



What is Structural Injustice?

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Abstract

This paper intends to explain the problem of structural injustice. The Rawlsian theory of justice is problematic due to the reality of positional differences. The assumptions of Rawls are put into question. Oppression, according to Iris Marion Young, is social in character. Fair opportunity is not enough. To elaborate this critique, this study presents the exclusion of individuals with handicap, the problem of global justice, and the situation of women in patriarchal cultures. Some social rules and the behavior of people discriminate the powerless. For instance, particular standards in society promote the high sense of respectability for professionals but not the respect for the equal dignity of persons. Procedures, laws, and policies manifest the prejudice against others. Beyond Rawls, the pursuit of justice and democratic inclusion, it is argued, requires overcoming unjust structures.

Keywords Rawlsian theory · Priority of liberty · Structural injustice · Positional difference · Oppression

1 Introduction

According to John Rawls, “each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override.”¹ Rational human beings, in the pursuit of their interests, will adhere to the principles of justice as long as the rules and procedures in which society divides its resources are fair. An impartial starting point is meant to ensure that the choice of the principles will not be to anyone’s favor. For Rawls, the conception of justice must be grounded in the idea that persons are moral equals. But the problem, as this study will show, is that the Rawlsian theory ignores the situated contexts of individuals. It disregards the reality of inequality that naturally arises from positional differences. At the outset, it can be argued that an

¹Rawls (1999), 3. Rawls asks the question: Once we view a democratic society as a fair system of social cooperation between citizens as free and equal, what principles are most appropriate to it? See Rawls (2001), 39.

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approach that is blind to the circumstances of people “is more likely to perpetuate rather than correct injustice.”²

This paper intends to do two things. First, it will analyze the Rawlsian theory of justice and question its assumptions. An interpretive analysis of a theory means that the underlying reasons for any particular view may not be morally plausible since the actual conditions in human life do not support the theory. The assumptions that Rawls uses cannot be apprehended in the concrete sense. In terms of methodology, this investigation will put into question the Rawlsian starting point. It will critically reflect on the Rawlsian theory by considering the problem of global justice, the domination of women, and the exclusion of people with mental impairment. Injustices, it will be argued, are structural in character. This means that human society, through its various facets and forms, manifests immanent types of oppressions that impede the growth of the human person.

Second, this paper will examine the reality of prejudice and discrimination. It will be argued that Rawls’s theory focuses on the chances of the individual in terms of how the same can benefit from society’s resources but neglects the reality of cultural differences that affect one’s life chances. While Rawls seeks to ensure that social institutions must be nondiscriminatory, the moral gaps present in culture and history put people at an unfair position. Cultural prejudice is structurally embedded in laws, policies, and rules that unwittingly oppress human beings. It will be explained, for example, that the emphasis on competition unduly favors individuals with “normal” functionings but unnecessarily excludes the impaired.

2 Explaining the Rawlsian Starting Point

The parties to the social contract must find the terms of the agreement reasonably acceptable. Since rational individuals have natural inclinations toward their personal good, the legitimacy of any social cooperation must be based on rationally sound and satisfactory rules, and in justifiable procedures of political engagement. Rawls introduces an imagined situation in his original position. Like Hobbes, he begins by bracketing man’s state of nature so that people’s conceptions of the good would not affect in any way the principles of justice that they are to choose.³ The actors in the original position know nothing about themselves. The Rawlsian starting point asserts that the respect for human autonomy is the guiding principle in the pursuit of the just ends of social cooperation. Rawls employs the veil of ignorance as a methodical device to thwart any undue advantage in society. The principles chosen in his theory of justice, Rawls insists, reflect the moral equality of persons as the foundation in the establishment of the just and democratic state.⁴

² Young (2007), 68.

³ Rawls explains that “the original position is, one might say, the appropriate initial status quo, and therefore the fundamental agreements reached in it are fair.” See Rawls, *A Theory of Justice*, 11.

⁴ Joshua Cohen says that “the original position with the veil of ignorance is a model: it models the moral irrelevance of certain facts by assuming we reason about justice in ignorance of those facts.” See Cohen (2004), 115.

