

## RAWLSIAN STANDPOINTS AND IDENTITY

### **0. Conference abstract:**

Political identity is historically related to social identity, that is, to how people recognize themselves as members of some larger aggregate grouping. In this sense, it involves an exclusion process whereby ‘we’ are distinguished from ‘them’ and an inclusion process whereby who or what one is can be defined in terms of where one has come from and where one is going. However, the ground for the development of collective identities is ebbing under the pressure of processes contributing to the transformation of contemporary societies. For instance, the transition from industrialized economies to service economies, where new forms of intellectual labour favour mobility and the end of the job-for-life paradigm, helped to erode the sense of class identity. Also, the transnational flows and the deterritorialization inherent in a growing global interconnectedness made social identities less clear and certain, giving rise to powerful phenomena such as economic migration, fluid citizenship and multiculturalism. This conference gathers scholars who intend to assess the meaning and the normativity of political identity in contemporary times. Namely, debates will focus on the extent to which political identity is mostly a matter of binding values or if, on the contrary, it requires thicker historical and natural components.

### **1. Introduction**

This conference takes aim at a thorny nest of problems: the relation of political identity to demographic or social identity; historical changes in demographic or social identity formation; the “freestanding” character of political identity and its content. Undoubtedly, a great deal of the pressure on social identity in recent years is empirical in nature. Today, I would like to explore a different strand of the pressure: theoretical. In political philosophy, Rawls figures, for better or worse, among the most prominent anti-identity political philosophers. (At least, this what one infers from remarks to the effect that empirical conditions are morally irrelevant (cf. Rawls 1999: 7, 76).) Yet I find that this story is in need of considerable nuance. For how do we make sense of countervailing passages from Rawls (1996)? Not only does he exhort us to heed “where we are and whence we speak” (382) but he himself frames his approach in terms of points of view:

It is important to distinguish three points of view; that of the parties in the original position, that of citizens in a well-ordered society, and finally, that of ourselves—of you and me who are elaborating justice as fairness and examining it as a political conception of justice. The first two points of view belong to the conception of justice as fairness and are specified by reference to its fundamental ideas. But whereas the conceptions of a well-ordered society and of citizens as free and equal might conceivably be realized in our social world, the parties as rational representatives who specify the fair terms of social cooperation by agreeing to principles of justice are simply parts of the original position. This position is set up by you and me in working out justice as fairness, and so the nature of the parties is up to us: they are merely the artificial creatures inhabiting our device of representation. Justice as fairness is badly misunderstood if the deliberations of the parties, and the motives we attribute to them, are mistaken for an account of the moral psychology, either of actual persons or of citizens in a well-ordered society. (28)

Two problems emerge: 1.) the points of view in question are rather different from one another in character, so what makes them all points of view?; 2.) inasmuch as points of view ordinarily carry the connotation of “personal” or “social”, do these not bring Rawls back to social identity?

Given that Rawls himself devotes little in the way of overt discussion to these problems, I shall attempt today to fill certain gaps in the story<sup>1</sup>. To that end, I suggest the following tack: seeking a way to make the problem of cooperation more tractable, Rawls attempts a theoretical reduction of points of view to choice situations obeying certain rules (in line with an expansive sense of the game theoretic or rational choice nature of part of his work) only to recognize, over time, the recalcitrance of points of view to such a reduction. This recognition is due both to outer pressures (e.g. radical, feminist or communitarian pushback from the 1970's on) and inner pressures (notably in the revisions to his account of stability and in his (2007) historical work on the exegetical points of view of prominent philosophers). In the following, I keep in mind two suggestions: 1.) Rawls's work on points of view may serve as a proxy for his approach to social identity in that social identity may determine the social location and mode of access of a point of view; 2.) even the mature Rawls seeks a tame form of (ineliminable) social identity amenable to his theoretical reduction.

Telling that story requires making sense of Rawls's talk of "points of view" (Rawls, 1996: 28; 1999: 172) and "standpoints" (Rawls, 1996: 58, 150; 1999: 175) and how the latter relate to the notions of "self-conception" and "identity"<sup>2</sup>. For present purposes, a standpoint may be defined as a perspective arising from a specific *aspect* of a social *location*, affording *grounds* for a *kind* of epistemic superiority, with a specific mode of *access* and a *scope* limited both in domain and as regards *other* standpoints (inspired by Anderson 2015). Furthermore, I hold that the notion of demographic or social identity is inextricably bound up with that same social *location* and mode of *access* from the definition.

