E-ISSN: 2664-603X
P-ISSN: 2664-6021
IJPSG 2025; 7(5): 237-242
www.journalofpoliticalscience.com
Received: 17-03-2025
Accepted: 19-04-2025

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Justice as fairness in governance: Revisiting John Rawls in the context of public policy and administrative ethics

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DOI: https://doi.org/10.33545/26646021.2025.v7.i5c.547

Abstract
The 21st century, envisioned as the century of justice, demands a critical rethinking of public policy to ensure equitable distribution of resources, benefits, and institutional participation among all, especially the marginalized. This paper explores the philosophical and practical contributions of John Rawls (1921–2002), one of the most influential moral and political philosophers of the 20th century, to contemporary public administration and policy discourse. Rawls's seminal works—*A Theory of Justice* (1971), *Political Liberalism* (1993), and *The Law of Peoples*—collectively offer a comprehensive framework for understanding justice in a pluralistic, democratic society.

Rawls conceptualized justice as fairness through two key principles: equal basic liberties for all and the arrangement of social and economic inequalities to benefit the least advantaged. His "original position" and "veil of ignorance" are foundational thought experiments to design impartial principles of justice. Rawls's later work shifted from a comprehensive moral doctrine to a "political conception of justice," accommodating diverse and reasonable worldviews within a constitutional democracy through concepts like overlapping consensus and public reason.

This paper argues that Rawls's ideas hold significant relevance in public administration, especially regarding administrative ethics, social equity, and fair policy-making. His influence is visible in the evolution of ethical standards, the emphasis on impartiality in governance, and initiatives aimed at distributive justice such as affirmative action. However, his theories have faced substantial criticism from communitarian and feminist scholars who challenge the abstract individualism, cultural neutrality, and limited application of his framework—particularly regarding family, gender, and relational ethics.

Ultimately, Rawls's legacy bridges moral philosophy and pragmatic governance, offering enduring insights for shaping inclusive, just, and stable societies in the face of global pluralism and social inequality.

Keywords: Justice as fairness, John Rawls, public policy, administrative ethics

Introduction

The twenty-first century is often described as an era in which justice must take center stage in public life. If this is not yet the case, it is imperative that policymakers, administrators, and scholars reflect seriously on how to achieve a fair and effective distribution of public resources. The challenge lies in transforming current crises into opportunities—ensuring that the benefits of society, whether they be material goods, positions of influence, or access to public institutions, are shared in ways that include even the most marginalized members of society. As the global population surpasses seven billion, the design of public policy must rise to meet the aspirations of all, lest societies descend into conflict and instability—a reality already visible in regions marked by unrest and even war.

In this context, the contributions of John Rawls (1921–2002) stand out as profoundly relevant. Rawls, one of the most influential moral and political philosophers of the twentieth century, directly engaged with the dilemmas of justice, equality, and the fair distribution of social goods. His landmark publication, *A Theory of Justice* (1971), is widely credited with revitalizing political theory and offering a principled framework for evaluating and guiding public institutions. Rawls' work is distinctive not only for its philosophical depth but also for its practical relevance to the design of public policy and administration.

Rawls approached the question of social justice with a keen awareness of the complexities introduced by modern market economies and pluralistic societies. Unlike some of his

contemporaries, he did not limit himself to conceptual analysis; rather, he sought to construct a substantive theory of justice that could serve as a guide for real-world decision-making. His commitment to liberal political philosophy is evident in his insistence that justice must be understood as fairness—a principle that demands impartiality and reciprocity in the distribution of rights, opportunities, and resources.

This paper aims to explore Rawls' enduring influence as a thinker whose ideas extend beyond philosophy into the realms of public administration and policy design. Drawing on his three major works—*A Theory of Justice*, *Political Liberalism*, and *The Law of Peoples*—the discussion will highlight how Rawls' theories have shaped debates about the structure and legitimacy of public institutions. It is worth noting that, despite his global stature, Rawls' contributions are sometimes underappreciated in Indian academic and policy circles, where his insights could offer valuable guidance for addressing contemporary challenges of justice and governance.