Fair procedures are intended to prevent the contingencies of the past from influencing the whole process. Rawls, in designing his own version of the social contract, is suspending the assumptions that people have.⁵ Rawls is asking what a fair arrangement is about.⁶ Individuals would never desire to become part of social cooperation should they know in advance how their lives might turn out in the natural lottery. The purpose of the veil of ignorance is to make sure that bargaining advantages are removed. For instance, consider two young persons who possess similar qualifications in applying for the same job. In a situation in which the prevailing pattern of political accommodation in society unjustly favors one person over the other, people achieve things in life even if they do not deserve the same. An equal starting point intends to erase the wrong belief that one needs to be born to a position of privilege in order to succeed in life.

Normally, human beings are inclined to do things in their own favor. As a rule of thumb, people would want more of the pie than less. As Will Kymlicka puts it, “under this veil of ignorance, the position of equality is guaranteed as it ensures that those who might be able to influence the process in their favor, due to their better position in society, are unable to do so.”⁷ Such point stipulates that favoritism is unacceptable since the same puts people in positions that they are not entitled to or worse, it can also deprive competent people the positions they deserve. Man’s state of nature manifests that individuals have self-serving interests. Rawls explains that “persons are not indifferent as to how greater benefits, in order to pursue their ends, are preferred by each than a lesser share.”⁸ In this regard, the Rawlsian methodical device requires that people who are to participate in the design of the political apparatus are indifferent to the facts of their lives. In addition, it is important to point out that the individual must not only suspend his expectations whatever these might be, but also the moral burdens that might arise from them.

A just starting point aspires an even playing field for everyone.⁹ It can be the case that without such an arrangement, individuals would naturally use their position in their favor in order to realize some self-serving goals. People can be motivated by ambition. While such may not be necessarily bad, it can be socially counter-productive. Rawls’s original position requires separating the individual from the practical aspects of human life. What morally binds the person to social cooperation is that all start as equals in choosing the principles of justice. Rawls, however, excludes people with disability from the original position. According to Martha Nussbaum, the Rawlsian assumptions as to how society can begin on equal footing does not include “people whose mental and physical powers are unequal to those of normal human beings.”¹⁰

⁵ Rawls, *Justice as Fairness: A Restatement*, 16.

⁶ According to Rawls, the agreement is regarded as hypothetical “since we ask what the parties could, or would, agree to, not what they have agreed to” and it is “non-historical since we do not suppose the agreement has ever or indeed ever could actually be entered into.” Ibid.

⁷ Kymlicka (2007), 63.

⁸ Rawls, *A Theory of Justice*, 4

⁹ A level playing field is about the power to make your own choices. Kymlicka, for instance, thinks that “the attractive idea at the base of the prevailing view is that people’s fate should be determined by their choices – by the decisions they make about how to lead their lives – not by the circumstances which they happen to find themselves in.” See Kymlicka, *Contemporary Political Philosophy*, 59.

¹⁰ Nussbaum (2006), 28.

3 The Priority of Liberty as a Moral Claim

Modern liberalism holds as paramount the priority of liberty. The basic liberties of the individual must be over and above the notion of economic efficiency. Rawls writes that the “principles of justice are to be ranked in a lexical order and therefore the basic liberties can only be restricted for the sake of liberty.”¹¹ Following Kant, Rawlsian liberalism requires that the state should not allow any person to use another in the pursuit of the good. In a just society, there is no room for the sacrifice of any individual even if the same is meant for the well-being of society. Rawls maintains that liberal equality considers the priority of liberty as non-negotiable. The respect for human liberty is the foundation of his political ethics. On this note, David Schaefer explains that, “although Rawls seems to describe his enterprise as substantive political philosophy, he more commonly refers to it as a moral theory.”¹²

The idea of fairness mandates that social cooperation must be on rational and reasonable terms.¹³ Equal opportunity, as a corollary principle of justice as fairness, is grounded in the equal treatment of people. Brian Barry adds that Rawlsian justice proposes “equal rights and opportunities, but not equal outcomes defined over groups.”¹⁴ People would start off as equals in the original position. The fortune that they make should be based on personal initiative. What matters is that the rules and procedures in the beginning are fair to everyone. If an individual capitalizes on his entrepreneurial effort, then the same should be allowed to profit from the same with a fair amount of social goods. The idea of merit, in this sense, is about what a person deserves to get in any lawful competition.