To see whether Rawls deploys a similar sense of standpoint and, by extension, identity, I proceed in three parts. I begin by digging into Rawls's disparate remarks on "point of view" to see whether it contains the above structural features. I then comb Rawls (1996, 1999) for explicit talk of particular points of view or standpoints and focus on his discussion of "you and me", "representative party" and "citizen in a well-ordered society". Inventory complete, I then put my thesis to the test. I hold that a case for Rawls as standpoint theorist is strong when all of the definition's structural features have a strong and/or middling resemblance to those of Rawls's standpoints. On the contrary, should those features have only a middling and/or weak resemblance with Rawls's, then there is grounds to speak only of a weak case. I shall conclude that there is an uneven resemblance between Marxist or feminist standpoints and Rawls's and that, of the three, the "citizen in a well-ordered society" standpoint comes closest to meriting talk of a strong case of similarity yet still falls short.

## 2. Standpoints, Rawlsian and otherwise:

Above, I defined as a perspective arising from a specific *aspect* of a social *location*, affording *grounds* for a *kind* of epistemic superiority, with a specific mode of *access* and a *scope* limited both in domain and as regards *other* standpoints. I take this opportunity to spell these characteristics out in more detail (with help from Anderson 2015):

**Location:** In what social context is the epistemic superiority to be found?

**Aspect:** What aspect of the location generates that superiority?

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<sup>1</sup> Gaps left as well by the secondary literature. For instance, Freeman (2004) appeals to standpoints without attempting an explanation of what they consist in (2047, 2050-1).

<sup>2</sup> In what follows, I will use "standpoint" and "point of view" more or less interchangeably, much as does Rawls.

**Kind:** What kind of epistemic superiority is it?

**Grounds:** Why does the aspect generate that superiority?

**Access:** How does one gain access to the epistemic superiority?

**Scope:** How far does that superiority extend?

**Other:** In relation to what does the standpoint define itself?

Before assessing their relevance to Rawls's work, it will help to isolate his own notion of standpoints. Although the notion crops up here and there, the most revealing remarks are made in Rawls (2007). Writing of Rousseau, Rawls remarks, first:

Note that the idea of a point of view, as used in these remarks, is an idea of deliberative reason, and as such it has a certain rough structure: that is, it is framed to consider certain kinds of questions—those about which constitutional norms or basic laws best advance the common good—and it admits only certain kinds of reasons as having any weight. (231)

Two key points fall out from the above: a point of view is bound up with deliberative reason; it is limited in scope to certain kinds of questions and admits only certain kinds of reasons as input.

Second:

[T]he general will is a form of deliberative reason that each citizen shares with all other citizens in virtue of their sharing a conception of their common good. What citizens think best advances this common good identifies what they view as good reasons for their political decisions. Every form of deliberative reason and will must have its own way of identifying valid reasons. Thus, as members of the assembly, as citizens, we are not to vote our particular, private interests as we might like to, but to express our opinion as to which of the general measures presented as alternatives best advances the common good [...]. (224-5)

Note that there are different forms or species of deliberative reason. Depending upon whether we consider a person under this or that aspect, different reasons will carry weight with her.

It is still too early to ascribe a strong version of standpoints to Rawls, not least because he most often speaks of standpoints as something which the person takes up or assume in order to consider a particular kind of question (cf. Rawls 2007: 35, 90, 123-4, 186, 234 and contrast with discussion of thinkers' or exegetical points of view at 103-4, 165). A clearer view of "deliberative reason" is needed.

Allowing that deliberative reason is a gloss of the deliberative rationality insofar as each concerns our ability to assess and subsequently to retain, revise or replace an end or conception of the good (Rawls 1996: 335; Rawls 1999: 370), deliberative reason consists in that capacity or bundle of principles whereby one orders and chooses life plans when the principles of rational choice (or "counting principles" (Rawls 1999: 364)) run out. More specifically, Rawls sets out two core capacities and five principles of deliberative reason (cf. Richardson 2014: 187-8). It is not obvious to me that a standpoint (the "idea of a point of view") falls under either the capacities or the principles enumerated, but I leave this discussion for another time.

