understands a principle of conduct that applies to a person in virtue of his nature as a free and equal rational being". If so, one might think that all those objections to Kant's categorical imperative hold good against Rawls' principles. The most important of these is the charge that the imperative is a mere formal principle which is of no or little value-in-use in concrete situations demanding judicious judgements. This is to say that there is nothing in the categorical imperative which tells us that we should, in a given situation, act in accordance with it and not contemplate of violating it, or act in accordance with some other principle. I do not want to enter here into Kant exegesis, nor do I propose to defend Kant; a genius like him hardly needs my defence. I concern myself with Rawls' principles, and Rawls has his own well-drawn defence which I will summarise using slices of two of his own sentences scattered in his text. According to Kant - and that is Rawls' exegesis - a person is said to be acting autonomously "when the principles of his action\* are chosen by him as the most adequate possible expression of his nature as a free and equal rational being". Further, "to express one's nature as a being of a particular kind is to act on the principles that would be chosen if this nature were the decisive determining element"†

---

\* It may be noted that the emphasis is on the choice of principles and not on the choice of acts. Quite a lot of our actions are indeed due to our choices, but the principles behind them are their propaganda. Our freedom is our bondage; only this is unknown to us.

† Having so chosen the principles, not to act in accordance with them is to be, as Hegel would say, alienated; for the alienated, their own chosen principles stand as mere externalities or objectified entities. How badly we score on that count |

The veil of ignorance guarantees the original person's nature as the only determining element of his choice, and in choosing from behind the veil he is acting autonomously. Then what is the import of the two half sentences quoted from Rawls? It is, I believe, that the original person's desire to act in accordance with his principles, in any given situation, is an integral part of his desire to fully express himself as a free equal rational being. He cannot but act in accordance with those principles unless and until he forgoes his self-expression, for which as a rational being he would not be prepared. Thus given the nature of the original person, his acting in accordance with those principles is, indeed his nature. This is the same as to say that the original person is one who will necessarily act in accordance with the principles which he gave unto himself.\* (Your thoughts must have turned to Rousseau, but for the present I will divert mine.)

The concept of justice has several shades of meaning, and one of them is that of fairness. Rawls claims that his two principles capture the meaning of justice as fairness. But it should be noted that when he talks of justice as fairness, he is not saying that justice is fairness. His is a theory of justice as fairness; and he repeatedly claims that it is a contract theory. His argument sustaining this claim has a touch of a tropical jungle; so I tried to impose on it some order, and deduced the two principles without using the contractarian concepts. The original

---

\* This defence, as R.S.Bhatnagar made me aware of, has in it more of Mill and less of Kant. But isolating the two components is not relevant to the issue at hand. Assuming that this is the case, we may note where Rawls stands in relation to these poles. It is well-known that since Mill, there has been a continuous attempt to absorb Kant into the British moral thought; Rawls' defence may be taken as the most recent attempt towards that end.

person, I believe, need not be a contractarian just for the sake of arriving at those two principles; he may have all the knowledge available about contract theories, but that is a different matter. And I accomplished this task by projecting his theory from the point of view of the original person. If this holds good, half of Rawls' archaic arguments, and two thirds of Rawlsiana, becomes irrelevant to note and evaluate the really important contribution of Rawls. Kantian moral philosophy and the basic tenets of welfare economics are sufficient to derive the central theses of Rawls. This should in no way undermine the importance or the greatness of Rawls as <sup>a</sup>thinker, for advances in knowledge are much more difficult to bring about, than they usually appear to the initiated after they have been brought about. With this I now turn to the riders that Rawls suggested to the two principles.

The original person faces certain problems in handling these two principles. If he were to have a single principle - say like the Utilitarians - no difficulty would arise in stipulating it. Thus here is a problem which is unique to the kind of theories to which Rawls' theory belongs. All the important traditional theories of justice are free from it as they are single-principle theories. But the original person has to balance his two principles in stipulating them in concrete situations. So he has to assign weights to each of his principles, and should fix the principle which he would stipulate first. This is the same as to say that he has to solve the priority problem before he could go to apply them to make his society a little more just.

That brings us to Rawls' characterisation of the way the original person proceeds. Though I would try to be fair to Rawls, I would be able to give here only something like a one-word summary of a two-page argument. As by now we are well acquainted with the original person, we can easily surmise that the original person, by his

nature, is one who treats "liberties of equal citizenship" as inviolable he will not subject them to "bargaining or the calculus of interests". Further, as the principles of justice are not a priori, but are chosen by him, "we may find in the grounds for their acceptance some guidance or limitation as to how they are to be balanced". This implies that the principles of justice, and the principles for balancing them are to be arrived at precisely in the same way.

The original person intends his principles of justice to apply to the basic structure of his society. To use a grammatical metaphor, the basic structure is the subject, and the principles of justice the predicate. As any of his choices is a collective choice - with all of its implications of liberty, equality, and fraternity - he would contemplate of choosing, in Rawls' own words, the following :

"All social values - liberty and opportunity, income and wealth, and bases of self-respect - are to be distributed equally unless an unequal distribution of any, or all, of these is to everyone's advantage."

But when once he notes that the basic structure has two "more or less distinct parts", one relating to "the assignment of rights and duties", and the other relating to "distribution of social and economic advantages", his choice becomes more specific. Thus he chooses two principles, one to govern one part of the basic structure, and the other to regulate the other part. He would go for the two principles which were stated earlier and which are only special cases of the contemplated more general principle. These two principles are hooked to the two distinct parts of the basic structure. Now, what are these parts? They are the economic and the political. Rawls' point is that the original person gives priority to the first principle over the second; this is to say that

the order in which they were stated is indeed the order in which the original person would choose his principles, and hence the order in which they would stipulate them. In other words the second principle will "not come into play until the first has been ~~not~~ fully". This is the same as to say that Rawls holds that the original person subordinates the economic under the political, or that he holds that the economic needs to be sublimated and subsumed under the political. This trite truth is kept by Rawls and Rawlsians under a thick veil of euphemistic rigmaroles.

