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THE "VEIL OF IGNORANCE" AND "GENERAL KNOWLEDGE" OF HUMAN NATURE IN JOHN RAWLS' A THEORY OF JUSTICE

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ABSTRACT

The purpose of this study was to examine the conditions of knowledge involved in a feature of John Rawls' work, A Theory of Justice. Specifically, the notion of the "veil of ignorance" was the object of study, along with the related concept of "general knowledge." Within the "original position," the hypothetical contract situation established by Rawls, several rules are invoked to govern the contractual choice of principles of justice. The "veil of ignorance" functions as one of these rules of the initial situation of choice, and it directs any contractor in the situation of choice to use only general information in arriving at principles of justice. Besides the stipulation of general information, or "general knowledge," the contractor is also prohibited from using particular information at the incipient level of decision.

Primarily, the attention of the study was directed toward the extent to which a contractor could adopt the rule of the "veil of ignorance," considering the "veil's" prohibition on particular knowledge and affirmation of "general knowledge." The procedure of the examination involved two facets: (1) the feasibility of someone's adopting the perspective of the contractor was assessed in relation to the inadmissability of particular knowledge; (2) an estimate was made regarding the contractor's having a supply of

"general knowledge," obtained from the behavioral sciences. Generally, the critical task was devoted to the possibility of a contractor's assumption of the total or complete "veil of ignorance," since the total "veil" over particular knowledge appeared fundamental to the contractual situation established by Rawls.

The principal findings of the critical study may be stated in two parts. First, it was determined that several difficulties affected the possibility of a contractor's assuming the perspective required by the "veil of ignorance," although these difficulties in themselves were not deemed as an utter refutation of Rawls' "veil" over knowledge. Secondly, the consideration of extracting statements of "general knowledge" from the behavioral sciences resulted in substantial doubts that such statements could be obtained adequately.

Finally, the conclusion of the study judged that the "veil of ignorance" could not be accepted as fulfilling its functions relative to the censoring of knowledge. It was found to be somewhat inappropriate to the conditions of the human chooser and to knowledge of human behavior.

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CHAPTER I

INTRODUCTION

Through his recent book, A Theory of Justice,* John Rawls attempts to establish those principles of social justice which he believes ought to direct a well ordered society. According to Rawls, the most suitable principles of justice are those which would be chosen in a hypothetically constructed situation of choice. Among the various requirements of the hypothetical choice situation is one of particular import, one designed to limit the extent of knowledge allowed in the situation of choice. The requirement imposing a curb on such knowledge is referred to by Rawls as the "veil of ignorance," and it is primarily intended to exclude particular or specific information from the situation of hypothetical choice, while at the same time admitting the use of "general knowledge" to the situation.[1] In a very broad sense, "general knowledge" is a term used by Rawls in reference to empirical generalizations derived from

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*The principal concern of this thesis involves A Theory of Justice, and it does not pertain to Rawls' earlier works: Neither is the thesis concerned with Rawls' articles subsequent to A Theory of Justice ("The Independence of Moral Theory" and "Fairness to Goodness"), for these are not central to the specific tasks of the thesis.

[1]John Rawls, A Theory of Justice, (Cambridge, Massachusetts: Harvard University Press, 1971), pp. 136-138.

those sciences and disciplines which investigate the nature and behavior of human beings (however, as shall be seen, "general knowledge" in its usage is in need of some clarification and discussion of meaning.)

The stipulation of "general knowledge" as asserted through the concept of the "veil of ignorance" helps Rawls to develop the hypothetical choice of principles of justice, but the stipulation also creates grounds for inquiry and questioning, due both to its unique version of the perspective necessary for the choice of a conception of justice and to the demands it makes on knowledge about human beings. These two grounds of inquiry are evident in the claims which are prominent in Rawls' description of the "general knowledge" requirement as defined by the "veil of ignorance": (1) the claim that it is possible to take the point of view of a hypothetical chooser of principles, who is limited to "general knowledge" in his deliberations; and (2) the claim that statements of "general knowledge" can be logically derived from the sciences dealing with human society and behavior. These grounds for inquiry, the one concerned with the perspective of the hypothetical chooser of a conception of justice, and the other with a basic assumption regarding the nature and use of knowledge about human society and action, are to compose the fundmental

subject matter for this study. The "general knowledge" limitation expressed by the "veil ignorance shall be examined critically in accordance with these two focal claims, and the term "veil of ignorance" as used in this undertaking shall be generally regarded as the full or total "veil" (the staged lifting of the "veil of ignorance" is thus not applicable to the purposes of the critique). As an introduction to such an examination, however, I shall offer some elaboration of the "veil of ignorance" and its requirements of knowledge, especially relating to their role in Rawls' situation of the hypothetical choice of principles of justice. Subsequent to this introductory elaboration, I shall explore certain clarifications of meaning, followed by the examination of "general knowledge" in relation to both the perspective of the hypothetical chooser and the assumptions regarding knowledge of human behavior and society. Finally, I shall attempt to articulate implications of the analysis when conclusions permit such an effort.

Overview of the Situation of Choice in A Theory of Justice

Early in his book Rawls explains his view on the subject of justice, which he distinguishes from the various conceptions of justice it is possible to have. Justice viewed as a subject of philosophical investigation is pri-

marily concerned with the ordering of societal institutions, and the assignments of rights, duties, and advantages flowing from those institutions. Conceptions of justice, on the other hand, are definite views as to exactly how institutions should be ordered, and the most satisfactory arrangements in which distributive assignments can be made. It is possible to put forth a variety of conceptions of justice.[2] Viewed as a subject of inquiry, then the concern of justice is that of the basic structure of society and its appropriate ordering; however there are alternative conceptions of justice which advocate various, preferred ways in which institutions, rights, and duties of society are to be delineated.

"Justice as fairness" is the name Rawls attaches to his particular conception of justice, his notion of exactly how principles should be arrived at and what they should recommend for the basic structural arrangement of society. The name of "justice as fairness" derives from Rawls' idea that principles of justice (as in a conception of justice) are best arrived at in a hypothetical choice situation in which everyone is viewed on an equal footing.[3] The technical term given to this situation is the "original position," and it

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[2]Ibid., pp. 9-10.

[3]Ibid., pp. 12-14.

is defined by: (a) its hypothetical basis; (b) its description as a situation arranged for the choice of a conception of justice; (c) its designation of the situation as one in which all participants are placed in a position of fairness or equality in relation to each other; (d) its stipulation that the agreement on a conception of justice by the parties to the "original position" should be seen as a contract.

Now Rawls does not contend that there has ever been an actual situation of choice as he describes it, for he is interested in composing an imaginary perspective through which we can detach ourselves from prejudices and interests affecting much of our ordinary moral reasoning. The "original position" is thus purely hypothetical; it is a hypothetical arrangement which allows us to choose that ideal conception of justice which could be imagined to guide a society which is well constructed. In order to insure that the "original position" is one which presents a fair and equal situation of choice, Rawls creates several rules to be followed by those parties who are imagined to be in the initial situation of choice. First, the parties to the "original position" are presumed to be unaware of any particular information regarding their own personal identities or the identities of any of the other parties. Neither are they aware of their places in history, nor are they to have any notion of their actual social environments. They are

placed under a "veil of ignorance" and allowed only general facts or knowledge, having no particular awareness other than the knowledge that they exist at some unknown time and place in the world.[4] Besides the "veil of ignorance," the parties to the hypothetical choice situation, that is to the "original position," are assumed to be subject to what are referred to as "circumstances of justice." There are two summary rules composing these circumstances": one of the rules states a motivational standard of rationality and "mutual disinterest" among the choosing parties; the other rule assumes that the parties are choosing a conception of justice with the belief that the conception is to apply to a society under conditions of moderate material scarcity. "Mutual disinterest" means that no party to the "original position" is interested in obtaining more freedom or material goods than any other party, although each party has a definite interest in acquiring what Rawls calls "primary goods." Disinterest in the gains accruing to others also indicates that the parties have no competitive relationship. An approximation of our approach to an absolute accumulation of goods is the goal of each party, not a rivalry and struggle with others. Under "mutual disinterest" the relative gain or accumulation has no bearing on the need to

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[4]Ibid., Ch. III, Sec. 24.

accumulate "primary goods," since Rawls views the parties to the situation of choice as procedural "beings" who focus upon their own individual interests. The parties are assumed to want as many "primary goods" as possible, however not in order to gain more than anyone else, but simply to promote their respective interests. "Primary goods" are those things which rational persons are supposed to want, and they include rights, liberties, powers, opportunities, income-wealth, and self-respect. The doctrine of "primary goods" is necessary as a condition of the "original position" since the various parties to it are denied any notion of their own particular ideas of good, as a result of the "veil of ignorance."[5]

The concept of rationality invoked by Rawls for each party to the "original position" is one emphasizing the greatest possible accumulation of primary goods, with the greatest possible efficiency, in a manner consistent with the motivational requirement mentioned earlier. Through rational choice the parties are said to be capable of ranking their various preferences relative to the different "primary goods." Moreover, the conceptions of justice which are hypothetically presented to the parties for consideration, are judged under constraints of moral reasoning.

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[5]Ibid., pp. 144-145.

The constraints are a group of five conditions which the parties use to aid in the rejection or acceptance of conceptions of justice, and they further help Rawls to arrange a situation of equality for the parties in the "original position." Generality of principle, universality of application, the public acknowledgement of principles adopted, the principled ordering of conflicting claims, and the finality of the agreement on principles are the constraints or conditions which are imputed by Rawls to assist in the choice of the best possible conception of justice. Some of these conditions are similar to certain versions of the "moral point of view."

The outcome of the deliberations and bargaining of the parties in the "original position" is projected by Rawls as a situation of agreement, one ending in what could be called a contract for the cooperative application of the conception of justice agreed to by the parties, or contractors as they can also be named. As can be seen, Rawls' arrangement of the "original position" is an outgrowth of his conception of "justice as fairness." The expression does not mean that justice is literally equivalent to fairness. It is intended to emphasize the desirability of viewing the adoption of a conception of justice as the outcome of a fair and equal situation or procedure.