A more helpful way of bringing the idea of a point of view into focus may be sought in Weithman's (2010) sporadic treatment of the idea. In its most condensed version, Weithman glosses the idea as follows: "Points of view are situations of choice and judgment. They are defined by the desires of, the information available to, and the rules of inference and decision used by, those who occupy them" (69). The author expands on this basic treatment in several directions. First, he also makes the connection between a point of view and deliberative rationality in the form of the "viewpoint of full deliberative rationality" wherefrom the person

establishes a series of points of view both on and constituted by her rational plan of life and reasons in accordance with the rules of full deliberative rationality (59).

Second, Weithman himself enumerates several distinct points of view within Rawls's work: not just the more familiar representative party and the citizen in a well-ordered society nor his own full deliberative rationality but also the self-interested and thin theory of the good. On his reading, these distinct points of view (Rawls's "distinguishing questions and viewpoints clearly") serve to alleviate the stability and mutual assurance problems raised by Hobbes as a central issue for political philosophy (66). In a word, if the stability and mutual assurance problems pose a thicket of difficult questions but those questions may be separated to address each a different point of view and each point of view answers that question in the negative by converging on a conception of justice, the central issue for political philosophy goes from wicked to tractable, if not tame.

Third, he later sketches the link between practical reason, plans of life and self-conceptions (or practical identities). Just as "[p]oints of view are situations of choice and judgment [...] defined by the desires of, the information available to, and the rules of inference and decision used by, those who occupy them" (69), "identities can guide our conduct and our reflection on it" and "our exercise of practical reason" (106). More plainly, facts about the person occupying a point of view furnish the materials for making judgments and reaching decisions about conceptions of the good while facts about the person's identity furnish materials for making judgments and reaching decisions about our conduct and reflection thereon. The symmetry between points of view and self-conceptions or identities is plain on this formal count. The important question is whether that symmetry holds for the way in which the person occupies the point of view or identity (does she take it up or already stand in it?) and for the object on which the point of view or identity bears (how closely linked are a conception of the good and the person's conduct?).

Regardless, Weithman considers self-conceptions or identities, whether internally or externally ascribed, to include both well-known examples such as nationality, occupation, ethnicity, etc. and the less-familiar democratic conceptions of the person which one only tacitly holds. Notably, among the latter numbers Rawls's "free-and-equal self-conception" to which the person attempts to live up in (more or less) autonomously formulating and revising her plans (*idem.*). In other words, I infer that, on Weithman's reading, Rawls's "free-and-equal self-conception" of the person is a form of identity, be it internally or externally ascribed or both. Here, the ambiguity of Rawls's "standpoint" makes itself felt. If a point of view is, for all intents and purposes, a self-conception or identity, this would suggest that the representative party standpoint and the viewpoint of full deliberative rationality are identities in much the same way as a person's national identity or the free-and-equal self-conception. Indeed, there seems considerable slippage between these usages of point of view or identity as artificially formulated, idealized but possible, applicable but from an idealized point of view, actual and well-known, actual but implicit in the culture. What is one to make of this knotty mess? The only reasonable course of action is to take the most prominent Rawlsian points of view and assess them individually.

### **3. How tight is the fit?**

For the sake of simplicity, I will focus on the three standpoints above: 1.) the representative party in the original position, 2.) the citizen in a well-ordered society, and 3.) you and me. I propose the general following definitions for these standpoints:

- 1.) **Representative party:** a generalized person in symmetrical relations with others autonomously proposing reasonable principles in publicly available modes.
- 2.) **Citizen in a well-ordered society:** a person who accepts and knows that all others accept the same principles of justice for both publicly available and nonpublic reasons, who endorses the basic structure as satisfying those principles in light of publicly available standards of inquiry and who is socialized under and complies with that basic structure in virtue of a publicly shared sense of justice.
- 3.) **“You and me”:** the position of the ordinary person, endowed with no special faculties, working out justice as fairness from her considered convictions and assessing its viability as a political conception of justice through the four-stage sequence of the original position, the three kinds of justification, and the test for reflective equilibrium, while projecting herself and others as capable of fully honoring the political conception.

Although I do not pursue this possibility due to time and space constraints, one can break 1.) and 2.) down into “sub-standpoints”: on one hand, the “representative party” becomes the “trustee”, “delegate”, “legislator” and “rule-follower and -enforcer” at different steps of the four-stage sequence (Rawls, 1999: §31); on the other, the “citizen in a well-ordered society” becomes “citizen simpliciter”, “individual” and “reasonable citizen” according to the phase of the three-part justification of the political conception (Rawls, 1996: 385-389).

