

## Beyond Rawls' Fiction: The Veil of Ignorance Is Real

Political news is often nasty and acrimonious these days with “liberals” and “conservatives” often seeming beyond all hope of reconciliation. Yet, I believe there is much hope for reconciliation if reasonable “liberals” and “conservatives” will just admit one unpleasant fact: the “veil of ignorance” is real. Please bear with me as I briefly explain this three-word phrase and my belief. As we’ll see, reason, self-interest, and morality all back me up.

I take the phrase “veil of ignorance” from the great philosopher John Rawls. For those who haven’t read Rawls and aren’t familiar with the phrase, here’s some brief and admittedly oversimplified background. In trying to construct a theory of justice, Rawls explored an imaginary “original position” where we would come together and agree on our political and social order. In an attempt to maximize fairness, Rawls imagined that we would do this behind a “veil of ignorance” that prevents us from knowing our own wealth, race, social status, gender, religion, talents, and other defining characteristics. Rawls invoked this veil in hopes of greater justice. If a rational person does not know his wealth, race, social status, gender, religion, talents, and other defining characteristics when agreeing to a future order, he should of course fear potential bias on those unknown grounds in any future order. Thus, one could reasonably expect that persons in any such “original position” would support a social and political order that, among other things, provides everyone with equal opportunity to the extent feasible regardless of these unknown defining characteristics.

Of course, we don’t live in a fictional world, and fictional social and political theories run the risk of being treated like Pegasus or unicorns. Furthermore, even if we want to treat a particular fictional theory more seriously than we treat winged or horned horses, it can be difficult to do so. For example, if someone argues that the “veil of ignorance” cannot work as social or political theory because no one would know enough to make any choices at all, it’s hard to know how to respond. Do we say, “But in my fictional world they can do it”? That hardly seems satisfying. However, if the “veil of ignorance” is real and people make rational choices acknowledging such a fact, then the response that “they can do it” takes on new force.

I say all this because the “veil of ignorance” does in fact exist and talk of it is not on the level of Cyclops or River Styx talk. To show this, I’ll begin by conceding for the sake of argument that we can know our present situation and all our present defining characteristics that matter in any way. I make that concession because many are inclined to believe they have such knowledge and I don’t need to debate that point as we’ll quickly see. It is, however, a big concession since knowledge requires justified TRUE belief. Can we really claim that we always meet such a standard about ourselves? I don’t think we can but I’m willing to let that go for the sake of argument.

Despite any such present certainty we may have, we cannot now know our situation and characteristics at any future point in time. Starting at the most basic level, we cannot even know that we will exist in twenty-four hours, in half that time, or even seconds beyond the present. That of course is disconcerting, and I think that is a major reason we do not all recognize the veil of ignorance. We repress it because it is too painful to acknowledge. Worse, the potential pains of acknowledgement run deeper than just fear of death. Even if our hearts keep beating, how can

we otherwise know our physical and social status beyond the present moment (assuming again for the sake of argument that we can always know it for the present moment)? How can we know that we won't suddenly become ill and uninsurable in a purely capitalistic market? How can we know that we won't be in some horrible accident that suddenly sullies our reputation? How can we know that someone won't falsely accuse us of something that suddenly sullies our reputation? How can we know that evidence will not present itself at some point that we are not who we think that we are racially or otherwise? How can we know that our religious beliefs will not change? How can we know we won't have our own Damascus moment? How can we know that we will not be disabled tomorrow and suddenly be reclassified a "cripple"? I could of course go on but that should suffice. The veil of ignorance does exist, and it can and should terrify us.

I say it should terrify us because it would simply be irrational to ignore the veil. Even apart from considerations of morality, a rational person cannot ignore the potential perils lying behind it. Acknowledging the non-discriminatory hands of chance working behind the veil, a rational person cannot presume to class herself for all time. She must know that anything is possible. Along the lines of Rawls, it's hard to see how this does not lead a rational person to want to hedge her bets with principles of fair and concerned treatment. Would she not want equal protection and due process of law if she is unfairly accused of something heinous or if she has an accident that was not her fault? Would she not want such protections for her children and grandchildren as well should they suffer the same misfortune? Her friends? Others, too, who might later prove to be family or friends or who are in any event comrades in the hidden and frightening world of chance? Here moral considerations of course join in with the considerations of reason and self-interest. Would she not want an insurance market that would embrace her if she suddenly becomes ill? What good would it be to have amassed a fortune if she must quickly dissipate it due to illness? Worse, would she want to die simply because she runs out of money to buy her prescriptions in a society which can afford to help her? No doubt even the most-obsessed money hoarder or wealth-climber can appreciate all this. Moreover, would she not want such protections for her presently-healthy children and grandchildren as well should they suffer the same misfortune? Her friends? Others, too? Here again moral considerations join in with the considerations of reason and self-interest. Would she not want reasonable accommodations if she suddenly became disabled? Would she not want the same for her presently-healthy children and grandchildren as well should they suffer the same misfortune? Her friends? Others, too? Here again moral considerations join in with the considerations of reason and self-interest. Wouldn't she want equal treatment nonetheless if people suddenly alleged that she is a member of a racial or other minority because of allegedly recently-discovered evidence? Would she not want that for her children and grandchildren as well in such a situation? Her friends? Others, too? Here again moral considerations join in with the considerations of reason and self-interest.

I could go on but the point should be plain by now: the veil of ignorance exists and it drives rational people to value, among other things, fairness and concern for more than just themselves in their present state and those presently like them. Whether "liberal" or "conservative," a rational person who admits the veil of ignorance understands the importance of fairness and of general concern for the welfare not only of himself but of others who differ from his present status and characteristics. This includes acknowledging the fragility of life and the need to

protect it when it cannot protect itself. Whether “liberal” or “conservative,” a rational person who is aware of the veil of ignorance understands that we all can “in an instant, in the twinkling of an eye” become that fragile life that only survives with others’ help. Rational “liberals” and “conservatives” aware of the veil of ignorance therefore want the fairness and compassion discussed above. This of course brings me back to where I began: reasonable people of all political persuasions can come together on much if they will just admit one thing: the veil of ignorance exists.

As reasonable people, let’s therefore buck up and admit it: the veil of ignorance exists. Unlike the cowards who cannot bring themselves to draft wills, healthcare powers of attorney, and other estate documents that remind them of their uncertain lives, let’s instead rationally face up to the uncertainty we all share. This includes voting out politicians whose rhetoric and actions are inconsistent with the principles of fairness and concern that admission of the veil of ignorance requires. Let’s also get wild and hope for the moon. Let’s hope that a new Rawls will write a new *Theory of Justice* that treats the veil of ignorance as real. We desperately need to read and debate such a book.