In A Theory of Justice Rawls argues that the choice of a conception of justice in the "original position" should result in two deontological principles of justice.[6] In their final formulation the principles are:

> First Principle
> Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.
>
> Second Principle
> 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 principles of justice are propounded by Rawls as not only the rational choice in the "original position" but also the most suitable choice of principles in relation to desirable traits of social systems, traits like stability, support, and continuity. Not only does Rawls believe the principles of justice to be the most socially stable conception of justice and the closest approximation to rightness, he also contends that they answer to the total benefit and good of human beings.

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[6]Ibid., pp. 302-303.

The Dependence of Justification of the "Veil of Ignorance" Upon Its Basic Function

In arguing for the desirability of the inclusion of the "veil of ignorance" in his theory of justice, Rawls stresses several specific conditions that are fulfilled by its use. First, the "veil of ignorance" eliminates "arbitrary contingencies" from the situation of choice. Nobody is disadvantaged by the gratuitous occurrences of birth, relations with others, or the accidents of life. Rawls also asserts that the "veil of ignorance" rids the decision process in the choice of just principles of the distortions of self or group interest. So, in the position of choice inequality and unfairness are precluded by making every party to the decision process at least hypothetically the same, alike in the knowledge permitted to the participants and alike in the absence of any individualizing personality traits. In Rawls' view, the parties under the "veil of ignorance" could in a sense be described as Kantian "noumenal selves," to the extent that they are autonomous, equal, and rational beings.[7]

Through the requirement of "general knowledge" Rawls believes the "veil of ignorance" provides a fundamental

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[7]Ibid., p. 255.

ground for a unanimous result in the hypothetical choice process. With relevant information limited to the general, a specific conception of justice is derived from the "original position." Without the boundary on permissible knowledge, it is Rawls' opinion that no specific conception of justice could be developed, certainly not one with any depth or applicability in solving conflicts of rights and duties.

The assertions noted above for the limitations of knowledge by the "veil of ignorance" have a direct bearing on the central focus of the subsequent discussion and examination. All of the assertions made by Rawls as a justification for the "veil of ignorance" are dependent upon the reliability of the "veil of ignorance" itself to perform according to the tasks demanded of it in the situation of choice. Two major tasks of the "veil of ignorance" were alluded to near the opening of this discussion, when they were stated as claims made by Rawls for the functioning of the "veil of ignorance." These claims, to reiterate, assert that the perspective of the "veil of ignorance" can be adopted by someone who wishes to place himself in an "original position" for the selection of a conception of justice, and that statements of "general knowledge" can be derived from the empirical information expressed in the sciences and disciplines investigating human nature, behavior, and society (the social sciences, psychology, etc.).

The arguments Rawls uses in justifying the "veil of ignorance" (unaminous choice of a conception of justice, the choice of a definite, substantive conception of justice, the choice as characterized by fairness, the choice as a product of autonomous and rational decision) presuppose that the "veil of ignorance," with its component requirement of "general knowledge," can plausibly serve as it is claimed to function. It appears, then, that before acknowledging the justifications of the "veil of ignorance" on the grounds of its unanimity or fairness, we must try to determine whether its basic functioning and operation are feasible. If "general knowledge" of human nature cannot be derived as the "veil" dictates, then justifications of unanimity, fairness, rationality, etc. would consequently suffer. Likewise, if the perspective of the contractor, limited to "general knowledge" by the "veil of ignorance," is for some reason not adaptable as theory demands, then the various justifications for the "veil of ignorance" are similarly open to doubt.

The main object in this examination of the "veil of ignorance" concept and its limitation is not in the justifying virtues of the "veil," but with its ability to function as a point of view concerned to preside over the choice of a conception of justice through a strict limit placed upon knowledge about human beings.

CHAPTER II

THE MEANING OF CENTRAL TERMS

In preparation for the critical tasks of the following sections, it is necessary to address more exactly the meaning of some primary concepts. Specifically, Rawls' use of some notions relating to the "veil of ignorance" shall be considered in some detail in order to clarify them. The terms I especially want to examine are (1) simulation and (2) general and particular knowledge. The first term refers to the way in which the "veil of ignorance" is to be applied while the latter pair of terms are concerned with definite constituents of the content of the "veil of ignorance."

When Rawls describes the "original position" as a "simulated" situation of choice, he is also apparently implying that the "veil of ignorance" can be simulated, since it is a distinctive element in the situation defined by the "original position." Just as certain material and motivational assumptions form simulated elements in the "original position," so the "veil of ignorance" is also to be simulated.[8] Although the simulation of some things might involve only a relatively simple copy or imitation, such as

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[8]Ibid., p. 19.

simulating a diagram, the simulation of the "veil of ignorance" requires a different and possibly more abstract imitation. This perhaps more abstract notion of simulation results from the need of someone simulating the "veil of ignorance" to place himself imaginatively under its constraints upon knowledge. Rawls dismisses the suggestion that any dimension of the "original position" can be grasped in a literal fashion, that much is clear, but he is not always lucid in his judgment of how we are imaginatively to simulate the elements of the "original position," including the "veil of ignorance." At points he suggests that one needs to make the simulation as vivid and powerful as possible, although on other occasions simulation seems to include much less emphatic vividness. There is no question of contradiction in this context, for Rawls does not directly contradict himself here; however there does appear to be some variation of meaning in relation to the references which are devoted to the description of "simulation."[9] Within one context, simulation is presented as simply "following a certain procedure," one which is meant to express constraints upon arguments. But at a subsequent part of Rawls' argumentation, simulation is also

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[9]Ibid., p. 19 and 139.

said to be amenable to imagining a situation involving communciation between parties to the "original position" with a referee as intermediary. In A Theory of Justice, then the degree of vividness preferred by Rawls is not wholly without some ambiguity, as this vividness is related to the simulation of the features of choice required by the "original position." In other words, the extent to which we are to employ our imaginations to imitate the conditions of choice in the "original position" is not specified with exactitude by Rawls.

Previously I stated that the term "general knowledge" as used by Rawls appears to refer broadly to the empirical generalizations derived from the social and psychological sciences. Thus Rawls asserts:

> It is taken for granted that they [the contractors] know the general facts about human society. They understand political affairs and the principles of economic theory; they know the basis of social organization and the laws of human psychology.[10]

He states furthermore that, "there are no limitations on general information, that is, on general laws and theories . . . ." From these statements and others made by Rawls it seems that the parties choosing under the "veil of

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[10]Ibid., p. 137.

ignorance" are to have an awareness of more than one type of general scientific statement regarding human behavior. Explicit references are used in pointing to the contractors' apprehension of laws, theories, and presumably any other information of a non-specific kind.

At least several observations on Rawls' explication of the meaning of "general knowledge" can be made. First, in describing his idea of "general knowledge" Rawls is implying what particular knowledge is excluded from the "original position" position by the "veil of ignorance." The knowledge excluded from the situation of choice, which is referred to as "particular knowledge," obviously refers to any knowledge which is not a statement of law, theory, or other general fact. Certainly information that is specific to a person is automatically eliminated from the requirement of "general knowledge," and is thus designated as inadmissable to the awareness of the contractors under the "veil of ignorance." However, the imperative of "general knowledge" is also supposed to preclude the employment of any information which might possibly be used to pinpoint the particular society or temporal existence to which the contractors belong. Rawls manages to distinguish relatively sharply the categorical role of "general knowledge" and the types of knowledge excluded as "particular of knowledge

however it is possible that the distinction between the general and the particular may become less recognizable in the later discussion of their relations to statements of a scientific nature.[11]

A second observation pertaining to the meaning of "general knowledge" involves the multiplicity of the types of scientific statements allowed under the concept. Rawls does not attempt to treat in detail the understanding he has of socio-psychological statements. "General knowledge" can be viewed most fundamentally as "information" or "facts" of a universal character. In turn, universal or general scientific information and facts translate into those laws or principles, and theories resulting from the empirical, scientific investigation of human behavior and society. Although laws and theories are treated in a unified way by Rawls from an interpretive viewpoint, such a bunching or unification of terms may not be helpful to the clarity of the concept of "general knowledge." The principal reason for this is that theories, laws, and observed similarities may not be the same in the order of scientific function to which they adhere. Occasionally in socio-psychological discourse knowledge which is most well estalished might be put in the form of a scientific law, although it will

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[11]Ibid., pp. 137-138.

generally be probabilistic.[12] Theories, however, are often used to identify any view which represents, relates, and explains a grouping of data. (The relevant point here is that a "law" of human behavior, or any scientific law, usually plays a different role in the activity of empirical inquiry than does the more relational notion of a theory.) The scientific statements which are categorized by Rawls as "general knowledge" may very well be generalizations, but those statements are problably more diverse than his treatment of them suggests.[13] Laws, theories, and replicated observations can be indeed be formed into the language of universal propositions, but the functions and level of genrealization in those propositions may differ markedly. None of this is to say that Rawls denies there are different orders and functions of scientific generalizations, but only that he does not explicitly discuss them in relation to the notion of "general knowledge."

A final remark can be made regarding the meaning of "general knowledge" as it is featured in the "veil of ignorance." For the most part, Rawls states that no general information should be withheld from the contractors, but he does make one qualification to this rule on the availability

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[12]Richard Rudner, Philosophy of Social Science, (Englewood Cliffs, N.J.: Prentice Hall Inc., 1966), p. 67.

[13]Ibid., pp. 10-11.

of information. This qualification of the rule of total general information is asserted to be necessary for the presentation of knowledge of limited complexity to the hypothetical contractors.[14] Rawls believes that if "general knowledge" is to be viewed as open to the wider public, then it must be limited in the theoretical understanding required for its apprehension. Although he does not devote a great deal of attention to the qualification on "general knowledge," Rawls does mention it in a more than incidental manner. No attempt is made by Rawls, however, to elicit any concrete implications from this practical limit upon the knowledge permitted under the "veil of ignorance." It might be said that to consistently discard or overlook knowledge of "excess" complexity could conceivably be unfortunate and misdirecting for the efforts of contractors in need of the most complete "general knowledge" possible. In any case, though, Rawls advises the practical temporing of the "general knowledge" requirement with the need for a widely understood and justified public conception of justice.