These standpoints demonstrate a striking asymmetry with one another: 1.) and 2.) are internal to justice as fairness, 3.) external; 2.) and 3.) are positions either actual or possible, 1.) merely artificial. Do they hang together as well in fact as they do in Rawls’s mind? In what follows, I conduct a crosscutting comparison of the standpoints in terms of the features given above.

*a.) the standpoint’s social location*

Unsurprisingly, the location varies considerably from standpoint to standpoint.

- 1.) “representative party”: This is an imagined social position of a free and equal person choosing principles by which to order a society under the informational constraints of the veil of ignorance. She acts as representative of other parties to the agreement, parties considered merely as social starting positions. As this is explicitly artificial and the positions suitably general, this position is null: it designates no concrete person or starting position<sup>3</sup>.
- 2.) “citizen in a well-ordered society”: This is an imagined social position of a free and equal person within a society ordered by the two principles of justice, publicly recognized as such and fully complied with. While this is an imaginative projection in that one imagines a society wherein the two principles have been fully institutionalized and persons socialized under those institutions and principles, this position is not null, for the well-ordered society is “neither *psychologically* nor *politically* impossible” (Weithman 1999: xi). Consequently, the citizen in a well-ordered society is arguably located within a society demographically like our own but equipped with knowledge and motivations obtaining only under reasonably favorable circumstances<sup>4</sup>.

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<sup>3</sup> This is a point which Rawls’s early critics often missed.

<sup>4</sup> This is not to say that one merely assumes that the person accepts the two principles of justice once realized, publicized and socialized. As Weithman (2010) maintains, “we cannot simply assume everything away” (53) and, in contrast with that of the representative party, the psychology of the citizen in a well-ordered society is not “open to stipulation” (153). That being said, the latter passage also suggests that other points of view may be moderately artificial.

- 3.) “you and me”: This is presumably whatever social position, along with its considered convictions, that the person already occupies. Rawls does not specify further circumstances beyond those of being a person living in an industrially advanced society under liberal democratic institutions in times like our own.

What emerges from the above? First, it seems a peculiar usage of “social location” to describe the representative party’s location<sup>5</sup>. Second, the citizen in a well-ordered society standpoint occupies an unusual middle ground just as do the well-ordered society and its overlapping consensus on the political conception of justice as fairness. Whereas it may strain the imagination to picture a class of political values whereon all agree, it may be somewhat easier to imagine the kinds of reasonable comprehensive doctrines therein and, hence, the possible comprehensive justifications to the political conception. Although molded or “bent” to the political conception (Rawls 1996: 246), reasonable comprehensive doctrines and the people holding them may be conflicted in their views on political questions. Third, the “you and me” position seems closest to a concrete social location as it is simply the position of the ordinary person reflecting upon questions of justice under favorable circumstances.

*b.) the social location’s aspect conferring an epistemic privilege*

Unlike standpoint epistemology, Rawlsian standpoints ordinarily need not appeal to contingent facts about the person as that aspect which confers the standpoint a certain epistemic privilege. Indeed, this marks one of the strongest breaks. Yet there remains a privilege-conferring aspect for each standpoint, whether this be an element drawn from an idealization, moral psychology, his fundamental “ideas”, or, in select cases, the person’s character or upbringing. These aspects can be laid out as follows:

- 1.) “representative party”: The privilege-conferring aspect is twofold: the strength of the information constraints imposed on the person occupying this standpoint, constraints which approximate the impartial character of an ideal judge; the prudential nature of the parties’ reasoning in accordance with the minimal character of the assumptions required to generate a determinate outcome. In a word, ignorance best models moral considerations of fairness, and weak premises dispense with the need for altruism or sympathy<sup>6</sup>.
- 2.) “citizen in a well-ordered society”: The privilege-conferring aspect is the idealization at the level of society: society is organized in line with a single conception of justice which is public knowledge, effectively institutionalized and socializing and fully complied with (in order to determine whether that conception is in fact stable). This standpoint is neither psychologically nor politically impossible but otherwise uncluttered by non-ideal or unfavorable real-world circumstances.
- 3.) “you and me”: The privilege-conferring aspect is the person’s relation to her considered convictions as well as the desire to be consistent in her ethical and political judgments. Put another way, the person is best positioned to weigh her commitments and assess their fit with all other relevant considerations at all levels.

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<sup>5</sup> This may seem less so in the fourth stage of the original position, i.e. the rule-following and –enforcing stage.

<sup>6</sup> Hence Rawls’s (1999) terming this standpoint “the moral point of view” (128).

