

Towards a Sustainable (Healthy) Society: Justice as Fairness in Health Care Policy-Making

Alvin A. Sario, Ph.D.
Aquinas University, Legazpi City, Philippines

Danilo N. Keh Jr., M.A.Ed.
Miriam College, Quezon City, Philippines

Human society is characterized by pluralism. Every person acts and lives according to his/her own set of comprehensive doctrines. A just society, founded upon the principles of unanimity and stability, will never be realized unless one finds a neutral ground despite the limits imposed by people's opposing comprehensive doctrines. With this, Rawls proposes the Political Conception of Justice as Fairness. He asserted that what is needed is to identify political values that could be affirmed by citizens and can be seen as congenial to their respective comprehensive doctrines. The key concept here is social cooperation. Unless an independent political conception of justice is conceived, social cooperation among citizens deeply divided at the level of their comprehensive doctrines remains impossible. The purported importance of a conception that is political is that it creates a venue for an Overlapping Consensus, which enables each citizen to read Justice as Fairness in his/her comprehensive doctrine.

Rawls' political conception of Justice as Fairness has a great impact to health care. Health care, being one of the most elementary needs, secures an overlapping consensus from among citizens despite differences in culture, creed, race, color, and religion. Inevitably, all people will encounter the dilemmas brought about by diseases and old age. Everyone becomes sick and seek medical attention. Making Health Care as political makes it possible for citizens to create just policies regarding its distribution and allotment. The political conception of justice as fairness raises health care as a means for social cooperation through overlapping consensus.

Introduction

Human society is pluralistic in nature. This pluralism accounts for the differences in perspectives. Admittedly, each person does not look at reality from a neutral point of view. His philosophical, religious, and ethical perspectives serve as his lenses in viewing the outside world. These so-called comprehensive doctrines enable him to make sense of the reality. It gives him some sense of certainty and security against this bizarre world. An attempt to change these is considered a threat to one's very own existence. "They may regard it as simply unthinkable to view themselves apart from certain religious, philosophical, and moral conviction, or from certain enduring attachments and loyalties (Rawls, 1996, 31)."

The existence of reasonable pluralism makes the search for an objective basis for unity futile. The differences in perspectives brought forth conflicts and disagreements. Given a pluralistic society, conflicts become part of the diversity of the human understanding of things. People are exposed to different conflicts. They actually live with and by those conflicts.

Human persons, as reasonable and rational and free and equal, have the capacity to create a well-ordered society. Despite the foregoing differences, a common ground for agreement can still be established which paves the way for social cooperation. Pluralism is never a hindrance to reach such end. It is, in fact, a permanent character of a democratic society. "It simply cannot go away since it is an exercise of human reason in democratic circumstances (Rawls, 1996, xxvi)."

What is needed "is a conception that allows for a diversity of doctrines and the plurality of conflicting, and indeed, incommensurable, conceptions of the good affirmed by the members of existing democratic societies (Rawls, 1985, 225)." This view is not opposed to the comprehensive doctrines rather congenial to people's most firmly held beliefs. It is only from a neutral point that they can gain an objective conception of justice in order to advance every person's conception of the good without it being compromised or violated. "This challenge can be addressed not by eliminating but by rationally arranging and directing, the plurality of various conceptions of the good that have been faithfully held by free and equal citizens of democratic societies (Ata Ujan, 2005, 5)."

A view of justice which all citizens can affirm is necessary to achieve a sustainable society which is founded on the principles of unanimity, tolerance, and compromise. Unless such consensus is achieved, this kind of society will always remain an elusive dream. It is therefore necessary that a sustainable society be a political society; a society which accommodates the people's differences and at the same time, a society which gives the citizens the opportunity to bracket their differences and look for a neutral ground to see reality in a more objective way.

The fact of reasonable pluralism should not hinder individuals from trying to create a just society. It should not prevent people from developing a better and promising life. "Everyone is presumed to act justly and to do his part in upholding just institutions (Clayton and Williams, 2004, 50)." Reasonable pluralism should be seen as an opportunity never as a liability. People should take the competition even the conflict between them as a challenge for further discernment honing the individual's mind to continue searching for a political conception of justice amidst the vicissitudes of the comprehensive doctrines. "There is a need to uncover the conditions of the possibility of a reasonable public justification on fundamental political questions (Rawls, 1996, xix)." Certainly, such a fact calls for a reconstruction of justice.