The requirement of "general knowledge" is used by Rawls to specify what kinds of knowledge are legitimate and illegitimate to the "original position"; it also appears to combine the meanings of discrete scientific generalizations

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[14]Rawls, op. cit., p. 142.

into one inclusive category or concept. Thirdly, although at some points in A Theory of Justice "general knowledge" is described as any and all general information on human behavior, Rawls also consciously constrains the required full availability of information by the practical necessity for the public apprehension of scientific statements. As the concept of "general knowledge" is sketched by Rawls, its meaning may first appear simpler than it actually is upon reflection. The suggestion emanating from the consideration of its meaning is that "general knowledge" is a term of some complication, part of it probably unintended by Rawls. In his references to the notion of "simulation" Rawls may have created an unnecessary variation in emphasis pertaining to the degree of imaginative vividness involved in the conception of the "original position." At times all the contractors need do is reason according to the requisite constraints of the situation of choice, while at others more concern is given to the creation of a "real feeling" for the situation of choice.

CHAPTER III

THE PERSPECTIVE OF CHOICE AND THE RULE OF "GENERAL KNOWLEDGE" UNDER THE "VEIL OF IGNORANCE"

The first of the two claims to be addressed in this examination of the limit of general knowledge on the hypothetical choice situation shall be the assertion that the hypothetical contractor or chooser could adopt the requirement of general knowledge as Rawls prescribes. Principally, the focus of discussion here is on the ability of a hypothetical chooser of a conception of justice to follow the rules of "general knowledge" in the situation of choice, while at the same time discounting any role to particular knowledge in the process of decision. As a perspective or point of view of choice, the hypothetical contractor's situation involves much more than the "veil of ignorance" and its demands, however the "veil" with its component of "general knowledge" plays a significant part in the arrangement of that situation. The larger ordering of the contractor's situation, then, is not under direct scrutiny, but merely that element in it denoted by the standard of "general knowledge," as expressed through the "veil of ignorance."

A hypothetical contractor selecting principles under the "veil of ignorance" is obliged to utilize only general empirical knowledge, and to eschew the particulars referring to the great variety of information specific to any individual's spatio-temporal definition or identity. Given the basic duty to choose a conception of justice through the means of "general knowledge" alone, the hypothetical contractor must substantially inhibit the influence of particulars in his selection and concomitantly take strictly into account the statements of "general knowledge" deemed appropriate for consideration. The disavowal of particulars in the hypothetical contractor's choice and his admission of the general necessitates the relative absence of covert or unrecognized influences on the contractor's decision. Essentially, covert interests of a particular nature must be substantially excluded from the deliberations of the contractor. Although they may very well not be the only ones, it is suggested that at least two vehicles of particular interests should be considered as possible covert influences on the choice of a hypothetical contractor. These two classes of possible covert influences upon the contractor's choice may be termed (1) distortions of unconscious impulse and (2) conceptual distortions. Whether or not a hypothetical contractor could choose according to the standard of "general knowledge" must be dependent to a significant extent on his ability to select principles

substantially unsubverted by cryptic influences. The following discussion in this section is to determine the nature of covert influences on the contractor's deliberations of choice and their impact on those deliberations.

In referring to "unconscious impulses" as possible distorting forces on the choice of the contractor, I do not mean to assert the existence of an underlying structure of the human personality, such as that proposed by Sigmund Freud. It is certainly possible that an unconscious entity of the personality does exist, but the ontological status of such an entity is not necessary to discussing issues regarding unrecognized influences upon the actions of a hypothetical contractor.

There might be various ways in which unconscious influences on the contractor's choice could be said to affect the rules of knowledge governing that choice, and among the commentators on A Theory of Justice unconscious influences have not been totally neglected in critical remarks. For instance, in his book, Understanding Rawls, Robert Wolff carries forth a critical argument against Rawls' concept of knowledge by invoking Frued's view of the unconscious.[15] However, Wolff's argument is not applicable

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[15]Robert Paul Wolff, Understanding Rawls: A Reconstruction and Critique of a Theory of Justice, (Princeton, New Jersey: Princeton University Press, 1977), Ch. XII.

to this specific context, although it is given attention at a later point in this essay. A more immediately germane criticism is proposed by Richard Brandt, in a short section of a book devoted to a subject other than Rawls' work. In his discussion of the hypothetical contractor's selection of principles, Brandt contends that unconscious impulses would influence the contractor's choice and thereby effect what had been accepted as a rational, conscious process.[16] Brandt argues that "desires" of which we are unaware often cause us to perform actions, and that such "desires" would likewise affect the choices of a contractor in the "original position."

That human behavior can be influenced, sometimes even determined by unconscious desires or impulses, appears to be faily well established in the discipline of psychology, except that the origin and the precise operation of those impulses are not apparently sources of extensive agreement.[17] Brandt's argument against Rawls' view of choice under the rule of "general knowledge" is partially based on an analogy between human behavior set within the

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[16]Richard Brandt, A Theory of The Good and The Right. (New York: Oxford University Press, 1979), pp. 240-241.

[17]W.M. O'Neil, The Beginnings of Modern Psychology, (Baltimore, Maryland: Penquin Books, Inc., 1968), pp. 120-121.

conditions of everyday life on the one hand, and the behavior of a hypothetical contractor subject to the constraints of the "original position," including the "veil of ignorance." Certainly in a very fundamental and mundane sense the analogy seems correct; it seems to hold in reference to the fact that a contractor would be a human being similar to others of the species. Rawls himself is cognizant of some of the concrete impingements limiting the fulfillment of the hypothetical contractor's theoretical role, and he acknowledges that practical difficulties would probably affect the process of choice engaged in by someone adopting the perspective of a contractor.[18] Unfortunately, Rawls is not very explicit in the exact ways in which difficulties of a practical nature might emerge, and he does not appear to develop any definite defense against a critical view like Brandt's.

It is undeniable that a human being placed in the role of a selector of a conception of justice would be under greater discipline of thought than would be the case of a human being under ordinary conditions of life, or most ordinary conditions of choice. However, if one grants that human beings are indeed, sometimes at least, motivated to choose courses of action by impulses or desires not

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[18]Rawls, op. cit., p. 147.

consciously known, then it seems very likely that someone adopting the role of the contractor, subject to the constraint of "general knowledge" and other constraints as well, would be potentially at risk to unconscious motivations or impulses. This is not to say that a person in the role of the contractor would necessarily be as apt to choose from unconscious impulses as would the same person under ordinary conditions. In the role of the contractor, a person might be less disposed to make choices subject to unconscious motivations.

The critical remarks made by Brandt do not delineate in any depth the possible ways in which a contractor subject to the condition of "general knowledge," and the "veil" as a whole, could be unconsciously influenced in the choice of a conception of justice. As a result of this lack of a treatment in detail, I shall attempt to suggest some possible ways that unconscious influences could affect the contractor's choice through the standard of the "veil of ignorance" and its component of "general knowledge." Before, however these modes of unconscious influence upon choice are discussed, perhaps some attention should be directed to a pre-supposition of their description. That is, to the question of how the particulars of unconscious influence could affect the choice of principles. Certainly particular information is not formally admissable to the contract situation, which would provide the direction to

unconscious interests. But in the process of selecting appropriate statements of knowledge, and in disallowing any particular interests a role in the whole situation of choice, the contractor would retain a basic memory of some personal interests, and he might also be subject to interests not immediately available to conscious recall through the memory. Although there would be a procedural rejection of the conscious use of particular interests derived from personal experience, this procedural impediment could probably not be relied upon to prevent the illegimate entrance of particular interests into the contractor's deliberations. Reliance of such a nature would be questionable because of the very real possibility that the formal procedures and rules of human life are quite often circumvented or distorted by persons motivated by procedurally bogus, unconscious desires.

At least two broad patterns of possible unconscious violations of the standard of allowable information or knowledge may be identified. First, it is not fanciful that particular interests excluded by the "veil of ignorance" could unconsciously penetrate and pervert the standards of knowledge established by the "veil," and thereby illicitly contribute to the choice of principles. Secondly, the possibility could be anticipated that the statements of knowledge anchoring a conception of justice, thought by the

chooser to have been consciously selected, could actually be statements chosen at least partially through influence originating from unconsciously expressed desires and impulses. Implicit within the latter unconscious violation of the rule of "general knowledge" is the notion that particular interests might play a role in a choice of principles through a relative governance over the background ideas and theories forming the knowledge base of the choice. As can be observed, the above possibilities for unconscious violations of the standard of "general knowledge" are pointed primarily at the hypothetical contractor's use of a knowledge base. But the incidental statement could also be made that a direct, unconscious influence upon the nature of principles of justice themselves is not outside the realm of belief, although such an undertaking is not of central importance to this discussion.

With regard to the first sort of unconscious violation of the rule of "general knowledge," the term "violation" refers to the contingency of personally focused interests altering the general nature of the knowledge allowed as input into the situation of choice. These personal interests could be channeled into an influence in the decision process by means of impulses or desires incognizant to the contractor. The interests would have a particularistic character because of their concrete expression of individual needs and demands as the central

concern. A couple of variations of unconsciously expressed particular interests may be distinguished. One sub-type could be conjectured as the unconscious influence of a a specific anxiety or need of the contractor, emphasizing his own well being over the realtive import of various statements of "general knowledge." The other sub-type of a personally focused and particular influence over the use of knowledge statements refers to those particular unconscious influences which might reflect the contractor's actual anxieties or fears for other persons. As with the first sub-type such particular psychological phenomena might influence the consideration or relative importance attributed to statements of "general knowledge" already accepted within the contract situation.