What is the upshot? While these aspects break along various lines and are more or less distant from the aspects of other well-known but more conventional standpoints (e.g. oppression, productive or reproductive capacity), they are still characterized by a formal privilege-conferring aspect. At a glance, the aspects array themselves along a spectrum from pure abstraction or idealization to concrete instances or actuality. Whereas 1.) and 3.) occupy the poles of this spectrum, 2.) occupies the middle ground of real possibility.

*c.) the kind of privilege conferred*

Familiar kinds of epistemic superiority include greater accuracy, fuller explanatory power, improved coherence, workability, etc. Rawls is interested in still different species of superiority.

- 1.) “representative party”: This standpoint’s kind of epistemic privilege is expressive in that it captures the fundamental shape of our intuitions about justice and fairness through simulated objective discourse: both general (not particular) and universal (not inconsistent).
- 2.) “citizen in a well-ordered society”: This standpoint’s kind of epistemic privilege is modal in the sense that a conception of justice must be a real possibility. To be a real possibility, a conception must be stable when institutionalized. To assess the stability of a society wherein justice as fairness was institutionalized, one must adopt the standpoint of a person made possible by that society.
- 3.) “you and me”: This standpoint’s kind of epistemic privilege is fundamental (or methodological) in that it is the master instance of the elaboration of the conception of justice. That is, it constructs the procedures, designates the inputs and evaluates the outputs of other standpoints. Through its reference to intuitions as a primary (if not infeasible) ground, its fundamentality is also rooted in the person’s own thinking.

It is clear how different, though interconnected, these kinds of privilege are. If 1.) is expressive, it has need of 3.) to deem that expression adequate. Similarly, if 2.) is modal, it requires 3.) to define the bounds of the possible for that judgment. If other standpoints are complementary, they may not be so by design as on Rawls’s approach.

*d.) the grounds for that aspect’s privilege*

While it is well and good to say that an aspect confers privilege, one should have an idea of the precise mechanism underlying the aspect’s privilege-conferring. In standpoint epistemology, these grounds may be specified along the lines of centrality (the relevant standpoint is at the center of a network of phenomena), collective self-consciousness (it forms the core of the nascent self-consciousness), cognitive style (it shows a more adequate or comprehensive cognitive style), oppression (it allows for deeper knowledge of society’s inner workings and grim effects) or even objectivity (it is uniquely suited to uncover the non-subjective factors governing a phenomenon). What might then ground the aspect’s privilege in each of the Rawlsian standpoints?

- 1.) “representative party”: The aspect’s privilege follows from the standpoint’s reliability in producing terms of agreement which the person finds in accord with her intuitions about justice and fairness and in expressing those intuitions as a coherent theory.

- 2.) “citizen in a well-ordered society”: The aspect’s privilege follows from the standpoint’s idealization: by considering the question of stability under reasonably favorable circumstances, it allows us to see whether the most intuitively acceptable conception of justice is also workable.
- 3.) “you and me”: The aspect’s privilege follows from the standpoint’s tendency to increase coherence with considered convictions. A coherent conception of justice, according with a person’s considered convictions, is more likely to prove acceptable, and fittingness with intuitions are the most adequate final test of a conception’s overall coherence and soundness.

Formally speaking, the grounds for epistemic privilege in Rawlsian standpoints are not unlike those in standpoint epistemology. In terms of content, certain differences immediately present themselves. Conventional standpoints do not derive epistemic superiority from how well they idealize societal conditions in order to consider a given question in the simplest terms possible, albeit realistically. Similarly, while these standpoints may consider how accurately they portray existing conditions of inequality or in what depth they reveal the nature, causes and effects of a social (sub)system, they do not seem to aim at describing a reliable procedure generating results in accord with their intuitions. It may also seem that such standpoints have little advantage over others in terms of coherence. Yet just such concerns ground the superiority of Rawls’s standpoints over others. Clearly, this is an important area of divergence.

*e.) the mode of access to the standpoint*

The mode of access presents another area of contention. In a word, what conditions access to the standpoint’s epistemic superiority? Is it necessary or sufficient to occupy the social location associated with that standpoint? Is it related in some way to external ascriptions of group membership or position in a social structure or instead to internal ascriptions and identification with a group? Generally, if occupation of the social location is couched in the former way, group membership is neither necessary to nor sufficient for access. If couched in the latter way, group membership is both necessary and sufficient (Anderson 2015).