The Need for Healthcare

Abnormal behavior and malevolent diseases have inflicted pain on mankind since the beginning of human civilization. In ancient times, these mental and physical illnesses were considered the work of malign evil spirits. Different forms of exorcism were employed in order to expel demons and restore the normal functioning of people. In fact, the bible is full of exorcism stories. On several occasions, Jesus of Nazareth cast away demons from possessed individuals. Exorcism, then, became the first medical practice.

However, since the advent of science and technology, people do not anymore subscribe to the notion of evil spirits as the cause of such maladies. Certain scientists and physicians have turned to the exploration of possible causes of diseases, either genetic or acquired. Gone are the days when all people could just call the faith healer to exorcise and appease the spirits causing discomfort to people. Indeed, ailments are part of life. No one has lived long enough before succumbing to its power.

The moment one is born, one begins to suffer and continues to suffer until he dies. This is why life is considered an incomprehensible contradiction. "The individual is born without his knowledge and usually dies against his/her will (Timbreza, 1993, 3)." Undeniably to be born human is a tragic fate which ultimately renders one's existence absurd. Diseases are a constant reminder of the fragility of life and futility of man's existence. No matter what people do, they just cannot escape the fact that sooner or later, they will reach the end of their rope. Whether one is affluent and powerful, popular and influential, healthy and full of life, when death comes knocking at one's doorsteps, one cannot help but yield.

The least an individual can do is to stay healthy and prolong life. Yet this appears to be a laborious undertaking. Being born healthy is one thing (excluding children with birth deformities), staying healthy is another. One cannot maintain the vigor that he has unless the society in which he belongs to has good healthcare programs. Thus, there is a need to redefine the notion of the distribution of healthcare needs among people.

As a general definition, health is the absence of disease. Nevertheless, some insist that this definition narrowly defines health. The paper describes health as an idealized well-being. Diseases are "considered derivations from the natural functional organization of a typical member of a species (Daniels, 1985, 28)." Normality, in this sense, is health. Abnormality then is a disease. Having one eye when it ought to be two is considered a malfunction.

Healthcare has social and economic manifestations. "Meeting health care needs may have a definite tendency to promote happiness (Daniels, 1985, 27)." Healthy individuals will logically make a healthy society. A progressive country is a mirror of healthy people collectively making an effort to better their society. Most problems people encounter, as what is evidently shown, are products of unhealthy environment. Palpably, healthy individuals can function more efficiently. "How our healthcare institutions distribute various goods and services has a direct bearing on our welfare, and all of us take an interest in comparing how well off we are with how well off we ought to be (Daniels, 1985, ix)." The problem is that not all members are well in the society. Even the toughest and most robust members will grow feeble and weak. No matter what people do, their bodies will deteriorate. As people grow older and weaker, staggering financial burden awaits them. Therefore, defining the principles for the just distribution of healthcare is a must. "A theory of justice for health care is not just the fare of philosophers and political theorists. It concerns us all (Daniels, 1985, ix)." All people will encounter the dilemmas and pains brought about by diseases. The

concept of disease may vary but its effects will be felt cross-culturally. It affects people from womb to the tomb, from birth to death, and from cradle to the grave. It is a universal experience. Thus, health care needs should be prioritized. There may be a limit to man's existence but it need not be the reason in taking for granted any means to lengthen his life.

Health Care as Modeled in the Original Position

"Health care is taken as a field and discipline which involves all the essential elements and characteristics of care in order to render the appropriate person preventive, remedial, and therapeutic services as he tries to maintain his subjective sense of health and well-being (Sario, 2010, 12)." As the case may be, health care is not just about preventing diseases. More so, it is concerned with the holistic wellbeing of a person. Health care has these varied effects and functions. "Indeed, I emphasized the fact that health care is non-homogeneous in its function: it does not just do one thing for us but many (Daniels, 1985, 49)." Sometimes it postpones an impending death, frequently it relieves pain and suffering, and often times it improves the quality of life.

