Lecture 3:
Inequality, Gender, and the Self
The plan for today…

1. Incentives and inequality
2. The basic structure of society
3. Gender and the family
4. Community and the self
§1. Incentives and inequality
Recall that the concept of justice…

…is the concept of the proper distribution of the benefits and burdens of social cooperation.

A particular conception of justice…

…specifies the proper distribution of the benefits and burdens of social cooperation.
Rawls’ conception of justice…

The Principle of Equal Liberty…

The Difference Principle…

‘Social and economic inequalities are to be arranged so that they are to the greatest benefit of the least advantaged…’ (TJ 302)
Consider the social and economic inequalities in British society today…

On average, people in the bottom 10% have household disposable incomes of less than £10,000 p.a.

For people in the top 10% it’s more than £80,000 p.a.

The top 10% also have 45% of the wealth; the bottom 10% only 8%.
If you’re interested…

www.ifs.org.uk/wheredoyoufitin
Is this distribution of the benefits of social cooperation just…?

According to the **libertarian** conception of justice…

Yes!

(Because this is the result of free exchange.)
Is this distribution of the benefits of social cooperation just…?

According to the *luck egalitarian* conception of justice…

No!

Because this is largely the result of accidents of birth, socio-economic background, etc.
Is this distribution of the benefits of social cooperation just…?

According to *justice as fairness*…

Yes!

Because this is to the advantage of the least well off.
The advantage of the least well off…

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Is this distribution of the benefits of social cooperation just...?

According to *justice as fairness*...

No!

Because that this is *not* to the advantage of the least well off.
How is this an objection to justice as fairness…?

P1 If justice as fairness is the correct conception of justice, deep socio-economic inequalities arising from “incentives to the talented” are unjust.

C Justice as fairness is not the correct conception of justice.

P2 Deep socio-economic inequalities arising from “incentives to the talented” are not unjust.
Possible responses to this objection…

Reject P2…

Reject P1…

If we can pick D2, why can’t we pick D5?

The basic structure response…
§2. The basic structure of society
Our actions, attitudes, etc. affect the distribution of the benefits and burdens of social cooperation...

…so do the principles of social justice tell us which actions we should perform, which attitudes we should adopt, etc.?

No!
‘...the primary subject of justice is the basic structure of society... the way in which the major social institutions... determine the division of advantages from social cooperation...

...By major institutions I understand the political constitution and the principal economic and social arrangements.’ (TJ 6)
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If we can pick D2, why can’t we pick D5?

Because we aren’t picking what people are like…

…we are taking them as they are.

We are only picking a basic structure.

The *family* objection…
P1  The family is one of the ‘major social institutions’, with profound effects upon the distribution of the benefits and burdens of social cooperation.

P2  Any major social institution with profound effects upon the distribution of the benefits and burdens of social cooperation is part of the basic structure.

C  The family is part of the basic structure.
The family also has a profound effect on what people are like.

We cannot pick a basic structure without also picking what people are like.

A possible response to the family objection…

Revise the definition of the basic structure of society…
§3. Gender and the family
Suppose the family is left out of the basic structure of society…

Then the way the family is organized is not something that we should be discussing in connection with social justice…

But it is arguable that the family is the site of some of the deepest and most pervasive social injustices…
P1  The way that the benefits and burdens of social cooperation are typically distributed among the male and female members of a family is unjust.

P2——If justice as fairness is the correct conception of ___________justice, the family is not a part of the basic ________________structure of society.

P3 of If the family is not a part of the basic structure of society, the PEL and the DP do not apply to the family.
P4  If the PEL and the DP do not apply to the family, the way that the benefits and burdens of social cooperation are typically distributed among the male and female members of a family is not unjust.

C  The family is a part of the basic structure of society.

How should Rawls respond…?
Rawls thinks that there are principles of justice other than principles of social justice...

...e.g. principles of global justice, principles of justice governing the actions of individuals.

Perhaps there are special principles of justice that apply to the family...

Still, doesn’t it say something if a book called *A Theory of Justice* neglects these principles...?
‘...in [TJ], Rawls not only almost completely ignores gender, but he almost completely ignores women. He omits sex from the list of personal characteristics that are veiled from those in the original position and... (ominously) specifies that those who reason in the original position are the “heads of families”.’ (Susan Moller Okin, *Gender, Justice and Gender*, p.1548)
In the Original Position, we are rational and mutually disinterested...

We recognize no pre-existing ties or moral obligations...

Doesn’t that mean that we are asking which PSJs we would choose if we were (a very abstract sort of) male?
Rawls should have stressed that in the Original Position, we do not know whether we are male or female…

Should we really associate rationality with gender…?

Note that mutual disinterest is not the same as narrow self-interest…
Perhaps we should applaud the fact that justice as fairness respects the separateness of persons…

‘Women have very often been treated as parts of a larger unit, especially the family, and valued primarily for their contribution as reproducers and care-givers…’ (Martha Nussbaum, Feminist Critique of Liberalism, p.11)