Social cooperation is meant to establish the enabling conditions for people to attain a life that is founded on equal respect. The priority of liberty is an assurance that the basic freedoms of the human person would not be compromised. The state guarantees the enjoyment of the basic liberties of the individual. While in some cases, an endowment sensitive starting point would be preferred due to unforeseeable circumstances, the fundamental idea in the Rawlsian scheme is that the choices people make should define what human life ultimately means.

Liberal equality stipulates that while there is an equal opportunity for everyone, human freedom must remain as the highest moral and political value. The point herein is that the initial status quo envisioned by Rawls is meant to emphasize the primacy of the basic liberties in the choice of a life that one has enough reasons to consider as worth living. Liberal equality mandates that each human person should have the freedom to pursue a meaningful life. It is a life that is filled with purpose, significance and a sense of fulfillment.

Barry protests the idea that Rawls’s theory is “designed for disembodied beings and not for real people.”¹⁵ Barry thinks that critics misunderstand Rawls’s motives and methods.¹⁶ For the former, as long as the parties in the social contract would endorse the principles of justice, society can depend on the tenability of the original position. Barry explains that “Rawls builds his entire structure around the assumption that the main business of a theory of justice is to deal with difference in a manner that can be

¹¹ Rawls, *A Theory of Justice*, 53.

¹² Schaefer (1979), 12.

¹³ Barry (1995), 11.

¹⁴ *Ibid.*, 92.

¹⁵ Barry (2001), 69.

¹⁶ *Ibid.*

shown to be fair.”¹⁷ However, the problem is that while Barry presents the indispensable value of democratic procedures, undeserved outcomes can come from biased decision-making processes embedded in socio-cultural structures that favor the powerful.

Schaefer argues that the Rawlsian sense of justice is bereft of any proof that shows how it can be an objective guide for people regarding what justice is.¹⁸ The inability of certain countries to escape the poverty trap, some of which are embroiled in violent conflicts and political exclusion, challenges the assumptions of Barry. The issue is the dissonance between Rawls’s theoretical premises and the practical aspects of human existence. Barry seems to suggest that only procedures matter in the end. It is no longer the responsibility of the state to look into the outcomes of socio-political arrangements. However, even if the procedures are fair, the problem is that the underlying situations would eventually affect the consequences of political decisions.

4 The Problem of Structural Injustice

Iris Marion Young provides a constructive critique to the social contract theory. Young says that dominant positional differences in society result to injustices. Structural imbalance causes injustice. For instance, such happens when a minority group’s position in society is threatened by institutional practices that constrain the opportunities of people.¹⁹ What this means is that some forms of oppression are systemic. Particular prejudices against groups are apparent in social norms that often restrict the ability of human beings to attain productive lives. Such can come from the way social institutions are created or in the processes in which laws are made. Domination in society is often rooted in colonial history. Such explains the bad type of governance a country suffers from.

Young thinks that impartial rules are disguises for dominant and oppressive policies. For Young, culture, gender, and even physical appearance influence the life prospects of persons. She avers that the blindness to difference puts people at a disadvantage. Many among us are wrongly judged as inferior.²⁰ For Young, the principle of impartiality eliminates human affectivity. It only considers situations in a rational way and human emotions are considered as insignificant. Feelings are subordinated to reason in the manner by which society makes judgments.

The main point of Young’s critique is that even if people begin from an impartial starting point, there is no guarantee that the resulting structures created out of the social contract would be just. Consider, for instance, the reality of male domination. Women are forced to do things without the option of independent choice. In marriage, a woman is expected to care for her husband after doing her typical day job. For Young, “persons in less advantaged positions suffer injustice in the form of structural inequality.”²¹ The dominant norms in marital life are actually a by-product of a

¹⁷ Ibid.

¹⁸ Schaefer, *Justice or Tyranny*, 12.

¹⁹ Young, “Structural Injustice and the Politics of Difference,” 63.

²⁰ Young (1990), 164.