Certainly, this line of thinking holds water when applied to social locations framed in terms of identity on the basis of sex, class, ethnicity, etc. but it may prove less applicable to Rawls’s locations. Recall that 1.) involves a null position, 2.) a concrete but projected and possible position and 3.) the person’s own social position. This diversity naturally means that the modes of access are somewhat uneven in character:

- 1.) “representative party”: Access to this standpoint is subjective and voluntary, being conditioned by acceptance of the informational constraints of the original position. It is further determined by the person’s search for the conception of justice which best expresses her (society’s) intuitions about justice and fairness.
- 2.) “citizen in a well-ordered society”: Access to this standpoint is subjective and voluntary, being determined by the person’s attempt to establish the stability of the conception (of justice as fairness). It is conditioned by the person’s projective capacities both for a society wherein justice as fairness is institutionalized and for the different social positions therein.



- 3.) “you and me”: Access to this standpoint is at once subjective and voluntary, objective and situated. On one hand, it is determined by the person’s undertaking reflection on the question of justice and a construction procedure to arrive at a conception thereof and occupying a standpoint with a given set of considered convictions. Access is conditioned by the person’s having the disposition to pursue such reflection, an average level of intelligence, and suitable conditions for reflection. On the other, the starting inputs for the procedure are at least partially conditioned by her position in the social structure, her belonging to this or that society.

In general, it would seem that the mode of access to Rawls’s standpoints is assimilated to the case of internal ascription and identification with the position in question. Accordingly, one is tempted to say that this case is both necessary and sufficient for access to that position. That being said, one could counter this claim by noting that, regarding necessity, one might undertake such reflection without seeing oneself as doing so and that, regarding sufficiency, seeing oneself as doing so might not be enough to guarantee that one is in fact treating a conception of justice or adequately projecting psychologically or political possibilities. More generally, it seems likely that the idiom of group membership (in terms of internal and external ascriptions) does not fit well the Rawlsian mode of access to standpoints as these are not predicated on group membership (unless it is that of belonging to a democratic society) but instead on a reflective disposition.

*f.) the standpoint’s scope*

Shifting to scope, I now take up the issue of what questions or subject matters the different Rawlsian standpoints have privilege over. Put differently, how far does that standpoint’s epistemic superiority stretch? In contrast with the “location” or “access”, the standpoint’s scope is generally better-defined on Rawls’s picture. On the other hand, different elements fall under the Rawlsian standpoints’ scopes than under more typical standpoint theories. Whereas the latter may treat the nature, causes and effects of social inequalities defining a group, Rawlsian standpoints concern rather the ideas and principles organizing political society as a cooperative endeavor without particular attention paid to group definition.

- 1.) “representative party”: This standpoint’s scope concerns the principles regulating a conception of justice and framing their institutionalization and application as social policy and legal statute.
- 2.) “citizen in a well-ordered society”: This standpoint’s scope concerns the question of whether a projected society wherein the two principles are institutionalized is stable.
- 3.) “you and me”: This standpoint’s scope is the broadest of all and concerns the entire constructivist procedure as well as the person’s considered convictions. It presumably extends to the whole of democratic society (albeit not internationally).

Clearly, for the first two standpoints, this element aligns better with the general idea of a standpoint insofar as it defines specific questions and subject matters over which each perspective has a certain privilege. Put differently, the structure of the person’s “experience” is framed such that she knows something in a way that others do not and this way is better, relative to other standpoints. It is better because it is tailored to the purpose at hand and allows for a clear uncluttered view of the question and possible answers. That being said, the scope for “you and me” is somewhat murky as its privilege extends to all questions across all levels.

*g.) the other standpoints over which it has privilege*

There are two ways of identifying those other standpoints which stand in contradistinction to the Rawlsian: those internal to Rawls's approach but opposed to other internal standpoints and those external to Rawls's method but present in the broader literature. With regards to the latter, I cannot hope to be complete, but I can give some general indications in this direction.

