

TOWARDS AN ALTERNATIVE TO RAWLS' THEORY

(III)

I will devote this lecture 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.¹ 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 audience I have a good excuse. I will, nevertheless, hint at socialist theory of justice in a way that would enable one 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, 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 Bombay slums 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 finishing these 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. 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 of 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 of 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 could 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

stand-point 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 is 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*.² 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 also has

similar knowledge can complete his programme, and as many midst us have it, I need not labour at the obvious. Many of you here—I am happy that 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 substance 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 citizens, nor the basic goods to all the citizens, are available. In addition, his knowledge of history (cf. 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 lecture) 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 socialism³ — of whatever shade it might be.⁴ That being the case, 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, *et 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. Thus 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.⁵ For socialists the concept of society is a *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.⁶ 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 becomes the bastion of interests in their fight with socialism. That is why 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. 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 lecture, 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 other. 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 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?) 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 a 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.

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, 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 dispensable. 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.⁸ Alienation and coercion are conterminous; 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 at 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 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 coercers 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.

Now, 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 system⁹. 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. But neither of those 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 those 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 those 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 non-malthusian) modes of reproduction.¹⁰ 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 that we promised unto 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.

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NOTES

1. 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.

2. 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.

3. 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 lecture 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.

4. Social Democrats may suggest direct taxation to control inequalities in wealth, while retaining the rests 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.

5. Socialist thought (cf. Marx) is free from the duality of *production* and *distribution* (see the passage quoted from Marx at the end of lecture 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.

6. 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 those who intend to conjure theories that can be handy tools of authoritarians and also those who need some rationalisation of social injustice.

7. 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 Rawl's.

8. 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 have 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.

9. 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 those 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.

10. 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.