The original person is a subtle, and hence an involved thinker. Thus though he believes that "the claims of liberty are to be satisfied first", that is that right to liberty cannot be sacrificed for any other thing, he is well aware that he may have to, occasionally, sacrifice liberty for its own sake. This is so because he is a maximiser ignorant of the generation to which he belongs. Hence he seeks over all, that is not, maximum freedom. Though he is ignorant of the generation to which he belongs, he can think of the possibility of less extensive but equal liberties, or extensive but unequal liberties during his life-time. Anticipating it as a logical possibility, he would choose extensive freedom/for those with less extensive freedom. Though he is ignorant of the state of his society, he can imagine the quality of its civilisation being in a poor state, or its being in a state in which even the basic wants of its members go unfulfilled. As such he will not be able to know how the priority of liberty can be "firmly decided in advance," that is in advance of the lifting of the veil of ignorance. Hence he will compromise - momentarily, though - over less extensive and unequal liberties, provided that would ensure him that equal right to maximum freedom to all would be available in due course of time. This, however, does not mean that the original person prefers liberty only when "all

material wants are satisfied", but that these "are not so compelling as to make it rational for ... (him) ... to agree to satisfy them by accepting a less than equal freedom". (There is an ambiguity here. It is not clear whether, by 'equal freedom', Rawls means 'equal right to freedom' - an expression that occurs in the formulation of the first principle of justice -, or equal sharing of the available freedom. Further, as it seems the entrails of the original person are not empty, he hopes that some day nobody's would be so. So he would hold that ) beyond that day "it becomes and remains irrational ... to acknowledge a lesser liberty for the sake of greater material gains." So on p.302 of the 587 pages long treatise that he would write on social justice, he would arrive at a rider to the two principles of justice, and call it the First Priority Rule (The Priority of Liberty); and it would read as follows:

"The principles of justice are to be ranked in lexical order and therefore liberty can be restricted only for the sake of liberty. There are two cases: (a) a less extensive liberty must strengthen the total system of liberty shared by all; (b) a less than equal liberty must be acceptable to those with lesser liberty".

The two principles of justice, and the priority principle belong to the ideal part of Rawls' theory; the other part - that is, the practical part - constitutes judgements on existing institutions, "judged in the light of the ideal part, and held to be unjust to the extent ... they depart from it without sufficient reason". The original person construes his duty as the removal of injustice, with the proviso, if he can. In judging the departure of an institution from the ideal, he relies on his intuition. When his judgements and principles coincide, that is when the ideal and the practical converge, society is said to have reached

a state of reflective equilibrium, and is believed to have attained stability. That, in short, is the original person's counterpart to our desi concept of ramarajya. (God forbid some jingoist Indian philosopher coming out with a comparative study of these.\* ) To understand the original person's concept of ramarajya, we need to note about his second thoughts on the second principle of justice; so I move to that.

Rawls' characterisation of this assumes that the veil of ignorance has been partly lifted. But such an assumption is not needed. Here again, I would be fair to him. I would re-present his argument delinking it from the needless assumptions. I would like, however, to point out that this part of Rawls' theory reveals its capitalist underpinnings. I would return to these in the next two chapters, and would confine myself here to the original person's rational deliberations. He is rethinking about the second principle, which implies that the first principle has been fully met, in the sense that equal right to liberty to all has been made available in his society. But he is ignorant of the specific nature of the second part of the basic structure of his society, that is the economic part. This could be capitalist in its nature; a possibility ! The economy might be a free market system, "although the means of production may or may not be privately owned". (To indulge in digressive comments, who does not know that for capitalist mode of production, private ownership of means of production is not indispensable! As early as Marx, marxists have noted that the institution of joint stock company was designed to keep the former intact while doing away with the latter.)

---

\*Already there exists in <sup>/the</sup> literature a note on Rawls and Gandhi on civil disobedience.

Having settled for equal right to freedom for all, having to have - in the situation which is entertained as a possibility - accept capitalism as a necessary evil, anticipating the likelihood of his being paralysed by a sense of inevitability of the liberal democratic state, and having realized that liberal democracy and capitalism go together like Juno's swans, and also having construed his duty with a ceteris paribus proviso, he starts his rethinking about the second principle. As he knows that there is hardly anything that he would be able to do, he would accept capitalist liberal democracy, and then behave rationally within that framework. This is his robust sense of reality, as when rape is inevitable, it would be better to lie down and enjoy it. So he would interpret the second principle in terms of the precepts of capitalist liberal democracy, (and being, perhaps, an academic he would not be interested in changing the situation).

In the first formulation of the second principle there are two cases, one relating to the advantage of everyone, and the other concerning the openness of positions and offices to all. The original person would, I believe, impose on them another priority principle such that their present order is their real order. But I will skip over this; Rawls too does not pay much attention to this. Moreover it is not of any radical importance. What is important to note is that the original person would interpret the first case in terms of the democratic principle, and the second case in terms of the liberal principle of fair equality of opportunity. To consider the former first, the first formulation is the result of his impatience, but passionate - as he is a firm believer in formal equality - rejection of the utilitarian ideology. But quite a bit of that ideology has been internalised by market economy systems. So the original person would come to terms with it, and sublimate the result of all this under the first principle. In the



imagined (may be anticipated, but really accepted) social set-up inequalities are accomplished facts. Nothing can be done to them. In it, one is a son of non-taxpaying nobody, another a daughter of taxpaying nobody, and the third a grandson non-taxpaying somebody. It is not unjust "that men are born into society at some particular position", just as much as a natural distribution is not. That there is an Einstein and a Rao is neither just nor unjust; so is the case, as the original person would argue, with the fact that there is a Rao and there is a Birla. The original person being a student of the social sciences at the Anglo-American academies, would not pause to ask how Birla has come to have what he has, and Rao came not to have what he does not have. On the contrary he would simply accept that "the unequal inheritance of wealth is no more inherently unjust than the unequal inheritance of intelligence". He would convince himself that these "are simply natural facts. What is just and unjust is the way that institutions deal with these facts". This implies that, as it should be obvious, for the original person, the natural, by definition, is something before which we are just impotent. So he, as a maximiser, would argue that "if there are inequalities in the basic structure that work to make everyone better off in comparison with the bench mark of initial equality, why not permit them?" After some sifting and sorting he would conclude his argument with a beautiful proposition, namely that "inequalities are permissible when they maximise, or at least all contribute to, the long-term expectations of the least fortunate group". (Yes, why not permit the Tatas to float a company to set-up a huge petro-chemical complex in Bombay, if that would enable a Santhal in Birbhum to have a handful of mudi for his sole sumptuous supper? That should not be unjust as the Santhal too is free to float such a company; there are no legal sanctions against his doing it.)

