

# Justice for All: John Rawls Theory of Justice and the Green New Deal

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## ABSTRACT

The Green New Deal (HR 109/SR 59) is calling for a quick change in United States environmental and economic/social policy, with focus on the effects of climate change. By applying John Rawls' theory of justice, precisely the original position and the two principles of justice to the proposed change in policy, this paper finds that the resolutions would support the ultimate goal of justice. With uncertainty about one's place in society, changes towards equality and an environment with cleaner air, water, and land are in everyone's favor. As justice is equal to fairness, the current state of regulations on the economy and the environment are unjust. They are benefiting the energy industry, while hurting low-income families who have to deal with the effects. Guided by Rawls theory, the U.S. approach to these issues would have to change drastically, and the Green New Deal is a version of that.

## I. Introduction

The “New Green Deal” is concerned with America’s most prominent modern-day issues of climate change and inequality. It is a pair of congressional resolutions consisting out of the House resolution 109 and Senate resolution 59 that were introduced and sponsored by Representative Alexandria Ocasio-Cortez from the Democratic party. These resolutions were introduced because of increasing effects of climate change on the planet as well as future predictions on the extent of these effects. They are calling for a quick change in United States environmental and social policy. The US has 20% of the global greenhouse gas emissions and the greatest income equality in the United States since the 1920s (Ocasio-Cortez, 2019). Right now, the Environmental Protection Agency (EPA) is responsible by creating regulations for emissions with legal authorization through the Clean Air Act (United States Environmental Protection Agency). As HR 109 clearly states out that the regulations are insufficient at this point in time, it seeks to set higher goals for the EPA including “net-zero greenhouse gas emissions” (Ocasio-Cortez, 2019).

John Rawls introduced political philosophy that can be applied to achieve justice in society in his book, *A Theory of Justice* in 1971. It is a guideline for just decisions that go beyond utilitarian ideas. His theory of justice includes the two principles of justice, the original position, and the veil of ignorance. These concepts can be easily used to determine if legislation, decisions or systems are just under his perception. In this paper they will be used to decide whether current legislation is serving that ultimate goal of a just society and if steps towards a more sustainable future like “The Green New Deal” can be justified under his idea of justice. After describing the core objective of the Green New Deal, the paper will outline the essentials of Rawls’ theory on justice. It will then use his theory to make an argument for AOC’s proposed legislative change and the direction the resolution is aspiring.

## II. The Green New Deal

The goal of the Green New Deal is the reduction of greenhouse gas emission and the dissolving of social problems like economic inequality and racial injustice as well as creating new jobs in the clean energy industry (Friedman, 2019). It includes investments in clean-energy technology, infrastructure, transportation, and research, and calls for an economic transformation. The large investments made by the plan are suggested to be paid by introducing carbon and emission taxes as well as a 70% marginal tax on incomes over \$10 million.

In detail the proposal explains a duty:

- To achieve net-zero greenhouse gas emissions through a fair and just transition for all communities and workers.
- To create millions of good, high-wage jobs and ensure prosperity and economic security for all people of the United States.
- To invest in the infrastructure and industry of the United States to sustainably meet the challenges of the 21st century.
- To secure for all people of the United States for generations to come- clean air and water; climate and community resiliency; healthy food; access to nature; and a sustainable environment.
- To promote justice and equity by stopping current, preventing future, repairing historic oppression of indigenous peoples—including communities of color, migrant communities, deindustrialized communities, depopulated rural communities, the poor, low-income workers, women, the elderly, the unhoused, people with disabilities, and youth (referred to in this resolution as “frontline and vulnerable communities”).

These goals are to be accomplished by:

- Repairing and upgrading the infrastructure in the United States.
- Meeting 100 percent of the power demand in the United States through clean, renewable, and zero-emission energy sources.
- Overhauling transportation systems in the United States to remove pollution and greenhouse gas emissions from the transportation sector as much as is technologically feasible.
- Providing resources, training, and high-quality education—including higher education—to all people of the United States, with a focus on frontline and vulnerable communities, so that all people of the United States may be full and equal participants in the Green New Deal mobilization.
- Directing investments to spur economic development, deepen and diversify industry and business in local and regional economies, and build wealth and community ownership. While also prioritizing high-quality job creation and economic, social, and environmental benefits in frontline and vulnerable communities, and deindustrialized communities that may otherwise struggle with the transition away from greenhouse gas intensive industries.
- Providing all people of the United States with- high-quality health care; affordable, safe, and adequate housing;

economic security; and clean water, clean air, healthy and affordable food, and access to nature (Ocasio-Cortez, 2019).

The name of the resolution is inspired by the “New Deal” by President Franklin Roosevelt, which introduced a huge reform of the economy, social programs and taxation during the Great Depression. Major parts of it are also guided by reports from the United Nations (Janes, 2019).