By examining Rawls' vision of justice and its implications for public policy, this analysis seeks to illuminate pathways toward a more just and inclusive society—one in which the distribution of social and economic advantages is guided by principles that can be accepted by all, and in which the well-being of even the "last man" is a central concern.

A Theory of Justice

His *magnum opus*, *A Theory of Justice* (1971), was said at the time of its publication to be "the most important work in moral philosophy since the end of World War II" and is now regarded as "one of the primary texts in political philosophy".

His work in political philosophy, dubbed Rawlsianism, takes as its starting point the argument that "the most reasonable principles of justice are those everyone would accept and agree to from a fair position". Rawls attempts to determine the principles of social justice by employing a number of thought experiments such as the famous original position in which everyone is impartially situated as equals behind a veil of ignorance. He is one of the major thinkers in the tradition of liberal political philosophy. According to English philosopher Jonathan Wolff, while there could be a "dispute about the second most important political philosopher of the 20th century, there could be no dispute about the most important: John Rawls".

John Rawls: A Theory of Justice and Political Liberalism

John Rawls' seminal work, *A Theory of Justice* (1971), is widely regarded as a landmark in twentieth-century moral and political philosophy. Many scholars consider it the most influential philosophical treatise on justice since World War II, and it has become foundational in the study of liberal political thought. Rawls' approach, often referred to as Rawlsianism, is grounded in the premise that the most just principles are those that rational individuals would collectively endorse from an impartial standpoint.

To develop his theory, Rawls employs the thought experiment of the "original position," in which individuals, situated behind a "veil of ignorance," are deprived of knowledge about their own social status, abilities, or personal values. This device is intended to ensure impartiality, as no one can tailor principles to their own advantage. Rawls argues that, under these conditions, rational agents would agree on principles of justice that are fair and equitable to all.

Justice as the Central Virtue of Social Institutions

Rawls conceptualizes justice as the primary virtue of social institutions, extending beyond the mere allocation of legal rights and duties. He contends that justice must also govern the distribution of social and economic advantages, wealth, opportunities, and other benefits that arise from social cooperation. Unlike theories that derive principles of justice from divine command, historical necessity, or immutable reason, Rawls asserts that such principles are products of human deliberation and ethical reasoning.

For Rawls, principles of justice must be general, public, universally applicable, and capable of resolving conflicting claims. They should serve as the ultimate standard in practical reasoning and be grounded in a realistic understanding of human nature—acknowledging both our rational pursuit of interests and our capacity for moral self-determination.

The Two Principles of Justice

Rawls maintains that individuals in the original position would adopt two fundamental principles of justice: [1]

1. Equal Basic Liberties: Each person should have an equal right to the most extensive system of basic liberties compatible with similar liberties for others. These liberties include political rights (such as voting and holding public office), freedom of speech and assembly, liberty of conscience, personal property rights, and freedom from arbitrary arrest.
2. Fair Equality of Opportunity and the Difference Principle: Social and economic inequalities are permissible only if they (a) benefit the least advantaged members of society (the difference principle) and (b) are attached to positions and offices open to all under conditions of fair equality of opportunity.

Rawls emphasizes that these principles are intended to regulate the basic structure of society, ensuring both liberty and fairness in the distribution of resources and opportunities.

Political Liberalism

In his later work, *Political Liberalism* (1993), Rawls shifts focus to the institutional and structural dimensions of a just society [2]. He argues that, in a legitimate political system, legislative authority must reside in a representative body elected through universal suffrage and limited terms. The principle of equal liberty requires that each legislator represent an equal number of citizens, and that all citizens have equal rights to participate in the political process.