This study contends that a sustainable society creates and maintains just principles for healthcare distribution. However, this may be a laborious task as the "institutions of society favor certain starting point over others (Clayton and Williams, 2004, 49)." To start with, there are especially deep inequalities. The study argues, together with Rawls, that the social positions to which people are born into should not be the basis of entitlements. Principles of justice should not be "distorted by those chance inequalities (Mulhall and Swift, 1992, 5)." Rawls asserts that, "the social positions we are born into are actually something that accrues to us through the accident of birth, through the luck in the natural lottery (Dimock, 1997, 103)." They are just contingencies, some circumstantial vagaries that people got. People cannot be said to deserve them insofar as it was given to them only through chance. It is implausible and unimaginable to determine the distribution of healthcare by people's natural endowments. The result becomes haphazard and will do more injustice than justice. As healthcare is deemed a universal need, its allocation must also be felt universally and cross-culturally.

The crux of the problem becomes obvious: If people are not equal from the start, how can they make principles of justice which will ensure just distribution of healthcare? In other words, what will be the method of construction to be applied that will see these inequalities as irrelevant in matters about justice? "The point to keep in mind is that we must find some point of view that, removed from and not distorted by the particular features and circumstances of the all-encompassing background framework, from which a fair agreement between persons regarded as free and equal can be reached (Rawls, 1996, 23)."

Rawls models the Original position. People in the Original position, wearing a thick veil of ignorance, deprive of any information about their place in society, their talents and skills, will choose principles of justice to govern the basic institutions of society. They will eventually assign principles in allocating the distribution of health benefits. It will be their task to secure that the principles they will arrive at, in the distribution of health-care needs will reflect justice as fairness. One task then is to secure that people in the original position would never have the chance to have a glimpse of their future lives. Thus they can turn out to be healthy or not, pale or vigorous, mentally ill or physically decapitated.

The study contends that the way to think about what would be a just or fair society is to imagine what principles people would make if they are denied particular information about themselves. Natural infirmities are not relevant in this conception of justice. They are set aside and bracketed so that selfish propensities and ulterior desires would be curbed out. "Specific contingencies are ignored in order for its effects to be nullified which put men at odds and tempt them to shape principles that will favor them. The idea here is to relate fairness to ignorance (Mulhall and Swift, 1992, 3)." If an individual doesn't know which of the five pieces of the pizza that he is cutting is going to end up with him, might as well cut the pieces fairly. Similarly, if people do not know who they are going to be and what resources will be available to them, it makes sense to choose fair principles in distributing healthcare. Thus, justice is fairness and this is Rawls' political conception of justice.

Nevertheless, in real life, people know what position in society they will occupy. They are either at the top, middle, or bottom of the social ladder. They also know their talents and skills and use it to further their ends. They are mostly unequal in real life. What the Original position intends to imply is that "when we think about justice, these differences are irrelevant and that people should be regarded as equal (Mulhall and Swift, 1992, 4)." The Original position does not define what people were like in the first place but to emphasize that despite the disparaging

inequalities present, initially they are all equal. Individuals came into this world not as a property of another or as their subject. Some people's worth is not more than others. In matters of justice, even if people cannot totally eliminate inequalities, at least they can lessen them. "People should not look at the world solely from their own point of view, but rather seek a wider rational and more consensual basis of agreement (Vincent, 2004, 124)." One's race, culture, religion, status, and creed should never be the criteria for receiving quality health benefits. No person deserves the advantages conferred by accidents of birth, either the genetic or social. "These advantages are morally arbitrary, because they are not deserved, and to let them determine individual opportunity, and reward and success in life, is to confer arbitrariness on the outcomes (Daniels, 1985, 46)." The distribution of health care needs must ensure the realization of justice as fairness if the intention would be equality per se.

The Original position is Rawls' way of saying that people are equal and free though severely divided by maintaining diverse sets of comprehensive doctrines. All will opt to agree that health care is a necessity and a requirement for a good life. Everyone becomes sick and seeks medical attention. All want to prevent diseases and stay healthy. Moreover, health care influences people's early life plans. If one is sickly and frail, he will avoid physically exhausting activities like engaging in sports or athletics. Instead he can turn his attention to cultivating his mind by reading books or harnessing his musical talents by learning how to play musical instruments.