There are two different sides on the issue of climate change, as well as the resolution itself. In the United States, they are broadly represented by the Democratic and Republican party with few exceptions. Much of this divide is caused by the increasing party polarization in the US as representatives from different parties will not support each other’s proposals and legislation.

First of all, there are arguments that go against the existence of climate change, and therefore the necessity of a change in legislation. President Trump is the most prominent member of that part of the debate. He rejects the existence of climate change as a whole and is the force behind the United States leaving the Paris agreement in 2017 (Thomas Reuters Foundation).

But there is other criticism about the resolution, especially linked to the huge investment of the government. In times of a rising deficit, some argue there is no room for more costs. Right now, the deficit of the United States is around 1060 billion dollars (Amandeo, 2020). Also, a united Congress and Senate would be needed to pass actual legislation because of the polarization, and the House is currently controlled by the democratic party, while the Senate has a republican majority. Adding to that the resolution would affect many jobs in the Midwest that are viewed as politically critical in terms of Democratic support and that might lower the support from democratic representatives. (Janes, 2019). Experts also believe that 0% carbon emissions in 10 years, which is what the Green New Deal calls for, would be “socio-politically infeasible”, even though it is technically possible. (Rizzo, 2019).

But there is another, more positive side to this. A poll by Yale University found out that 81% of Americans actually do support a change in legislation in order to transition into a more sustainable future (Leiserowitz, 2018). As well as more liberal politicians and climate advocates have voiced their support for the proposal. The idea to act against climate change has gotten bipartisan support and the resolution opened up a debate about the issue in the whole country. (Janes, 2019). In both chambers of the Congress the “Climate Solution Caucus”, a congressional group founded to develop legislation on climate change, has members of both parties. In the group legislators try to overcome polarization and work together on a solution for warming temperatures worldwide. An article by the Guardian even calls climate-change-deniers the “minority” in the Republican party (Milman, 2017).

The resolution starts by pointing out all the effects of climate change like increasing wildfires and rising sea levels and continues to name impacts of climate change in the future like mass migration (Ocasio-Cortez, 2019). These effects of climate change as well as rising social and economic inequality are threatening the stability of the United States and are causing huge economic impacts. Wildfires, polar vortexes and hurricanes are creating huge amounts of costs for the government as they destroying the lives and cities of many Americans. The government has to pay for protective measures, rescue missions, and to rebuild the cities after the chaos. As the United States is a leading representative in terms of economy and western values, it should act as a leader and take steps towards a more sustainable future. The inequality, poverty and racial injustice in the United States today does not match its status as a first nation country, and it needs to be addressed. These issues are real and even though the resolution is somewhat vague, it is important to open up a debate about these topics and start working on solutions.

### **III. Rawls theory of justice**

John Rawls is an American philosopher that introduced a theory of justice that can be used within judge legislation and ensure the fairness of such. In is a theoretical framework which can be applied to various decision-making processes in order to determine if the proposed policies or changes in legislation would be considered just and favorable for society.

His idea is “to set up a fair procedure so that any principle agreed to will be just” (Rawls, 118). Everyone who is concerned with a decision and needs a way to test if the decision will be just can use his principle. This can be especially useful for legislators or people that work in the government and make decisions that impact a society. His theory is based on a thought experiment. That is called the “Original Position” and it is an external viewpoint; meaning that one imagines she is crafting a new political system from the outside. One has to put herself behind the veil of ignorance in order to achieve that viewpoint. That means that one has to ignore her own personal characteristics and biases when judging a principle. Rawls says to achieve that “we must nullify the effects of specific contingencies” (Rawls, 118). Her decisions should be made as if one have no particular knowledge of her own circumstances, such as gender, race, particular talents or disabilities; age, social status, particular conception of what makes for a good life, or the particular state of the society in which one lives. However that person would “know the general facts about human history” that are needed to make such a decision such as “principles of economic theory”, “laws of human psychology” or any other “general facts [that might] affect the choice of the principles of justice”(Rawls, 119). With these circumstances Rawls argues that decisions can be made rational and fair. People would choose principles of justice that do not benefit one certain social class but were fair to everyone. No one has any of the particular knowledge about themselves that he or she could use to develop principles that favor his or her own particular

circumstances and “no one is in a position to tailor principles to his advantage” (Rawls, 16). There is no self-interest in choosing those principles, because no one knows if they are choosing principles that would make their lives harder (Rawls, 16).