Rawls recognizes the reality of "reasonable pluralism"—the persistent diversity of religious, philosophical, and moral doctrines in modern democratic societies. He seeks to articulate a conception of justice ("justice as fairness") that can be endorsed by citizens holding a wide range of reasonable, yet sometimes incompatible, comprehensive doctrines. This is achieved through the idea of an "overlapping consensus," where individuals support the political conception of justice from within their own worldviews.

Features of a Political Conception of Justice [3]

Rawls identifies three defining characteristics of a political

conception of justice:

1. Moral Focus: It is a moral conception specifically designed for political, social, and economic institutions.
2. Freestanding Nature: It is independent of any particular comprehensive doctrine, making it accessible to citizens with diverse backgrounds.
3. Public Culture: It is articulated in terms that are implicit in the public political culture of a democratic society.

Central to this framework is the idea of "public reason," which refers to the reasoning that citizens employ in public discourse about constitutional essentials and matters of basic justice. Public reason is collective, oriented toward the common good, and accessible to all members of society.

Justice as Fairness: Revised Principles

Rawls later refines his two principles of justice:

1. Equal Liberties: Every individual has an indefeasible claim to a fully adequate scheme of equal basic liberties, which must be compatible with the same liberties for all.
2. Social and Economic Inequalities: Such inequalities are justified only if they are (a) attached to offices and positions open to everyone under fair equality of opportunity, and (b) to the greatest benefit of the least advantaged (the difference principle).

In this revised framework, Rawls further clarifies the notion of "justice as fairness" as a political, rather than a comprehensive, moral doctrine. He posits that citizens are free and equal, possessing two moral powers: the capacity for a sense of justice and the capacity for a conception of the good. These capacities enable individuals to participate in social cooperation over a complete life and to make claims on institutions to advance their own conceptions of what is valuable.

John Rawls' contributions have profoundly shaped contemporary understandings of justice, equality, and political legitimacy. His theories provide a robust framework for evaluating and guiding the development of fair institutions in pluralistic democratic societies, emphasizing both individual rights and the welfare of the least advantaged.

Rawlsian Justice in Practice: Implications for Public Administration, Social Equity, and Multicultural Governance

Rawls's work had and continues to have a profound impact on the normative dimensions of public administration and public policy. According to Terry Cooper [4], the publication of A Theory of Justice coincided with the development of administrative ethics as a field of study, especially significant with respect to social equity as an important part of the New Public Administration emerging in the late 1960s. In particular, he says, two essays contributed directly to administrative ethics as a field of study: ''Social Equity and Organizational Man: Motivation and Organizational Democracy'' by Michael Harmon [5] and ''Social Equity, Justice, and the Equitable Administrator'' by David K. Hart [6]. Both focused on the Rawlsian conception of social equity as applicable to public administration, ''thus providing evidence of the practical significance of administrative ethics and building confidence in the possibility of developing it as a field of study.''

In practical terms, two aspects of the Rawlsian perspective have been important within discussions of ethical public institutions. First, the requirement of impartiality, which is implicit within the very idea of neutral competence or merit system, gained theoretical grounding as an axiom of ethical decision making in the public sector. Second, the Rawlsian conception of political justice required attention to distributive inequities and helped articulate the basis for various policy initiatives, such as affirmative action. In other words, Rawls provided a practically useful argument for demanding equity both in decision-making processes and in determining who should benefit from them.

Rawls and Multicultural Governance

John Rawls's theories—especially "justice as fairness" and his later work, *The Law of Peoples*—have been both influential and contested in discussions of multicultural governance and postcolonial contexts.

Rawls and Multicultural Governance

Rawls's framework is rooted in the liberal tradition, emphasizing equal basic liberties, fair equality of opportunity, and the protection of the least advantaged. His approach to pluralism is most clearly articulated in his idea of "reasonable pluralism," which recognizes that citizens in a democratic society will inevitably hold diverse, and sometimes conflicting, comprehensive doctrines. In *Political Liberalism*, Rawls suggests that the legitimacy of political institutions depends on their being justifiable to all citizens, regardless of their particular cultural or religious backgrounds. This is operationalized through the concept of "public reason," which requires that political decisions be justified in terms that all reasonable citizens can accept.