The first sub-type of unconscious influence just alluded to, that of a possible anxiety of the self of the contractor for his concrete well being, is one which could provide a powerful impetus toward the violation of the standard of "general knowledge" during the decision process of the situation of choice. Particular interest as described in this case is clearly precluded from the simulated "original position" by the "veil of ignorance," since only general knowledge is admissable. Exactly how a particular interest deriving from a contractor's unconscious anxieties for self might occur is not too difficult to

discern. For example, anxieties for the well being of self might arise as a consequence of direct material or emotional deprivation during childhood, or from a fear of deprivation inculcated in a child by parents who themselves had experienced such deprivation first-hand. Childhood deprivation could lead a party in the contract situation to unconsciously favor theoretical statements promoting a very rigid notion of conformance to habits and behaviors of a statistically "model" American family. Thus someone adopting the formal perspective of the contractor could quite possibly be consciously disposed toward the admittance of only "general knowledge" in his considerations, but at the same time prejudiced by abstruse, unconscious influences deriving from anxieties for his own welfare. Furthermore, these unconscious expressions of peculiar anxieties for the welfare of self of the contractor might cause him, let us say, to emphasize some general social or psychological statements to the extreme, without his consciously doing so. It might not even be necessary to speculate that the distortion in the relative emphasis of statements of "general knowledge" were glaring. Perhaps these anxieties (of unknown origin to a contractor) for the welfare of the self influenced a relative emphasis of statements in more incremental ways. Still, it is possible that this less extreme diversion from a rational emphasis of knowledge statements would be sufficient to create a consequent

alteration of the principles of justice chosen. The employment of the image of the contractor's being unconsciously influenced by his anxieties is not the only case of this kind which could be sketched. Obsessions and substantially baseless fears could also be suggested as ways in which covert and irrational concerns of the self might influence the manner in which statements of "general knowledge" could be manipulated by the contractor.

A similar case of possible covert influence upon the contractor's handling of knowledge can also be pointed out relative to other anxieties and fears. In this context the psychological phenomena could be attached in various fashions to the magnified overprotection of others significant to the contractor in his daily life. Suppose that the contractor in his day-to-day life retains a dread that he will incur the loss of his family. Now regardless of the nature of causation for his particular fear, the dread of losing people with strong social-emotional bonds to him might cause him, quite unwittingly, to alter his judgment of certain social and pscyhological knowledge. In this case, and in the previous one as well, there appears to be the possibility that idiosyncracies of the contractor's personality could conceivably have an uncomprehended effect on the contractor's weighing of knowledge statements. The personality anomalies of the contractor could be associated with either somewhat exaggerated concerns for the welfare of

self, or with an exaggerated emphasis upon the contingencies of losing those persons having strong emotional relations with the contractor. Prejudicial selection and emphasis of statements of knowledge could then play a role in the choice of conceptions of justice, when it is considered that conceptions would be based to an extent on the nature of the statements of knowledge. Fears and anxieties could contribute to an unconscious perversion of the process of choice. An intense anxiety directed to the material well being of self might lead to a theory of justice stressing the accumulation of individual power or wealth, if this anxiety were assumed to manifest itself aggressively. But a theory emphasizing an extremely structured comformity might also be conjectured for someone reacting passively to physical deprivation. Similarly, it is possible that someone who greatly feared the loss of "significant others" would opt for a conception allowing for a very structured and intense pattern of conformist relations. If the prior suggestions are correct, then a contractor afflicted with a relatively pronounced chronic anxiety would not have inordinate difficulty in emphasizing certain prejudiced statements of knowledge to suit a perverted choice of principles. Prejudicial emphasis of knowledge could be utilized to defend a given choice of principles governing the social structure.

The effects of distorted propositions of knowledge can be imagined to pass from the top of the Rawlsian choice of broad principles down through the choice of constitutional arrangements, and to the policies of government. For instance, a conception of justice which had been influenced by an exaggerated need for great security might result in principles allowing for little individual autonomy; a constitution or legal pattern insisting upon a strict, feudalistic web of mutual obligations, and a government based on authority concentrated in a formally recognized elite group. Of course, this is merely a tentative possibility relating how concrete principles and structures might ultimately be influenced by the distorting effects of a definite anxiety or unconscious fear in a contractor. It is preferable to regard the above sub-types of unconscious influence upon the contractor's employment of knowledge as suggestions of what could possibly occur, not as predictions of what would always be likely to develop.

The notion of unconscious influences upon the contractor's use of statements of "general knowledge" can also be addressed to one other broad type or category. It is possible to envision the contractor's manipulation and employment of a general statement of knowledge, based upon an unconscious aversion to or acceptance of the type and symmetry of the idea conveyed in the statement. For instance, a contractor might have a preference for a theory

of motivation which is based upon one or two primitive drives, and a disagreeable attitude toward a theory stressing more multiple motivational drives. Furthermore, it could be supposed that the contractor's emphasis of one theory over the other resulted not from the nature of the evidence, but from his own unconscious attraction toward the complexity of ideas. In such a situation, the contractor might unconsciously attribute greater weight to the multiple motivational theory than to the simpler one. Other situations can be envisioned which would involve covert influences in the preference for certain statements of knowledge over others, at least partially as a consequence of unconscious commitment to style or aesthetics. However, to refrain from belaboring the point, I should merely point out that unconscious emotional attractions and repellants could be thought of as circumventing the claims of rational selection by the illicit force of style in ideas.

Through this discussion of the possible influence of unconscious personality factors upon the contractor's application of "general knowledge," the attempt has been made to suggest the feasibility of the occurrence of these influences in a situation of choice. If it is assented that unconscious factors of personality sometimes influence the conscious actions (including choices) of humans, then the manipulation of statements of "general knowledge" by the contractor becomes open to question. The point was made

earlier that one assuming the role of the hypothetical contractor would probably be more disciplined in thought than someone thinking and acting ordinarily. But due to the fundamental humanity of the person adopting the perspective of the contractor, it seems somewhat doubtful whether he could inhibit the influence of unconscious fears of anxieties by the logical instruments of the "original position," or more specifically, by the governance of the stipulation of "general knowledge" as recommended in the "veil of ignorance." Finally, in order to affirm the occurrence of unconscious influences upon the contractor's choices, it is not necessary to assume that the contractor is insane or incapacitated by pathology. All that really needs to be assumed is that behind the role of the contractor is a human person who is subject to commonly experienced anxieties, minor compulsions and fears.

Another possible source of unintended influence affecting the integrity of knowledge formally used in the "original position" is one resulting from relations between concepts. The influence of relevance here is not the product of strictly unconscious motives or impulses, for it is involved in the nature of human conceptual activity. Perhaps it should be noted here that John Schaar argues that Rawls overlooks the human inability to think in purely general terms about morality, religion, and culture.

However Schaar's argument is concerned basically with the non-specific notions of morality or religion which the hypothetical contractor is supposed to have, and his criticism is not a detailed treatment of "general knowledge" as statements of social scientific generalizations.[19] But to continue, when humans grasp or use a concept, (adult humans it can be supposed) their ability to understand the concept is partially dependent on the understanding of prior concepts, both temporally and logically. For example, if someone wants to grasp a theory explaining history as the process of successively developing stages, it is first necessary for that person to have a grasp of simpler and more basic concepts, finally arriving at concepts so simple that they may refer directly to those things which Rawls seems to mean by particulars. If the historical conception in the example is to have meaning to the learner, then he must know a great many constituent concepts including notions of causation, change, time, a variety of social relations, and a indeterminate number of other concepts. In turn, if the notion of social relations were analyzed it would yield simpler terms, some of them referring to social positions and roles such as mother, father, policeman, and

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[19]John Schaar, "Reflections on Rawls' Theory of Justice," Social Theory and Practice, Vol. III, No. 1, Spring 1974, pp. 75-100.

friend. Besides the conceptual entailment process delineated in the example, it may also be pointed out that the understanding of concepts also carries with it emotional associations. Such an emotional connection with the apprehension of a concept is apparent in the memory of a student who was taught the idea by a teacher for whom he had a personal fondness.

None of this is to imply that the truth or falsity of assertions of knowledge is dependent upon the social or psychological context in which the knowledge was learned. Absurdity would be the final end reached by a proposal of that nature. The import of conceptual entailment and conceptual-emotional associations may be in the limitations they pose for someone trying to employ statements of "general knowledge" in a judgmental or comparative way. By the terms judgmental or comparative, I mean the methods by which a hypothetical contractor would probably have to manipulate knowledge. He would likely find it necessary to relate and synthesize general statements from various fields of study, since they would not be ready-made as tools for his use. A person putting himself in the role of the contractor would be potentially vulnerable to the entrance of particular information into his decison, a vulnerability arising from the logical associations between concepts and the emotional connections engendered by certain concepts. Particulars of experience could enter as a result of the

simpler concepts being presuppositions of the broader concepts of "general knowledge" used by the contractor. The influence of particular prejudicial information might also enter the contractor's deliberations through the emotional connotations evoked by given concepts expressed in or implicated by statements of "general knowledge." An unforseen and furtive influence upon the interpretation and ordering of knowledge statements could thus occur.

The unintended influence of human conceptual activity would seem to be a threat to a hypothetical contractor who had no awareness of the implicit particular information associated with complex concepts. Although the impact or influence of such particulars on statements or "general knowledge" used in the situation of choice might not be fatal to the decision of principles, the imposition of the particulars could diminish the fashion in which statements of knowledge were synthesized or placed in an order of emphasis and importance.

The discussion of unconscious influences and conceptual exigencies reveals some indications that particular interests unintended by Rawls' description of the hypothetical contract situation might enter into the deliberations of the contractor. If this contamination of the "general" deliberations of the contractor occurred, then, as a consequence, the requirements of the "veil of ignorance" would

be insulted. The degradation of the rule of "general knowledge" is not completely unanticipated by Rawls, as was touched upon earlier. In qualifying to an extent his expectations for the entire "original position," Rawls evokes a somewhat cautious attitude toward the actual functioning of its standards including that of "general knowledge." As a part of the "original position" it is said to be a device permitting us to achieve a detachment from the limits of individual interest, a way of gaining distance from the shortsightedness of the ordinary. To adopt the perspective of the contractor is ostensibly to insure that the deliberations and choice of principles are more firmly based than they would otherwise be.

The difficulty in the role of the contractor appears in the possible gap between the usefulness of the perspective, and the concrete or operational problems affecting its adoption. From the point of view of the contractor, as distinguished from the composition of the knowledge used by the contractor, the obligation to adhere to the standard of "general knowledge" is perhaps even more complicated than Rawls' qualifications intimate. And within the theory set forth by Rawls these complexities present the potential for serious compromises of a major goal of the contractor: to arrive at a decision of principles of justice based, among other things, on strict attention to general information.