The principles of justice that will be formulated by the participants in the original position should address the primary problem of distinguishing who needs help and what kind of help is needed. One needs medical attention if one is really sick. One may seek counseling if it will help one to recover. Yet people should be protected against those that go under the name of therapy and operation that are of unknown and dubious efficacy; some are pure fad and fashion, or plain quackery. Various dissatisfactions with the quality of life prompt individuals to seek help. Health care should consider the task of protecting people against a serious impediment to opportunity; their failing to enjoy normal-species functioning, their primary mission.

By securing just health care, people's capacity to decide for themselves is being secured as well. This enables persons to pursue their conceptions of the good developing their two moral powers. More compelling though, a sound mind and a sound body produces a sound individual ready to endorse their set of beliefs but also ready to amalgamate into social cooperation with others.

Health Care in the Two Principles of Justice

Should it be just to kill a patient that has no hope of recovering? Which of the medically eligible patients should receive the life-saving kidney transplant? Should a physician tell the patient his terminal condition if lying would be the best thing to do to prolong that patient's life? Is human experimentation permissible since it will yield many good results? These dramas are not just conjectural circumstances that exist in books or dramatized on television. They are, in fact, modern morality plays. Making judgments about them presuppose a set of principles that people will use to justify their claims.

Through these principles, reasoned criteria are articulated for better judgments. The kind of principles that people have and endorse affects human events. It even holds the course of human history. "To understand human actions is to know the attitudes that are formed behind them, which explains to us the nature of judgments and reason for the actualization of these judgments (Sario, 2012, 391)." Euthanasia, therapeutic abortion, paternalism, the right to informed consent are some cases that need for principles of justice to arrive at a better judgment and better reasons to support it.

Health care is one of the most fundamental yet complex needs. Since it concerns itself with the holistic well being of the person, its allocation ought to be just. The study posits that the society be held responsible for guaranteeing the individual a fair share of basic liberties, opportunities, and the all-purpose means, like income, wealth, and healthcare, needed for pursuing individual conceptions of the good. "But we should hold the individual responsible for choosing their ends in such a way that they have a reasonable chance of satisfying them under just arrangements (Daniels, 1985, 38)." As free and equal, rational and reasonable, people have the capacity to advance their own conceptions of the good only to the extent that the principles of justice allow them.

Health is a prerequisite for a normal life. Most often than not, no one can adequately care for his health alone. In the earlier days, the household was the first hospital. The family members would look after its sick members. However, with the advancement in medicine, the medical care a family provides proves to be insufficient. The relationship between a physician and a patient was undoubtedly born.

The scope of the two principles of justice applied to health care is the institutions that aim to provide people with the capacity to reach their deliberately chosen end. The main concern here is with the sort of decision making that does not only consist with the welfare of certain people in particular situations. It is more concerned rather with health-care needs on the macro level. Although in some cases, people's undivided attention is needed in those life and death scenarios, the two principles of justice formulated in the Original position, though primarily utilized in macro levels, can still be used in addressing the particular issue at hand.

The first principle, known as the Liberty Principle, relies on the assumption of equality in the basic liberties. It states that, "Each person has an equal right to a fully adequate scheme of equal basic liberties which is compatible with a similar scheme of liberties for all (Rawls, 1996, 291)." This principle has a lexical priority over the second principle. What this lexical priority means is that the first principle must be satisfied first before satisfying further principles. All people must be beneficiaries of health-care needs. No one should be left out in its distribution. Every person's well being should be considered. The defined basic liberties should be equally distributed and it cannot be overridden for the expense of others. Everyone in society ought to be entitled to health care, irrespective of his/her social status in life. "Rawls' principle of justice would rule out the distribution of resources based on social worth (Timbreza, 1993, 198)."

