

Rawls and the Distribution of Education*

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John Rawls has formulated two principles which are supposed to capture our intuitions about justice and to guide us in efforts to realize it in society. Although he may well consider the present distribution of resources for education just, if not perfectly so, it is argued in this paper that a much more nearly equal distribution is both desirable and more consistent with the spirit and intent of Rawls' principles. The distribution policy proposed would require the state to provide equal resources for all but the exceptionally talented and untalented, both of which groups would be eligible for extra allocations. Individuals would be at liberty to purchase additional education for themselves or others. An expansion in the range of programs and the times at which they could be pursued would be an important feature of an educational system designed to promote the Rawlsian goal of social stability based upon mutual respect.

Deux principes formulés par John Rawls peuvent résumer nos intuitions à propos de la justice et nous aider à les réaliser dans la société. Celui-ci pourrait sans doute considérer que la distribution actuelle des ressources éducatives est juste, même si elle n'est pas parfaitement; cependant dans cet article nous affirmons qu'une distribution plus égale est à la fois désirable et plus en accord avec l'esprit des principes de Rawls et avec ses intentions. La politique de distribution que nous proposons implique que l'état procure des ressources égales à chacun, sauf à ceux qui sont exceptionnellement très ou très peu doués, ces deux groupes recevant une allocation supplémentaire. Par ailleurs tout individu serait libre de se procurer à ses frais des services éducatifs supplémentaires. Également, en vue d'atteindre le but visé par Rawls, la stabilité sociale fondée sur le respect mutuel, il serait important que le système d'éducation élargisse l'éventail des programmes offerts et des horaires de cours.

INTRODUCTION

Much has been written about equality – its desirability, its feasibility and the consequences of promoting it. A new slant on this complex issue has been provided by John Rawls (1971). Recognizing the strong intuitive appeal in the demand that all human beings within a society be considered equal moral agents, he nevertheless argues that social and economic inequalities may be just.

I want to consider inequalities of a specific sort – those involved in the distribution of resources for education. It is my contention that although Rawls appears to legitimate current Canadian and American practice, alternative practices demonstrably more just in Rawls' sense are desirable and possible.

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Let us first consider Rawls' theory.

THE THEORY

Rawls offers two principles of justice which, if used to regulate the basic institutions of society, would ensure a fair deal for all members and in consequence a stable environment within which people could realize their life plans.¹ These principles are ordered according to their relative importance. The first principle guarantees equality of citizenship or political equality and takes priority over the second, which deals with social and economic benefits. The second principle, then, cannot be used to justify curtailing the liberties granted by the first. In its final formulation, the first principle is: "Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all" (Rawls, 1971, p. 302).

It seems clear that if each member of the society is to be an effective citizen, able to make use of the liberty available to him and thus assured of the community involvement which Rawls sees as essential to sustain one's sense of self worth, then a basic education must be made available to every citizen. And this is exactly what Rawls proposes.

The second principle of justice is concerned with legitimating inequalities of distribution. In the final formulation, it reads as follows: "Social and economic inequalities are to be arranged so that they are both: (a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and (b) attached to offices and positions open to all under conditions of fair equality of opportunity" (p. 302). We need not worry about the just savings principle except to note that it is a proviso meant to ensure that politicians look at least as far as the next generation in estimating the consequences of their decisions. With regard to part (b), it is important to stress that it takes priority over part (a); that is, fair equality of opportunity must be protected if inequalities of income, wealth and other benefits are to be permissible at all. (However, even an inequality of opportunity is condoned if it enhances the opportunities of those with lesser opportunities; see p. 303.) If we are constructing a just ideal to guide us in educational policy making, one which is rational and conforms to our intuitive beliefs about justice, then according to Rawls we should distribute our benefits and burdens in accordance with the second principle.

Two key passages illustrating the significance of his second principle for education are to be found in Chapter II, Section 17, entitled "The Tendency to Equality." Rawls remarks:

Now the difference principle is not of course the principle of redress. It does not require society to try to even out handicaps as if all were expected to compete on a fair basis in the same race. But the difference principle would allocate resources in education, say, so as to improve the long-term expectations of the least favored.