In the theoretical position of A Theory of Justice, there does not appear to be a confirmed attempt to determine the seriousness of the complicating factors described in this section. Part of the reason for this may be that Rawls' book is wide ranging, and concerned to advocate a comprehensive theory of justice. Thus it cannot be expected to engage every theoretical aspect containing a problematic character. But for whatever reason the role of the hypothetical contractor is a somewhat tenuous position of choice, as a result of the potential of the position to be affected by the particulars of experience. The precise extent to which the influence of these particulars would still allow a workable perspective to the contractor is very difficult to ascertain. Without some awareness for these problems by the person adopting the contractor's role, some possibly dire implications could be expected through the distorting influences of interests conveyed to the decision process covertly. A naive person in the contractor's position could well come to conclusions of principle at variance with those he would have concluded under more enlightened appraisals of his own prospects or potential for covert misguidance.

The appearance of hindrances to the theoretical satisfaction of the rule of "general knowledge," from the point of view of the contractor's ability to judge, does not mean that the position should be dismissed out of hand. Perhaps

an approximation of the contractor's general perspective is still a consideration of some tenability. There may be a multiplicity of ways in which the point of view of choice could be revised to attain some decrease in the contractor's vulnerability to particular influences. One tentative ameliorative shall be proposed here: it is the suggestion that anyone wishing to adopt the role of judgment represented by the contractor should have previously analyzed his personality through an eclectic psychological investigation.

The recommendation concerning the psychological examination of personality is not to be interpreted as an affirmation of psychoanalysis or any other particular theory of personality. Neither is the necessity of any kind of professional psychotherapy being proposed. However, a self-examination of personal desires, similar to that advised by Richard Brandt in A Theory of the Good and the Right, would seem to be helpful. Not all of the theory of personal examination advocated by Brandt is relevant to the situation of the prospective adoptor of the contractor's perspective.[20] But the classification and understanding of various motives, anxieties, and underlying concerns might contribute to a more lucid judgment of principles of justice by someone in the contractor's role. Increased self-understanding could probably form a less complicated and problematic ground upon which prejudice would not be a pre-

dominantly unconscious force. The reduction in unconscious influences would, then, reduce the chances of violating the "general knowledge" rule, at least relative to the ability of someone to adopt the contractor's position of choice. An examination of personality could also increase the awareness of a potential hypothetical contractor for previously uncritical acceptance of conceptual uses. That is, some insight into the conceptual manipulations specific to a potential contractor could perhaps be gained through psychological examination.

The practice of the psychological examination of the personality would obviously not entirely prevent the occurrence of self-deception, and rationalization in deliberations under the standard of "general knowledge." Furthermore, it is probably inconceivable that all particular influences resulting from conceptual uses could be avoided. But I believe that a potential contractor would have a somewhat improved ability in avoiding particular influences and adhering to the requirement of a general attitude, if he were to attempt to comprehend his own motivations and desires.

In this chapter the attempt has been made to explain how the fulfillment of the rule of "general knowledge" is

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[20]Brandt, op. cit., Ch. VI, esp. pp. 113-114.

probably hindered by the unconscious and conceptual limitations affecting anyone trying to follow only the formal prescriptions elaborated by Rawls. The context of the discussion has been the possibility of someone's putting himself in the role of the contractor and deliberating in only a general way, in accordance with the "veil of ignorance." Given the likely human limitations imposed unconsciously and conceptually upon someone trying to think in only general terms, it appears that a need consequently develops to close part of the gap between Rawls' prescriptions for the contractor and the extent of human ability to adopt them. One possible method of accomplishing this aim, it has been suggested, is for the potential contractor to investigate his own motivations, personality dynamics, and conceptual associations. The benefits resulting from such an investigation would doubtlessly be quite moderate, but it may not be too enthusiastic to suppose that they would reduce somewhat the difficulty of a human being in adopting the standpoint of general deliberation. However, even with this improvement, the "veil of ignorance" would still be open to the criticism of serious violations of its ban upon particular influences, even though somewhat less urgently than it might otherwise be.

CHAPTER IV

RAWLS' VIEW OF THE DERIVATION OF "GENERAL KNOWLEDGE" FROM THE SCIENCES DEALING WITH HUMAN "NATURE"

While the body of discussion in the previous section of this study was addressed to the adoption of the contractor's perspective, the immediate concern here shall be Rawls' view of the knowledge which the hypothetical contractor is allowed to use in his deliberations. Statements or propositions of "general knowledge," according to Rawls, can be extracted from the sciences of human "nature" or behavior, and apparently obtained in sufficient quantity to allow something of an informed choice of principle. Of course, the notion of an informed choice in relation to A Theory of Justice is much different from another paradigm of judgment, namely the concept known as the "ideal observer" or "ideal spectator." Rawls argues extensively against the use of information assumed by the "ideal observer" theory of ethical choice. The assumption of the latter theory is that we should have available for our use the greatest possible amount of information about the ethical situation and object of concern.[21] Instead of the goal of full information,

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[21]Roderick Firth, "Ethical Absolutism and The Ideal Observer," Philosophy and Phenomenological Research, Vol. XII, pp. 317-345.

Rawls substitutes general relevant information, along with a shift in motivation from benevolence to "mutual disinterest." One reason for Rawls' development of the alternative theory is his belief that a full information assumption leads to an excessive tendency toward prejudice. Conversely, the "veil of ignorance" is designed to mitigate that which could be used opportunistically. One side of the relation between prejudice or particular interest and knowledge has received some attention, relative to the adoption of perspective, however that dimension of the relation germane to nonparticular, generalized statements of knowledge is probably just as crucial as the perspectival. The notion of implementing generalized statements in the hypothetical situation of choice has not been overlooked by some commentators on Rawls.

Treatments of one extent or another regarding the efficacy of the "general knowledge" concept have been forthcoming from philosophical critics like Leon Craig, David Shaeffer, and Robert Wolff. Each of them has evoked critical remarks about the feasibility of constructing a body of "general knowledge" from the sciences of human behavior (here behavior does not refer to "behaviorism" or its validity). Craig questions whether sciences of human behavior are possible in principle, however he does this mainly to point out the absence of any defense to the

contrary in A Theory of Justice.[22] Within a discussion of the "original position," Schaeffer doubts whether Rawls' assumptions on the social sciences are acceptable, and whether any really informative general statements can be drawn from them.[23] But it should be pointed out that neither Craig nor Schaeffer offers a discussion of the philosophy of social science in reference to "general knowledge." All three commentators seem to have an agreed skepticism in the success of deriving general statements from the social sciences, as Rawls proposes for the situation of choice. The critique presented by Wolff, however, is the more precise and elaborate in its argument, besides which Wolff addresses the same problems mentioned by Craig and Schaeffer. Due to these considerations, Wolff's criticism shall be used as a point of both analytical discussion and a vehicle for departure.

Wolff directs two principal critical arguments against Rawls' perception of the "general knowledge" at the disposal of the hypothetical contractor. Errors relating to "general knowledge" are attributed to Rawls by Wolff through

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[22]Leon Craig, "Contra Contract: A Brief Against John Rawls' Theory of Justice," Canadian Journal of Political Science, Vol. VIII, March 1975: pp. 63-81.

[23]David Lewis Schaefer, Justice or Tyranny? A Critique of John Rawls' A Theory of Justice, (Port Washington, New York: Kennikat Press, 1979), p. 29.

two methods.24 The first argument which Wolff employs against Rawls' view of "general knowledge" may be called a participant critique of knowledge in the behavioral sciences, especially in psychology. By this I mean that Wolff sees much of our knowledge of human behavior as the result of the intimately lived experience of the knower. Knowledge of humans, then, cannot be fully comprehended to the exclusion of its connection with intimate experience. The learning or understanding of human behavior, on Wolff's view, must entail the particular attitudes and reactions of the one seeking to understand. Implicit within this argument on the comprehension of human behavior is the notion that attaining knowledge of behavior is fundamentally different from acquiring knowledge of material entities. It is Wolff's opinion that Rawls does not recognize the unavoidable connection between knowledge of human action and the individualized, specific milieu required for that knowledge. If an understanding of behavior is necessarily personalized, then Rawls' concept of "general knowledge" is mistaken, according to Wolff, assuming that Rawls accepts an impersonal knowledge of human behavior.

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[24]Wolff, loc. cit., Ch. XIII.

Secondly, Wolff contends that Rawls subscribes to an ahistorical view of the knowledge of human behavior.[25] Ahistoricism in this case is said by Wolff to reside in Rawls' assumption that socio-psychological knowledge is valid from one era of history to another, that it is timeless in a sense. The contention is not that Rawls is unaware of the existence of historical change as a characteristic of human life but that Rawls assumes that general propositions from the behavioral sciences are the products of what could be termed a changeless image of those sciences. Wolff also proposes that Rawls is mistaken in his view of sciences as utterly progressive and cumulative in their knowledge.

In his first argument against Rawls' concept of "general knowledge," Wolff makes use of Freudian psychotherapy as an example of the necessary, particular elements in our understanding of human interaction. Prominent in this interpretation is the belief that various individualized processes are at work in our conceptions of other persons, processes such as "transference" and "projection." That Rawls could include information about such phenomena in the statements of "general knowledge" employed by the hypothetical contractor is not denied by Wolff. Rather, Wolff claims

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[25]Wolff, op. cit., pp. 121-129.

that a full understanding of certain socio-psychological phenomena could not be had without the particulars involved in the knower's comprehension of those phenomena.

Wolff's argument may possess some accuracy in its description of the circumstances originating human psychological knowledge, although its psychoanalytic assumptions cannot be regarded as unalterably proved. However, if some tentative plausibility is imputed to Wolff's view of the role of the individualized context in understanding human interaction, then his point of criticism toward Rawls must be considered. Whether or not Rawls would assent to Wolff's emphasis on the particularized origins of psychological knowledge I am very uncertain, but Wolff's conception of legitimate behavioral statements would necessarily challenge the rule of "general knowledge." A major notion in Wolff's argument is that psychological knowledge must be conceptualized partially through the use of personal references. Furthermore, these references cannot be discarded in the formulation of knowledge about the human "mind," if that knowledge is to have meaning to those comprehending it. Thus, if certain behavioral statements are legitimate ones, grasped through their totality in personal experience, they could not on Wolff's view be fully grasped by a hypothetical

contractor apprehending them as non-particularized abstractions.