²¹ Young, “Structural Injustice and the Politics of Difference,” 64.

patriarchal culture that denigrates the intrinsic worth of women. In many cultures, a woman is perceived to be weak.²² She is reduced into the object of abuse and exploitation because men want absolute control.

A perspective that starts from nowhere is actually unfair. Social inequality is contextual. A society that is in pursuit of justice should be sensitive to the heterogeneous attributes of persons. It matters to understand that people are constrained by bureaucratic problems that are not of their own doing. Oppression is brought about by the unequal positioning of people. Some individuals in high culture have biases against other human beings. The elite and powerful use their position in society to subjugate the freedom of others. Positional injustice consists of institutional circumstances or conditions that prevent individuals from any form of meaningful participation in their society.²³ According to Young, some institutional processes impede the people's ability "to communicate to others, to express their frustrations or to explain their perspectives in life and society in the hope that others would listen."²⁴ Undemocratic political structures and the violent ways of some leaders are obstacles to the pursuit of the good of society. Positional differences reinforce the hegemonic nature of human relations, revealing the faulty design of basic institutions.

Young tells us that Rawls's theory of justice is about individual interaction and background conditions. However, Rawls's overemphasis on redistribution misses the actual imbalance in the process, given the differences present in society.²⁵ Rawlsian contractarianism is naïve to structural issues. The efficient functioning of any government depends on the maturity of people. While an immature democracy can result from the disregard of proper procedures and rules, the greater harm can come from social exclusion and discrimination. To illustrate this point, there is a polarity between the abstract world of Rawls and politics in the Third World. In the ideal world envisioned in the social contract, people respect each other as equals. But in the actual world, bad leaders use their cunning ways to usurp the poor. The power that autocratic rulers wield enables them to control and exploit the vulnerable. In most instances, poor people have no real access to legal protection. Being at the margins, they have little or no means to defend themselves in court. Young explains that institutions and social practices conspire to restrict the ability of people to achieve their well-being.²⁶ Institutional rules openly display the lack of equal respect in human society. In fact, programs in government reveal wrong priorities. But the poor cannot really do anything about the problem since they have no access to democratic processes. The lack of authentic inclusive procedures hinders their participation in matters that affect their well-being. This type of political exclusion, in fact, appears to be deliberate so that those who are in power can perpetuate themselves in their positions.

²² Young explains that "a woman is often told that she must be careful not to get hurt, not to get dirty, not to tear her clothes, that the things she desires to do are dangerous for her," and thus, as an individual, "she develops a bodily timidity that increases with age," and for this reason, "in assuming herself to be a girl, she takes herself to be fragile." Young (2005), 43.

²³ Young, "Structural Injustice and the Politics of Difference," 64.

²⁴ Young, *Justice and the Politics of Difference*, 38.

²⁵ The problem, Young thinks, is the concept of homogeneity. This means that "the veil of ignorance removes any differentiating characteristics among individuals, and thus ensures that all will reason from identical assumptions and the same universal point of view." *Ibid.*, 100.

²⁶ Young, "Structural Injustice and the Politics of Difference," 63.

The concept of positional injustice is obvious if we consider the economic categorization of individuals. The income levels of persons show their positioning in the broader context of society. Such has an effect in terms of the division of labor, in the decision-making processes, and in social practices. For instance, some parents have a particular bias against their daughters. They tend to favor their sons to the former. In terms of options, most young girls in poor households are characteristically restrained in their yearning to achieve the moral good. Young women are forced into very menial jobs. It is a form of powerlessness that comes as a result of giving preferential treatment to men for no apparent reason at all. Young writes in her celebrated essay, *Throwing Like a Girl*, that “the culture and society in which the female person dwells define woman as other, as the inessential correlate to man, as mere object and immanence.”²⁷ A woman, Young elaborates, is thereby “both culturally and socially denied the subjectivity, autonomy, and creativity that are definitive of being human and that in patriarchal society are accorded the man.”²⁸

Young rightly thinks that systemic conditions cannot be reduced to the question of resource redistribution. Normalizing the process on the basis of a distributive paradigm may be inadequate since basic questions about justice do not just concern money. An analysis of inequality that merely focuses on allocating material goods is a limited way of looking at the scope of the problem. We have to correct the condescending attitude of those at the top. For Young, social structures need to be morally evaluated for people to understand why positional injustices occur.²⁹ William Galston argues that the concept of social justice has a broader range and it covers many aspects of human life. People value their social and cultural experiences, including those things that allow them to see a much wider horizon of the world.³⁰ Human freedom, it can be argued, is important not only because it is instrumental to our self-realization. It is important because without freedom, there is no human life to speak about.