However, this approach has limitations in multicultural contexts. Rawls's insistence that political dialogue be separated from comprehensive philosophical or religious doctrines can, as some critics argue, inadvertently silence or marginalize the voices of minority and non-Western communities, whose worldviews may not fit neatly into the framework of public reason. In societies marked by deep cultural diversity or histories of colonial exclusion, this constraint risks perpetuating the exclusion of legitimate concerns and self-understandings from public debate.

Rawls in Postcolonial Contexts

Rawls's later work, *The Law of Peoples*, extends his theory to the international sphere. Here, he distinguishes between "liberal peoples" and "decent peoples." Liberal peoples are those whose political institutions are based on liberal values, while decent peoples may have non-liberal traditions but still respect basic human rights and allow for meaningful political participation. Rawls argues that liberal societies should tolerate decent non-liberal societies as equal members of the international community, provided they meet certain minimum standards—such as not being aggressive and securing fundamental human rights [7].

This stance is more inclusive than some other liberal theorists who require all societies to adopt liberal institutions before being granted recognition or rights. Rawls's willingness to accept non-liberal but "decent" societies as legitimate partners allows for a measure of cultural pluralism in international relations. However, even here, Rawls's framework has been critiqued for being insufficiently attentive to the historical and structural inequalities produced by colonialism. Critics

argue that Rawls's model, by prioritizing a political conception of justice abstracted from comprehensive worldviews, may fail to address the legacies of domination and the ongoing need for dialogue on terms set by formerly colonized or marginalized peoples.

Key Tensions and Critiques

- **Dialogue and Exclusion:** Rawls's model encourages dialogue but restricts it to "political" reasons, potentially excluding cultural or religious arguments that are central to many communities' identities.
- **Recognition of Non-Liberal Societies:** While Rawls's notion of "decent peoples" is more accommodating than strict liberal universalism, it still subjects non-liberal societies to liberal evaluation, which can be seen as a subtle form of cultural imperialism.
- **Postcolonial Realities:** In postcolonial settings, where histories of exclusion and domination are keenly felt, Rawls's separation of the political from the comprehensive may not be adequate for genuine reconciliation and recognition. Justice, in these contexts, may require a more open dialogue that allows communities to articulate their concerns in their own terms, not just in terms acceptable to liberal theory.

Rawls's ideas offer a structured approach to justice and pluralism, and his later work makes important strides toward recognizing cultural diversity in both domestic and international contexts. However, his framework remains limited by its reliance on a liberal, procedural conception of justice that may not fully accommodate the needs, histories, and voices of multicultural and postcolonial societies. Achieving true multicultural governance and postcolonial justice may require moving beyond Rawls's strict separation of the political from the comprehensive, fostering deeper dialogue and mutual recognition among diverse communities.

Criticisms of Rawls' Theory of Justice

John Rawls' theory of justice—especially his concepts of the "original position" and "justice as fairness"—has been a cornerstone of modern political philosophy. However, despite its immense influence, it has also drawn sustained criticism from a range of philosophical traditions, particularly communitarianism, feminism, and thinkers from non-Western contexts, especially the Global South. These critiques question both the assumptions underlying Rawls' framework and its applicability in real-world settings.

Communitarian Critiques

Communitarian philosophers such as Charles Taylor, Michael Sandel, Michael Walzer, and Alasdair MacIntyre have challenged Rawls' depiction of the individual as an autonomous, rational agent capable of choosing principles of justice in abstraction from their social identity. They argue that this portrayal ignores the deeply embedded nature of human identity, which is shaped by culture, community, and interpersonal relationships [8].

Several key concerns characterize the communitarian critique

1. Psychological Implausibility of Detachment

Rawls' idea of the "original position" asks individuals to bracket their personal identities and life plans when formulating principles of justice. Communitarians find this notion psychologically unrealistic, as it strips individuals of the cultural narratives and emotional bonds that are central to moral reasoning.