- 1.) "representative party": This standpoint has privilege over the sub-standpoints within the four-sequence sequence as it is the first stage thereof. It sets the terms and conditions for that which follows. It also claims privilege over rival initial situations both from the social contract theory and other moral theories in capturing the "moral point of view" wherefrom we define a conception of justice (in line with fairness) for regulating the basic structure.
- 2.) "citizen in a well-ordered society": This standpoint has privilege over non-ideal standpoints for assessing the stability of a given conception of justice.
- 3.) "you and me": This standpoint nominally has privilege over all other Rawlsian standpoints regarding final form of the constructivist procedure. In accordance with its considered convictions, it may choose to alter the form of 1.) and 2.) in order to generate more suitable outcomes. That said, if the other standpoints issue in strong, forceful judgments counting against the standpoint's considered convictions, the latter must be adjusted such that the measure or criteria for the "you and me" standpoint is altered with regards to its application to the other standpoints. Ordinarily, this standpoint also has privilege over those standpoints which include other judgments or intuitions than the considered convictions which serve as a check on the theory.

In this regard, Rawlsian standpoints have much in common formally with their conventional cousins. In general, the outcome shows that that the Rawlsian standpoints interrelate and have either unidirectional or bidirectional priority relations, depending on the circumstances and the soundness of outcomes. In general, Rawls will argue that standpoints 1.), 2.) and 3.) will have privilege over utilitarian or intuitionist moral standpoints with regards to fair conditions of cooperation in political society and that 2.)'s sub-standpoints have privilege over, for example, libertarian or communitarian modes of justification on matters of basic justice.

#### **4. Making the call: strong, middling or weak**

Inventory complete, I now put my thesis to the test. Recall that a case for Rawls as standpoint theorist is strong when all of the definition's structural features have a strong and/or middling resemblance to those of Rawls's standpoints. On the contrary, should those features have only a middling and/or weak resemblance with Rawls's, then there is grounds to speak only of a weak case.

For the sake of convenience, I have collected my findings in two tables below. Table 1 recapitulates my assessment of each standpoint along the seven features from the definition above whereas Table 2 glosses that assessment as either a strong, middling or weak resemblance.

#### **Table 1: Structural features of Rawlsian standpoints**

	<i>REPRESENTATIVE PARTY</i>	<i>CITIZEN IN A WELL-ORDERED SOCIETY</i>	<i>YOU AND ME</i>
<i>LOCATION</i>	Artificial or null	Idealized and imagined but concrete	Actual and in “our” situation
<i>ASPECT</i>	Information constraints and prudential reasoning	Psychological and political possibility	Considered convictions and consistency
<i>KIND</i>	Expressive	Modal	Fundamental (or methodological)
<i>FOUNDATIONS</i>	Reliability	Idealization	Coherence
<i>ACCESS</i>	Subjective and voluntary	Subjective and voluntary	Subjective and voluntary, objective and situated
<i>SCOPE</i>	Principles for the basic structure	Stability	Global
<i>OTHERS</i>	Four-stage sequence and other initial situations	Nonideal standpoints on stability	All other internal standpoints

**Table 2: Resemblance of Rawlsian standpoints with conventional standpoints**

	<i>REPRESENTATIVE PARTY</i>	<i>CITIZEN IN A WELL-ORDERED SOCIETY</i>	<i>YOU AND ME</i>
<i>LOCATION</i>	Weak	Middling	Strong
<i>ASPECT</i>	Weak	Middling	Strong
<i>KIND</i>	Middling	Middling	Middling
<i>FOUNDATIONS</i>	Middling	Middling	Middling
<i>ACCESS</i>	Strong	Strong	Strong
<i>SCOPE</i>	Middling	Middling	Weak
<i>OTHERS</i>	Middling	Middling	Weak
<b>Case:</b>	Weak	Strong	Weak

Table 2, rough though it is, suggests that Rawlsian standpoints most often fall short of the qualities characteristic of standpoint epistemology. The “you and me” standpoint more or less leaves location, aspect and access intact in that it concerns our standpoint “here and now”, as “actual persons”, but philosophically committed to articulating and adjusting our considered convictions. Nonetheless, its scope becomes a murky, broad affair, given the variety of inputs, and its priority over all other standpoints is unfamiliar in the standpoint literature.

The other two main standpoints similarly instantiate those features in peculiar ways. The “representative party” and its “sub-standpoints” are an exercise in modelling by the overarching “you and me” standpoint. The latter carries out a hypothetical deliberation between simulated persons or starting positions wherein self-imposed informational constraints put those persons or positions at a greater or lesser remove from the richly informative social locations which furnish conventional standpoints their distinctive aspect, kind and grounds their epistemic privilege within a field. That said, its scope is carefully delimited at each step as is its priority over other standpoints. Its means of access is likewise clear-cut.

