



A 345266

Justice as Fairness

A RESTATEMENT

John Rawls



Edited by Erin Kelly

THE BELKNAP PRESS OF
HARVARD UNIVERSITY PRESS
Cambridge, Massachusetts
London, England
2001

Contents

Editor's Foreword	<i>xi</i>
Preface	<i>xv</i>
PART I <i>Fundamental Ideas</i>	<i>1</i>
§1 Four Roles of Political Philosophy	<i>1</i>
§2 Society as a Fair System of Cooperation	<i>5</i>
§3 The Idea of a Well-Ordered Society	<i>8</i>
§4 The Idea of the Basic Structure	<i>10</i>
§5 Limits to Our Inquiry	<i>12</i>
§6 The Idea of the Original Position	<i>14</i>
§7 The Idea of Free and Equal Persons	<i>18</i>
§8 Relations between the Fundamental Ideas	<i>24</i>
§9 The Idea of Public Justification	<i>26</i>
§10 The Idea of Reflective Equilibrium	<i>29</i>
§11 The Idea of an Overlapping Consensus	<i>32</i>
PART II <i>Principles of Justice</i>	<i>39</i>
§12 Three Basic Points	<i>39</i>
§13 Two Principles of Justice	<i>42</i>
§14 The Problem of Distributive Justice	<i>50</i>
§15 The Basic Structure as Subject First Kind of Reason	<i>52</i>
§16 The Basic Structure as Subject Second Kind of Reason	<i>55</i>

§17	Who Are the Least Advantaged?	57
§18	The Difference Principle Its Meaning	61
§19	Objections via Counterexamples	66
§20	Legitimate Expectations, Entitlement, and Desert	72
§21	On Viewing Native Endowments as a Common Asset	74
§22	Summary Comments on Distributive Justice and Desert	77
PART III <i>The Argument from the Original Position</i>		80
§23	The Original Position The Set-Up	80
§24	The Circumstances of Justice	84
§25	Formal Constraints and the Veil of Ignorance	85
§26	The Idea of Public Reason	89
§27	First Fundamental Comparison	94
§28	The Structure of the Argument and the Maximin Rule	97
§29	The Argument Stressing the Third Condition	101
§30	The Priority of the Basic Liberties	104
§31	An Objection about Aversion to Uncertainty	106
§32	The Equal Basic Liberties Revisited	111
§33	The Argument Stressing the Second Condition	115
§34	Second Fundamental Comparison Introduction	119
§35	Grounds Falling under Publicity	120
§36	Grounds Falling under Reciprocity	122
§37	Grounds Falling under Stability	124
§38	Grounds against the Principle of Restricted Utility	126
§39	Comments on Equality	130
§40	Concluding Remarks	132
PART IV <i>Institutions of a Just Basic Structure</i>		135
§41	Property-Owning Democracy Introductory Remarks	135
§42	Some Basic Contrasts between Regimes	138
§43	Ideas of the Good in Justice as Fairness	140
§44	Constitutional versus Procedural Democracy	145
§45	The Fair Value of the Equal Political Liberties	148
§46	Denial of the Fair Value for Other Basic Liberties	150
§47	Political and Comprehensive Liberalism A Contrast	153
§48	A Note on Head Taxes and the Priority of Liberty	157
§49	Economic Institutions of a Property-Owning Democracy	158

§50	The Family as a Basic Institution	162
§51	The Flexibility of an Index of Primary Goods	168
§52	Addressing Marx's Critique of Liberalism	176
§53	Brief Comments on Leisure Time	179
PART V <i>The Question of Stability</i>		180
§54	The Domain of the Political	180
§55	The Question of Stability	184
§56	Is Justice as Fairness Political in the Wrong Way?	188
§57	How Is Political Liberalism Possible?	189
§58	An Overlapping Consensus Not Utopian	192
§59	A Reasonable Moral Psychology	195
§60	The Good of Political Society	198
Index		203