Although Wolff's view here is quite restrictive, it may not lack a measure of defensibility to objections. For instance, it might be claimed that to have any empirical science of human behavior whatever, we must be able to refer to that behavior in terms which are not necessarily individualized. On this counter view to that of Wolff's, one could maintain that empirical statements must involve non-personal descriptions of similarities, common and grouped phenomena, if there is to be a science or discipline.

The hypothetical criticism of Wolff's claims, as described in the example, does have some apparent force of reason in what it contends relative to some requirements of science. Perhaps, however, it does not actually address Wolff's principal idea. It seems that Wolff is not denying the propriety of simply making generalizations from data; to that he would probably have no objection. Centrally, he is concerned that the drawing of general statements of behavior must entail personal contexts of experience if they are to mean anything to the knower. His purpose is not to deny generalization but to question the Rawlsian version of general behavioral knowledge manipulated by a contractor who manditorily rejects the personal constituents of "general knowledge." It is possible that Wolff is somewhat extreme

in his emphasis upon the personal, particular nuances which go into the composition of behavioral knowledge. However, his criticism of the problems involved in the contractor's apprehension and use of statements of "general knowledge" appears to carry some merit. If intimate processes are indeed at work in our understanding of behavioral statements, then the necessary recognition of the particulars making possible that understanding seems relatively apparent.

The second argument used by Wolff to challenge Rawls' conception of knowledge in the "original position" questions an alleged stasis in the belief Rawls has toward behavioral understanding. As an illustration of his point, Wolff reviews the classical economic "law" of supply and demand. With this as a tool, he tries to show that Rawls entertains a view of knowledge in the behavioral sciences similar to that upheld by classical economists. Briefly, these economists seemed to believe that they had discovered and described a law of economics, just as an astronomer discovers the motions of the planets. Wolff's view is that they took their discovery to be an objective, independent feature of economic operations while failing to realize that the "law" they had come upon was connected with an ephemeral historical stage. Their failure of perception also had much to do with the values which imbued their judgments, and

which led them in a sense to see the law of supply and demand as utterly "real." Should it be said that Rawls perceives behavioral science as discovering virtually changeless truths of a constant human reality? If the comments made by him relative to the operation of the "veil of ignorance" are taken into account exclusively, then it may be that he tends in the direction imputed to him by Wolff. For instance, in several passages Rawls states that the parties or contractors to the "original position" should have the general laws and theories of the behavioral disciplines at their disposal.[26] He does not appear to engage in an actual assessment of historical effects upon knowledge, although he does remark that knowledge of humans can be expected to improve over time.

The historical changes in human values or world views which affect the nature of socio-psychological information do not seem to play a critical role in Rawls' formulation of the "veil of ignorance." Through the rule of "general knowledge" the contractor is required to have at his hands "the general facts, the laws and theories of the behavioral disciplines." No analysis is rendered of the impact of historical influences and changes upon the general information presented in the situation of choice. It can be

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[26]Rawls, op. cit., p. 137, 139, 142.

surmized that Rawls is aware of revisions in social information, although he does not devise a means of sifting through historical developments and dynamics. In asserting that the rule of "general knowledge" may presuppose a tendency to overlook historical influences on the constitution of social knowledge , there is no intention of implying that all behavioral facts are purely relative to historical circumstances.

The first argument attributed to Wolff, which claimed that the notion of "general knowledge" was to be doubted on grounds of the personalized origin of behavioral "facts," was assessed to be substantially accurate in its notion of the intimate context of behavioral knowledge. Also, the second critical argument promoted by Wolff, regarding an ahistoricism in A Theory of Justice, seemed to have some applicability to the requirements of knowledge under the "veil of ignorance." Although it is doubtful that Rawls could be accused of holding the same extreme assumption of social investigation committed by the classical economists, he may possibly overlook the importance of historical change to the perceptions of behavioral investigators. The question of historical impact on general behavioral knowledge which Wolff pointed out is one aspect of a wider problem connected with the status of the concept of "general knowledge." The broader problem of "general knowledge" in

relation to the behavioral sciences is the extent to which it seems plausible to obtain statements of agreed "generality" from those sciences. After an assessment of the extent of "generality" in the behavioral sciences an attempt shall follow judging the impact of Wolff's arguments, as viewed with the following consideration on general statements.

The Extraction of General Statements from the Behavioral Sciences

Wolff questions the possibility of having "general knowledge" when the circumstances of origination are described in their imposing features. However, there is another focus to the inquiry which still remains: the likelihood of locating the generalized statements (laws and theories) in the behavioral sciences which are to provide the basis of a "generally enlightened" choice of a conception of justice. The rule of "general knowledge" must suppose that there exists a body of general statements from the behavioral disciplines that can inform a hypothetical contractor regarding the kinds of beings that humans are. (This statement is certainly vague, and the extent of knowledge which might be required is probably best reserved until the assessment of the likelihood or possibility of obtaining general statements of knowledge.)

The following discussion shall concentrate on three problem areas which arise with the attempt to find and arrive at statements qualifying as "general knowledge" in the behavioral sciences. First in consideration is the notion that there may be deep theoretical differences in the behavioral sciences, or at least some of them. Secondly, at some point of the search for statements of "general knowledge" it would be necessary to confront the differentials in theoretical levels. And, finally, a third problematic area occurs in the extent to which some behavioral science theories may demand knowledge of the incidence of distinct forms of society, if they are to be understood. A short elaboration of each of these points may help to convey more fully what they impute.

The availability of a general behavioral knowledge is seemingly attributed to the behavioral sciences by Rawls, and this availability of knowledge makes possible the "general knowledge" component of the "veil of ignorance." To be an advocate of "general knowledge" is to claim that within the relevant disciplines, the behavioral sciences, there are widely-agreed-upon statements which can express in definite form the findings derived from empirical investigation. Any reference to a "general knowledge," not assumed to possess the characteristic of public, scientific agreement would seem to be inconsistent. The nature of the

"general knowledge" standard in the situation of choice definitely appears to require that everyone hypothetically entering that situation ought to make choices of principle based on palpable, consensual propositions of knowledge. Surely, then, "general knowledge" as a concept includes the assumption that statements of behavioral knowledge should be publicly acceptable to a considerable body of the practitioners of the given behavioral discipline. This assumption of public acknowledgment or agreement in the rule of "general knowledge" is crucial to any attempt to locate statements of that knowledge in the behavioral sciences.

An ostensible dearth of theoretical agreement in the behavioral sciences has been noted by Schaeffer in his critique of Rawls' position, however Schaeffer does not try to justify or present evidence for his allusion. A judgment of little factual agreement in the behavioral sciences may tend to give credence to Schaeffer's comment doubting theoretical consensus in those sciences. In questioning the theoretical agreement or consensus there is no intention of doubting the ability of behavioral scientists to produce some experimental and observational data which can be replicated. What does appear to be open to some doubt is the presence of widespread consensual, theoretical generalizations. For instance, in the discipline of sociology it would likely be impossible for most sociologists to form an agreed opinion

upon some very basic notions. It is to be doubted that most of them could agree on the specific nature of the subject matter with which they ought to be concerned.[27] By this I mean whether the investigator should concentrate on "social facts" and structures, or on the social definition of action. Probably, few sociologists would utterly dismiss either theoretical view of the subject matter as completely worthless, but there does seem to be a belief that one or another view is the approximately correct way to regard the specific subject matter for scientific investigation. Paradigmatic differences must also result, as would be expected, in considerable divergences of the interpretation of data.

The point in the example is not to imply that sociology, or any behavioral science, is simply dependent upon gratuitous opinions of the investigators. A conclusion of that character would be much too extreme. However, the illustration does depict great differences in the ways in which sociologists tend to perceive their subjects of investigation. There are, moveover, significant discrepancies in the theoretical perspectives of sociologists who agree upon the nature of the subject matter for investigation. Thus, among those sociologists who emphasize the

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[27]George Ritzer, Sociology: A Multiple Paradigm Science, (Boston, Massachusetts: Allyn and Bacon, Inc., 1975), Ch. 5, spec. p. 189.

social as composed of coherent structures and groups, some may interpret those structures as being characterized by widespread conflict while others might apprehend a predominant equilibrium.28

Sociology is probably not a theoretical anomaly in comparison with other behavioral sciences, for it seems feasible to ascertain similar characteristics in the others as well. Political science contains major theorteical differences, and may well be more fractured than other social sciences. Even economics, which employs a good many mathematical models, is not a theoretically unified discipline, and this can be observed in cleavages between neoclassical, neo-keynsian, and Marxist viewpoints.29

It would be an oversimplification to subscribe to a belief that the behavioral sciences are devoid of theoretical generalizations. There are, after all, elementary texts in these disciplines, although very often the material which is presented is not unified, it is not a theoretical whole. Social or political phenomena can be described in similar ways to some degree by practitioners adhering to

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[28]Ritzer, op. cit., pp. 191-192.

[29]Leonard Silk, The Economists, (New York, N.Y.: Basic Books, Inc., 1974), pp. 243-258.

diverse theoretical perspectives, but there are also likely to be severe differences. Due to the likely prominence of theoretical diversity in a more than trivial amount of behavioral sceince, it is perhaps dubious that a large number of generalized statements of "theory" or "law" could be produced. Undoubtedly, huge amounts of information could be obtained from these sciences, but this information could probably not consistently be ordered into consensual theoretical statements. A unified body of theory or law does not appear to exist in the behavioral sciences, which could impart a large mass of consensual knowledge to a contractor reasoning in part upon the findings of that theory. The contractor could be presented with many different theoretical views, each of them having its own characteristic, generalized statements, but a theoretical presentation of that kind would seem to offer somewhat confusing and sometimes contradictory assertions. Ordinarily we can elect and discard theoretical views by taking particulars into account. However the contractor cannot use particulars as a gauge, and his function is not concerned to evaluate the validity of behavioral theories, but to use them in evaluating conceptions of justice. Selection of a theoretical view in behavioral science might normally be accomplished by examining empirical evidence, by determining how much of the relevant data could be explained and described. After a fashion, various theories could be compared to ascertain

their relative fit with the subject matter to which they referred. This "fit" would also require more than a simple "hand-in-glove" maneuver, and it could include a consideration of a given theory's relation to epistemology, and ontology or metaphysics. A "behavioristic" theory would, for instance, involve somewhat different epistemological assumptions than would a theory positing the interpretive primacy of the acting subject.