The second principle states that, "social and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; the second, they are to be to the greatest benefit of the least advantaged members of society (Rawls, 1996, 291)." This second principle is composed of two principles. The first is the Equal Opportunity Principle and it has a lexical priority over the Difference Principle. "Liberal political philosophy has relied on what is essentially a procedural notion, equality of opportunity, to justify a system in which unequal outcomes are thought morally acceptable (Daniels, 1985, 39)."

It is acceptable that there will be winners and losers in a race, provided that the race is fair to all participants. Since major rewards in the society are attached to jobs and offices, the competition for securing these positions must be just. Specifically, the historical background of a person (i.e. his race, faith, color and sex) should not be the standard on which people are selected for a desired position. Rather, their talents and skills should be the criterion to determine who will be hired and what kind of reward they will get.

Inevitably those people living on the upper echelon of society receive more rewards than those below. In society, people are actually unequal. Not only were they born having different sets of skills and talents, they were also born into different families having different circumstances in life. Some are born into an affluent family making that person's rise to the top easier. Inequalities affect opportunities. To rule out injustice in this setting, Rawls is securing through the Equal Opportunity Principle that people would be given the position they truly deserve based on what they can be expected to provide.

Nonetheless, applying the notion of equal opportunity to jobs and careers even to health care becomes problematic. Irreducible differences in talents and skills between persons will always make opportunity greater for some in competitive situations. This also holds true for those who were born with genetic deformities who needed more medical attention than others. "It would only drain excessive resources into the satisfaction of the special needs of persons with extreme health-care needs, perhaps to the point where the rest of the society is reduced to poverty (Daniels, 1985, 44)." Staggering financial liability and psychological burden will be inescapable. Talents, skills, and health status could not be the basis for reward entitlements since they are just accidental features conferred to people through the natural lottery. "These talents and skills are largely the result of genetic accident or the social good fortune of having effective parents, neither of which we in any sense deserve (Daniels, 1985, 40)."

There is a limited contribution guaranteeing fair equality of opportunity. "The approach taken here draws some interesting parallels between education and health care. Both address needs which are not equally distributed among individuals (Daniels, 1985, 46)." Different social factors like race and family background may yield special learning needs; so too many natural factors, such as mongolism and the like. To some extent, education requires provisions to meet these special needs. "Thus educational needs, like health care needs, differ from other basic needs, such as the need for food and clothing, which are more equally distributed between persons (Daniels, 1985, 46)."

The study tries to accommodate this inconsistency by formulating the Difference Principle. It is only by arranging inequalities to favor the worst-off members of the society could justice be extolled. Since inequalities cannot simply be overridden because people from the very start are unequal, then these inequalities must be curbed

out to alleviate the plight of the marginalized sector of the society. With the apologies out of the way, the difference principle holds that inequalities in the society be justified using it to improve the position of the least member. Health care must prioritize the poor not because their worth is more important than the privileged class but because they lack the resources to keep their well being and dignity intact. Non-medical features of individuals such as their sex, ability to pay, should not be the determining factor to judge whether or not they have access to health care. Rawls is not committed to the futile goal of eliminating all natural differences between persons. Instead, he concentrates on the just (not equal) distribution of health benefits amongst people.

The liberal political conception of justice as fairness considers in a broad sense not only in positing the idea of the political but also in raising health care in the whole sphere of justice. "Health care can be formulated and strategized based on the knowledge of citizens of their obligation to their part in optimizing and maximizing their roles as free and equal, reasonable and rational (Sario, 2012, 392)." The two principles of justice will guide the citizens in making just arrangements nourishing each person's moral powers. In order to establish health care in the atmosphere of justice as fairness, it must be considered, first and foremost, as a means for social cooperation and probably a ground for the establishment of the overlapping consensus.

In order to procure social cooperation from among rational and reasonable citizens, a common agreement in which all will approve must be encouraged. The far-reaching influence of health care will entice citizens to come into social cooperation and settle principles that will govern its just distribution. Justice as fairness works within the framework of social unity and social cooperation. Seeing it as political, it becomes an independent view that would guide the basic structures of society. Given the fact of reasonable pluralism, a society is defined by people having different conceptions of the good, varying philosophical interpretations and competing religious convictions. Rawls' political conception of justice serves as a neutral ground for the overlapping consensus of opposing comprehensive doctrines.

