CHAPTER 26

CONTEMPORARY ANGLO-AMERICAN POLITICAL PHILOSOPHY

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THE DEATH OF POLITICAL PHILOSOPHY

According to a now familiar narrative, in the middle of the twentieth century, political philosophy was “dead,” but it has since been resurrected in a new form. Credit for the death certificate is given to Peter Laslett. In the introduction to a volume of essays published in 1955, Laslett bemoans the absence of major philosophers writing in English, like the tradition of thinkers “from Hobbes to Bosanquet” that he cites (1956: p. vii).

The absence of great theorists writing in English is surprising, as the early decades of the twentieth century were rich in political theory. Across Europe a host of thinkers composed major works. Renowned figures include Max Weber, Émile Durkheim, Georges Sorel, and a group of thinkers, commonly referred to as the “Machiavellians,” which included Gaetano Mosca, Vilfredo Pareto, and Roberto Michels. Both before and after 1917, the Marxian tradition was enormously important in practical politics and was at the center of raging theoretical debate. Major theorists in this tradition include Lenin, Eduard Bernstein, his “revisionist” opponent, Leon Trotsky, Rosa Luxembourg, Antonio Gramsci, and Georg Lukacs. Marxism’s implications for sociology and other academic fields were explored by members of the “Frankfurt School,” notably Max Horkheimer, Theodor Adorno, and Herbert Marcuse. In Ideology and Utopia (1929), Karl Mannheim developed the sociology of knowledge. In addition to founding psychoanalysis, Sigmund Freud turned his doctrine to concerns of political theory in
Civilization and its Discontents (1929) and other works. This list of thinkers can be extended, but about its impressiveness, there is little doubt.

Impressive as the list is, it contains few works that should be described as “political philosophy”—according to what we now mean by the term. For the most part, works are better described as “social theory.” Dividing lines between these fields are, of course, rough, but, as a general rule, these works are deeply rooted in empirical investigations of society. Many present grand claims about society’s overall development or evolution. While political philosophy should not, of course, be conducted in isolation from social and political conditions, in works of Weber and Durkheim, Mosca, Pareto, and many Marxian theorists, there is deep intermixture of normative and empirical concerns, with the former proceeding directly from the latter. The same is clearly true of Freud, though his own empirical grounding is of course in psychology.

L. T. Hobhouse, whose Liberalism (1911) is one of few works written in English that merits a place on the list, was also a sociologist, at least by academic affiliation. He occupied the first chair of sociology in Great Britain (at the London School of Economics). But to some extent, Hobhouse stands apart from the other authors noted. In justifying the movement from classical liberalism to a new socialistic liberal theory, Hobhouse developed arguments that are more overtly normative than many in the other works noted, although, in his case too, normative claims were bound up with grand theses concerning the evolution of liberal societies. One major figure who belongs on the list is John Dewey, perhaps the only social or political theorist in the United States at that time about whom this could be said. Dewey stands apart from these thinkers in, among other respects, being an academic philosopher, much of whose work should be described as political philosophy.

If at mid-century political philosophy was largely moribund in English-speaking countries, we should ask why this was so. Laslett mentions the possible futility of writing political philosophy in the aftermath of such horrors of the Second World War as the Holocaust and Hiroshima. However, the great struggle of the cold war was in large part a war of ideas. This took center stage in the works of major political philosophers writing in English, including Isaiah Berlin, Karl Popper, and Hannah Arendt. The same is true of Jacob Talmon’s The Origins of Totalitarian Democracy (1955). But, although Laslett’s lament was doubtless exaggerated, the enterprise of political philosophy was stiffly challenged by philosophical views worked out earlier in the century, especially “logical positivism,” developed in the 1920s by the so-called Vienna Circle. Holding a stringent conception of meaning, these thinkers were dismissive of ethical pronouncement, which they viewed as expressions of emotion. To say that murder is wrong is to express one’s revulsion at the practice—to say something along the lines of “Boo murder”—rather than something akin to factual or scientific statements. In Language, Truth, and Logic (1946), A J. Ayer packaged logical positivism for the English-speaking world. In his words:

Thus if I say to someone, “You acted wrongly in stealing that money”… It is as if I had said, “You stole that money,” in a peculiar tone of horror, or written it with the
addition of some special exclamation marks. The tone, or the exclamation marks, adds nothing to the literal meaning of the sentence. It merely serves to show that the expression of it is attended by certain feelings in the speaker. (1946: 107)