Further the original person would think in terms of long-term expectations, as firstly he is ignorant of his temporal position, and secondly as the market economy and welfare state syndrome requires a just savings principle, that is a principle which governs the rate at which a generation will have to curtail its consumption, so that capital formation may be kept at a certain chosen level, so that when invested... so that... so that ... Joking apart, the original person would thus arrive at a principle under which he would subsume the first case of the second principle. He would call it the Difference Principle; and, as Rawls formulates it, it would read as follows :

"Higher expectations of those better situated  
are just if and only if they work as part of  
a scheme which improves the expectations of  
the least advantaged members of society"

The original person would give a liberal interpretation of the second case, namely the openness of positions and offices to all. This would be necessitated by the market economy which requires efficiency too; so it needs to be accommodated. There is some Socratic wisdom embedded in this, for when our shoes are worn-out, we would prefer to go to a good cobbler rather than a good cobbler. Anyhow, the Liberal Principle of Fair Equality of Opportunity is this:

"Those with similar abilities and skills  
should have similar life - chances "

(The last hyphenated word might revive one's memory of Weber, but it would be better to forget him for the present.) But chances to acquire "skills should not depend on one's class position". This is the original person's sophisticated version of the doctrine of equality of equals. (It is not for nothing Europeans claimed Athenian ancestry

of their culture and thought.) And there is that proviso that other things being equal, all should have equal chances to be equal; only, as Bentham long ago noted, other things are rarely equal. In the light of these second thoughts, the original person moves to the second formulation of the second principle, which now would take the following shape :

"Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit to the least advantaged, and (b) attached to offices and positions open to all under conditions of fair equality of opportunity".

As yet the just savings principle is not incorporated; so the third formulation, whose shape would be as follows:

"Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit of the least advantaged, consistent with the just savings principle and (b) attached to offices and positions open to all under conditions of fair equality of opportunity".

The two principles of justice, the priority principle, the difference principle, the liberal principle of equality of opportunity, and the just savings principle together constitute the inner layer of Rawls' onion like theory of distributive justice. The outer layer contains another priority principle, establishing the priority of justice over welfare and efficiency. I will not touch upon it as I join Wolf (Understanding Rawls, Princeton, 1977) in believing that the fecundity of Rawls'

philosophical insight lies in the part of his theory which I re-presented. But it may be noted that while developing his theory further, Rawls moves from macro-economic models to micro-economic models, and lifts the veil of ignorance allowing the phenomenal self of the original person come into play and make him a little more middle class. It may also be noted that Rawls does not claim that his theory is intended for society as a whole. He intends it to cover the basic structure of society. Nevertheless, he believes that it would be applicable to society as a whole, perhaps, with a twist here and a turn there. Nor does Rawls claim a global scope for his theory. He is primarily interested in a society - I presume, his society. Yet, he hints that it would hold good even for problems of distributive justice that arise between societies, may be with some minor modifications. He explicitly states that he is still at a programmatic stage; so in the next two chapters I will offer a programmatic critique of his theory.

What Rawls is aiming at is laudable, and he richly deserves everyone's gratitude for putting forth a stupendous effort in articulating that aim - all the more so when what he is aiming at is what humanity has been aspiring for since the French Revolution. Since then there has been more misery and more injustice in this part of the cosmos. And end to this is unlikely unless and until there is a global realization of the three ideals which preoccupied the French revolutionary mind. Rawls is just re-articulating those ideals taking into account our experience since then. He may have failed, but that should not matter. What should matter is that a fresh attempt is made to articulate the concepts of liberty, equality, and fraternity. "Liberty corresponds to the first principle, equality to the idea of equality in the first principle together with equality of fair opportunity, and fraternity to the difference principle"

And for having attempted this articulation, Rawls richly deserves a permanent place in the Anglo-American thought\*.

## CHAPTER 2

I propose to devote this chapter 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.

\* It makes the hearts of Indian anglophiles rejoice. There shall always be an England. God save the Queen!

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 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 Declaration. 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 Britain 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 Times, but Mr. 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 seems 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 <sup>may</sup> 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 task 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 etc., which are the dominant traits of this society, constitute a complex syndrome. One of its important symptoms is an idiosyncratic, if not 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\*

---

\* 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 inter-relationships.



The eastern tradition of capitalist liberal democracy starting with Spinoza and Rousseau, and culminating in Kant\* has a different philosophical core†. 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 the 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 as the Greeks, and which Euripides has articulated admirably,

---

\* 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.

† 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.

"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 traditions 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 ancien 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 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 at 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 owned, 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 the foregoing 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 in the previous chapter 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 school, 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 Trotskian. 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 came under the influence of the other tradition, and also from the intra-traditional 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 NWO 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 asocial 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 the 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! \*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".+ I reserve my views for the next chapter, 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 in the next chapter. 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**.

---

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

+ 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 confessional; 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.



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 rest 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 Kantian 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 vandhyapuras is an illegitimate one, and hence vandhyaputras do not exist. Logic bars the joint possibility of woman being barren and her having a son. Now suppose that some other or the same sociologist asks 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 the concept of power-crazy philosophers is a legitimate one. This is 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 there 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 treated sub judice. If so, Rawls theory will have to be treated as an undertrial.

This view of the epistemological nature of the social sciences is peculiar, and is incompatible with the conception of the 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 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 its 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 ~~society~~ 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 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 live 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

is after human. worse is had any-held that could e done

did not do that, if all these 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 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.)

referred community equals. those the t princi-

This is puzzling as by virtue of his first principle like a thinker of the eastern tradition. Then he ought 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 explicit in the next chapter.

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 chapter.) 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 the first chapter I noted how Rawls' ideals are the ideals of the French Revolution. Concluding this chapter I will note that his failings too are of the French Revolution. The revolution stripped off the privileges of the ancien 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.



### CHAPTER 3

I will devote this chapter to indicate how I envision socialist theory of justice which I intend as an alternative to Rawls' theory. I will not, however, be developing it. At most, I will be pointing out the way one should proceed in order to develop it. A theory of justice will, for a long time to come, have to be more like a direction indicator on a jungle path, rather than a map of a well-planned city, for involved in it are man's relationship with society and nature, of which our knowledge is still meagre.\* We have seen how unclear is Rawls' theory despite the fact that it has been developed to a considerable extent, and over a considerable period of time. So, if I fall short of the expectations of my readers I have a good excuse. I will, nevertheless, hint at socialist theory of justice in a way that would enable them to have a vision of its projected shape and structure. With this pre-emptive strike against possible criticism, I begin with a platitude. Coming at this moment of history we cannot begin de novo; there is no return to innocence, and after the Fall we are doomed to think in terms of all that has been gathered by history.

So I begin with Rawls, in fact with his original person, as the original person has the illusion that he can think in terms of an ab initio status quo. As he - like us - will have to restructure historical societies, it is desirable that he should think historically.