2. Neglect of Social Embeddedness

Rawls emphasizes individual choice and autonomy, but communitarians stress that people's values and reasoning capacities are developed within particular social settings. Justice, they argue, cannot be theorized independently of the communal traditions and practices that shape human life.

3. Cultural Insensitivity

While Rawls aspires to develop a universally applicable theory of justice, critics contend that his model is steeped in Western liberal assumptions and may not translate well to societies with different moral and cultural frameworks.

4. Hidden Moral Commitments

Although Rawls claims neutrality among competing conceptions of the good, communitarians argue that his framework tacitly promotes liberal values. As such, "justice as fairness" may not be as politically neutral as Rawls asserts.

Feminist Critiques

Feminist thinkers have also raised substantial concerns about Rawls' theory, especially regarding its methodological foundations and treatment of social institutions such as the family.

Carol Gilligan famously distinguished between two styles of moral reasoning: an "ethic of justice," focused on rules and rights, and an "ethic of care," centered on relationships and responsibility. She and other feminist scholars argue that Rawls' framework privileges the former, effectively marginalizing relational, care-based approaches that are equally crucial for understanding justice [9].

Further critique comes from Susan Moller Okin, who scrutinizes the role of the family in Rawls' theory. She points out that Rawls assumes just family institutions without examining them in depth. In doing so, he overlooks the ways in which gender inequality and patriarchal structures persist in the private sphere. His assumption that parties in the original position are "heads of households" further embeds traditional gender roles, failing to include women's lived experiences and struggles for justice within families [10].

Rawls in the Global South: Limits and Challenges

Beyond Western liberal democracies, Rawls' theory has faced critical scrutiny, particularly in the context of the Global South, including countries like India. Here, critiques center on the theory's abstract individualism, limited global scope, and inadequate attention to structural and historical injustices.

1. Abstract Individualism vs. Collective Identity

In many non-Western societies, identity is not understood solely in individualistic terms but is closely tied to caste, religion, ethnicity, or community. Critics argue that Rawls' "original position," which requires individuals to set aside these identities, fails to capture the social realities in such contexts. As seen in African and Indian political thought, justice must address collective experiences and identities, not just individual rights.

2. Cultural and Communitarian Dimensions
Rawls' assumption that all rational individuals would converge on liberal principles overlooks the cultural pluralism present in societies like India, where legal, religious, and customary systems coexist. This liberal universalism can marginalize non-Western worldviews and indigenous traditions that don't align neatly with public reason or liberal neutrality.

3. Neglect of Historical and Structural Injustices
Rawls focuses on the fair distribution of primary goods within a stable democratic society. However, this focus often bypasses deep-seated issues such as colonial exploitation, caste oppression, and structural poverty. In India, for instance, critics argue that real justice must directly confront caste hierarchies and their historical roots—issues not sufficiently addressed by Rawls' abstract principles.

4. National Boundaries and Global Justice
In *The Law of Peoples*, Rawls limits the scope of the difference principle to national borders. Postcolonial and cosmopolitan scholars have argued that this national focus fails to account for global injustices, such as economic inequality and exploitation between the Global North and South. They call for global principles of justice that address cross-border responsibilities and interconnectedness.

5. Institutional Fragility and Corruption
Rawls' framework presumes the existence of functioning institutions and public trust—assumptions that may not hold in many parts of the Global South. Issues like corruption, weak governance, and institutional breakdown undermine the practical applicability of his theory. Without addressing these foundational challenges, critics argue, Rawls' model remains idealistic and detached from pressing real-world conditions.

6. Pluralism and Affirmative Action
The Indian experience of legal pluralism, affirmative action (such as caste-based reservations), and constitutionally protected group rights illustrates the limits of Rawlsian justice. His framework struggles to account for justice policies that prioritize group claims, historical redress, and social restructuring—factors that are vital in deeply pluralistic and unequal societies.