For many decades, attitudes along these lines influenced beliefs about how political society should be studied. Along similar lines, as the study of politics in the USA became political science, political scientists were suspicious of normative pronouncements—and of practitioners of normative political theory. In the words of David Easton (1953), a widely respected political theorist:

The assumption, generally adopted today in the social sciences, holds that values can ultimately be reduced to emotional response conditioned by the individual's total life experiences... The moral aspect of a proposition... expresses only the emotional response of an individual to a state of real or presumed facts. (1953: 221)

The influence of logical positivism is apparent here, while similar views were held by many political theorists, to say nothing of political scientists, at that time. During this period, political philosophers largely confined themselves to studying the history of political philosophy and to linguistic analysis. Thus, in a well-known work, T. D. Weldon confined attention to analyzing the language of politics, as opposed to normative assessments of political and social institutions and affairs (Weldon 1953).

THE RAWLSIAN RESURRECTION

After mid-century, circumstances changed dramatically. According to many theorists, responsibility for the revival of political philosophy belongs to John Rawls. Especially in his monumental A Theory of Justice (1971), Rawls provided a compelling model of how political philosophy could be done on a grand scale. Attributing the revival of political theory to Rawls alone is, of course, overly simple. Within a few years of Laslett's pronouncement, well before Theory appeared, several notable works were published. These include H. L. A. Hart's The Concept of Law (1961) and Brian Barry's Political Argument (1965). Berlin's highly influential analysis of different forms of freedom, "Two Concepts of Liberty," was delivered in 1957. Still, Rawls's work made a substantial difference. In 1962, in an article titled "Does Political Theory Still Exist?" Berlin claimed that "no commanding work of political philosophy has appeared in the twentieth century" (Berlin 1962: 1). According to many people, this situation changed in 1971, with the appearance of Rawls's "Olympian" work (Laslett and Fishkin 1979: 1).

The impact of Theory should be attributed to contributions both methodological and substantive. Viewing justice as the "first virtue of social institutions" (1971: 3), Rawls attempts to provide an account of justice more convincing than that of then dominant utilitarianism. Rawls is impressed with utilitarianism's rigor. Still, its implications are
not always correct, as these can entail sacrificing the interests of individuals for the sake of overall public good.

The striking methodological device Rawls introduces in *Theory* is a revised version of the social contract, familiar from works of Locke, Rousseau, and Kant. According to these theorists, preferred forms of government are chosen by individuals in a condition without government, a “state of nature” (see Sommerville, Chapter 33, this volume). Rawls alters traditional accounts of the contract by having his individuals choose principles of justice rather than forms of government. These principles are to apply to society’s “basic structure,” the social, political, and economic institutions that distribute “fundamental rights and duties and determine the division of advantages from social cooperation,” thereby strongly affecting people’s prospects (1971: 7). While in many works in the contract tradition there is some ambiguity as to whether the state of nature is intended to be an actual historical situation or a hypothetical construct, Rawls is clear that the choice in question is entirely hypothetical. The most original feature of Rawls’s simulacrum of the state of nature—his “original position”—is a “veil of ignorance” behind which choosers are situated. The hypothetical choosers are given knowledge of “the general facts about human society,” including theories in economics, politics, and other fields (1971: 137–8). But, to prevent them from selecting principles of justice that benefit themselves unduly, they are deprived of knowledge of their particular characteristics—for example, age, race, religion, social position, even the generation and country to which they belong (1971: 137). As a result, the original position represents a fair situation in which to choose principles of justice, and Rawls calls his conception “justice as fairness.”

Rawls’s contract argument is too complex to be discussed adequately here. The problem of selecting principles is complicated by the veil of ignorance. The representative individuals, who choose the principles, are supposed to choose those that are most beneficial to themselves. But behind the veil, how can they advance their interests, if they do not know what their interests are? To address this question, Rawls introduces “primary goods,” “things that any rational man can be presumed to want”, because they are necessary for whatever plan of life one pursues (1971: 62). Among primary goods, Rawls includes liberties, income and wealth, opportunities, and the social bases of self-respect. Since he assumes that more primary goods are preferable to less, the process of choice becomes selecting principles that provide the largest possible package of primary goods.