\*This is much more so with reference to socialist theory, for - as Partha Chatterjee puts it - as yet we do not know what socialism is. That is why, we have in everyone, from Raj Narain to Indira Gandhi, a self-proclaimed socialist. We may have a vision of what constitutes socialism, but we do not have a theory; and epistemologically today we are more sophisticated to be able to identify these two, as the Greeks did two thousand years ago.

and get over that illusion. A just society is to be brought into existence; it is still in future. If not, theories of justice will be descriptive in their nature. We all - including Rawls - know that they are not descriptive theories. There is another reason why history should be allowed to play a role in our thinking about justice. Future is always conceived in terms of the present and the past. Our anticipation is not independent of our experience and our memory. Hence, I let the original person have some remedial courses such that he would acquire some knowledge of history, and knowledge of some particular facts - including the unpleasant ones. I let him have some knowledge of Marx, such that his education is balanced. Then I send him on a study-tour bringing him into contact with the families that live by licking the leaves the passengers throw away at the Chapra Railway Station, with the Santhals who collect food from the garbage tins at the Santiniketan Hostels, with his fellow citizens who are born, copulate, and die on Calcutta pavements, and also those who live at the anti-septically clean Marine Drive, and those who go for ten course dinners at five star hotels before the hyphenated eleventh back home. I re-train him to overcome his fragmented personality. He has been till now biologically superfluous; being just rational he is no better than procreating automata. So I inject into his veins some conation, some feeling, and some volition. In short, after these finishing courses, he would turn out to be an educated common normal person - common person, for short.

I now move to build an alternative model and then try to see how the common person would deliberate in the situation which that model captures. Let us imagine that tonight there would be a catastrophe, in which all, or some, or none of the transferable and contingent properties and positions of each person get exchanged with the similar kind of properties and positions hitherto held by another

person. Thus, though Rawls may not acquire Feynman's knowledge of quantum mechanics, and Feynman Rawls' scholarship in moral philosophy, Rawls may remain unemployed from tomorrow morning, and Rao may get his Harvard chair. A prince may become a pauper, and a pauper a prince. The names of shareholders would be replaced at random on share certificates by names from voters' list, leaving somebody's retaining his shares to chance or fortune. Further, this catastrophe could be a global one, or a national one. For the present I do not want to enter into problems that arise in international relationships, so I let the catastrophe be a national one. Even after the catastrophe, the natural wealth of the nation, its population, its capital equipment etc., remain as they were. I introduce one more complexity into my model. On the night of the catastrophe all communication links between individuals would be snapped, as on June 25, 1975. No one would be able to talk to the other, nor would he be able to write. And no one would be able to undo the effects of the catastrophe, but it would not be necessary for anyone that he should accept the consequences of the catastrophe. Thus, though this model is deterministic, it is not fatalistic. (I know that a lot of precision needs to be brought into the specification of the model; but for the purpose at hand this brief sketch should be sufficient.)

By collective choice the consequences of the catastrophe can be evaded. This means that with reference to my model the natural outcome and the desired outcome are not identical; and as such it makes room for human freedom. Though there is no possibility of status quo ante being obtained, the state<sup>/of</sup> affairs to be determined by the catastrophe on its own can be evaded; hence there is no necessity attached to the natural outcome. To illustrate the point, Mr. Dev Anand may not be able to retain his ownership on what hitherto has been his mansion on the Marine Drive, yet he need not move to Mr. Das's tarpaulin

tent on a Calcutta pavement. And, though Mr. Das may have to move from his tent, it is not necessary that he should step into Mr. Dev Anand's shoes. They can, if they decide so, both own the mansion and live together happily. This catastrophe may be due to a fortuitous combination of natural circumstances, or it may be historically determined; it may even be divinely ordained, or brought in by human efficacy. For the purpose at hand it does not matter which. Moreover, we have had enough of eschatology - secular as well as sacred. That is all that I would like to specify about my model which I construe as an alternative to Rawls' original position.

The common person, under the cloud of impending catastrophe, is in a better position to think about the post-catastrophe set-up, than the original person under the veil of ignorance. He is more knowledgeable, and has a more balanced personality and outlook than the latter. The result of his thinking about the future set-up does meet the requirements for which Rawls has imposed the veil; this is to say that the common person's thoughts about social justice would satisfy the constraints of the concept of right. Thus in my model too justice is subsumed under morality.

How would the common person think in that situation? He would, with his knowledge of the Indo-Gangetic wisdom, laugh at the fleeting nature of material possessions. That apart, he would recollect, and realise the importance of, the following passage from Marx's Grundrisse:

"Society does not consist of individuals; it expresses the sum of connections and relationships in which individuals find themselves. It is as though one were to say: from the standpoint of society there are neither slaves nor citizens; both are men. Rather they are

outside the society. To be a slave or to be a citizen are social determinations, the relationship of Man A and Man B. Man A is not a slave as such. He is a slave within a society and because of it." (emphasis added)

The common person would note that he was something (which he perhaps liked) in the pre-catastrophe society because of that society, and also that he may be something (else) in the post-catastrophe society, and that he may not relish his being that. Due to this determinate relationship between man and society, he would conclude that it was not the case that because his being what he was he brought that society into existence - by contract. He would legitimise his thinking in that way by pointing out that he was, after all, not Adam, but came into this world as a *media res*, that is that he was born into a society. This is to say that he would note the priority of society. This would lead him to reject the contract theory, and the notions of human activity and rationality associated with that theory. He would no longer believe that social relationship is a contract, that human activity is an appropriative game, and that rationality utility maximising. That, and its consequences, would constitute one line of his thinking. Now, I take a quantum jump to indicate another line of his thinking.

He would think of his basic needs and the ways to meet them in the future set-up. Basic needs, as Rawls would say, are of two types - natural and social. Health and intelligence belong to the former type, and liberty, opportunity, income, private wealth, and self-respect belong to the latter. The common person need not think of the former type as he would retain those from among his earlier possessions. As to the latter he would partly disagree with the

original person's opinion that any rational society must provide for these. Here the common person's knowledge of history and particular facts come into play. He knows that there have been, and there are, societies which do not permit say private wealth, and yet by no rational criterion of rationality can they be considered irrational. He would like to have the rest of the social goods, but these would not be of his first preference. This is because he is aware that he **may** not have the most basic good so as to be able to enjoy these. He may, tomorrow, have to move to the Chapra Railway Station. What is self-respect if one has to beg for a loaf, and bow before another to be dependent upon his charity for sheer biological survival! He may have to cry "O Lord, give us this day our daily bread"! But, I forgot to add to the specification of my model, on the day of the catastrophe, God either would be dead, or else - like the Indian middle class - would go dumb and deaf to human suffering. So prayers would not fetch him anything; hence he would give top priority to staple food, or its pompous scientific synonym, means of sustenance. That, of course, he would want for everyone, as his choice - like that of the original person - is a collective choice. Thus his first principle of social justice would be: means of sustenance to all. Next he would prefer to have some shelter over his head, and at least a loin-cloth to cover his genitals. This would indicate how he would conceive of his basic needs, and basic goods. So he would formulate his first principle of justice as follows: equal basic goods for all.

