

Contents

Introduction	xiii
PART ONE Political Liberalism: Basic Elements	1
LECTURE I. Fundamental Ideas	3
§ 1. Addressing Two Fundamental Questions	4
§ 2. The Idea of a Political Conception of Justice	11
§ 3. The Idea of Society as a Fair System of Cooperation	15
§ 4. The Idea of the Original Position	22
§ 5. The Political Conception of the Person	29
§ 6. The Idea of a Well-Ordered Society	35

Contents

§ 7. Neither a Community nor an Association	40
§ 8. On the Use of Abstract Conceptions	43
LECTURE II. The Powers of Citizens and Their Representation	47
§ 1. The Reasonable and the Rational	48
§ 2. The Burdens of Judgment	54
§ 3. Reasonable Comprehensive Doctrines	58
§ 4. The Publicity Condition: Its Three Levels	66
§ 5. Rational Autonomy: Artificial not Political	72
§ 6. Full Autonomy: Political not Ethical	77
§ 7. The Basis of Motivation in the Person	81
§ 8. Moral Psychology: Philosophical not Psychological	86
LECTURE III. Political Constructivism	89
§ 1. The Idea of a Constructivist Conception	90
§ 2. Kant's Moral Constructivism	99
§ 3. Justice as Fairness as a Constructivist View	102
§ 4. The Role of Conceptions of Society and Person	107
§ 5. Three Conceptions of Objectivity	110
§ 6. Objectivity Independent of the Causal View of Knowledge	116
§ 7. When Do Objective Reasons Exist, Politically Speaking?	119
§ 8. The Scope of Political Constructivism	125
PART TWO Political Liberalism: Three Main Ideas	131
LECTURE IV. The Idea of an Overlapping Consensus	133
§ 1. How is Political Liberalism Possible?	134
§ 2. The Question of Stability	140

§ 3. Three Features of an Overlapping Consensus	144
§ 4. An Overlapping Consensus not Indifferent or Skeptical	150
§ 5. A Political Conception Need not Be Comprehensive	154
§ 6. Steps to Constitutional Consensus	158
§ 7. Steps to Overlapping Consensus	164
§ 8. Conception and Doctrines: How Related	168
LECTURE V. Priority of Right and Ideas of the Good	173
§ 1. A Political Conception Limits Ideas of the Good	174
§ 2. Goodness as Rationality	176
§ 3. Primary Goods and Interpersonal Comparisons	178
§ 4. Primary Goods as Citizens' Needs	187
§ 5. Permissible Conceptions of the Good and Political Virtues	190
§ 6. Is Justice as Fairness Fair to Conceptions of the Good?	195
§ 7. The Good of Political Society	201
§ 8. That Justice as Fairness is Complete	207
LECTURE VI. The Idea of Public Reason	212
§ 1. The Questions and Forums of Public Reason	213
§ 2. Public Reason and the Ideal of Democratic Citizenship	216
§ 3. Nonpublic Reasons	220
§ 4. The Content of Public Reason	223
§ 5. The Idea of Constitutional Essentials	227
§ 6. The Supreme Court as Exemplar of Public Reason	231
§ 7. Apparent Difficulties with Public Reason	240
§ 8. The Limits of Public Reason	247

Contents

PART THREE	Institutional Framework	255
LECTURE VII.	The Basic Structure as Subject	257
§ 1.	First Subject of Justice	257
§ 2.	Unity by Appropriate Sequence	259
§ 3.	Libertarianism Has No Special Role for the Basic Structure	262
§ 4.	The Importance of Background Justice	265
§ 5.	How the Basic Structure Affects Individuals	269
§ 6.	Initial Agreement as Hypothetical and Nonhistorical	271
§ 7.	Special Features of the Initial Agreement	275
§ 8.	The Social Nature of Human Relationships	278
§ 9.	Ideal Form for the Basic Structure	281
§ 10.	Reply to Hegel's Criticism	285
LECTURE VIII.	The Basic Liberties and Their Priority	289
§ 1.	The Initial Aim of Justice as Fairness	291
§ 2.	The Special Status of Basic Liberties	294
§ 3.	Conceptions of Person and Social Cooperation	299
§ 4.	The Original Position	304
§ 5.	Priority of Liberties, I: Second Moral Power	310
§ 6.	Priority of Liberties, II: First Moral Power	315
§ 7.	Basic Liberties not Merely Formal	324
§ 8.	A Fully Adequate Scheme of Basic Liberties	331
§ 9.	How Liberties Fit into One Coherent Scheme	334
§ 10.	Free Political Speech	340
§ 11.	The Clear and Present Danger Rule	348
§ 12.	Maintaining the Fair Value of Political Liberties	356
§ 13.	Liberties Connected with the Second Principle	363
§ 14.	The Role of Justice as Fairness	368
	Index	373