5 The Social Context of Oppression

The state is an apparatus of oppression. This happens when a despotic regime employs the state machinery against its critics or political adversaries. Oppression, Young asserts, “is a structural phenomenon that tends to diminish or immobilize certain groups or a people in general.”³¹ This is shown in the subjugation of the minority through force or violence by those who possess power over their person.³² Politically, citizens envision a society in which everyone has equal rights. However, a weak state often displays the shameless impunity of the mighty over the vulnerable. Power makes some people predisposed into taking advantage of others. The reason is that the moment leaders are cloaked with autocratic tendencies, they would impose their will on hapless subjects. Oppression, in this way, is produced in society. Nationhood is a dangerous concept to non-citizens. It is an ideological obstacle to global justice. Young

²⁷ Young, “Throwing like a Girl,” 31.

²⁸ Ibid.

²⁹ Young, *Justice and the Politics of Difference*, 20.

³⁰ Galston (1980), 6.

³¹ Young, *Justice and the Politics of Difference*, 55.

³² Young, “Structural Injustice and the Politics of Difference,” 60–61.

tells us that it is not possible to dismantle unjust political systems by creating new laws because injustices are systematically “being reproduced in major institutions.”³³

Jeffery Reiman points out that Young intends to show that “structural harms are injustices, rather than misfortunes.”³⁴ The poor are the primary victims of the wrong priorities of government policies. When taxes are adjusted in order to pay for sovereign guarantees on foreign loans, the impact is mostly felt in the empty stomachs of poor children. Gated communities, more than the mushrooming presence of slum areas, reveal the coldness and cruelty of unjust economic arrangements. The wealthy unconscionably enjoy the better comfort of their villas, whereas the ordinary man continues to bear all the burdens of an unequal socio-economic order. Power makes some people remorseless.

The hegemonic order of politics controls the world. As a general rule, unjust systems and structures favor wealthy states. In the global sphere, justice is non-existent because of the dominant position of world powers. The discriminatory concept of nationhood is protective of the interests of a country’s citizens. Non-citizens are judged as outsiders. In this respect, the sense of justice in the world is limited to a mere duty of assistance. The equality of persons cannot serve as the moral compass in global affairs. The idea of empire, rooted in humankind’s brutal history and the unjust nature of geopolitics, defines the rules that influence states in international affairs.

In countries that have been previous colonies, the abuse and exploitation of the poor by the dominant political order is an undeniable fact. Göran Collste says that it is a “dire moral challenge that a large part of the world’s population lives in utmost despair alongside the affluent.”³⁵ The Swedish thinker has documented, for instance, the cultural and political implication of the slave trade.³⁶ The economic development of the African continent has been affected by the conflict and violence that have come as a direct result of a colonial history. In other places, colonizers simply drove the native population out of the land.³⁷ As a result, people are tyrannized by cruel political warlords. Such has become the normal way of life for millions of people. Collste says that the political elite in the newly independent countries have allied themselves with their former masters whose systemic exploitation of the local population remains in the ways of life of the people long after the latter have been liberated as a colony.³⁸ In various instances, poor states are afraid to ask for just compensation to rectify the mistakes of the past. This hampers not only the economic growth of impoverished societies but also distorts their sense of identity as a nation.

Young explains that “oppression is systemic to societies.”³⁹ The destitute, many of whom lack access to meaningful government programs, are used as instruments for the self-aggrandizing motives of politicians and unscrupulous businessmen. The concept of exploitation, Young says, “occurs through a steady process of the transfer of the results of the labor of one social group to benefit another.”⁴⁰ The powerful enrich themselves

³³ Young, *Justice and the Politics of Difference*, 41.

³⁴ Reiman (2012), 741.

³⁵ Collste (2015), 18.

³⁶ *Ibid.*, 100.

³⁷ *Ibid.*, 112.