It could be that the white revolution has not taken place in his society before the catastrophe, so there is only a limited quantity of milk available to the common person and his fellow beings. I am giving this example to incorporate the Hume Constant into the thought of the common person. There could be several other similar constraints. Obviously, children and the sick need it more than

grown-ups. So he would add a rider to his first principle; everyone according to his needs. (I am inclined to think that he would add that rider even if he were not acquainted with the Critique of Gotha Programme.\* That should be sufficient to show the difference between the common person and the original person.) And in understanding what constitutes a need, the common person would use his knowledge of the different system of economic organisation, and how they have been working. He would differentiate needs from wants, because he knows how capitalist market economy complex perpetuates itself through the mechanism of a continuous conversion of wants into needs by bewitching advertisement, and how this results in a perpetual alienation of man from his own nature, from his fellow beings, and from Nature.

I have just suggested the way in which the common person would think of the required new set-up. Anyone who has similar knowledge can complete his programme, and as many amidst us have it, I need not labour at the obvious. Many of my readers - I am happy that

---

\*May be, this is cryptic, so an explicit statement. Marxism seems to be much nearer to human intentions than liberalism. 'Intentions' - that is the word that I intend to use. I am prepared for a compromise over 'inclination', but not on 'human nature'. This expression has been the last resort of all those who conjure sinister theories geared towards a perpetuation of injustice. This has been the case throughout the history of human thought. Did not Plato trace the roots of social stratification to the way in which parts of psyche are related! That is why I get scared whenever "human nature" is invoked.

I can assume - can add other principles, and also think of the priority principles that may be needed for ordering those principles. I will only add that it is likely that the principles that they would arrive at would overlap the set of principles that Rawls has hit at. For this "sin", Rawls is being booed from the other camp. For instance, Rawls would accept the inoperativeness of his first principle in societies where basic goods are not available to everyone.

The common person would (1) opt for socialised mode of production, (2) suggest a division of the produce into two units, (3) recommend a distribution of one for the sustenance of the present citizens of his society, and (4) propose to use the other unit for further capital formation to meet the future needs of the present citizens, and the needs of future citizens. He would use his principles as constraints over the economic activity that would go on in relation to (2)-(4). I propose to be silent about (1), as a whole library has been written about it. But, even if all that is contained in that library is rubbish, even if there is not much to choose between the capitalist mode of production and the socialised mode, and even if both are equally desirable or undesirable, the common person would not stand like Buridan's ass unable to choose between two heaps of hay equidistant from him. He would, on the other hand, opt for socialised mode of production as if he were Leibnitz's God. It is true that a choice between the equally desirable but incompatible is a source of real agony; that is why real moral choices are agonising. But the common person would evade such agony; as he knows that history individuates, he would be able to make a moral choice between capitalist mode of production and socialised mode by making use of historical knowledge.

Having rejected the liberal democratic view of man, he would not be able to accept the capitalist mode. Further, it is possible



that his society before the catastrophe - like our society today - is one in which neither all the basic goods to its citizen, nor the basic goods to all the citizens, are available. In addition, his knowledge of history (cf. of the French Revolution and its aftermath) would convince him that the goal of equal basic goods to all may not be attained if he goes for the capitalist mode of production, all the more so when his society is far from that goal. This is to say that the common person's choice between the two modes would not be solely dependent on their respective structural features, but also on their known performance through history. If his choice differs from that of the original person, this could be either due to the differences in their knowledge, or due to a more general truth which emerges from the foregoing, namely that somehow - we do not as yet know exactly how - material conditions of life uniquely determine mental activities. And this knowledge of human psychology, the common person has.

With this vision - may be a hazy one - of socialism, I now return to Rawls' theory. Earlier (see the previous chapter) it emerged that Rawls has a general theory, and a special theory; and it was noted that when the general theory is relativised to socialised mode of production, we will have, what we designated as, Rawls' pseudo-socialist theory of justice. Let me explain why I think that it will have to be a sham socialist theory.

Rawls' first principle incorporates in it the liberal concept of liberty and the liberal concept of equality. As such, in one sense his general theory is redundant in the framework of a society which has any pretensions for being socialist, and in another sense it is incompatible with such a framework. This ambiguity, however, is not because of any significant feature of that framework, but due

to the ambivalence implicit in the liberal concepts of liberty and equality. It is one thing to say that everyone has an equal right, and another to uphold each person's right to equality. Capitalism needs one, and socialism aims at the other. One is political and legalistic, and the other universal, comprehending every aspect of social life. Earlier I noted how Rawls' concept of liberty, being liberal in orientation, is negative in nature, and as a consequence he would accept a limit to liberty only if it would be of maximum advantage to everyone. The first principle grants equal right to maximum liberty to all; it does not grant a right to equal maximum liberty to all. Yet - and that is important to note - within the framework of Rawls' theory unequal liberty cannot even be entertained, as that would involve unequal rights. But inequalities in wealth cannot be handled without unequal liberty (within the framework of Rawls' theory, that is). So, given Rawls' theory, inequalities in wealth cannot be touched at all. And that is contrary to the spirit of socialism. Thus Rawls' general theory is incompatible with socialism\* - of whatever shade it might be. + That being the case,

---

\*Asok Sen and Partha Chatterjee think, and I agree with them, that the situation with Rawls' theory is much worse in the sense that it is compatible with fascism. I intend to argue out this stronger thesis elsewhere; for the purpose of this essay it would suffice to note that there is at the heart of liberal democracy/market economy complex something which would permit any sort of injustice. That seems to be the case, despite Sir Karl's attempts to show the contrary.

+ Social Democrats may suggest direct taxation to control inequalities in wealth, while retaining the rest of Rawls' liberal theory. I do not know whether this would work; it needs to be shown that penal taxation would not come into conflict with Rawls' theory.

Rawls' theory precludes the very possibility of transforming an historical society into a socialist society by legislative means. This legislative blockade of socialism does not insure liberal democratic societies from a possible replacement. Socialists are not vegetarians, though being humane they are not cannibals either.

In so far as the notion of equal right incorporated in Rawls' general theory is intended to bar legalised privileges, it is redundant within the framework of socialism, because right to equality - which socialism accepts as fundamental - implies right to equal right. What all this amounts to is that socialism does not need Rawls' general theory. That is one half of the story, the other half is that it is required by capitalism. This, I hope, will not be news to anyone - not even to Rawls. He is aware of it. His theory, he explicitly states on p. 281 of A Theory of Justice, "supposes that individuals and groups put forward competing claims, and while they are willing to act justly, they are not prepared to abandon their interests; ... a society in which all can achieve their complete good, or in which there are no conflicting demands, and wants of all fit together without coercion into harmonious plan of activity, is a society in a certain sense beyond justice."

