Utilitarianism and the original position

1 Why the parties might choose average utilitarianism

Choices	Possible outcome 1 (probability × value = expected value)	Possible outcome 2 (probability × value = expected value)	Expected utility (sum of expected values)
One	.75 × 100 = 75	.25 × 160 = 40	115
Two	.33 × 99 = 33	.66 × 150 = 100	133

Table 1 Illustration of maximizing expected utility

Principles	A	B	C	D	E	Total	Average
Set One	10	45	40	70	50	215	215/5 = 43
Set Two	60	25	30	20	65	200	200/5 = 40

Table 2 Average utility

Principles	A	B	C	D	E	Sum
Set One	10/5 = 2	45/5 = 9	40/5 = 8	70/5 = 14	50/5 = 10	43
Set Two	60/5 = 12	25/5 = 5	30/5 = 6	20/5 = 4	65/5 = 13	40

Table 3 Expected utility assuming equal probabilities

2 What probabilities do they not know?

The probability of being *any particular person*?

> "The first difficulty with the average principle I have already mentioned in discussing the maximin rule as a heuristic device for arranging the arguments favoring the two principles. It concerns the way that a rational individual is to estimate probabilities. This question arises because there seem to be no objective grounds in the initial situation for assuming that one has an equal chance of turning out to be anybody."[1]

The probability of being in *any particular circumstances?*

> "Since the maximin rule takes no account of probabilities, that is, of how likely it is that the circumstances obtain for their respective worst outcomes to be realized, the first condition [under which it makes sense to use the maximin rule] is that the parties have no reliable basis for estimating the probabilities of the possible social circumstances that affect the fundamental interests of the persons they represent."[2]

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[1] John Rawls, *A Theory of Justice,* (Cambridge: Harvard University Press, 1999), rev. ed., 145.
[2] John Rawls, *Justice as Fairness: A Restatement,* (Cambridge: Harvard University Press, 2001), 98.