Rawls argues that, under conditions of uncertainty resulting from the veil of ignorance, rational choosers will pursue a conservative strategy. Concerned that, after principles have been chosen and the veil lifted, they may find themselves in unfavorable positions in society, they will pursue a maximin strategy, so occupants of the lowest positions are disadvantaged as little as possible. They will choose two principles. The first provides equal and maximum liberty for all members of society. The second is in two parts. The first part guarantees equal opportunity; the second
addresses economic distribution. Even though there is a presumption in favor of economic equality, because incentives promote economic growth and so an increased standard of living for everyone, inequalities are accepted, if they benefit the least advantaged members of society. This is Rawls’s famous “difference principle.” Rawls contends that justice as fairness is superior to utilitarianism, because the two principles, and not utilitarian principles, would be chosen in his original position. Along with this particular argument is a general claim that his position is again superior to utilitarianism, because applying the principles would lead to what we view as a more just society than what would result from utilitarianism.

REFLECTIVE EQUILIBRIUM

Rawls’s reason for employing a social-contract device are made clear in his article “Justice as Fairness” (1958), which presents the first version of what was to become the full-blown theory of Theory. His ideal is a society in which the moral principles that govern basic institutions can be justified to all members of society. In such a society, people “can face one another openly and support their respective positions, should they appear questionable, by reference to principles which it is reasonable to expect each to accept” (1958: 178). This is a far cry from many societies in which inequalities are not justified at all, or, if they are, are attributed to forces beyond human control. Thus what Rawls means by “fairness” is closely akin to hypothetical consent; the principles that we believe would be chosen in a hypothetical, fair situation are principles we should accept. “It is this notion of the possibility of mutual acknowledgment of principle by free persons who have no authority over one another which makes the concept of fairness fundamental to justice” (1958: 179). Rawls’s position could just as easily be called “justice as mutual acknowledgment.”

However, this ideal requires more than that particular principles would be chosen by hypothetical individuals behind a veil of ignorance. In order for any choice in a hypothetical state of nature to have justificatory force, not only must it be the appropriate option, but the conditions under which it is chosen must be plausible. Although Rawls’s reformulated social contract attracted enormous attention, it is actually subordinate to another and different methodological strategy, the method of “reflective equilibrium,” which is one of Rawls’s most important contributions.

Rawls’s interest in questions of method in ethics can be traced back to his doctoral dissertation. In his first published article, “Outline of a Decision Procedure for Ethics” (1951), drawn from his dissertation, Rawls attempts to identify a secure perspective from which to make moral judgments. The proper judge must possess certain attributes. She should be sane, as opposed to suffering from mental illness, intelligent, well informed, not have a strong personal interest in the case at hand, have adequate time
to deliberate, and so on. Judgments made from this perspective are likely to be more reliable than others that lack these qualities. In Theory, Rawls calls such judgments “considered judgments.” Moral beliefs in which we have greatest confidence should serve as “provisional fixed points” around which to construct overall moral theories. Examples Rawls provides in Theory are that racial discrimination and religious intolerance are wrong. An account of justice inconsistent with these convictions is likely to be incorrect (1971: 19–20).

Reflective equilibrium is a method of justification based on establishing coherence within one’s moral beliefs. Rawls sets aside controversial meta-ethical issues such as the nature of ethical judgments and whether moral truth is possible or accessible. Similarly, he sets aside the possibility of deducing a conception of justice from self-evident first principles. Rather, “its justification is a matter of the mutual support of many considerations, of everything fitting together into one coherent view” (1971: 21). Reflective equilibrium aspires to create an integrated structure of moral beliefs and principles. General principles should imply results that are intuitively sound, while one’s understanding of particular cases should be consistent with intuitively sound principles. In order to achieve consistency, one must work back and forth between principles and particular cases, revising one’s understanding of each to achieve overall coherence. Thus Rawls describes moral theory as “Socratic” (1971: 49).

This method overlays the contract argument of Theory. In order to generate the most plausible theory of justice possible, one’s accounts of both the original position and the principles of justice that are chosen should make intuitive sense. The features of the original position should be reasonable and non-controversial, but this position should also be shaped so its inhabitants will choose the most plausible possible principles, resulting in an optimum balance between position and principles. In such a case, there results an equilibrium between the contract argument and our overall intuitive judgments. The equilibrium is “reflective” because, in order to attain it, we must subject our views of all components of the argument to critical examination, revising them as appropriate.