What is the upshot of this? It means that adjudicatory principles are required only by a society in which there exist class conflicts; each class, in such a society, tries to pass off its particular class interest as the universal interest of the society, and thereby attempts at a universal inversion. The implication is clear. There is, however, one more point which may not be so clear, but which once made clear will sound obvious. Rawls does not make it clear; and it is this: Socialism incorporates a much more unified and integrated view of man than does capitalism. In liberal democratic

capitalist societies man is taken to be a split personality; he is construed to be consisting of the political man and the economic man, the private man and the public man, the biological man and the social man, at alia. For its legitimacy capitalism needs theories which balance firstly class interests, and secondly all these human fragments. As my interest here is far from providing a new critique of capitalism (indeed, I am not equipped for that), and as I aim only at an evaluation of Rawls' theory, it would, I hope, suffice if I note that his theory is not what it purports to be. Rawls somehow is convinced that capitalism, and hence liberalism, needs to be legitimised. And in attempting it he is invoking contract theory of society, and Kantian moral philosophy. As such, despite his talk about moral geometry, his is an involutory theory; that is to say that it is a theory in which first what is to be established is fixed, and whatever is required to establish it is first assumed, and then shown to be necessarily true. The Rawls' use of Descartes and Kant is subversive of Cartesianism and Kantianism.

That only capitalists need a theory of distributive justice does not mean that socialists do away with the concept of justice; it just means that they do not need a separate theory of justice, for in their ideology the concept of justice is a derivative of the concept of society\*. For socialists the concept of society is a

\* Socialist thought (cf. Marx) is free from the duality of of production and distribution (see the passage quoted from Marx at the end of Chapter 2). Such a duality is built into the economic thought of the capitalists; this makes it imperative for them to think of distribution separately. There are several other ways of defending the point, but I will not mention them as they are not strictly relevant to the present context.

transcendental concept, as the very possibility of the rest of their ideology is deductively dependent upon it. This is the exact opposite of the assumption of the liberal democratic capitalist ideology. Denying the primacy of the concept of society, Rawls is forced to own the contract theory, and his own version of Kantianism. Because Rawls thinks that these are fundamental to his thinking, I propose to offer brief comments on these.

Contractarians maintain that man is a social being because he brings society into existence - by contract, of course. His sociability is thus the result of the existence of society; it is not of which society is the result. This is to say that sociality is a contingent property of man. This implies that society is not an end itself. (For a criticism of the other inversions in contractarianism, see D.Gauthier's contribution to Philosophy and Public Affairs, 1977.) But this is not a defensible position, as the very identity of man is dependent upon his social relationships. We can identify man A only in so far as we know him to be the son of B, husband of C, father of D, friend of E, neighbour of F etc. True, these too are contingent properties.\* Yet, they have explanatory priority, for we identify man A, and explain his sociability only in terms of these and their ilk. Now, when society is not treated as an end in itself - as Trotsky caustically commented - heaven

---

\*I am, as I hinted at earlier, scared of theories which are based on (dubious) essential/necessary properties of man or society. Necessary properties are necessary only for who intend to conjure theories that can be handy tools of authoritarians and also those who need some rationalisation of social injustice.

becomes the bastion of interests in their fight with socialism. That is why it is not surprising that Rawls should turn the Kantian Kingdom of Ends into such a heaven-secular, of course. But does the invocation of the Kingdom of ends help Rawls in giving primacy to man? Rawls does not have anything to say; indeed he does not raise the issue. As I raised it, I should answer for him - and that too within his framework. The existence of society and the sociability of man, both are contingent; hence there can be two alternative theories in which one of them receives explanatory priority over the other, and both these theories may equally be good on logical and epistemological grounds. So in order to give primacy to man's sociability over the existence of society, it would be better to explain his sociability deductively, that is by deducing it from the nature of man. And that is the strategy of Rawls. When once his sociability is so deduced, then it can be used to show that man's bringing society into existence follows from it. Such an explanation would be free from the objections that have been, and that can be, raised against the contract theory of society as it has been hitherto formulated. Those objections can be precluded by construing human nature unlike as in those formulations of that theory, that is, solely in terms of the essential properties of man, or variantly in terms of the essential human nature.

Kant, it hardly needs to be said except to tickle one's memory, supposed that men being rational, are mutually related by virtue of being members of the same Kingdom of Ends, which is provided by reason itself. He assumed that this is self-evident and also invariant. He believed that this is the essential and the eternal nature of man. The expression "human nature being what it is", or "human mind being constituted as it is", is - in his thought - a sufficient condition to assert whatever he thought that would think,

would will, and would do. The corresponding phrases "human feeling being what it is", and "human passion being what it is" are, as far as Kant is concerned, irrelevant and undesirable, and hence should always be avoided (by all decent persons). To relativise this to the present context, Kant would say that human nature being what it is, man would contract and bring society into existence, as much as he would copulate and bring a family into existence. (This is my conjecture, for Kant died a passionless bachelor!) So, contract theory finds a rational foundation, and sets a methodological precedent, Rawls is accepting that precedent as a paradigm, and is trying to provide a similar foundation to the liberal democratic capitalist theory, specially the theory of social justice that would go hand in hand with that theory. He does this by treating his two principles of justice on par with the Kingdom of Ends, and by giving them the status of categorical imperatives. Here too Rawls, to some extent, is inverting Kant. Kant would hold that human nature being what it was man would seek the principles of justice which the original person did choose. But what Rawls has to say tantamounts to saying that because man would choose the two principles of justice which the original person opted for, human nature is what it is. If in the foregoing I misrepresented Rawls, or mis-understood him, the responsibility for this should be credited to Rawls, for he over elaborates the obvious, and passes off the crucial but unclear ideas in pithy remarks. Anyhow, I have erected an argument which, I think, is sufficient to show how human nature could be different; that is the import of my attempt to show how the common person goes for a different set of principles. Further, these Kantian assumptions are under fire for a long time now. They do not tally with what we note in the history of human thought and in the history of human society. The invariance of human nature, and forms of reason etc. need to be

taken with a pinch of salt. (Those who are interested in knowing how this aspect of kantianism can be clinched with a modicum of success may consult Toulmin's Human Understanding, vol. I; Oxford.) This means that the ultimate foundations of Rawls' theory are rather uncertain. But, as I remarked at the beginning of this chapter, to be certain at this level requires all the knowledge that we do not have. Thus Rawls' theory may be falsified by the evidence that we do not have!

If all this has any message, it is this: Rawls' theory faces formidable difficulties at each of its different stages of development. Rawls tries to bypass some of these, and does not even show his willingness to face the others. Despite that, his theory has become acceptable - either in parts or in toto - to all liberal ideologues. (From this, Sir Karl, the critic of Dr. Marx, may learn a lot; he may note at least a simple truth which he missed all these days, or he may rectify one of his mistakes, for he is fond of learning from mistakes. Theories with significant bearing on the lives of individuals and institutions are not disowned like old cloaks, even if they are found wanting on logical counts, just as much as one does not divorce his wife because her hair has turned gray. There are more things involved in owning or disowning such theories than the methodomaniacs at the LSE have dreamt of.) The liberal ideologues are treating Rawls' treatise not as an academic contribution geared to advance course-work in moral philosophy, but as a manifesto of new liberalism, or as a new manifesto of liberalism, depending upon their understanding of Rawls. Within the intellectual tradition to which it belongs, Rawls' book has acquired the status of an ideological document. This is the reason for my too treating it as one such. This characterisation of Rawls' book is done with such a



fervour that it too needs to be commented upon.