³⁸ *Ibid.*, 114.

³⁹ Young, *Justice and the Politics of Difference*, 38.

⁴⁰ *Ibid.*, 49.

at the expense of the despondent in society. Exploitation by means of unfair wages and inhumane working conditions, for example, continue to extract blood from workers, preventing their families from enjoying the fruits of their labor in a society where only the rich continue to live in abundance while millions have nothing to eat.

Another instance in which persons are oppressed happens in the arrogant attitude of some intellectuals toward ordinary people. When one is poor, it is terribly difficult to gain the respect of society. The poor, being dependent, are sometimes stereotyped as parasites. In contrast, individuals with white-collar jobs are extended the privileges beyond the workplace by virtue of the honorific ascription of their profession. Engineers, doctors, and lawyers acquire a class status that commands a high sense of social respectability. In most instances, career executives are looked up to because of the perceived prestige of the position they hold.⁴¹ Meanwhile, non-professionals are demeaned. Young believes that a prejudiced “form of group differentiation has remained endemic in modern day society.”⁴² Modern society is wanting in terms of equal respect for the moral worth of each human being. People are esteemed for what they own or possess, but not as to who they are. In short, respect for human dignity does not characterize the state of affairs in the world. Oppressive standards of beauty, for instance, determine for some people their sense of self-acceptance. And so, how human beings treat each other does not reflect what truly matters in life.

Young thinks that “marginalization does not cease to be oppressive when one has shelter and food.”⁴³ Stigmatization is a social phenomenon. For example, even if the family of a child with disability has enough means to be able to live comfortably, the same child remains mistreated by others due to social discrimination. Paul Abberley explains that the analysis of “the oppression of disabled persons in part involves pointing to the essential differences between their lives and those of other sections of society.”⁴⁴ People are morally indifferent.⁴⁵ Eva Fedder Kittay mentions that the idealization of human affairs is “seriously misleading since it puts too much distance between the normal functioning individual and the person with special needs and disabilities.”⁴⁶

In truth, society’s fundamental mistake is prejudice. In many cases, parents simply do not want to be identified with their special children in order to avoid the social stigma. Oppression is present in many ways in human society. It even exists in our simplistic categorizations. For example, people usually speak of the word “special” in two different senses. The first instance may signify a group of intelligent children whereas in the second sense, the term “special” is derogative since it can mean “slow learners.” This only shows society’s lack of moral sensitivity to the reality of functional impairment. Such exposes that impairment, or the inability to function in a normal way is “a product of social interaction.”⁴⁷ Persons with neuro-developmental delay, as a matter of fact, are put into difficult situations because of social discrimination.

Disability is not just physical or mental, but social. The bias against handicapped persons prevent the same from realizing a meaningful life. Majority of children with

⁴¹ *Ibid.*, 56.

⁴² *Ibid.*, 47.

⁴³ *Ibid.*, 55.

⁴⁴ Abberley (1987): 7.

⁴⁵ Kittay (1999), 88.

⁴⁶ *Ibid.*

⁴⁷ Abberley, “The Concept of Oppression and the Development of a Social Theory of Disability,” 10.

disability undergo a lot of hardships because they are forced to behave in accordance with the rules made for normal people. Apparently, there is a disconnect between societal norms and the actual situation of persons with developmental delay issues. While a disability may be inborn, its cruel effects will be felt the most by the time one becomes an adult in the form of social stigma. As an implication, even those individuals with only a mild mental impairment cannot be an active participant in the democratic processes since it is wrongly assumed that they have nothing significant to say or contribute.

One way of improving the situation of individuals with disabilities is by means of promoting anti-discrimination laws. Yet, practical things can be implemented to make the lives of the handicapped convenient. According to Young, “the built environment is biased to support the capacities of people who can walk, climb, see, hear, within what is thought of as the normal range of functionings, and presents significant obstacles for people whose capacities are judged outside this range.”⁴⁸ For example, those who suffer from an impairment cannot work because jobs are incompatible to their condition. For this reason, their well-being will have to be dependent on those family members who may or may not actually want to care for them. Without the preferential attention given to people with disability, enhancing the life prospects of the same is impossible to picture out in our busy world.

