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Is Cast in Oblivion Even an Option?

- On A detour or heading for a dead end.¹ -

Essay in Theoretical Philosophy

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¹'Cast in Oblivion' is used as a metaphor for *The Veil of Ignorance*. The sub-title refers back to an earlier essay (a Bachelors Thesis in Practical Philosophy) of mine (Halberstad, Tomas. 2009, *Is Fully Informed Better than Cast in Oblivion?*) in which I compare the starting points of two social contract theories. One put forward by *Gauthier, David*. and the other by *Rawls, John*. Leaving the thesis' debate aside, the conclusion is (here presented as simple as possible): No, It's not better to be fully informed (at the starting point), in the context (of the thesis), it's not even certain that it's a possibility. This essay should be viewed as continued research on the qualities and flaws of The Veil of Ignorance.

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1. Introduction.

The book *A Theory of Justice* is acknowledged as one of contemporary *Political-* and *Moral Philosophy's* most important works.² With it, its author, *John Rawls*, re-opened the debate on *Social Contract Theory*. A debate that has since been vibrant and plentiful.

Standard ground for this debate set aside, the philosophical setting for the discussion in this essay is neither political nor moral.³ Instead we will, for the most part, find ourselves treading the dense forests that are *Epistemology; The Philosophy of Knowledge*. Especially looking at two ideas on how mind and knowledge might work.

1.1. Background.

In the book *A Theory of Justice*, Rawls lays forward ideas on an initial contract situation. A negotiation, if you will, between rational, self-interested individuals. The outcome of this negotiation is supposed to be a just society. Rawls calls this initial contract situation *The Original Position*.⁴

A key part to this contract situation is (the concept) *The Veil of Ignorance* (from now on called *The Veil*).⁵ The Veil is a knowledge restrictor placed upon the individuals in the contracting situation, keeping them from knowing certain things about themselves and society (to be; to come). The restrictor is put on the individuals in order to arrive at a conclusion, *The Principles of Justice*, and further a decision on what (kind of) society to choose; to, later, live in.⁶

Needless to say, all parts to a work of this importance, stirring up debate, in the magnitude it has, will have its critics. (Wouldn't be much of a debate if it didn't.) The Veil is no exception.

In the essay *Equal Minds Behind the Veil of Ignorance* author *Speranta Dumitru* comes at Rawls from quite an original angle, the epistemic one.⁷ Concluding that *The Original Position*, and the epistemology used therein (and in its embedded concepts) is " [...] not only

² Rawls, John. 1971.

³ It should, however, be noted that arguments and conclusions in this essay do, indeed, have consequences applicable on Rawlsian-, and other social contract-, discussions in both *Political-* and *Moral Philosophy*.

⁴ Rawls, John. 1971, p. 118f.

⁵ Ibid. p.136f.

⁶ Ibid. p. 54f, 150f.

⁷ Dumitru, Speranta. 2007.

implausible but of no use for moral reasoning.”⁸ This because, the conception of mind and knowledge that Rawls presents is not only out of date but also false.

1.2. Purpose and Problem.

The purpose of this essay is, therefore, to look at what conception of mind and knowledge Rawls attributes the individuals under The Veil and examine Dumitru’s analysis of that epistemology.⁹

The problem stems from the title of this essay. Is A Theory of Justice; The Original Position; The Veil of Ignorance, plausible options for take-off when it comes to moral reasoning? Or, does the epistemology embedded in the concepts crumble them, and in that the whole theory, from the inside? Does Dumitru’s critique on this matter just serve as another obstacle to overcome, a detour to take towards a successful theory or have we in-fact, on this question, reached a dead end?

2. The Veil.

When it comes to mind and knowledge under The Veil, Rawls’ ideas aren’t explicit. Is not even clear if he adheres to one *single* idea or theory as to how it (mind and knowledge) works. Instead, he seems to have an implicit model, some kind of *commons sense* or *intuitive* view on the matter.

2.1. What The Veil Does, Why The Veil Does It.

The Veil is a knowledge restrictor put on the individuals to aid the arrival at a given goal. The simplest way to explain it is to say, as Rawls does, that The Veil prohibits; or makes it impossible, for the individuals behind it to have any particular information (about themselves, such as wealth, strength, social status etc.) at the same time as there are no restrictions, what so ever, on general information.¹⁰ (In this case the general information is about the building, workings and frame-work of a society. It could, however, be any general information.)