Another difficult question in the acquisition of statements of "general knowledge" from the behavioral sciences may occur when the level of principle or theory enters into consideration. Would it be desirable for a hypothetical contractor to have access to only the most general theories possible, and not to second order theories? Rawls is clear in allowing all available "general information," if this information is qualified somewhat in its complexity. There is, however, no strict demarcation to ascertain what theoretical generalizations would be too detailed or complex and those which would not be. Assuming the acceptability of a group of theories having the most general nature and applicability, perhaps more specialized, but still general, theories could be derived for use by a contractor. These less general theories might be thought of as somewhat more complicated than those which are broader, however they might also convey information useful to someone attempting to make

a choice of principles of justice. It is conceivable that many considerations of knowledge could arise in which second order theories or principles, containing behavioral generalizations about human nature, would have to be viewed with suspicion given Rawls' opinion regarding the need to adhere to simplicity.

In adducing the most general behavioral theories and principles, the possibility also exists that some of these broad generalities would not be completely lucid when separated from more specialized, and possibly dependent theories of a greater complexity. The limit of theoretical simplicity recommended by Rawls includes the advantage of hypothetical and widespread understanding of these general behavioral statements which might be adduced, but it also includes a possible disadvantage in a reduction of useful specialized principles. These principles or theories might very likely be needed to "flesh out" and form elaborations of the most general theories, assuming the actuality of such acknowledged, broad generalizations. A danger in emphasizing broader generalizations is that they could appear abstract and uninformative to a hypothetical contractor discounting any dependence on particulars in deliberations. The omission of particular knowledge would seem to make more critical the need to reduce the propensity for abstractness located in the broader general statements of human behavior.

As was indicated in the prior discussion on the problem of deriving general and consensual statements from the behavioral sciences, it is not readily apparent that many such statements could be formulated. However, if it is provisionally assumed that statements of "general knowledge" can be obtained, there appears to be some difficulty in the separation of general statements of knowledge suitable in their simplicity. It is possible that less broad, and more secondary, statements of theory would be informative concerning human behavior, although possibly inadmissable due to increased complexity. Concomitantly, second order theories might also be helpful in eludicating first order "macro" theories which, if they could be numerously derived, could appear to a contractor as abstract and without substance. The level of theoretical statements permitted to the contractor, then, is not utterly a matter of dismissing or admitting uncomplicated "general knowledge." In drawing the line of admission, a potential for nebulous theoretical statements is a possible threat to the quality of the knowledge presented to the hypothetical contractor.

A third possible obstacle which might have the potential to mitigate the acquisition of general statements from the behavioral sciences is related to the incidence of specific forms of culture or society. There is a distinct likelihood that at least some important behavioral theories and principles would entail an awareness of the occurrence

of certain structures or characteristics. The nature of some theories would seem to require a consciousness of the incidence of particular social types for their very understanding. Under the total "veil of ignorance," however, Rawls discounts any conscious use of knowledge that depicts the actual occurrence of any particular event or series of events. As a rule, the contractor is to know and use any behavioral principles of a general kind which do not refer to individual consituents or events. A knowledge of the probability or contingency of societal forms is prohibited by the "veil of ignorance."

Examples of behavioral statements which might be precluded under the "veil of ignorance," but which are also prominent theories on some views of understanding human behavior are those theories portraying society as the expression of characteristic stages. These large scale models of human behavior may be either progressive in development, or they might be conceived as cyclical in nature. However, regardless of their progressive or cyclical nature, at least two basic requirements would seem to be involved in their actual comprehension by a human being. This comprehension appears to require an awareness of the factors causing change and being changed, and also their dynamic direction or path of change. An illustration of the necessity of these features may be noted in the comprehension of a Marxist notion of social change.

The general description of a Marxist (classically Marxist) theory of social change would involve the recognition of the "forces of production" which form the basic causative mechanism in history, and also the various facets of human society which are conditioned by the productive forces. Certainly the concepts of social class and class conflict would be necessary, and the correlation of classes and class struggle with specific stages of history. Other aspects of human society, such as value orientation or ideology, would also have to be related to their conditioning by the forces of human production. Secondly, the comprehension of this Marxist theory would require a delineation of the development of change, and the movement of history toward an end, the communist society.

Without the above concepts, it would be very difficult to understand a Marxist theory of social change. But if the "veil of ignorance" were determining the admittance of knowledge to the contract situation, these fundamental concepts of a Marxist notion of social change would seem to be inadmissable. They would necessarily be illicit because the "veil" cannot, at its primary stage, allow any hint of the direction of history or the progression of society. Otherwise, the contractor might be disposed to use the particular information to his benefit in the situation of choice. It is difficult to see how a Marxist theory of

social change could be sufficiently de-particularized for the use of a contractor, that is, assuming that it is a valid empirical generalization to begin with. There seems little possibility that it could be comprehended if its notions of developmental relationships and developmental end were disallowed by the "veil of ignorance." And it does seem that such Marxist developmental ideas would be ruled out by the "veil's" prohibition on information, specifically information which could be used by the contractor to calculate advantages. Perhaps a very nebulous general statement of such a theory could be composed, but it could not convey sufficient conceptual information to permit an understanding of the theory. If such a theory were accepted as a valid scientific theory of social knowledge, than it would surely be significant to the initial choice of principles and fundamentally informative of human behavior. But the problem, and a potential dilemma for Rawls, enters into the situation when it is realized that in order to be grasped, the Marxist theory would necessarily entail the conscious use of specific notions prohibited by the "veil of ignorance," concepts formally inadmissable due to their disclosure of historical stages and the shape of the human future. At the same time, in order for the theory to qualify as a statement of "general knowledge," and thus be admissable to the contractor's situation, it would have to be stripped of its historical indicators. This "veiled" conceptual stripping,

or abstraction for the purpose of "general knowledge", would automatically deprive the theory of basic historical concepts necessary to its understanding.

A Marxist version of socio-historical change, if stated in a comprehendable fashion, would not be the only developmental view open to challenge on grounds of an inadmissable disclosure of knowledge. Evolutionary theories of social change and human culture would also pose similar difficulties in their implications of use to the contractural situation of choice. In them, also, a dilemma would seem to be created by the choice between a perhaps incoherent, overly abstracted and admissable statement of principle in the one case, and a more coherent, definite and probably inadmissable statement in the other.

The suggestion above is that revolutionary, evolutionary, or cyclical theories of social-historical change may form impediments to acquisitions of theoretical statements of "general knowledge." An assumption of the proposal is the tentative or conditional acceptance of any of the noted views of social change as academically respectable ideas formulable in statements of behavioral science. Certainly one or more of these views or theories is accepted by some who refer to themselves as practitioners of a given behavioral science. And if there is the possibility of any of these theories qualifying as a bonafide behavioral

conception, then the potential dilemma posed by such theories for the situation of choice must be considered.

Conclusion for Section

Much of the discussion in this chapter has focused upon some of the likely complications and difficulties inherent in the task of deriving theoretical statements of "general knowledge" from the behavioral sciences. In contrast to the previous chapter, the current theme has pertained to the limitations placed upon the quality of general theoretical statements by some philosophical problems affecting the disciplined study of human behavior. The results of the concentration on this theme would seem to be characterized better through the use of the somewhat tentative language of suggestion than by the certain lexicon of demonstration.

This discourse on the extraction of statements of "general knowledge" from the behavioral disciplines had its nascence with the evaluation of Wolff's critique of knowledge assumptions under the "veil of ignorance." The ahistorical argument employed by Wolff in his critique was found to possess some cogency in its assertion that behavioral knowledge in A Theory of Justice is viewed somewhat statically, and thus perhaps inaccurately, Wolff's argument emphasizing the personalized, idiosyncratic feature in statements of behavioral knowledge was also determined to have

some logical force, assuming that the basis of the argument did not require the rejection of behavioral generalization in principle.

Aside from the foregoing negative implications for the "veil's" rule of knowledge, three further suggestive problems have been delineated for the derivation of general behavioral statements. The first of these three problems pertained to the difficulty posed by the theoretical diversity apparent in much of behavioral science. Widespread differences in explanatory theories and primary subject matter were interpreted as definite restrictions upon the accumulation of a body of general behavioral statements which could serve as "general knowledge." Secondly, the level of theoretical generality was also distinguished as a potential area of obfuscation, primarily in the collection of behavioral statements having some general nature. A final complicating problem in the location and extraction of general behavioral statements was indicated by the conflict inherent in the proscription of elements in dynamic theories of social change by the logic of the rule of "general knowledge" in the "veil of ignorance."

The overall effect of the problems suggested above shall be ascertained in the concluding chapter, along with the results described in the previous section. However, it

does seem fairly clear that the drawing of behavioral statements of "general knowledge" is by no means a perfunctory or assured activity. Statements qualifying as "general knowledge" are more perplexing to come by than Rawls could allow, involving as they do complications of agreement and uniformity. Furthermore, these problems of complexity tend to strain the conceptual demands of the "veil of ignorance" when it is put to the work outlined by its functions.