Of course, caring for a person with disability is never an easy task. Social inclusion involves doing things beyond what the usual norms of society might require. When we speak of our children, parents can guide them in terms of values that contribute to the child’s moral upbringing. The same might include one or two parents acting as good role models. However, whenever we are to care for children with autism, both parents need to be more patient and embrace a lifetime commitment that is wholly founded on unconditional love. Without love, overcoming the lack of moral sensitivity of other people and the unequal conditions in society will appear to be impregnable barriers. Kittay writes:

With one stroke, dependents – be they small children or incapacitated adults, be the impairments physical or mental – become an integral part of any social organization. To presume that they stand outside of justice, that they are not entitled, that – for reasons of their impairments and dependence – they lack rights, seems odd indeed if the point and purpose of such principles (if not the sole one) is a social order that secures the ability to care for dependents.⁴⁹

The problem of the liberal paradigm, according to Young, is that it “implicitly assumes that social judgments are about what individual persons have, how much they have, and how that amount compares with what other persons have.”⁵⁰ To live a decent life, certain things must be changed in order to make human society truly just. The state must implement policies that manifest as well as defend the preferential attention given to persons with disability. Barry therefore missed the important point when he rants against giving care to handicapped people. While we understand the importance of

⁴⁸ Young, “Structural Injustice and the Politics of Difference,” 67.

⁴⁹ Kittay (2001), 574.

⁵⁰ Young, *Justice and the Politics of Difference*, 25.

rational interests in enjoining people to participate in the pursuit of the ideals of justice, the lack of respect for other human beings actually inflicts a much bigger damage to the essence of our humanity as a whole.

6 Conclusion

The main argument of Rawls in *A Theory of Justice* is that equality can be reconciled with human liberty if society institutes fair procedures in the distribution of social primary goods. The concern of Rawls is not substantive justice but upright rules that are to govern the basic structure. Social cooperation in this regard is about inclusive redistribution. However, this paper highlights the problem of the Rawlsian social contract. It has argued that the assumptions of Rawls are a cause of concern given the historical evidence as to the reality of structural injustices. For this reason, for a theory to be morally tenable, it must abandon the desire for idealization. We have evaluated the points of Rawls and appreciated the position where he comes from. But in order to overcome social injustices, there is a need to consider concrete problems. As a society, we have to advance not only in finding theoretical innovations but in proposing morally plausible solutions.

Human society is veering away from the notion of a well-ordered society. There are latent and obvious inequalities that need to be addressed. Notwithstanding the reality of injustice, our search for development norms that uphold the moral equality of each must remain. It is for this reason that this paper has examined global justice, the experience of inequality by women, and the reality of impairment. The paper has shown that in terms of application, reforms can be instituted in society from a structural end. Since many types of oppression result from hegemonic relations, governments need to dismantle unjust structures by confronting the prejudice against poor people, the vulnerable, and the impaired. Moral indifference as well as insensitivity diminishes the lives of human beings. Young explains that the differences in the positioning of individuals in the social hierarchy give them divergent experiences. The truth is that structural inequalities unfairly put people above others. The handicapped who discover themselves at the lowest part of the socio-political ladder encounter tremendous hindrances that stifle their self-realization. A real democracy is one that is open to the participation of everyone who has a stake in the development of the state.

Some of society's normative standards are stereotypical. For example, parents usually favor boys and people want those with developmental delay to adjust to societal standards determined by the majority. The comparison of persons from a distributive point of view is restricted to income and henceforth, the qualitative assessments of human attributes are acutely wanting. Inequalities, Young thinks, are a result of unfair positional advantages that oppressive societal structures bring about. A just starting point maintains the priority of liberty of each person but at the same time, it must prevent societal structures and cultural prejudice from taking advantage of people. Society must confront concrete structural problems in the effort to establish the proper rules and appropriate institutions. When the state provides equal chances to every person, then the basic freedoms of human beings are expanded. However, when persons are coerced into

submission to demeaning life-situations that are brought about by oppressive policies, then the state constrains the growth of human beings. The challenge to Rawlsian liberalism, therefore, is to be able to provide the conditions in which women, the poor, and individuals with cognitive impairments may be able to enjoy dignified human lives.

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