Rawls introduces The Veil because he believes that people, when deprived of the knowledge on the particulars of themselves, will reason about choice (when faced with one),

⁸ Ibid.

⁹ *This* essay will only be concerned with the first part, of two, in Dumitru’s essay. This because, the field of research would otherwise have been too great. In part two Dumitru argues that (because it seems like The Constitutive View on mind and knowledge is the correct one) people having the exact same information still can disagree; choose differently.

¹⁰ Rawls, John 1971, p. 136f.

and make choices, in an 'objective' manner. Hopefully leading to a just choice and a just setting after.¹¹

2.2. Rationality and a Hypothetical Situation.

It is important (for the discussion in 4.) to say something about what kind of rationality the individuals under The Veil (and further on in Rawls' whole theory) have and also what The Veil is; is a part of.

Explaining rationality in broad strokes, Rawls says things like "They [the individuals] can make rational decisions in the ordinary sense." and "The concept of rationality [...] is the standard one familiar in social theory."¹² What he means by this, again using some common sense or intuitive view, is that the rationality of the individuals behind The Veil is just like the rationality of you and me; a normal one.¹³

As far as what The Veil is; is a part of: A Theory of Justice is a hypothetical social contract theory. The key word here being hypothetical. Rawls does not think that such an event as The Original Position, with its Veil, has taken place or is going to take place. It is merely a model; an hypothesis on how to reach justice (under pure proceedings).

3. Dumitru's Analysis, Critique and Ideas.

Dumitru's analysis says something like: Under Rawls' conception, knowledge can be seen as any other property, or piece of material goods, that one can possess, or not. Where 'one knowledge'; one bit of intelligence would equal a pice of material goods. The mind is where you put your property.

3.1. Mind, Knowledge and a Theory Without Practice.

Dumitru identifies that there are largely; generally (and specific to this case) two ways of understanding the collective ideas that become concepts of mind and knowledge. The first can be seen as a classical, 'out of date', view and the second as a more modern, 'the way it seems to be', view.¹⁴

¹¹ 'Objective' in this context means something like⁵ 'without regard to oneself'.

¹² Rawls, John. 1971, p. 143. Naturally Rawls describes the rationality, and how it will work, in a much deeper; more thorough sense. However, the short, 'in general' description given here will do for the purpose of this essay.

¹³ For the purpose of this essay I will assume that this account of rationality is, or in it captures, what it really means to be rational. I shall leave theories arguing for the possibility of man harbouring several types of reason at once.

¹⁴ These ideas are not Dumitru's original ideas. They are understood, derived and copied from other philosophers such as *Lock, John. Wittgenstein, Ludwig. Ryle, Gilbert. Corlett, J. Angelo and Couclelis, H.* For the purpose of this essay it will, however, suffice to assume that Dumitru's analysis and usage of the ideas are correct.

From this Dumitru concludes, that as the latter seems to be true (or 'more true'), Rawls has a problem because his theory can't be used by you and me.¹⁵

3.1.1. The Container View.

The Container View is the classical view, and the one that Dumitru attributes to Rawls. (To the kind of mind and knowledge-concept he 'gives' the individuals under The Veil.)

On this view the mind can be, or is, seen as a container; a big empty room. The knowledge is seen as things that can be put in the room, taken away from the room, placed next to each other or kept apart. There is no, or minimal, 'interaction' between all the different pieces of knowledge.

Knowledge is something you possess. It comes in independent pieces and you store them all in your mind; your container. All along, while adding or withdrawing knowledge, your mind; the room, stays intact.

3.1.2. The Constitutive View.

The Constitutive View is the more modern view, and the one that Dumitru argues is one closer to how our mind and knowledge actually work.

On this view "Knowledge is not an added value; it is a constituent element of the mind [...]"¹⁶ This means the knowledge *is* the mind. If you change the knowledge, add, withdraw or (if possible) shuffle it around, you also change the mind. Another effect is that if the knowledge is the mind and you add a piece of knowledge, hence, changing the mind, you change all the knowledge that was there prior. (If the mind changes, the knowledge changes and vice versa.)