Following the original position Rawls argues that people would choose two basic principles of justice to guide them. They can be used to “assign[...] rights and duties in the basic institutions of society and [...] define the appropriate distribution of benefits and burdens” within society” (Rawls, 4). The first one is the guarantee of liberties that are basic, equal and secure “with a similar scheme of liberties for others” (Rawls, 53). The second one is the difference principle, which talks about social and economic inequality. They are only justified if “they are both reasonable and expected to be in everyone’s advantage and attached to positions and offices open to all” (Rawls, 53). The summary is that inequality is only justified if the worse off are still benefiting from the distribution of property. This means that all distribution of property must still be in the advantage of the people on the bottom that have the least amount of property. If a policy results in inequality and the lower end of society suffers more than it would before as an outcome the policy is not just. Rawls interpret “justice as fairness” and if the policy to judge is not fair to the people that struggle the most, it is not justifiable under Rawls’ philosophy (Rawls, 10).

#### **IV. Circumstances in the United States today**

In the United States, today, there is a huge divide in the population in terms of economic opportunities, influence in politics, and exposure to pollutants. The Green New Deal addresses a variety of topics including energy production, the environment, and economic disadvantages. To apply Rawls theory of justice on the Green New Deal it is important to understand the circumstances in the United States that would be influenced by a legislative change in line with the Green New Deal. As the Green New Deal covers many different topics in one broad resolution this paper will use energy production and their ability to influence politics as well as results of economic inequality as an example.

Current legislation definitely benefits energy producers that use nonrenewable energy sources. In 2017, 77.6% of the U.S. energy came from petroleum, natural gas, and coal, which are all nonrenewable (US Energy Information Administration, 2018). The production of electricity through these means have negative impact on air quality, water quality, and the environment as a whole. Politicians are benefiting from getting financing and donations from corporations that produce the nonrenewable energy. In the 2016 election cycle, the coal mining industry contributed a total of 13,751,235 US\$ to politicians and parties and 97% of that money went to Republican recipients. In 2019 to 2020, Donald Trump as an individual received 282,009 US\$ for his campaign (Center for Responsive Politics). The industry itself had a total revenue of 29.6 billion US\$ in 2019, with profits falling in the recent years (IBIS world).

And that is the money spent and earned by the coal industry. There are more industries that influence the policy outcome today by lobbying. State governments create legislation that makes it easier and cheaper to extract raw materials and politicians receive campaign contributions. This shows how much power these industries have over policy decisions. Their energy production has been proven to contribute majorly to the pollution of the environment but there has been little change in restrictions in order to prevent further pollution. The newest president Donald Trump specifically supports subventions for the dying coal sector and has given less attention to investments in renewable energy sources like the ones mentioned in the Green New Deal. But who are the ones that are penalized by the impact of the energy production? Lower-class citizens that cannot afford to move when water and air quality is low and threatening their health. The quality of the air is proven to have negative health impacts. For example, in the Bronx, a part of New York City with lower income classes represented, the air quality is linked to higher rates of children’s asthma in the area. Because of high poverty rates the people living in the area cannot leave and are forced to breath the polluted air (Ocasio-Cortez, 2019). This is also due to the widening gap between social classes today. Ocasio-Cortez mentions in the resolution that income equality is at its highest point since the 1920s. The Gini-Index which measures income inequality in all countries around the world comes to the same conclusion. In recent years it has gone up and income inequality has been worsening every year in the United States (Chappell, 2019).

#### **V. Justice applied to Green New Deal**

The theory of justice that Rawls introduced can be used to evaluate the proposed changes of the Green New Deal and the effects on the condition of the United States today.

Section IV illustrated the power that energy corporations have in influencing energy policy. The Green New Deal proposes a change in energy policy with more focus on renewable energy sources. The ultimate goal here is to achieve “net-zero greenhouse gas emissions”, which cannot be met with energy production through coal burning (Ocasio-Cortez, 2019). Going into the original position, one would choose legislation that would eliminate pollution and serve the interest of more than just the energy sector. Removing one’s biases and personal viewpoint from judging the current energy production sector the amount of power these

corporations have would be perceived as unjust. Few individuals benefit economically from the current state of energy production while many others have to live with the pollution they are creating. The Green New Deal proposes changes into a more sustainable future with no pollution. Without having knowledge about one's position in the society this legislation would be supported with the Rawlsian viewpoint. With this thought experiment no one would know if they would be the heads of these companies that economically benefit from the pollution or the children in the Bronx that suffer. Therefore, legislation in line with Rawls original position would actively support the switch to more renewable energy sources that do not pollute the air and water as much and try to limit the power of energy producers that pollute. The support for stricter legislation with penalties, more effort into clean energy and extreme reduction of carbon emissions would be high in all parts of society to ensure good living conditions all throughout the US. The Green New Deal tries to achieve exactly that by putting equality in terms of education, healthcare, access to a clean environment, economic opportunity, and efficient and clean transportation systems as a priority. No matter where in society one would find herself the legislative changes that would result in line with the Green New Deal would improve one's situation. An energy sector that is not reliant on finite resources and is not polluting the environment is a change that can be perceived as just and fair under Rawlsian political philosophy.

