

JOHN RAWLS ON JUSTICE: ITS RELEVANCE
TO THE 21ST CENTURY PHILIPPINES

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by

JOSELITO C. GALENDO

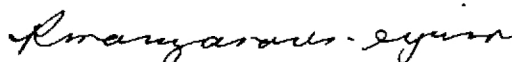
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Adviser

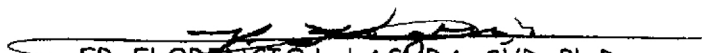

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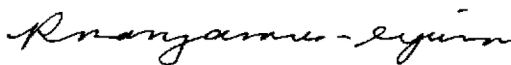
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Chairman


FR. HEINZ KULUEKE, SVD, Ph.D
Member


ANTONIO P. DILUVIO, M.A
Member


ROSARIO M. ESPINA, Ph.D.
Adviser

Comprehensive Examination PASSED: March 2001


FR. FLORENCIO L. LAGURA, SVD, Ph.D
Dean, College of Arts and Sciences

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Abstract

The study is an attempt to explore John Rawls' concept of justice. It presents the evolution of this concept from the original to the political conception. It also illustrates the relevance of Rawls' theory of justice to the realities of the 21st century Philippines specifically on the socio-cultural, political and economic dimensions.

The first section exposes Rawls' original conception of justice. Rawls invokes here the familiar theory of social contract to come up with reasonable and fair principles of justice brought about by pure procedural process. He establishes the idea of the fundamental fairness of procedure that characterizes the terms of contractual agreement and the conditions in which the agreement is made. Thus, he calls the resulting theory 'justice as fairness'. Here, justice as fairness is taken as a comprehensive moral theory addressing the problem of justice.

The next section depicts Rawls' political conception of justice, a modification of his original conception of justice. He acknowledges that democratic society is marked by the fact of pluralism. Rawls, henceforth, employs liberalism embarking on the idea of free public reasons that guide new insights into the questions of justice in a pluralistic society. Here, justice as fairness as a political conception is contrasted with the comprehensive moral doctrine. Rawls realizes the vagueness and unrealistic idea of a well-ordered society as presented in his original conception. Thus, he underscores the aim of Political Liberalism by showing that the idea of a well-ordered society may be reformulated so as to take account of the fact of reasonable pluralism.

The final section examines the realities of the 21st century Philippines. It notes the fact of pluralism and some features of a democratic society evident in this island-nation. It then establishes the relevance of John Rawls' theory of justice to these realities.

The study concludes with summary and recommendations. Recommendations are extracted from the relevance of Rawls' theory to some present and pressing problems in the Philippines such as globalization and land reform.

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Chapter 1

Introduction

Rationale of the Study

"Man is a social animal designed to live in a society," writes Aristotle.¹ This strand of thought is empirically demonstrated and incessantly verified. More importantly, this proposition ushers the impending recognition of the social dimension in man's existence. The truth it posits occupies a central place in many arguments. It also resides in the mental faculties of every thinker all throughout history. Thus, it perfectly responds to the demand of unraveling an important aspect in the complexity of human existence.

Karl Marx affirms Aristotle's proposition. Actually, he maintains the concept of man as a "social animal of a special kind."² Indeed, human existence is social and this social nature is derived from the intrinsic orientations of beings to other beings.³ Man is not just self-related but, in many ways, others-related. Man's activities are social precisely because he performs them with others. He, likewise, learns them from others, executes them according to accepted patterns and does them for his fellowmen. And because man is a being with others, it necessarily implies that man depends, interacts and relates with others. From the moment of his birth until his death, man is with others. This reality entails that man has duties towards one another and can also claim rights in a reciprocal manner. He has duties, for instance, not to contaminate their water or air

¹ Aristotle, *Politics*, trans. Benjamin Iowett (New York: Washington Square Press, 1951), 280.

² Karl Marx, *Pre-Capitalist Economic Formations*, trans. Jack Cohen (London: The Camelot Press Ltd., 1965), 13.

³ Ramier Ibana, "On the Social Nature of Man", *PIIAVISMINDA Journal*, 2 (May 1998), 15.

supplies or place their lives in danger. Man also claims his right for himself such as the right to speak about political issues without being thrown into jail.

Man is a political animal as well. Thus, he has to reside in a governed or established institution known as a 'state'. Nevertheless, the idea on the nature of states and societies has been part of recurring debate historically. Moreover, several philosophers and thinkers both in the past and in the present have endeavored to come up with more viable notions and models of society. Whereas in the past, it was relatively easy to speak of predominant paradigms of society in terms of their more or less structured worldviews and behavior, now man has to contend with a plurality of paradigms and societies interacting and influencing one another such that it is almost impossible to make out the rules of the game⁴

Society, however, cannot exist sans persons. Certainly, this statement propels human person as the hub of all discussions concerning society. In view of this proposition, the conception that persons are equal and should be treated equally; the notion that persons have natural or human rights that no one and no government can take away from them; the idea that persons should equally share the material goods of society are some of the perennial subjects of unceasing debates. Understandably, "what is always at issue is the concept of justice."⁵

⁴ Manuel B Dy, *Contemporary Social Philosophy* (Quezon City: JMC Press, 1994), 55

⁵ Robert C. Solomon, *Introducing Philosophy*, 4th ed. (Florida: Harcourt College Publishers, 1989), 707.

The preceding line is unquestionably the most compelling ground upon which the researcher intends to anchor the study presently undertaken. Besides, the locus that justice occupies in man and in society indubitably lies central to both. Although there have been numerous philosophers and thinkers alike who have presented persuasive and brilliant views concerning justice, there is an apparent difficulty of arriving at a common understanding about justice. By dint of this, the researcher's keen interest to study one of the philosophers in the contemporary period has been intensified. Thus, the researcher has chosen John Rawls as the best preference for this study. A detailed presentation of Rawls's biography will be presented in the Appendix.

The ascending popularity of John Rawls (1921-) today initially motivated this researcher to come up with this study. The deeper motivation, however, points to the encompassing and valuable contribution that Rawls offered in the realms of political and social philosophy. Besides, an increasing number of writers and philosophers in the contemporary milieu draw mounting interests in Rawls's theory of justice that are deemed ideal yet practical. Moreover, the researcher desires to further explore Rawls's seemingly mutable concept of justice as evidenced by the transition of his conception of justice from the original conception to the political conception.

As the dawn of the 21st century finally unfurls into the scenario, man sees before his eyes vistas of continuing realities. In a macroscopic level, the "loss of values, the worldwide gap between the rich and the poor, the mechanization and secularization of the world"⁶ are but few of the pervading realities that contemporary man has to wrestle with.

⁶ Heinz Kulueke, SVD, "Preparing for the XXIst Century: Heidegger's Concern" *PHIAVISMINDA Journal*, 1 (May 1996), 20.