This, according to Dumitru " [...] would emphasise the dynamic nature of the cognitive system, reaffirming not only that the mind is not an inert box stripped down to the role of "storage", but that knowledge itself must be seen differently."¹⁷

3.1.3. Unattainable Justice.

Now, resting on the idea that The Container view (on mind and knowledge) is false and that The Constitutive View is true, Dumitru takes a look at a disposition; an idea and a quote, of Rawls' regarding moral reasoning and the idea of man behind The Veil. This because if Rawls'

¹⁵ Here setting aside all theories on *Truth*. Instead, in this context, true, or 'more true' means something to the effect of 'how things [mind and knowledge] seem to be; seem to work.

¹⁶ Dumitru, Speranta. 2007.

¹⁷ Ibid.

theory can't lead to moral reasoning, and further on, to moral practice, then it's not of much use at all.

The quote is "[...] it is important that the original position [and in it The Veil] be interpreted so that *one can at any time adopt its perspective*."¹⁸ [my italics] In fairness, Dumitru's focuses on the latter part. (The one under my italics.) This because, and her point being: If The Constitutive View is true, which it seems to be, then we can't shuffle around our knowledge without doing something to our mind; we can't restrict our knowledge in any sense (not just in trying to adopt to The Veil) because in doing so we would restrict our mind; change our mind, and in that our being. We would, simply put, not be ourselves; the same, if we did so. Further, if we can't do that, we can't adopt Rawls' desired (The Veil's) perspective. This leading to a theory (of justice) that can't be put to use!

4. Detour or Dead End?

So, is that *it* for Rawls' theory? Have we reached a dead end? Is Rawls' conception of mind and knowledge out of date or perhaps unusable (maybe both)? This rendering, the whole (moral) theory 'unadoptable' and leading to, that no moral practice could follow from it.

I think not. I will here put forward two arguments; examples perhaps making Rawls detour a bit longer but surely avoiding the dead end (for now).

4.1. The Curious Case of Benjamin Kyle.

The following argument, or example, is not really a side-taking for either of the two concepts of mind and knowledge presented above. It is more a border-eraser between the two. Or, maybe a way to look at it all that could say a third option might be the true (ore more true) one. It is the curious case of *Benjamin Kyle*.¹⁹

Benjamin Kyle is a man who claims to have *Retrograde Amnesia*. It's a condition that makes you forget all or some events prior to a certain point in time (at which something, most likely traumatic, happened).²⁰ Mr. Kyle is interesting because of the distinction that Rawls does between particular and general knowledge (having none of the prior but all of the latter) and that Mr. Kyle exhibits this kind of distinction in his mind.

¹⁸ Rawls, John. 1971, p. 139.

¹⁹ Also note that this example only considers the use of acting on general information while having no particular information (in Rawls' terminology). It does not really say anything about what kinds of actions, in regards to what type of information, that is in place when acting.

²⁰ Wether or not Mr. Kyle actually have Retrograde Amnesia is beside the point. (He could be faking.) His case made for a tongue and cheek-headline. Fact is, all and any, 'victims' of Retrograde Amnesia can suffer from the symptom; condition that I am about to use in my example.

Mr. Kyle has no particular knowledge of himself prior to whatever (traumatic) event happened to him that lead to the Retrograde Amnesia but he "[...] has an unusually detailed knowledge of restaurant operation and food preparation equipment [from before the event] [...]".²¹ This latter knowledge can be seen as general knowledge. Instead of it being about how a society functions, it's about how a kitchen functions.

The point is that here we have a man deprived of all knowledge about himself (the particular knowledge in Rawls terminology) while still having the general knowledge (about something) intact. The mind (the collective mind and knowledge under The Constitutive View) seem unchanged when knowledge is subtracted in this sense. The knowledge Mr. Kyle has about the functions of a kitchen are the same; unchanged, we assume, as before the (traumatic) event.

An argument here could be: Maybe he still has all particular knowledge, in some subconscious way, leaving the mind unchanged, and that's why he still has all general knowledge (about the kitchen) intact?

Ok. Let so be the case. But, could one then not just alter The Veil so as to fit this new idea? If the particulars are gone; forgot; repressed in such a way that using them is an impossibility then 'objective' choice, in Rawls sense, would surely be a possibility. To fail Dumitru's argument, we really do not need to go any further than to acknowledge this possibility.