As Ocasio-Cortez mentions in her resolution that the income inequality is at its highest point since the 1920s. Applying the difference principle of Rawls the social issues and the disadvantage of certain racial and social groups, she picks on would not be justified. The Green New Deal proposes investments in high-quality education, creation and access to high-quality jobs for marginalized communities, and support for low-income families. These proposed directions in economic and social policy would improve the current circumstances in the United States. On basis of the original position a change in economic policies that would ensure more equality and redistribution of property would be just. A tax on billionaires of 70% in order to finance the economic transformation, investment in infrastructure, and clean energy would be justifiable, because everyone would benefit from it. No matter what place you have in society, a better transportation system, cleaner air and water as well as economic development would benefit you. Keeping the current system of inequality alive and not investing in creating better economic opportunities to improve the Gini-index would against Rawlsian philosophy. Keeping this system alive would only be justified under Rawls if the worse off were still in a better position than with a policy change. But the Green New Deal is especially directed at these groups and aims at improving their living conditions and opportunities in Americas society. Therefore it would be unjust to maintain the current economic system because, firstly, through the original position, one might end up in one of the marginalized communities. Second of all, it violates the difference principle.

## VI. Discussion

Jan Kunnas comes to the same result in his application of Rawls theory of justice to warming climate. In his paper he examines the economic growth of Finland over the last decades. He finds that the expansion of Finland economy, like all other developed countries, are correlated to increase in carbon dioxide emissions. In comparison to the rest of the world, developed nations are building up an ecological debt because they are overusing their environmental space. With rising carbon emissions, the effects of climate change become more intense as the average world temperature is increasing. Many experts believe that this will lead to rising sea levels depending on how high the average world temperature is. A country that would suffer extremely under this raise would be Bangladesh that produces only 0.06% of global emissions. Rising sea levels would overflow up to 20% of its landmass as a result of climate change. The future generation of the poorest countries would be the ones carrying the burdens of climate warming not the developed nations like Finland. Jan Kunnas argues that, under the principle of justice by Rawls policy, change must happen. Under the original positions no one would gamble with the fact that they could be one of Bangladesh's future generations suffering from these effects. Therefore, governments of the developed world must change their direction away from achieving economic growth and more towards a just future. It is important to notice here that Kunnas is applying the original position across generations because one doesn't know if she is in our generation or the next generation. This paper applies it within generations since one doesn't know whether she would be in the 1% or a poor person in the Bronx, one in the original position would want a green new deal policy to ensure clean air and a limit to income inequality. The same conclusion is drawn because of that uncertainty of where one might end up the new policies created should all go towards protecting the environment and placing that goal above others, including economic success (Kunnas, 2012).

The results of Kunnas matter to this paper because sustainability and pollution is an international issue. Even though the Green New Deal is a domestic policy the implementation of investments in more sustainable energy production for example have international relevance. If the United States moves towards a more sustainable future it serves as an inspiration to the rest of the world. His paper also shows how the theory of justice is universally applicable for domestic, international, and across generation policies. It can be applied to a variety of topics and countries. In his paper the focus lays on judging the current state of the world

with special detail to Finland. This paper takes a look at current circumstances in the United States as well as judging a resolution that is aimed at changing these circumstances.

## VII. Conclusion

By adopting the Rawlsian original position to judge the proposed legislative directions of the Green New Deal one can identify them as being just. When one's biases and personal attachments are removed from deciding if policies in line with the Green New Deal should be implemented, it is possible to make an uninfluenced judgement. This paper finds that by using Rawls theory of justice one would argue for a policy change when looking at current circumstances in the United States. Following the original position new legislation within the frameworks of the Green New Deal would help reduce pollution and move towards a more sustainable future. Without knowing one's spot in society everyone would want an environment that is clean and an economy that benefits the most people as possible. No one would agree to give corporations that much power over the policies concerning for example energy production. The Green New Deals proposed move towards zero net emissions and investments in clean energy production would be in line with Rawls perception of a just legislative change.

Adding to that the direction of the resolution is important and should be further explored. The Green New Deal offers a future that includes everyone and helps to create support for those that need it. Taxing billionaires and taxing companies that produce too much emissions is justifiable. These few people have to contribute to society and have to be part of the solutions. At a certain point of wealth, you have enough money and it is impossible to spend it all. That's the point where you have to give back to communities that are marginalized and have disadvantages. This especially applies to companies that earn their money from industries that pollute the environment with their practices. Polluting the environment, no matter if it's the air or water is always wrong even if you believe that climate change is a hoax, and the government has to enforce laws that protect it for a future where our children's children can still live in. That is the basic principle of sustainability and even if it is not possible to fully relieve the environment from economic burdens, it should always be the goal.

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