Health care should not be moral, religious or philosophical. Making health care as part of a comprehensive doctrine makes social cooperation implausible. For instance, the question of whether one can opt for euthanasia when life becomes unbearable to live have been a serious issue debated for the past decades. The pros and cons of the issue remained adamantly in conflict with one another, making social cooperation unmanageable. Instead, health care should be viewed as political. Seeing it as political encourages social cooperation among citizens divided by the fact of reasonable pluralism. In this way, unnecessary conflicts and disagreements will be avoided. Health care as a political issue will provide a venue for an overlapping consensus of comprehensive doctrines allowing people to assess their society's health care allocation as just or not.

The idea of cooperation is significant because it serves as the common rational and reasonable virtue of parties engaged in doing shared policies, mutual agreements, and viable collective scheme of principles and standards. Health care as political makes the consensus between contending parties possible. In other words, a sustainable population whose support would not waver, should see the value of cooperation as a principle for justice as fairness and ultimately as facilitating a liberal democratic society. A democratic framework within a culture of cooperation under and supported by public political culture avoids wars and major social conflicts. Ideas of peace and social justice are operational only in the context of cooperation.

Reasonable persons will regulate the distribution of health care as just as possible. "All citizens have to the essential minimum degree, the moral powers necessary to engage in a social cooperation over a complete life and to participate in society as equal persons (Rawls, 2001, 20)." They will be ready to leave the bounds set up by their comprehensive doctrines and acknowledge his fellow citizens' ideas and standards. "Better criteria sometimes, if not most of the times, are found in other's judgments and criteria (Sario, 2012, 391)." After this, a crucial deliberative process will take place, evaluating each other's claim and exhausting the best arguments until a consensus, agreed by substantial majority if not all, will be conveyed. This presupposes the capacity of an individual for openness and mutuality. Only in the sphere of respect and solidarity will social cooperation and overlapping consensus prosper.

There is a need now to posit the idea of the political by stressing health care as a basic right. Rights make people equal and free. It is a universal concept that is indivisible and inalienable. By nature, every person enjoys an inviolable power vested in him just by merely existing. Making health care as a right makes it possible for an idea to be agreed universally by all people coming from different cultures or races. Every person, no matter how different they may be, has his own set of rights similar to others. This makes social cooperation and overlapping consensus just a few steps away.

Health Care as a Fundamental Right

Human rights are basic rights to humane dignified treatment and things one should have access simply because of the fact of being a human person (Sario, 2012, 383).” These rights belong to everyone and they transcend the particularity of cultures and doctrines. Inherent within humans are rights which can never be superseded by the greater good. It is something “mine” or “yours”, given to humans by nature. Regardless of what people are, irrespective of what they do and where they live, the same human rights hold true and acceptable for everybody. No one’s right should be desecrated and compromised. They represent all the things important to human beings as they try to live a normal and decent life. Human rights are based on a number of fundamental virtues such as justice, benevolence, dignity, and respect.

Health care is a basic human right. Everyone is entitled to the right to health care. It is improper for everyone to act in a way discordant with the promotion of health care as a general essential right. Just as one has the right to health care, so also others. Physicians and medical care professionals have a duty to respect and uphold that right. A doctor studies and trains not for personal gains but to render service to humanity.

Health care is a right inviolable to a person. Nevertheless, it becomes an obligation since people must uphold not just their right to health care but more so of others. It posits moral obligation from one another that confers social responsibility to each person. Since all human beings have the right to health care, it follows that they all have the obligation to respect and assert such right as well. Human rights assume responsibility. “Every right in one individual involves a corresponding duty in others to respect this right and not to violate it (Timbreza, 1993, 125).” In this manner, health care can be considered both a benefit and a burden.

Every moment from conception to birth and from birth to death calls for extensive health services. Man needs the greatest care as he goes through life. “Job and career opportunities are more important in early and middle stages of life than in later ones, but our health care needs increase later in life (Daniels, 1985, 52).” “As both inherent and fundamental, health care becomes imprescriptible; it is taken as given (Sario, 2012, 384).”