CHAPTER V

ADOPTION OF PERSPECTIVE, BEHAVIORAL STATEMENTS AND THE FUNCTIONING OF THE "VEIL OF IGNORANCE"

Much of the body of this examination has so far been an elaboration of some problematic features in the application of the "veil of ignorance," and particularly its rule of "general knowledge," to the choice of just principles. The role of knowledge in the "veil of ignorance" has been the object of a critical view developed from two distinct modes of investigation. For the most part, the prior discussion has centered upon a relatively detailed treatment of the "veil of ignorance" applied to its operation as an adopted guide of informed choice, and as a filtering arbiter for the use of knowledge. Presently, the emphasis shall pass to more general, less detailed judgments involving the knowledge conditions of the "veil of ignorance." The major topics of discussion in this chapter shall be concerned with the dependence of the "veil of ignorance" on a consensus of knowledge, and with the possible reduction of efficacy in the situation of choice due to its relation to the "veil of ignorance." Before attention proceeds to the broader concerns referred to above, it would perhaps be advantageous

to bring together in a summary fashion the results which have already been presented. As an adopted perspective of knowledge in the situation of choice, the "veil of ignorance" was found to entail some deleterious potential for prejudice in the contractor's choice of principles. This potential was of course rendered as contrary to Rawls' formal exclusion of particulars from the deliberations of the contractor. Despite the stated rejection of particular prejudices in the contractor's viewpoint, some defects in that prohibition were distinguished which seemed to allow particular interests into the decision process of the contractor. It was conjectured that illicit and interested influences might enter the situation of choice either through the unconscious distortion of behavioral statements, or through the influence of an unconscious neglect of general statements worthy of a role in the deliberations. There was also a suggestion that conceptual exigencies might precipitate the influx of particular information into the contractural process in ways not obvious to ordinary thought. As a response to these pitfalls of contractural misjudgment, an incremental ameliorative tactic was proposed, one which relied upon psychological insight into the motivations of the contractor. But this remedial activity was not presented as something which would utterly rectify the problems affecting the adoption of the contractor's role. Even granting the acceptability of the responding

maneuver, its benefit was only judged to be of a partial nature.

In the last chapter the extraction of behavioral statements qualifying as "general knowledge" was found to have definite obstacles preventing its fulfillment. The standard of knowledge set by the contractural situation consequently seemed an extremely difficult goal to attain, given the current status of the behavioral sciences. Reservations were expressed pertaining to the assumptions of behavioral knowledge in A Theory of Justice. The relation between history, intimacy and knowledge, the ambuiguity in the notion of generality, the absence of agreement about general behavioral statements, and the implicit tendency to exclude some theories of social change were exceptions taken to Rawls' view.

Although there is much potential for the violation of the strictures of the "veil of ignorance," especially through its rule of "general knowledge," the suggested imperfections of the "veil" do not necessarily entail its rejection. In the following, an effort shall be applied to the significance of these detractions for the conceptual task of the "veil of ignorance."

The "Veil of Ignorance" and the Choice of Principles In A Theory of Justice

The concept and functioning of the "veil of ignorance" might tend to place definite demands on the complexion of general behavioral statements. Previous critical remarks have stressed the conceptual need of the "veil of ignorance" for a predominately uniform and consensual knowledge. In positing an instrument of choice which is to inform the contractor with "general" statements of "knowledge," Rawls cannot very well maintain that any version of knowledge is permissable so long as it is nonparticular. The serious proposal of a view of that nature would seem to lead to the destruction of the "veil of ignorance." Admitting a variety of primarily opposed notions of the same science of behavior to the "original position" would be to obviate the purported generalness of the information available to the contractor. So, the "veil of ignorance" is concerned with the filtering of appropriately uniform, general statements of behavioral knowledge and this relative uniformity (in the sense of statements being integrated theoretically) entails a large amount of agreement among practitioners of the sciences, a consensus by them relative to matters of theory and/or law.

The contractor in the hypothetical choice situation is in need of a stock of "general knowledge" which is both re-

liable and uncontroversial. Reliability is necessary if the statements of knowledge open to the contractor are to lend any credibiltiy to the choice of principles. The knowledge must be dependable in what it indicates about the nature of humans in general. Obviously information which is not apprehended as reliable in its theoretical statements is of little use to someone needing to make an informed decision, informed in the sense of a "generally" assessed choice. Consensus and reliability are closely interrelated in their significance for the functioning of a "veil of ignorance" in its admittance of behavioral statements to the contractor's deliberations. Information or knowledge that has reliability for the choice of the contractor should optimally be the product of wide agreement. To the extent that general behavioral statements are not the products of wide agreement, perhaps a substantial majority of the practitioners of a given discipline, then their reliability may also be questioned. Where there is a relative preponderance of available noncontroversial behavioral statements, one should also expect an increase in the reliability or dependability in the accuracy of those statements, or at least their approximation to accuracy and truth.

The dearth of consensual or noncontroversial behavioral statements available to the contractor in the hypothetical situation is, in accordance with prior assertions, a

characteristic of the current state of the behavioral sciences. A relatively scant amount of consensual statements of behavior perhaps impugns the supposed rationality for the "veil of ignorance." Within A Theory of Justice the "veil of ignorance" acts to permit into the choice situation statements qualifying as "general knowledge." The "veil" itself must allow whatever statements are characteristically nonparticular, and that are the outcome of an agreed body of laws and theories. Decisions as to whether there is a consensual body of behavioral statements are not the prerogative of the "veil," or any other notion proposed by Rawls. That judgement belongs within the realm of the various behavioral sciences. Settlement of disciplinary disputes, then, is a prerequisite to the operation of the "veil of ignorance," and to the degree that disputes are not settled the "veil" has a reduced function. Theories which are in dispute, which are controversial and undefined by a consensus within the behavioral discipline, cannot very well qualify as "general knowledge," at least not within the sense ostensibly laid out by Rawls. "General knowledge" seems to require a consistent theoretical body of statements not a multiplicity of contending theories.

Given the distinct possibility of a paltry number of general, theoretical statements in the behavioral sciences, it appears that the "veil of ignorance" may suffer a

diminution in its claimed purpose. If there is only a small quantity of "general knowledge" in the behavioral sciences, then one dimension of the "veil of ignorance" is consequently reduced in its capability. This diminution in the intended purpose of the "veil of ignorance" is probably not quite as manifest when viewed from the other dimension of its operation, that aspect of it relating to its adoption as a point of view by the contractor. As an adopted, unprejudiced perspective, the "veil of ignorance" may retain some plausibility if it is adopted by a hypothetical contractor who has become aware of his own motivations, unconscious desires, and conceptual vicissitudes, the basic materials of prejudice. However, even here there is no prospect of a choice predominately unaffected by the particulars of individual experience.

Can there be any credible remaining sense of a "veil of ignorance" if the above assertions are substantially correct, if the filter of "general knowledge" has little to work with and some particulars can still penetrate the "veil's" restraints? As an instrument of principled decision the "veil of ignorance" is not approximately equal to the accomplishment of the stated tasks. It is probably not an appropriate match to the realities of "knowledge" about human behavior, and it does place a somewhat excessive burden upon the rational chooser or contractor through its

restrictions on experiential particulars. It would, though, not be reasonable to dismiss the "veil of ignorance" entirely as a valueless tool of the choice of principles. Perhaps it could be employed as an additional strategy to a choice of principles which invoked considerably more reliance upon the particulars of behavioral knowledge. Even in this case, however, the "veil" might have to be moderated in its restrictions, or used variously to accommodate different theoretical systems of behavioral information. The latter strategy would not suppose the existence of an accumulated body of "general knowledge" in any behavioral discipline, for it would assume the relevance of a variety of patterns. An obtrusive limit on choice in a strategy of the "veiled" utilization of various patterns of theoretical assumptions results from the consequent necessity for another criterion of information. But hypothetical applications of a revised "veil of ignorance," which serially assumed different theoretical systems of behavior in a situation of choice, would not confer the certainty of decision hypothesized by the unrevised "veil's" concept of consensual "general knowledge." However, a revised use of the "veil" might result in a greater actual confidence in the choice reached.

The relevance of this critique's implications for the rational choice of a theory of justice are not difficult to

visualize. Indications of weaknesses in the notion of the "veil of ignorance" are conveyed logically to the choice of principles in Rawls' theory. This does not mean that any one-to-one relationship is apparent between the "veil" and the selection of a conception of justice. Rawls' presentation is much too elaborate to permit such a simple criticism. In A Theory of Justice the choice of principles involves an assumed set of "averaged" material and expectational circumstances, a standard of rationality, and a group of guidelines limiting the permissive formulations of justice. In fact, these specifications of the "original position" occupy much more space than the doctrine of the "veil of ignorance." However, while giving due recognition to the various facets of the total situation of choice, we may still project consequences for the choice of a just conception.

Rawls engages the "veil of ignorance" in arguing for the superiority of his conception of justice over others. His argument contends that someone placing himself in the "original position," and subject to the strictures of the "veil of ignorance," would opt for the two specific principles of justice outlined much earlier. Although it is only one aspect of the "original position," or situation of choice, the "veil" can be promoted as very crucial and significant to that situation. There would be a paltry

"original position" minus the "veil of ignorance," and in its absence the overall argument of choice propounded by Rawls for his conception of justice would lose much of its heart. The centrality of the "veil of ignorance" in the claims made for the two principles of justice is observable in the section of A Theory of Justice dealing with the specific reasoning leading to the principles chosen. When Rawls also invokes an interpretation of Kant to defend his total process of choice, the "veil of ignorance" is relied upon markedly in an analogical way.

An acknowledgement of the prominence of the "veil of ignorance," in relation to the choice of the principles of justice, holds some moment for the plausibility of the process of choice and its chosen ends, if the "veil" is taken to lack somewhat in credibility. The appearance of doubts regarding the "veil of ignorance" tends to elicit challenges to the "generally" informed choice of the "original position," assuming that the description of their relatedness has been approximately accurate. "General knowledge," as one of the governing principles of the "veil," appears to be a less potent notion than its theoretical function would imply.

The "veil of ignorance" is advocated in A Theory of Justice as a convenient, elegantly simple, conflict-limiting method of decision strategy. It is certainly elegant, if

that is understood as a unified, balanced conception, however its application has not appeared to be a simple matter. Neither has it seemed quite so easily adoptable, as a point of view on general behavioral knowledge, as its argumentation would propose. Complexity in the assumptions of knowledge invoked within a theory of normative choice is also seen easily in the impartial observer theory, a fact noted very extensively by Rawls. However, complications in the use of knowledge are perhaps fraught with greater urgency when the theory is designed to promote an unaffected purity, as the theory of "generally informed" choice in A Theory of Justice seems to do.

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