

A THEORY OF JUSTICE

JOHN RAWLS

CLARENDON PRESS · OXFORD
1972

CONTENTS

Part One. Theory

CHAPTER I. JUSTICE AS FAIRNESS 3

1. The Role of Justice 3
2. The Subject of Justice 7
3. The Main Idea of the Theory of Justice 11
4. The Original Position and Justification 17
5. Classical Utilitarianism 22
6. Some Related Contrasts 27
7. Intuitionism 34
8. The Priority Problem 40
9. Some Remarks about Moral Theory 46

CHAPTER II. THE PRINCIPLES OF JUSTICE 54

10. Institutions and Formal Justice 54
11. Two Principles of Justice 60
12. Interpretations of the Second Principle 65
13. Democratic Equality and the Difference Principle 75
14. Fair Equality of Opportunity and Pure Procedural Justice 83
15. Primary Social Goods as the Basis of Expectations 90
16. Relevant Social Positions 95
17. The Tendency to Equality 100
18. Principles for Individuals: The Principle of Fairness 108
19. Principles for Individuals: The Natural Duties 114

CHAPTER III. THE ORIGINAL POSITION 118

20. The Nature of the Argument for Conceptions of Justice 118
21. The Presentation of Alternatives 122
22. The Circumstances of Justice 126
23. The Formal Constraints of the Concept of Right 130

Contents

- 24. The Veil of Ignorance 136
- 25. The Rationality of the Parties 142
- 26. The Reasoning Leading to the Two Principles of Justice 150
- 27. The Reasoning Leading to the Principle of Average Utility 161
- 28. Some Difficulties with the Average Principle 167
- 29. The Main Grounds for the Two Principles of Justice 175
- 30. Classical Utilitarianism, Impartiality, and Benevolence 183

Part Two. Institutions

CHAPTER IV. EQUAL LIBERTY 195

- 31. The Four-Stage Sequence 195
- 32. The Concept of Liberty 201
- 33. Equal Liberty of Conscience 205
- 34. Toleration and the Common Interest 211
- 35. Toleration of the Intolerant 216
- 36. Political Justice and the Constitution 221
- 37. Limitations on the Principle of Participation 228
- 38. The Rule of Law 235
- 39. The Priority of Liberty Defined 243
- 40. The Kantian Interpretation of Justice as Fairness 251

CHAPTER V. DISTRIBUTIVE SHARES 258

- 41. The Concept of Justice in Political Economy 258
- 42. Some Remarks about Economic Systems 265
- 43. Background Institutions for Distributive Justice 274
- 44. The Problem of Justice between Generations 284
- 45. Time Preference 293
- 46. Further Cases of Priority 298
- 47. The Precepts of Justice 303
- 48. Legitimate Expectations and Moral Desert 310
- 49. Comparison with Mixed Conceptions 315
- 50. The Principle of Perfection 325

CHAPTER VI. DUTY AND OBLIGATION 333

- 51. The Arguments for the Principles of Natural Duty 333
- 52. The Arguments for the Principle of Fairness 342
- 53. The Duty To Comply with an Unjust Law 350
- 54. The Status of Majority Rule 356
- 55. The Definition of Civil Disobedience 363
- 56. The Definition of Conscientious Refusal 368

Contents

- 57. The Justification of Civil Disobedience 371
- 58. The Justification of Conscientious Refusal 377
- 59. The Role of Civil Disobedience 382

Part Three. Ends

CHAPTER VII. GOODNESS AS RATIONALITY 395

- 60. The Need for a Theory of the Good 395
- 61. The Definition of Good for Simpler Cases 399
- 62. A Note on Meaning 404
- 63. The Definition of Good for Plans of Life 407
- 64. Deliberative Rationality 416
- 65. The Aristotelian Principle 424
- 66. The Definition of Good Applied to Persons 433
- 67. Self-Respect, Excellences, and Shame 440
- 68. Several Contrasts between the Right and the Good 446

CHAPTER VIII. THE SENSE OF JUSTICE 453

- 69. The Concept of a Well-Ordered Society 453
- 70. The Morality of Authority 462
- 71. The Morality of Association 467
- 72. The Morality of Principles 472
- 73. Features of the Moral Sentiments 479
- 74. The Connection between Moral and Natural Attitudes 485
- 75. The Principles of Moral Psychology 490
- 76. The Problem of Relative Stability 496
- 77. The Basis of Equality 504

CHAPTER IX. THE GOOD OF JUSTICE 513

- 78. Autonomy and Objectivity 513
- 79. The Idea of Social Union 520
- 80. The Problem of Envy 530
- 81. Envy and Equality 534
- 82. The Grounds for the Priority of Liberty 541
- 83. Happiness and Dominant Ends 548
- 84. Hedonism as a Method of Choice 554
- 85. The Unity of the Self 560
- 86. The Good of the Sense of Justice 567
- 87. Concluding Remarks on Justification 577

Index 589