The excitement which Barry shows in his The Liberal Theory of Justice (Oxford)<sup>†</sup> is an exemplar. So I pick it up as an arbitrary example to comment on it. Barry's book is, literally, a running commentary on Rawls' treatise. Why should Barry, who as an Oxford don is supposed to keep his blood pressure at 80/120, be so excited about it? He has <sup>a</sup>reason to offer. He is thrilled to find that Rawls did lay new foundations for liberalism. And Barry thinks that this achievement is in showing that (1) liberty is central to liberalism, and (2) private property is not. These are only half truths, as in Rawls' theory, liberty (that is, negative liberty) becomes central only if capitalism is to be preferred, and as private property (that is, private control over means of production) need not be central as capitalist mode of production can be preserved without the means of production being privately owned. Barry holds that these two points constitute the real import of Rawls' theory. But, paradoxically, he is unhappy at their being so. The reason for his unhappiness is his own belief that these two are compatible with socialism. He, however has a consolation in his awareness that socialism is compatible with the non-centrality of liberty too, that is that socialism is consistent with the negation of freedom. These are two more half truths of Barry.

---

\* I gather from Social Theory and Practice, vol. 3, no.1 that the Oxford University Press now (i.e. having sold its stock) regrets the imprudent haste with which it has brought out Barry's commentary on Rawls.

To say that socialism is compatible with the liberal concept of negative freedom is to mislead about, in addition to misunderstanding, socialism. As far as socialism is concerned this negative concept is redundant. Socialists have a more meaningful and positive concept of freedom. This concept is embedded in, for instance, the following passage from Engels' Socialism: Utopian and Scientific. With the advent of socialism, he writes there

"man's own social organisation... becomes the result of his own free action. The extraneous objective forces ... pass under the control of man himself. Only from that time will man himself, more and more consciously, make his own history - only from that time will social causes set in movement by him have ... results intended by him. It is the ascent of man from the kingdom of necessity to the kingdom of freedom."

Freedom, here, is conceived not in terms of an individual and his choices and actions, but in terms of the transcendence of the entire society of which an individual is an integral part; it is not understood, as in liberalism, in terms of the actual or possible constraints on individual activity. And if Barry holds that socialism is compatible with the negation of freedom, or with negative freedom, he either is indulging in propaganda or else is betraying his ignorance; it could even be that he is deceiving himself and others. That, however, is understandable, for, as Rescher noted (op.cit.), both the haves with uneasy conscience and the have-nots with their crippled souls and bodies are interested in social justice; and as such any talk about it is bound to consume high-energy fuel and generate a lot of heat. Academic gowns are poor insulators, even if they are of Oxford make.

It is unfortunate that Rawls should subscribe to this view, tacitly though. Earlier while trying to show how within the framework of socialism a separate theory of justice is redundant, I quoted a passage from Rawls, in which he states that if persons could be got to agree not to put forward conflicting claims, and come forward with a harmonious plan without any coercion, we will have reached a state which is beyond justice. Using the strategy of suggestion, Rawls it seems is hinting at what Barry requires for his insinuation; and it is that in socialist societies there is coercion. But it should not be unknown to them - as they are scholars of political thought, and also academics who are supposed to be custodians of all the objectivity in the world - that socialism as a theory does not require the concept of coercion. So they must be having on their minds not the just society which socialists envision, but the way in which they try to bring it into existence. This is to say that their objection is not a theoretical one; it is about a practical matter. They are referring to, I hope, the transitional terror.

I do not know how that can be made dispensible. History is replete with stories telling us how whenever a society moved from one stage to another it was there. Only there was more of it when some society skipped over many intermediary stages, and consciously forced a contraction of social time. Obviously, when a few centuries are contracted to a few decades, we are bound to perceive its usual presence in its normal quantum magnified ten times.

Moreover, coercion is bound to be there during the periods of transition as it is linked to alienation.\* Alienation and coercion are contemporaneous; when one disappears, the other too will disappear. Because of this relationship there is more of it in capitalist societies. If it is not perspicuous, this is because it is as the threshold of perception. And it is at that point as the social time, the physical time, and the perceptual time, in these societies happen to be well synchronised. If there were to be a catastrophe disturbing this synchronisation, things will appear as they really are. The record of human misery which is due to capitalist liberal democratic colonial countries during the last three hundred years is much more frightening than the transitional terrors since 1917. This is bad enough. Worse is that capitalism requires coercion; there is theoretical need for it. If man is a maximiser, and human activity is an appropriative game - that is the market economy vision of

---

\* I do not think that I need extraordinary commonsense to note that either I will have to succumb to my appendicitis, or else I will have to permit my surgeon to spill a bit of my blood. That is why I hold the view which I succinctly stated above. I know I may have to bleed if socialists come into power in this country, for as my marxist acquaintances tell me, I still have some liberal illusions. For instance, I am not much of a struggler, but only a sufferer. I may add that I prefer to be that not because I am more virtuous than my acquaintances, nor is it due to the fact that I am less committed, but because I believe that it is a much more sane-minded strategy, if one's intentions are to reach the goal and not just to clear his conscience. That is why I still entertain the idea of a legislative transformation.

human nature -, then nobody would act voluntarily to constrain his activity in order to arrive at a rational agreement with others so that an optimal outcome may be secured; everyone would seek only the natural outcome. The natural outcome is evaded, and an optimal outcome is sought, only by using coercive technics. It could be that the Oxford-Harvard liberals missed this point, because they were duped by the forms of coercion in their societies. What they missed, nevertheless, has been noticed by a LSE liberal. In his Reith Lectures for 1974, Dahrendorf caught the truth in its nudity. "Power", he saw, "is that impersonal version of violence which injures by creating painful conditions, rather than by inflicting pain directly." Who needs to be told as to how much of it is available in the liberal democratic societies, and also how much of it is available to the liberal democratic societies! And who needs to be told as to who wields it and for what! (Anyone who needs to be told about these things today qualifies himself for a professorship in our academies.) The issue is not so much about coercion, as it is about the duration of coercion, and also as to who coerces; is coercion going to be a transitional affair or the eternal destiny of mankind? Are the interests of the coercors particular or universal? Thus, even if there is not much to choose between socialism and capitalism purely on practical grounds, socialism scores a point over capitalism on theoretical counts. That is why the identity of the choice between socialism and capitalism, and the choice between socialism and barbarism sounds plausible.

