

Textauszug zur Vorbereitung auf den Workshop
„Achtsamkeit und ethische Urteilsbildung“

Ethische Prinzipien – Beispiel 4:

Rawls's veil of ignorance: „Justice emerges when negotiating without social differentiations.“

John Rawls's book, *A Theory of Justice* (1971), has been widely quoted in contemporary work on ethics. From Rawls' s perspective, fairness is the fundamental idea in the concept of justice. He represents a return to an older tradition of substantive moral philosophy and thereby establishes an alternative to utilitarianism. He articulates an egalitarian perspective that carries the familiar social contract theory of Hobbes, Locke, and Rousseau to a more fundamental level.

In easy cases, fairness means quantity: everyone in the same union doing similar work would all fairly receive a 10 percent raise; teachers should give the same letter grade to everyone who had three wrong on a particular test; and at a birthday party, each child should get two cookies. Eliminating arbitrary distinctions expresses fairness in its basic sense. However, Rawls struggles more with inherent inequalities. For example, players in a baseball game do not protest the fact that pitchers handle the ball more times than outfielders do. We sense that graduated income taxes are just, though teachers pay only 22 percent and editors, advertisers, public relations staff, and film producers perhaps find themselves in the 50 percent bracket.

When situations necessitating social contracts are inherently unequal, blind averages are unfair and intuitional judgments are too prone to error. Therefore, Rawls recommends his now classic "veil of ignorance," asking that all parties step back from real circumstances into an "original position" behind a barrier where roles and social differentiations are eliminated. Participants are abstracted from individual features such as race, class, gender, group interests, and other real conditions and are considered equal members of society as a whole. They are men and women with ordinary tastes and ambitions, but each suspends these personality features and regains them only after a contract is in place. Behind the veil, no one knows how he or she will fare when stepping out into real life. The participants may be male or female, ten years old or ninety, Russian or Polish, rookie or veteran, black or white, advertising vice president or sales representative for a weekly magazine. As we negotiate social agreements in the situation of imagined equality behind the veil of ignorance, Rawls argues, we inevitably seek to protect the weaker party and to minimize risks. In the event that I emerge from the veil as a beginning reporter rather than a big-time publisher, I will opt for fair treatment for the former. The most vulnerable party receives priority in these cases. Therefore, the result, Rawls would contend, is a just resolution.

Because negotiation and discussion occur, the veil of ignorance does not rely merely on intuition. Such individual decisions too easily become self-serving and morally blind. Nor is the veil another name for utility, with decisions based on what is best for the majority. Again, the issue is morally appropriate action, not simply action that benefits the most people. In fact, Rawls' s strategy stands against the tendency in democratic societies to rally around the interests of the majority and give only lip service to the minority.

Two principles emerge from the hypothetical social contract formulated behind the veil. These, Rawls declares, will be the inevitable and prudent choices of rational women and men acting in their own self-interest. The first principle calls for a maximal system of equal basic liberty. Every person must have the largest political liberty compatible with a like liberty for all. Liberty has priority in that it can never be traded away for economic and social advantages. Thus the first principle permanently conditions the second. The second principle involves all social goods other than liberty and allows inequalities in the distribution of these goods only if they act to benefit the least advantaged party. The inequalities in power, wealth, and income on which we agree must benefit the members of society who are worse off.

Dieser Auszug stammt aus:

Christians, Clifford, Fackler, Mark, Richardson, Kathy Brittain, Kreshel, Peggy: *Media Ethics: Cases and Moral Reasoning*. New York, 2010.

Consider the press coverage in the well-known case of William Kennedy Smith for the alleged rape of a woman at the Kennedy Palm Beach compound in 1991. The case continues to be used as a learning tool, though Senator Kennedy is now deceased. The extensive media coverage at that time was justified on the basis of Senator Edward Kennedy's role at the bar earlier in the evening and public interest in the Kennedy family. Given conventional news values, the public's right to know supersedes the Kennedy family's right to privacy. But what if we go beyond values to ethical theory? Put Ted Kennedy and a newsperson behind the veil of ignorance, not knowing who will be who when they emerge. Undoubtedly they would agree that reporting on the public acts of public officials is permissible but that publicizing the alleged rape incident itself, now several years later, would be undue harassment in the absence of any new material. Rawls's principle precludes reporters from using their power to pester without end those who are caught in a news story.

On a broader level, place politicians and journalists behind the veil and attempt to establish a working relationship agreeable to all after the veil is parted and space/time resumes. All stark adversary notions would disappear. There would be no agreement that elected officials as a class should be called the enemy or liars because those who emerge as politicians would resent such labels. Independence, some toughness, and persistence seem reasonable for media professionals, but a basic respect for all humans would replace an unmitigated and cynical abrasiveness among those wielding instruments of power.