Other Critical Perspectives
Beyond communitarian, feminist, and postcolonial critiques, Rawls has also faced criticism on several additional fronts. Some scholars question the practicality of the veil of ignorance as a decision-making tool, while others challenge the difference principle for being either too permissive or too idealistic [11]. Critics have also noted that Rawls' focus on distributive justice may obscure other vital aspects of justice, such as relational, procedural, and recognitional dimensions. Furthermore, concerns have been raised about the framework's limited incentives for individual excellence and its ambiguity regarding moral desert and responsibility.
John Rawls' theory of justice has undeniably shaped contemporary discussions of fairness, equality, and rights. Yet, it is not without its limitations. Communitarian thinkers call for greater attention to social embeddedness and shared values. Feminist theorists urge the inclusion of care ethics and justice within the family. Scholars from the Global South advocate for theories that confront historical injustices, cultural diversity, and global inequality. Collectively, these critiques highlight the need for more context-sensitive, relational, and inclusive models of justice—ones that better reflect the complex realities of human identity, social structures, and moral life.

Conclusion
John Rawls's enduring influence on political philosophy and public policy lies in his compelling articulation of justice as fairness—an approach that seeks to reconcile liberty, equality, and democratic participation in a pluralistic society. Through his seminal works, *A Theory of Justice*, *Political Liberalism*, and *The Law of Peoples*, Rawls provides a normative framework for assessing the fairness of social institutions and the ethical foundations of public administration.
His two principles of justice—equal basic liberties and the difference principle—have profoundly shaped contemporary discourse on social equity and administrative ethics. The original position and veil of ignorance offer a powerful heuristic for designing impartial policies that prioritize the well-being of the least advantaged. This emphasis on fairness and moral reasoning continues to inform debates around affirmative action, equal opportunity, and inclusive governance.
Rawls's influence extends beyond theoretical elegance; he contributes a practical orientation to the field of public administration by emphasizing the role of impartiality, rational deliberation, and public reason in the design and execution of policies. His vision supports the development of just institutions in increasingly diverse societies, making his work especially relevant in a globalized, conflict-prone 21st century where the demand for distributive justice is more urgent than ever.
However, the critiques raised by communitarian and feminist scholars highlight significant limitations of Rawls's framework—especially its abstraction from real-world social identities and relational contexts. These perspectives challenge the cultural neutrality and individualism embedded in his theory, advocating instead for more context-sensitive approaches that consider care, interdependence, and the influence of social structures on identity and moral reasoning.
Despite these limitations, Rawls's contributions remain foundational. His efforts to bridge moral theory with practical governance offer critical insights for public policy-makers striving to design equitable systems. In reimagining justice not merely as a philosophical ideal but as a public mandate, Rawls invites administrators, scholars, and citizens alike to continuously interrogate the ethical underpinnings of our institutions and to work toward a more just and inclusive society.
While John Rawls acknowledged that his principles of justice could be applied to a range of social institutions—including the family—his responses to communitarian and feminist critiques consistently reaffirm the centrality of a political conception of justice. Rather than attempting to offer a comprehensive account that addresses every aspect of social life, Rawls presents his theory as one important part of a broader narrative about how institutions should function. This perspective is particularly relevant in the fields of public administration and public policy, where social equity is recognized as a crucial, though not exclusive, component of ethical governance.

Rawls contends that the idea of "justice as fairness" is not just an abstract philosophical concept but is deeply embedded in the values and functioning of democratic institutions. For him, the priority given to social equity is a reflection of the priority that democracy itself holds in a just society. In other words, the pursuit of fairness and equal opportunity is inseparable from the commitment to democratic principles. Thus, while Rawls recognizes the complexity and diversity of social life, he maintains that a political conception of justice provides a necessary foundation for evaluating and shaping public institutions in ways that respect both individual rights and the collective good.

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