

TEXTE 7 : JOHN RAWLS (1921-2002)

Liberty of conscience is limited, everyone agrees, by the common interest in public order and security. This limitation itself is readily derivable from the contract point of view. First of all, acceptance of this limitation does not imply that public interests are in any sense superior to moral and religious interests ; nor does it require that government view religious matters as things indifferent or claim the right to suppress philosophical beliefs whenever they conflict with affairs of state. The government has no authority to render associations either legitimate or illegitimate any more than it has authority in regard to art and science. These matters are simply not within its competence as defined by a just constitution. Rather, given the principles of justice¹, the state must be understood as the association consisting in equal citizens. It does not concern itself with philosophical and religious doctrine but regulates individual's pursuit of their moral and spiritual interests in accordance with principles to which they themselves would agree in an initial situation of equality. By exercising its power in this way the government acts as the citizens' agent and satisfies the demands of their public conception of justice. Therefore the notion of the omniscient laicist state is also denied, since from the principles of justice it follows that government has neither the right nor the duty to do what it or a majority (or whatever) wants to do in questions of morals and religion. Its duty is limited to underwriting the conditions of equal moral and religious liberty.

J. Rawls, *Theory of Justice* (1971), Part II, Chap. 4, §34 "Toleration and the Common Interest".

1/TRADUCTION :

- Etablir un lexique anglais-français comprenant les termes les plus difficiles du texte.
- Traduire soigneusement le texte en français.

2/ QUESTIONS :

- Faire une recherche bio-bibliographique sur John Rawls.
- De quelle manière Rawls articule-t-il dans ce texte la question traditionnelle de la tolérance (comprise comme que défense de la liberté de conscience) et la question de la justice ?

¹ « 1. Each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others.

2. Social and economic inequalities are to be arranged so that they are both : (a) reasonably expected to be to everyone's advantage and (b) attached to position and offices open to all. » (*TJ*, §11))