If this end is attained by giving more attention to the better endowed, it is permissible; otherwise not. And in making this decision, the value of education should not be assessed solely in terms of economic efficiency and social welfare. Equally if not more important is the role of education in enabling a person to enjoy the culture of his society and to take part in its affairs, and in this way to provide for each individual a secure sense of his own worth (p. 101).

And again, a bit later, Rawls says

... the confident sense of their own worth should be sought for the least favored and this limits the forms of hierarchy and the degrees of inequality that justice permits. Thus, for example, resources for education are not to be allotted solely or necessarily mainly according to their return as estimated in productive trained abilities, but also according to their worth in enriching the personal and social life of citizens, including here the less favored (p. 107).

Rawls assumes that people vary in natural ability. The task of education is not, he holds, to try to even these out. Rather, we are to ask how, given disparities in ability, educational resources can be distributed so as to help to improve the lot of the least favoured. But it may turn out that this goal is in fact to be realized by distributing the larger share of resources to the most favoured.

Although inequalities in the distribution of resources for education may be just, a certain basic minimum is necessary universally to ensure that all people have access to valued positions. In describing the intuitive idea behind his principles Rawls notes that we assume "that there is fair equality of opportunity underwritten by education for all" (p. 87). In spite of the fact that Rawls has been called an egalitarian (Cooper, 1975, p. 119), and indeed he, himself, asserts that his principles fall under that heading (p. 538), it is, I think, a misleading label for his view. In the case of education, he offers at best equality of opportunity for those of equal ability; for he says that in a just state "the government tries to insure equal chances of education and culture for persons similarly endowed and motivated either by subsidizing private schools or by establishing a public school system" (p. 275). This is certainly a restricted notion of egalitarianism. Yet there is an abstract sense in which his second principle is egalitarian, viz., by virtue of the insistence that in calculating where to invest resources, the benefits to accrue therefrom must in some sense improve everyone's situation. Although to simplify the task of assessing an inequality Rawls proposes that we in fact judge distributions from the perspective of the least favoured representative man, it is assumed that benefits which affect his expectations will reverberate throughout the whole system (see p. 80 and "Chain Connection," pp. 81–83 and p. 103).

Let me summarize Rawls theory. To be just, a society must have basic political, social and economic institutions which operate in conformity with the two principles of justice. The first principle guarantees equal liberty to all. The second requires open access to positions, especially

prestigious ones, and whereas it sanctions inequalities in social and economic benefits, it makes the legitimacy of these inequalities conditional upon their working to the advantage of all, especially to the advantage of the least well off.

In such a society, educational resources will be distributed with the second principle in mind. Thus, if expending more money on the talented than on the less talented leads to economic gains which improve the position of the least well off and those above them, while at the same time protecting or enhancing the self-esteem of all, then such a distribution is just (see p. 78). On the other hand, if the same goals could be better realized by spending the lion's share of resources on the education of the less able, then this distribution should be selected.

In reading Rawls, one gets the distinct impression that on his view an industrially developed state such as Canada should allocate the larger share of resources to the most able. For example, Rawls claims that extra earnings are deserved by those with scarce natural talents "to cover the costs of training and to encourage the efforts of learning, as well as to direct ability to where it best furthers the common interest" (p. 311). *That* the able, through special training, will indeed further "the common interest" is assumed. Again, in discussing the development of natural abilities Rawls stresses the importance of allowing a person "to exercise his realized abilities as much as he can," since "his fellow associates are likely to support these activities as promoting the common interest and also to take pleasure in them as displays of human excellence" (p. 429). The great value of abilities brought to maturity is reiterated by Rawls when he says "activities that display intricate and subtle talents, and manifest discrimination and refinement, are valued by both the person himself and those around him" (p. 441). And a little later Rawls says: "imagination and wit, beauty and grace, and other natural assets and abilities of the person are goods for others too: they are enjoyed by our associates as well as ourselves when properly displayed and rightly exercised" (p. 443). It seems clear that in promoting the development of those with talent Rawls supposes that one need not endanger the self-esteem of those with less native ability (see for example p. 441). At no point does he seriously consider that equal amounts of resources might go to all. This is probably because he sees the exploitation of native talents and abilities as essential in technically sophisticated cultures. If this is true, then it seems to follow that there must be significant differentials in the amounts of money spent on the education of the various ability groups in our society.