## EPILOGUE

What is the relevance of the foregoing to us today? How is Rawls relevant to us? Rawls' contribution is relevant to us in two ways - one of which is positive, and the other negative. To consider the latter first, Rawls is irrelevant to us, as he like a medieval theologian, who having failed to adapt human nature to Christian Ethik, adapted Christian Ethik to human nature. Having noted that constraints of justice cannot be imposed on capitalism, Rawls accommodated the concept of justice in the Procrustian bed of capitalism. We have noted the reason for this. From these it emerges that there is no single theory of justice that fits in with every social system\*. Qualitatively distinct theories of justice are needed for qualitatively distinct systems. I added that qualification on their distinctness, as distinct theories may have methodological affinities. So the issue boils down to the choice of a social system. Your choice determines the concept of justice you need, and thereby the theory of justice you need. This implies that what is of first importance is to make up our minds as to where we need to stand, and whither should we look. The mimic men that we are - and that is a contribution of capitalism to global culture - we may opt for one or the other of the systems that I considered.

---

\* This is true as much as it is true that there is no single social system which can provide equal amount of happiness to all these that belong to the system. This, however, should not lead us to full-blooded utilitarianism, nor should it lead us to Nozick's Minimal State. Yet, Nozick has half a sound point, and utilitarians have another sound half a point. If circumstances permit - as it seems, it is unlikely - I will return to this issue in future.

But neither of these is a perfect fit for our situation. Let me briefly explain the point with reference to an important matter over which there has been a lot of blood spilling during the last few years. On taking into account the natural and the human resources that are available to us, and considering the most appropriate use of these resources, if we feel that we may not be able to provide the most basic goods to all the citizens of our society until and unless we go for zero population growth, we need to accept principles which do not cohere with the ideologies of either of these systems. They will collide with the individual's right to turn procreation into a profession; they will also collide with the ideology of the other tradition, as poverty, then, will not be seen in terms of modes of production alone, but also in terms of (malthusian or neo-malthusian) modes of reproduction.\* So we need to think of a social theory of our own. And there comes the relevance of Rawls. He would suggest then that we should start with our rational intuition, bracketing our class consciousness. If we heed to his possible advice, I hope, the results would be better, for Rawls, despite his theory, is a sophrasune - a saneminded Philosopher. It is time for our sophrasunes to start contemplating on our destiny, taking their intuitions into account. We have already paid heavily for taking into our account Anglo-American periodicals. It is nearly thirty years since we resolved to secure ourselves justice, equality, and fraternity. In all these years we have not secured even an understanding of these high sounding, tongue twisting, pompous circumlocutions. Nor could we move an inch towards securing -hat we promised unto

---

\* I mean frequency of reproduction, and not alternative ways of manufacturing babies. I trust that all babies are born alike, except in Britain; but there too it depends upon the frequency with which one does it into a test tube.

ourselves. Justice has become the privilege of a few; liberty was amputated; some of us proved to be more equal than the rest; fraternity was forgotten; fellow citizens are first semantically uplifted and then are systematically burnt on stakes. It seems, along with them is roasted the First Republic. Let us think of another, and secure ourselves real liberty, real equality, and real fraternity.



10. SOBHANLAL DATTA GUPTA : Comintern and the Colonial Question : a Decolonisation Controversy (*Marxist Miscellany*, No. 8, 1977 and No. 11, 1978)
11. DIPESH CHAKRABORTY : Communal Riots and Labour : Bengal's Jute Mill Hands in the 1890s ( forthcoming in *Past and Present*, Oxford )
12. NRIPENDRANATH BANDYOPADHYAY : An Enquiry into the Causes of the Sharp Increase in Agricultural Labourers in North Bengal (*Economic and Political Weekly*, Vol. XII, No. 53, December 31, 1977)
13. ARUN GHOSH. *comp.* : Research Notes and Documents Collected by the Late Prodyot Mukherjee
14. AMIYA KUMAR BAGCHI : Choice of Techniques and Technological Development in Underdeveloped Countries : A Critique of the Non-Neoclassical Orthodoxy (*Cambridge Journal of Economics*, June, 1978)
15. PARTHA CHATTERJEE : On the Scientific Study of Politics : A Review of the Positivist Method (*The State of Political Theory : Some Marxist Essays*. Calcutta, Research India Publications, 1978)
16. RUDRANGSHU MUKHERJEE : Trade and Empire in Awadh, 1765-1804.
17. SHIBANI KINKAR CHAUBE : The Ethnic and Social Bases of Indian Federalism
18. DEBES ROY : বাংলা সাংবাদ-সাময়িকপত্রে বক্তৃতিচিহ্নের ব্যবহার, ১৮১৮-১৮৫৮ (Use of Punctuation Marks in the Bengali Journalistic Prose, 1818-1858)
19. AMALENDU GUHA : Medieval Northeast India : Polity, Society and Economy, 1200-1750 A.D.
20. BARUN DE : The Colonialist Premise in the British Occupation of Bengal : Contributions by Clive and Pitt, the Elder, During 1757-59.
21. PARTHA CHATTERJEE : Thinking About Ideology : In Search of an Analytical Framework
22. RANAJIT DASGUPTA : Material Conditions and Behavioural Aspects of Calcutta Working Class 1875-1899.

**PROCEEDINGS OF CONFERENCES & SEMINARS :**

Problems of the Economy and Planning in West Bengal ( CSSSC, 1974 )

**PERSPECTIVES IN SOCIAL SCIENCES :**

*Volumes of essays on a common theme by scholars in the Centre to be periodically published :*

- I. Historical Dimensions ( Calcutta, Oxford University Press, 1977 )

**MONOGRAPHS :**

*Results of research work individually undertaken by the Centre's staff :*

1. **SUNIL MUNSI** : Geography of Transportation in Eastern India under the British Raj. Calcutta, K. P. Bagchi & Co. ( in press )
2. **NIRMALA BANERJEE** : Demand for Electricity ( in press )

**PUBLIC LECTURES :**

1. **ASHOK MITRA** : Terms of Exchange and Accumulation : The Soviet Debate ( R. C. Dutt Lectures on Political Economy, 1975 ), Calcutta, Orient Longman, 1977
2. **KRISHNA BHARADWAJ** : Classical Political Economy and Rise to Dominance of Supply and Demand Theories (R. C. Dutt Lectures on Political Economy, 1976). Calcutta, Orient Longman, 1978
3. **B. N. GANGULI** : Some Aspects of Classical Political Economy in the Nineteenth Century Indian Perspective (R. C. Dutt Lectures on Political Economy, 1977). Calcutta, Orient Longman, (in press)