Theory of Justice generated a flood of critical commentary. Most discussions focus on the contract argument and principles that result. But, in this context, I wish to emphasize the work’s methodological accomplishments. As an approach to ethical and political problems, reflective equilibrium is not precisely defined. Adherents of the method disagree about specific features, and not all claim to follow in Rawls’s theoretical footsteps. Still, however much subsequent theorists were directly influenced by Rawls, since the publication of his work, a great many theorists have engaged in a similar style of political philosophy—generally referred to as “analytical,” “liberal,” or “Rawlsian” theory (for good brief discussions, see Miller and Dagger 2003). Influenced by linguistic philosophy, adherents of this style of argument pursue rigor and clarity. They carefully explain terms they use and, like Rawls, generally set aside questions of moral foundations. They base their arguments on considered convictions they believe to be shared by their readers, employing carefully crafted examples to sharpen intuitions. Like Rawls himself, practitioners of this style of argument address practical
issues, and one of Rawls’s great accomplishments was to move past the logical positivists’ skepticism about moral judgments and demonstrate how practical normative issues could be approached.

To a large extent Rawls’s influence has lain in his demonstration of what his method could accomplish. In his well-known work *The Structure of Scientific Revolutions*, Thomas Kuhn discusses the process through which scientific disciplines are established (Kuhn 1962). Central is a pioneering accomplishment, the achievement of a Copernicus or Galileo. Impressed by such accomplishments, other practitioners imitate them. Their methods and standards for assessing their own success or failure are derived from those of the great pioneer. Kuhn refers to such pioneering works as “paradigms.” They are not only generally accepted as providing methods and standards for further research, but they become institutionalized when used as models in the education of future practitioners. In contemporary political philosophy, *Theory of Justice* plays such a role. It is known by all practitioners, and provides a common point of reference and, more indirectly, an accepted example of the methods and standards appropriate for first-class work in the field.

The reflective equilibrium method is subject to criticism. A common objection is that the intuitions from which practitioners proceed are socially constructed. The method does not approach moral truth; all it does is put in order intuitions that result from indoctrination by the subject’s society. In “Outline of a Decision Procedure,” anticipating such an objection, Rawls responds that people who expect moral truth expect too much. The questions he asks must be addressed if people are to live together harmoniously. Clearly, the most likely way to approach such questions is on the basis of moral ideas in which we have greatest confidence. Rawls notes how foolish it would be to proceed from other ideas, in which we have less faith (1951: 196). Thus the moral beliefs from which we proceed are not “arbitrary commitments or sentiments that we happen now to share,” to use one critic’s words (Lyons 1975: 146), but, again, those we hold most securely. What is more, these are moral beliefs that critics themselves most likely share. Justification under reflective equilibrium is *ad hominem*, directed at the critic. To use Joel Feinberg’s words, if a given argument is successful, it demonstrates “to the person addressed that the judgment it supports coheres more smoothly than its rivals with the network of convictions he already possesses, so that if he rejects it, then he will have to abandon other judgments that he would be loath to relinquish” (Feinberg 1984: 18).

A related criticism is perhaps more cutting. Rawls may well exaggerate the extent to which inhabitants of modern societies hold similar beliefs. In *Theory*, he does “not even ask” if one person’s sense of justice is the same as those of other people (1971: 50). As we will see below, in the years following publication of *Theory*, Rawls came to take the fact of disagreement more seriously and attempted to modify his justificatory strategy. But, to the extent that the people Rawls addresses share his basic moral intuitions, reflective equilibrium can be an effective means to practical consensus.
RESPONSE TO RAWLS

For a difficult, almost 600-page work of moral and political philosophy, *Theory of Justice* was a phenomenon. As of this writing, some forty years after its publication, the work has sold around 400,000 copies in English and been translated into at least 28 languages. Bibliography on Rawls includes several thousand items (Pogge 2006: 3). However, along with acclaim, much scholarly commentary on *Theory* is highly critical, while much of this criticism was accepted by Rawls himself. Within a few years after completing *Theory*, he began to move justice as fairness in a new direction.

One apparent reason for the enormous impact of Rawls’s work is that it was right for the times. His powerful defense of individual liberty and justification for providing all members of society adequate resources to pursue their plans of life helped move equality to the center of political philosophy and dovetailed with demands of rising social movements, for racial equality, women’s rights, and equal treatment of other minority groups. Rawls’s account of equality was criticized from a variety of different directions (Wolf, Chapter 36, this volume). Ronald Dworkin argued that his view did not sufficiently address the distinction between deserved and undeserved equality, a defect Dworkin attempted to remedy with a brilliant alternative proposal (Dworkin 1981a, b). While Dworkin, like Rawls, placed distribution of resources at the center of equality, Amartya Sen argued that the focus of justice should be the use to which resources are put, equal ability to develop capabilities, for which different people require different resources (Sen 1980). G. A. Cohen criticized Rawls’s focus on basic structures, arguing that the proper focus of a just society should be just individuals rather than the justice of institutions (Cohen 1989, 1997). Taking things in a more radical direction, Iris Marion Young attempted to move beyond “the distributive paradigm,” arguing for a conception of justice based on demands of social movements (Young 1990: ch. 1). Perhaps the most influential response was Robert Nozick’s development of an alternative, “historical” theory of distributive justice—discussed below.

