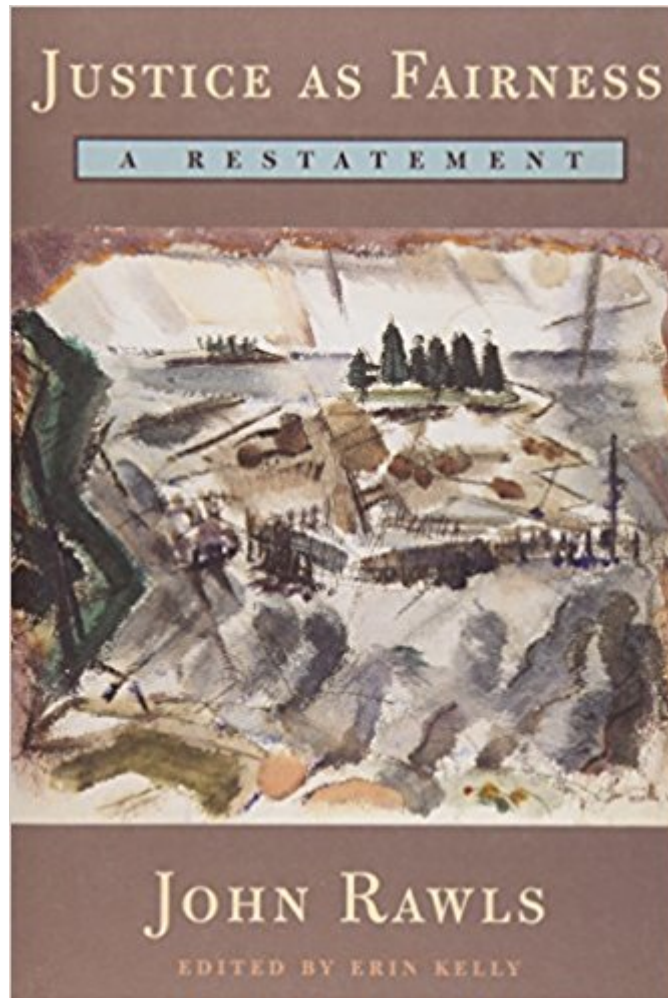




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Justice As Fairness: A Restatement



Synopsis

This book originated as lectures for a course on political philosophy that Rawls taught regularly at Harvard in the 1980s. In time the lectures became a restatement of his theory of justice as fairness, revised in light of his more recent papers and his treatise *Political Liberalism* (1993). As Rawls writes in the preface, the restatement presents "in one place an account of justice as fairness as I now see it, drawing on all [my previous] works." He offers a broad overview of his main lines of thought and also explores specific issues never before addressed in any of his writings. Rawls is well aware that since the publication of *A Theory of Justice* in 1971, American society has moved farther away from the idea of justice as fairness. Yet his ideas retain their power and relevance to debates in a pluralistic society about the meaning and theoretical viability of liberalism. This book demonstrates that moral clarity can be achieved even when a collective commitment to justice is uncertain.

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Customer Reviews

Rawls set himself the difficult task of accomplishing for political philosophy what Kant attempted for moral philosophy; developing a systematic logical rationale for an intuitively attractive body of thought that raises this body of thought to new levels. Kant attempted to find a rational basis for the Pietist Christian ethics that he grew up with; Rawls attempts to find a rational basis for modern democratic polities. Both Kant and Rawls struggle not merely to rationalize existing arrangements and beliefs but to extract the best features of these intuitively attractive systems, to place these features on coherent and rational foundations, and to logically derive important new features of

these systems from the described foundations. Rawls made this project his life's work. His output includes his magisterial 1971 book, *A Theory of Justice*, which set out most of the basis of his theory, the subsequent *Political Liberalism*, which introduced important qualifications into his scheme, and a large number of essays. *Justice as Fairness* is an attempt to summarize his views at the end of his remarkably productive career. This book is the best way available to enter Rawls's work in its final state. Having said that, I have to acknowledge some substantial drawbacks of *Justice as Fairness*. Rawls is not a gifted writer and this book derives to a large extent from lecture notes from one of his courses. Rawls has apparently been ill in recent years and this book was not completed by him. This is doubly unfortunate because Rawls's extended thoughts on some of the issues discussed would be worth reading. The last couple of sections of the book are relatively sketchy, reflecting his inability to flesh them out.

Rawls has done a marvelous job condensing the theory first presented in his massive *A Theory of Justice* into 200 lucid, succinct, beautifully-argued pages. Since the work is essentially a restatement, any review must take into account the effectiveness of that which was restated. For this, I would like to mention one area that Rawls amended; subsequently, I would like to comment on how this change provided a complete new hermeneutical framework for the book. At its core, the theory proposed by Rawls is based on a Kantian understanding of human persons and human freedom. Any familiar with Kant's political philosophy will remember the concept of the 'transcendental self', the self that is so completely free of human encumbrances and entanglements that he is actually and literally free. This person literally has an autonomous free will and consequently has the capacity to be completely self-legislating. This is, of course, necessary if a person is to abide by the categorical imperative. Kant believes that a person cannot be free unless his will--his capacity to choose--is grounded in something pre-empirical. Rawls seems to believe this too. However, he understands that the idea of the 'transcendental self' is so shrouded in the obscurity of German Idealism as to be unhelpful for the average person. So, he sets out to bring the self to the earth and give it an imaginable, even an empirical, basis. And this is the function of the original position: to bring Kant's 'transcendental self' to the earth and provide a basis for it. This should be kept in mind throughout the reading. While I enjoyed the book thoroughly, I have a number of issues. First, Rawls himself says that the work can be read independent of any prior knowledge, and I take this to be true.

Whether one agrees or disagrees with Rawls' theory of justice, almost all contemporary moral and

political philosophy takes place in its shadow. If not for A Theory of Justice, generations of grad students would still indulge in tired debates over the meaning of Kant's categorical imperative and whether analytic philosophy merely defines the words we use to talk about philosophy. Luckily, this was not the case and we now have this book that expresses the most refined exposition of Rawls' views on justice to date. Attempting to address the criticisms leveled by Sandel, Walzer, Habermas, and others at his initial theory, Justice as Fairness integrates the concepts of "reasonable pluralism" and "stability for the right reasons" (the core concerns of Political Liberalism, although not in those words) articulated in articles scattered throughout journals over a span of three decades with the comprehensive philosophical doctrine in A Theory of Justice. Whether he succeeds in fully rebutting their objections is certainly up for debate, but Justice as Fairness should be essential reading for anybody interested in the philosophical underpinnings of a liberal, property-owning democracy. That said, I would agree with the previous reviewer that a reader should at least be conversant in Rawls' ethical theory as described in A Theory of Justice to get the most out of this book. However, to those uninterested in the evolution of his thought and how its shortcomings have been repaired, Justice as Fairness is still a momentous work and will probably be used in introduction to ethics or political philosophy classes everywhere.

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