But to protect himself from the charge that inequalities in educational expenditure will generate dissatisfaction among those who receive less, Rawls supposes that personal satisfactions will be available to all socio-economic levels of society: "What is necessary is that there should be for each person at least one community of shared interests to which he belongs where he finds his endeavours confirmed by his associates" (p.

442). This is supposed to occur in the political sphere where all have an equal voice.

Before considering the application of Rawls' theory, there is one further point which should be discussed – his distinction between the ideal and the non-ideal theory. The two principles of justice, says Rawls, “belong to ideal theory and set up an aim to guide the course of social reform” (p. 245). In judging institutions we must consider the extent to which they satisfy these principles. Insofar as they do not satisfy these principles, we should introduce reforms which will bring the society closer to the ideal. As Rawls puts it, “we have a natural duty to remove any injustices, beginning with the most grievous, as identified by the extent of deviation from perfect justice” (p. 246). In a perfectly just scheme, “the expectations of the least advantaged are indeed maximized ... No changes in the expectations of those better off can improve the situation of those worst off” (p. 78).

APPLICATION

The perfectly just distribution provides a benchmark and a goal – a standard for measuring the justice of existing arrangements and a point that tells us the direction in which we should move when and if change is possible. How is an actual distribution to be characterized? If it were just, even if not perfectly so, the expectations of those who are better off would in fact be contributing to, rather than inhibiting, the well-being of the less favoured. At the same time, if the better off were to have even higher expectations, then the expectations of the worst off would also be improved. On the other hand, the existing arrangement would be unjust if the higher expectations of the better off were being purchased at the expense of the least well off (see pp. 78–79).

Suppose we consider the educational system from kindergarten to post-secondary education. Clearly spending per student increases as you ascend the educational ladder, and those who pass to the top will enjoy the higher incomes and satisfactions available in society. The question is: are these fortunates at the same time raising the quality and material standard of life enjoyed by those who leave school very early, and who therefore absorb a smaller proportion of educational resources and presumably constitute the less favoured group, both socially and economically? The other question to be considered, prior to deciding on this issue, is whether the educational system provides students of differing backgrounds with a fair opportunity to climb the educational ladder and ultimately obtain the positions of power and wealth.

Let's get a bit clearer on who the least favoured are and how their expectations are to be assessed. The worst off, says Rawls, are those “with the least authority and lowest income” (p. 94). Having picked them out, their expectations are to be determined by the index of primary goods

they may hope to enjoy. These include rights and liberties, opportunities and powers, income and wealth and, most important, self-esteem (see p. 94).

The first task as I said, is to decide what is required to ensure fair equality of opportunity. Meeting this objective is not construed as requiring equality of achievement or indeed any attempt to counteract differences in family background. As Rawls puts it, "the principle of fair equality of opportunity can be only imperfectly carried out, at least as long as the institution of the family exists" (p. 74). Tuition-free compulsory education up to age 16, along with financial support for able students who wish to go to university or college, would seem sufficient to meet the first requirement of the second principle. Since Rawls construes equal educational opportunity in terms of equality within ability groups, a testing system is needed to sort students into groups of comparable talent and motivation.

Rawls' account, it seems, can be used to justify current allocations for basic services at all levels of education. Yet we must also consider the differentials in expenditures on groups identified in terms of expectations. This seems to boil down to the question of what ratio of dollars is to be given to the most favoured as compared to the less favoured. Our least favoured are, remember, those generally of low authority and power. Now Rawls seems to assume that generally those of low ability constitute this class. (Obvious exceptions would be recent immigrants, and presumably they have to be considered a special case.)