Despite also being modelled by the “you and me” standpoint, the “citizen in a well-ordered society” standpoint concerns an idealized society wherein justice as fairness has been fully, effectively and publicly institutionalized. Being located within a society demographically like ours and in possession of full information and a conception of the good, this standpoint relates to particular social locations and its sub-standpoints break down into kinds, each with its own access, scope and priority relations. Yet the fact of being keyed to artificial, unfamiliar social locations distances the “citizen in a well-ordered society” standpoint from quotidian, actual standpoints, which distance also impacts its aspect and grounds for epistemic privilege.

Three further remarks are in order at this time. First, while it seems not inappropriate to speak of the former as standpoints, the sense in which this term is being used must be properly qualified, particularly as regards the question of social location, the most delicate of the transpositions here. Second, the above may not exhaust the Rawlsian standpoints as more conventional standpoints might also be integrated when the time comes to turn to non-ideal theory, which, according to certain commentators, may come as early as the constitutional or legislative stages of the four-stage sequence. Lastly, Rawls’s critical vocation, particular with regards to welfare state capitalism, should not be neglected when comparing Rawls’s standpoints with those in standpoint epistemology, which Anderson (2015) links to “critical theory” and “empower[ing] the oppressed to improve their situation”. In parallel, one might contend that Rawls seeks to empower the least well-off to secure a favorable, “guaranteeable” position in the social system of cooperation. The four-stage sequence is notably framed in terms of their interest, which helps to understand their problems and is supposed to provide guidance as to how they might improve their situation (notably through the pursuit and implementation of property-owning democracy). Finally, Rawls likewise imposes pragmatic constraints on his account of justice: if it does not issue in a workable or applicable set of guidelines, then it is of no use and one is to start the constructive procedure over. All in all, while Rawls is not a classical standpoint epistemologist, his failure to carry out the theoretical reduction suggests that the standpoint and, perhaps, social identity is ineliminable. Perhaps, he is not so different after all.

## **5. Conclusion**

I therefore conclude that there is an uneven resemblance between Marxist or feminist standpoints and Rawls’s and that, of the three, the “citizen in a well-ordered society” standpoint comes closest to meriting talk of a strong case of similarity yet still falls short on important counts.

All in all, the uneven abstract or idealized character of Rawls’s standpoints speaks in favor of the weak case. This both yields a view whereon Rawls builds up justice as fairness by leveraging different standpoints against one another and offers a fresh look at Rawls’s reported “conviction that justification is always justification to a particular other” (Laden, 2003: 385). Additionally, this mild conclusion leaves a number of questions unanswered. Regarding its

value-added, I should ask whether it in fact makes Rawls's philosophy more tractable or merely unwieldy and whether the distinctions canvassed here simply track other faultlines in Rawls's work which might be more fruitfully isolated. I also leave unanswered whether this means that social identity has been wholly displaced from political theory, whether this fragmentation of political justification is liberating or paralyzing for political liberalism's theoretical basis, whether its institutional implications leave representative bodies intact or necessitate their break-up into single-issue deliberative bodies or issue publics. Although these are so many questions for another time, I think it safe to conclude, for the time being, that the theoretical pressures on social identity, while considerable, do not yet preclude its meaningfulness as a political question.

### **Works cited:**

- Anderson, E. (2015). "Feminist Epistemology." Stanford Encyclopedia of Philosophy.
- Freeman, S. (2004). "Public Reason and Political Justifications." *Fordham Law Review*, 72(5), 2021-2072.
- Laden, A. S. (2003). "The House That Jack Built: Thirty Years of Reading Rawls." *Ethics*, 113(2), 367–390.
- Rawls, J. (1996). *Political Liberalism* (2nd ed.). New York, NY: Columbia University Press.
- Rawls, J. (1999). *A Theory of Justice* (revised ed.). Cambridge, MA: Belknap Press.
- Rawls, J. (2007). *Lectures on the History of Political Philosophy*. Cambridge, MA: Belknap Press.
- Richardson, S. (2014) "Deliberative rationality" in Mandle, J. and Reidy, D.A. (eds.) *The Cambridge Rawls Lexicon*. Cambridge, UK: Cambridge University Press, pp. 186-189.
- Weithman, P. (1999) "Volume Introduction" in Richardson, S. and Weithman, P. (eds.) *The Philosophy of Rawls. Reasonable Pluralism*. New York, NY: Garland Press, pp. ix-xvi.
- Weithman, P. (2010). *Why Political Liberalism? On Rawls's Political Turn*. Oxford, UK: Oxford University Press.