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Basic Structure

The basic structure consists of those social, economic, and political institutions that fundamentally affect a person's opportunities over a lifetime. The concept plays an important role in John Rawls's theory of justice, and consequently in the work of his critics and defenders, but it can also be used more broadly to define and demarcate the 'political', and to distinguish the public from the private.

The success of a person's life depends on a number of factors, such as the social class into which the person is born, natural ability, and good or bad fortune. How society is organized has a direct impact on social class because the state can redistribute wealth and other goods, but political structures can also affect the extent to which the exploitation of natural ability has distributive consequences. For Rawls the basic structure is the main concern – or 'primary subject' – of justice. He gives as examples of institutions within the basic structure the legal protection of freedom of thought and conscience, competitive markets, private property, and the monogamous family.

Rawls distinguishes between the justice *of* the basic structure and justice *within* the basic structure. Take as an example the family. Such things as the number of books in the family home, the quality of conversation between parents and children, the range of leisure activities, and even diet, will affect the intellectual development of children. In choosing principles of justice society can allow these factors to determine the distribution of educational achievement, and, by extension, income and other goods, or attempt to 'nullify' them through distributing extra educational resources to children disadvantaged by their upbringing. It is assumed that educational opportunity

is an appropriate good for distribution, and to this extent the family is an institution within the basic structure of society.

The justice *of* the family must, however, be distinguished from justice *within* the family. Household labour and child-rearing responsibilities, as well as income, are distributed within families as well as between families. Furthermore, the dynamics of family relations are different to wider social relations, for whilst families can be dysfunctional, at their best they are held together by ties of affection rather than mutual advantage or civic duty. This difference is significant in at least two ways: it may not be possible to redistribute affection in the same manner as income or freedom is redistributed, and even if it were possible it would not be desirable to attempt a redistribution. The basic structure argument works to limit the scope of state intervention for the purposes of redistributing resources. A theory of just distribution is a moral theory, but morality extends beyond politics.

The concept of the basic structure can be criticized as drawing the scope of politics too narrowly or too widely. For a classical liberal thinker such as Friedrich Hayek the economy is a spontaneous order brought into existence and maintained by the unintentional actions of agents, whereas justice is an individual virtue, such that only intentional actions can be deemed just or unjust. Furthermore, justice consists in the maintenance of a system of rules, chief among which are private property rights. The basic structure argument makes ‘society’ rather than the ‘individual’ the primary moral agent.

For some egalitarian thinkers the basic structure argument works against addressing gender and global inequalities. The basic structure determines what is politically valuable – for Rawls, these are the ‘socially primary goods’: things like rights, income, and self-respect. Excluded from the list is equality as a substantive value. Although Rawls argues that justice consists in giving priority to the worst-off, meaning the worst-off must be as well off as possible in terms of their primary goods, the ‘worst-off’ class may have a very gendered character, especially if the household rather than the individual is taken to be the primary recipient of income.

One way to address this is to include gender equality as a primary good, and instead of income going to households it should go to (adult) individuals in the form of a ‘citizen’s income’, which all adults receive regardless of whether they are employed or not. To avoid the citizen’s income acting as a disincentive to work individuals might only receive it if they are carrying out socially useful labour, such as child-rearing. But perhaps the most significant consequence of such a scheme would be to erode the boundary between the public and the private, with the state determining intrafamilial income distributions. This brings out an important function of the basic structure – its role in fulfilling the traditional liberal desire to protect the private sphere from politics, but at the same time acknowledging the post-Marxian concern with the role that economic structures play in determining a person’s life-chances.

As well as extending the basic structure ‘downwards’ to the household egalitarians also seek to extend it ‘outwards’ to the global sphere. Rawls restricts cross-national obligations to the establishment and maintenance of the conditions for a well-ordered society. His global principles of justice are much less egalitarian than his

domestic principles. The basic structure is significant in that one argument for an asymmetrical treatment of the domestic and global spheres is that society is a scheme of social cooperation. Individuals have obligations to fellow citizens because within a *national* economy, contra Hayek, a person's actions do affect others. Although there may be other – and better – arguments for an egalitarian theory of global justice the basic structure concept may be employed to show that the economy is not national, but global, and so generates significant moral obligations across national boundaries.

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Further Reading:

Cohen, G. A. (2000), *If You're an Egalitarian how Come You're So Rich?*,

Cambridge Mass. & London: Harvard University Press, Chapters 8-10

Rawls, J. (1972), *A Theory of Justice*, Oxford: Oxford University Press

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