Rights are not moral fruits that spring up from bare earth, fully ripened, without cultivation. Rather, we are justified in claiming a right to health care only if it can be harvested from an acceptable, general theory of distributive justice, or more particularly, from a theory of justice for health care (Daniels, 1985, 5).” For instance, should smokers and tipplers be forced to pay higher insurance premiums or special health care taxes? It would be logical to point out that those people who voluntarily incur extra risks and hasten their death would be charged higher medical bills. In medicine, as well as in any other field, man is usually confronted with the problem of allocating scarce resources when the demand exceeds supply. For instance, two patients are candidates for a liver transplant. How can we decide who will receive the available organ? Right reason obliges us to pick one, or else both are going to die. Who shall get it and who shall go without it? To put it more straightforwardly, who shall live when not all can live? “Justice as fairness talks about the principles we should adopt and use to govern the institutions under which we live (Daniels, 1996, xi).”

Conclusion

People divided by diverse and complex backgrounds, meditated by divergent conceptions of the good and motivated to act through an exclusive sense of justice make up a liberal democratic setting. It is this background that is destined to be the edifice of justice as fairness. The fact of reasonable pluralism is too compelling to deny that a view of justice to be accepted by all people coming from different walks of life must be conceived.

The heart of justice as fairness can be seen in the Original position. This is a hypothetical situation where the participants are put behind a veil of ignorance eliminating all biases and prejudices. Under the Original position, people assign fair principles which will govern the distribution of benefits and burdens to society. Rawls wanted to secure fairness and impartiality in this set up and this is the reason why no one is allowed to have a glimpse of who he is and what place in society will he take. This gives birth to the two principles of justice. The first principle of justice is the Liberty principle that has a lexical priority over the second principle. The second principle is composed of two principles. First is the Equal Opportunity Principle and the second is the Difference Principle.

To secure cooperation among citizens divided at the level of their comprehensive doctrines, Rawls maintains that his conception is political. Being political, it will not subscribe to any doctrine upheld by citizens; rather, it is the other way around. Unless one finds a common point of view to share with other people, social unity would

just be a virtue existing in the world of ideas. Social cooperation is a virtue between citizens divided but united by a same cause. In this sense, an overlapping consensus among comprehensive doctrines will occur to provide citizens a venue for growth, deliberation, and finally a solution.

Considering the political conception of justice as fairness, the study argues, together with Rawls, that a neutral ground for cooperation, by postulating the idea of the political, be posed. It is in this manner that the paper chooses to apply Rawls' conception to health care being one of the most fundamental needs of all. Health care as a basic right and privilege encompasses all events that transpire over the course of an individual's lifetime. From birth to death, health care services are of utmost importance. People may be different but all needs the same medical and health services. Only by applying justice as fairness can a sustainable (healthy) society be achieved.

References

Primary Sources

Rawls, John. (1996). Political Liberalism. New York: Columbia University Press.

_____. (1985). "Justice as Fairness: Political not Metaphysical," Philosophy and Public Affairs 14, no. 3, 223-251.

_____. (2001). Justice as Fairness: A Restatement. Cambridge: Harvard University Press.

Secondary Sources

Clayton, Matthew, and Andrew Williams, eds. (2004). Social Justice. Oxford: Blackwell Publishing.

Daniels, Norman. (1985). Just Health Care. New York: Cambridge University Press.

_____. (1996). Justice and Justification. Cambridge: Cambridge University Press.

Dimock, Wai Chee. (1997). Residues of Justice. Los Angeles: University of California Press.

Mulhall, Stephen, and Adam Swift. (1992). Liberals and Communitarians. Cambridge: Blackwell Publishers.

Sario, Alvin. (2012) "Towards an Ethic of Health Care," in Special Topics in Philosophy: Selected Readings, Part 2. Saarbrücken: Lambert.

Timbreza, Florentino. (1993). Bioethics and Moral Decisions. Manila: De La Salle University Press.

Vincent, Andrew. (2004). Nature of Political Theory. New York: Oxford University Press.

Unpublished Dissertation

Ata Ujan, Andreas. (2005) "John Rawls' Theory of Justice as a System of Social Cooperation for Pluralistic Societies." Ph.D. Diss., Ateneo de Manila University.