4.2. To Adopt a Perspective.

Let me start by restating the quote from 3.1.2. [...] it is important that the original position [and in it The Veil] be *interpreted* so that one can at any time adopt its perspective." [my italics]

Dumitru seem to think that there is no interpretation of The Veil that can help us adopt its perspective, but isn't there? It seems to me that Dumitru's failure to find such a solution is either bad philosophy or an ill-mannered approach (to the whole of Rawls' theory). However, giving Dumitru the benefit of the doubt, it's easy to see where she went wrong.

On the surface it seems that apart from self-inflicting Retrograde Amnesia (and a special case of it at that) it might be pretty hard separating your particulars from you generals. However, scratching the surface just a little, reveals a whole different scenario.

Before scratching, I would like to remind you that: the rationality of the individuals behind The Veil is the same as yours and mine. Also, The Veil is part of a hypothetical event;

²¹ Wikipedia contributors, *Benjamin Kyle*.

never occurred, never will. Therefore, we can't assume that the people living now; the people supposed to be able to adhere to the morals of Rawls' contract have ever been, or ever will be, in; part of, such an event. Living under the moral code that this hypothetical event brings then means, on my view, knowing of the work; the thoughts, and agreeing with them (in some manner).

Ok, let us scratch.

4.2.1. Arsenal F.C. Rule!

If someone were to ask me today (or any day for that matter): Which is the best football team in England? I would answer: The best football team in England (well, the Universe) is Arsenal F.C.! Now, if someone were to ask me that very same question but add that: if possible, 'forget' your particulars and only weigh the generals (on this matter). Well, then my answer (perhaps said with a grim face or very quietly... perhaps both) would be Chelsea F.C. (Clearly without the exclamation-mark.)²²

As 'hard' for me as it is to admit that Chelsea F.C. is the best football team in England when asked to give the 'objective' answer, I do so.²³ I adopt a perspective of 'not knowing' my particulars.

I fail to see how this line of thought would not transfer to moral reasoning. It might be harder but implausible and/or impossible? No. It might even be what we do on a day to day basis when we make rational (moral) choice.

5. Summary.

This essay started with the question if cast in oblivion even is an option? What that means is: Is John Rawls' The Original Position, and in it the concept of The Veil of Ignorance, even an option when it comes to moral reasoning? The question was lead on by Speranta Dumitru's essay 'Equal Minds Behind The Veil of Ignorance' in which she questions the epistemology behind The Veil and concludes that the epistemology is implausible and moral reasoning (in accordance with The Veil) is impossible.

The, for the debate and this essay, relevant Rawlsian concepts (or more, bits of concepts) was presented followed by an account of Dumitru's analysis of the same. The concept of Rawls' Veil, the rationality of the individuals under it and the hypothetical setting for the

²² Why Chelsea F.C. is the best team in England is merely a seasonal thing. Seeing as how they've just won the Barclays Premier League of 2009/2010, the highest footballing league in England, the answer is given.

²³ The term 'objective' is meant to be understood as something like 'adhering to a source other than my own; myself' or something to that effect.

whole contract theory was weighed by Dumitru through two ideas on how mind and knowledge work. Followed by, the conclusion that under Rawls' conception of mind and knowledge, justice (moral reasoning) is unattainable. Dumitru's main idea being: it can't be purposed that we forget the particulars of ourselves (while using the generals about 'the world'). This because, one, (in accordance with of The Constitutive View on mind and knowledge) the action can't be done, and two, if it could be done, after action, we would not be ourselves. It then follows that since we can't put ourselves in such a position, moral reasoning, through The Veil, becomes impossible.

After this came the discussion part of the essay. Two arguments or examples were put forward. The first showing that, it can be done; we can forget the particulars of ourselves (while using the generals about 'the world'). The second showing that, there is a possible way to interpret the hypothetical contract situation that is The Original Position so that moral reasoning in accordance with it is possible.

5.1. Conclusion.

Is all this a (for Rawls; for A Theory of Justice) a detour or a dead end? I think I have shown that it's not a dead end. Still, Dumitru, has a point. When constructing a Social Contract Theory, and one such as Rawls has, what/the kind of epistemology; concept of mind and knowledge you use, is of importance.

So, while we might have argued against Dumitru, the burden of (future) proof, making this just a detour (and not a dead end) still lies with Rawls. Even though Dumitru's position now seems like an *hurdle overcome*. The lesson of clarity must be learnt. For starters Rawls (or anyone wanting to include epistemology in their theories) could give us a more thorough account of mind and knowledge (under The Veil).

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