At present, it seems clear, more resources go to the favoured than to those of lowest expectations. Should proportionally even more go to them? If the system is just, but not perfectly just, it seems that to do so could lead either to a system closer to perfection (i.e., optimally good for all segments of society), or to an unjust one, that is one which depressed the expectations of the least well off while enhancing the expectations of the best off (see pp. 78–79). It follows that if the system is just at present, then the only legitimate shift in allocations would increase the proportion of resources going to the able or upper end of the educational system. If the system is at present unjust, then a reduction in the expectations of the best off would lead to an improvement for the less well off and the proportion of resources going to the less well off should be increased. It at least appears that Rawls has built a bias favourable to the most able into the concept of perfect justice.

Apparently Rawls has provided a test of the existing arrangement in his definitions. At this point, then, what is required is empirical evidence to determine whether there are inequalities and, if so, whether the ratio of allocations is a benefit or disadvantage for the expectations of the least well off. Let us consider two of the primary goods which must be considered – income and self-esteem. Does university education of the able serve to sustain higher incomes and more self-esteem among workers

than they would enjoy in its absence? To establish such a causal relation looks difficult indeed, given the number of factors outside of education which influence such things. Perhaps more manageable is the question: would less costly education of the able and thus larger expenditures on the less able improve the expectations of the latter? Or, to formulate the Rawlsian question more correctly, would such a change improve the long-term expectations of the least well off?

After studying the effectiveness of education as reported in the works of Coleman (1968) and Jencks (1972), one might conclude that the income and self-esteem of the less able are only minimally improved by increased expenditures on their education. On the other hand, the overall economic wealth of the society depends upon the existence of highly skilled technicians, inventors, managers, and the like. To provide such persons for the work force, it seems that significantly greater sums must be allocated to the higher levels of education. Current allocations do indeed appear to be unequally distributed: more funds go for the education of the able than the less able. According to the study of Jencks et al., "The eventual resource disparity between the most and least favored students is ... at least 4 to 1, and perhaps more" (1972, p. 26). But it may be argued that the less able enjoy a higher index of primary goods now than they did in the days when there was little or limited university education and that the improvement is in considerable measure attributable to differentials in educational spending. In effect, Rawls seems to make a case for the system of allocating educational resources which seems to obtain in Canada's provinces.

CRITIQUE AND ALTERNATIVES

Given the stress placed on individual liberty, combined with the belief that in the interests of progress the able must be encouraged to achieve, those of a libertarian bent can find something to applaud in Rawlsian theory. Yet the libertarian's socialist adversary, who believes that society must collectively take some responsibility for all its members, can also find something to approve in the requirements of the second principle of justice. For it seems to guarantee aid to even the least-favoured members of society. Nevertheless, both sides have reason to attack Rawls' "compromise," to claim that he has given too much to the "wrong" side.

Consider David Cooper's (1975) discussion of Rawls in his paper "Quality and Equality in Education." According to Cooper, Rawls does not provide adequately for the most able. For Cooper, the most talented can attain ever higher levels of achievement which will serve as models towards which others may strive. But such achievements will, on his view, be impossible if expenditures on educating them are tied to clear educational benefits for the less able. Since Rawls rejects perfectionism in favour of a society which accommodates a pluralism of individually

determined life plans, he rejects, as Cooper (1975) notes, any policy which stipulates that "a certain minimum of social resources must be kept aside to advance the ends of perfection" (Cooper, p. 126). In simple terms, Cooper sees Rawls as an advocate of educational equality, prepared to sacrifice educational quality in pursuit of an egalitarian goal. Cooper thinks such a policy is totally misguided.

On the other hand, the socialist Kai Nielsen (1978) rejects Rawls' claim that significant differences which influence one's chances of academic and social attainment are permissible in a just society. He insists that "the moral ideal embedded in a conception of a just and truly human society – a perfectly just society – must be to eradicate such differences" (p. 230). For Nielsen, self-esteem must suffer when disparities in advantages exist: "Working class people ... have had, by the very existence of this extensive disparity, their moral persons assaulted and their self-respect damaged" (p. 230). Nielsen condemns Rawls for failing to push the claims of egalitarians far enough.

It seems to me that Rawls is more levelheaded and reasonable than these critics would grant. He recognizes the conflict between the admirable goals of egalitarianism versus "qualitarianism." His principles are an ingenious attempt to accommodate both; they mediate between the demands of radical egalitarians and radical libertarians. Nevertheless, I do think serious problems emerge as one moves from his principles down the chain of assumptions and empirical claims which lead to policy decisions on the distribution of educational resources. Let me offer my criticisms of Rawls and propose a policy of distribution preferable to the one which generally obtains in Canada and the United States.

First, I think that Rawls is too ready to dismiss education as an effective means to compensate for differences in environmental background. For example, he asserts that it is in the family that the child learns "the standards of conduct suitable for one in his station" (p. 467). No doubt the effects of early experiences in the family are ineradicable. Yet given more open access to education, more variety in curricula, and an extended period of free study for all persons, the effects of environmentally based impediments to learning could be greatly reduced.

Second, with respect to the claim that we must have a hierarchical social, economic, and educational order to promote progress, I am sceptical. As Peter Singer (1979) observes, most people engaged in intellectually demanding work find the intrinsic rewards more important than such extrinsic ones as high salaries (pp. 34–39). Indeed, Rawls' "Aristotelian Principle" leads support to Singer's view (see Rawls, section 65). According to this principle, the satisfaction derived from learning increases with increases in the complexity of what is learned. Thus Rawls holds that although all persons may derive some satisfaction from exercising their abilities (see p. 441), yet activities requiring "a larger repertoire of more intricate and subtle discriminations" (p. 426) permit greater pleasure than

those requiring a lesser repertoire. He notes that "simpler activities exclude the possibility of individual style and personal expression which complex activities permit or even require ..." (p. 427). If this is true, external incentives in the form of high pay and relatively luxurious physical surroundings may be misplaced when provided to the most able. In the case of education, therefore, one may not need to spend nearly so much on those working at advanced levels as either Rawls suggests or our education ministers seem to suppose. Compare the amenities of a university and an elementary school. Must the former be that much more attractive than the latter to ensure that learning occurs? Would not some redistribution to the lower end be in order? As one who enjoys the benefits of the existing arrangement I may like what we have, but I do not think it is just.

The third serious problem I see with Rawls' account concerns the calculation of expectations. How one is to combine such objective and easily quantifiable goods as income and wealth with such subjective and difficult-to-measure goods as self-esteem, I do not know. Moreover, it is long-term expectations which Rawls would have us assess in rating the situations of the least and most well off groups. Although he attacks utilitarianism on the grounds that the requisite calculation of happiness constitutes an intractable problem he turns a blind eye to the difficult if not impossible calculations which are required in applying and assessing his theory (see especially pp. 320–325). Further, if these calculations are not reasonably easy to make, then the belief of the less favoured that the system is indeed just (a belief Rawls sees as requisite for social stability) becomes problematic.

Finally, Rawls' proposal requires that exceptional children be the focus of attention – the exceptionally bright and the exceptionally dull. For if we are to assess the justice of our distribution of resources for education as Rawls advocates, these two groups will have to be under constant scrutiny. It is not at all clear that sufficient attention is given to the mass which falls between these extremes

I believe that a simple policy of distribution can be devised, manifestly fair to all, adequate to ensure that people will study to realize their capacities, more likely than existing arrangements to protect the self-esteem Rawls values so highly, and yet within the range of Rawls' principles of justice. The basic policy would be to ensure as far as possible that each citizen had the same amount of state resources spent on his education. In other words, inequalities in educational provisions would be minimized on the grounds that this would be in the best interests of the least favoured as well as being in the best interests of all others as well. Thus the very able, average, and least able would receive different educations, but the sum expended on each over their lifetimes would be the same. Much wider choice than is now available and greater school autonomy in the allocation of resources would be necessary. Only in this

way could programs be provided from which people of widely different abilities and interests might benefit. For example, since less full-time supervision is necessary for emotionally stable and talented individuals, a large share of the money for their education could be allocated for books, trips out of the school and the use of resource persons in the community. The number of and divergence among alternative schools (such as now exist in Toronto) could be increased.² Not only academically oriented programs, but also programs dealing with knowledge for use in daily life and in the job market could be offered, once it was conceded that resources should not be heavily weighted in favour of those who go on to university.

Very likely universities and other tertiary levels of education would suffer by comparison with their current arrangements. But might not the social gains in less anger and hostility among the less favoured justify such shifts?³ To use Rawls' language, would not "the confident sense of their own worth" among the less able be enhanced more by access to satisfying educational programs than by the training of the most able as researchers and specialists who will increase the G.N.P.? (Of course it may well be doubted that increases in the number of "specialists" increases the G.N.P.)

Not only would one want great variety in educational institutions, but one would also need open policies with regard to admission and the period in one's life at which study could be undertaken. The times at which one could use the resources available might well span a life-time. Of course people would have to be informed of the resources available to them and the costs of the various programs.

I am *not* suggesting that the government should control the amount of money spent on any one person's education. After all, on Rawlsian principles, if I wish to forego car ownership in order to give my child resources for education over and above that allotted by the state, then in the interests of liberty this should be permitted. But I think that as far as possible what each citizen gets in the way of *state* education funds should be the same. Does this mean that compensatory education and awards to the outstanding should be abolished? I think that special provisions for those at either end of the social and ability spectra can be justified on the grounds that they are exceptional cases, and it is in the interests of all to treat them as such. The very able would generate extra social benefits which would otherwise not be made available (for example, economic, aesthetic, and the like) while the least able might at least acquire a degree of self-control and economic productivity. Thus both "remedial" scholarships and the type we typically award to the most able could be accommodated within Rawlsian principles and the policy I am proposing. It might well be argued that a more or less equitable distribution of educational resources is a precondition for the sort of political participation Rawls seeks. Indeed, such a system may be required to make the first principle concerning liberty a meaningful gift to the citizenry.

Would opening up the educational system and allowing people a far greater choice of schools and programs invite mediocrity and the demise of academic excellence? That it would, is a charge made against the voucher system advocated by such ideological adversaries as Ivan Illich and Milton Friedman,⁴ and presumably a charge to which my proposals seem open. Given the perennial success of universities which maintained their standards through Ontario's booming sixties, there seems little reason to consider the alleged danger a reason for rejecting "customer choice" in education.

CONCLUSION

In sketching the distribution of education which Rawls would likely advocate, I have relied upon more than his principles of justice, which taken alone might justify the alternative outlined. It is in studying Rawls' book as a whole that one comes to a conception of the practical arrangements which he thinks most likely to prove acceptable to rational, self-interested persons. In brief, principles of social justice are a very rough guide to policy, more and more detail must be added as one moves closer to making a practical decision. Nevertheless, the principles do set some boundaries and exclude some options. Thus, for example, Robert Nozick's libertarian outlook is excluded by the principle that inequalities must benefit the least well off. I am claiming that Rawls' principles would be better satisfied by an equal distribution of the state's educational resources than by the distribution we now have. The only exception to equality would be a scholarship system for the least and most able. Such a distribution as I advocate could easily be monitored and would demonstrably protect the interests of the least well off.

Rawls' principles are better than the policy he seems to condone. Consequently, I have proposed acceptance of his principles but amendments to current practice. As a result of the amendments, his principles are more likely to be satisfied than under the existing arrangements. More significantly, with the redistribution I have proposed those who are least well off would have better grounds for believing that their right to equal consideration as persons was being taken seriously and being acted upon.

NOTES

¹ It is not quite clear whether we are to conceive of the distribution of resources for education as an aspect of the organization of the economy (which along with the political constitution and forms of property recognized by law belongs to the basic structure of society), or as an "ongoing institutional process among many which are to be constrained by the principles of justice" (see for example, Rawls' "The Basic Structure as Subject"). However, in either case, it appears that the distribution of resources for education should satisfy the two principles; certainly Rawls' discussion of education in *A Theory of Justice* indicates that he thinks the principles can be directly applied.

² A number of these schools is described in *Public Alternative Schools in Metro Toronto*.

- ³ For a teacher's account of life with the socially and economically less favoured see Peter McLaren's *Cries From The Corridor*.
- ⁴ A somewhat hysterical denunciation of voucher systems is offered by Robin Barrow (1978) in *Radical Education*, pp. 149–153.

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