Other criticisms directly influenced Rawls’s evolution. H. L. A. Hart raised important objections to Rawls’s treatment of liberty (Hart 1975). Rawls’s claim that liberty cannot be traded off for other values faces obvious problems. For one, liberty is regularly traded off against other values—for example, property, in any system of private property. Moreover, liberties themselves can conflict. Rawls fails to provide an index of liberties, which ones take precedence over others, to guide us in trade-offs.

A widespread criticism addressed Rawls’s contention that the difference principle would be chosen behind the veil of ignorance. If people do not know their particular situations, standard probabilistic reasoning dictates that they choose to maximize average shares. Rawls rejects this conclusion as overly risky. But theorists responded with a mixed principle. Rather than the difference principle, the result should be a principle that combines an adequate minimum level (poverty line) below which
people cannot sink and which maximizes average share above that level (Barry 1973: ch. 8; 1989: ch. 6; Fishkin 1975; Harsanyi 1975). It is interesting to note that participants in simulated choice experiments behind a veil of ignorance, conducted in the United States, Canada, and Poland, consistently and overwhelmingly selected a mixed option, 77.8 per cent of the time. A principle similar to the difference principle was chosen only 1.2 per cent of the time (Frohlich and Oppenheimer 1992: 60).

According to Rawls himself, an especially severe difficulty concerned the “stability” of justice as fairness. Rawls was concerned that a principle of justice be able to generate its own support, which, in his terms, means it is “stable.” In what Rawls calls a “well-ordered society,” people come to accept the principles of justice and to behave in accordance with them. This ideal is threatened by the pluralism of liberal societies. Inhabitants of these societies belong to widely different cultural and religious traditions and hold different overall philosophical views, what Rawls calls “comprehensive” views. Pluralism conflicts with general acceptance of the principles of justice. As developed in Theory, the principles are defended from a particular perspective and so are in effect grounded in a particular comprehensive view. In order to develop principles that could be accepted by proponents of other comprehensive views, Rawls was eventually led to present a radically revised account of justice as fairness.

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**ANARCHY STATE AND UTOPIA**

Three years after publication of Theory, Rawls’s Harvard colleague Robert Nozick published *Anarchy, State, and Utopia* (1974), which is, after Theory, probably the most celebrated and widely discussed work in political philosophy in recent decades. In contrast to Rawls’s defense of the social welfare state, Nozick’s conclusions are libertarian. His main purposes in the work are reflected in its title. He attempts to refute the anarchist contention that a legitimate state is not possible by demonstrating how a state could come into existence without violating anyone’s rights. This “minimal” state is charged only with protecting rights, including a strong conception of property rights, and enforcing contracts. Anything more than this is illegitimate, and Nozick mounts a full-scale assault upon conceptions of distributive justice that require more. The result is not only sustained criticism of Rawls’s theory but Nozick’s development of a powerful alternative view.

Although individual rights are central to Nozick’s project, his justification of them is only cursory—as he was well aware (1974: p. xiv). To establish the possibility of a legitimate state, Nozick presents an “invisible hand” argument. As in the famous argument of Adam Smith, Nozick attempts to show how a result that is not directly anticipated by political actors, in this case, the emergence of a state, is brought about through their actions in pursuit of other goals. Nozick posits a state of nature based on Locke’s. Without a common power to keep order, people, feeling threatened, have strong incentives to band together in protective associations. Because of the distinctive
nature of protection, individuals not only want to be in a protective association, but in the strongest one possible, which is able to provide protection from other associations and their members. Thus the logic of protection causes individuals to leave their own associations and join the one that is strongest. This process strengthens that association further, giving other individuals incentives to join it, a process that continues until it emerges as the “dominant protective association” or “ultra-minimal state,” which wields de facto authority in the relevant territory. Even people who do not join voluntarily are legitimately absorbed by this entity. Because of dangers that could result from their using force to defend themselves, the dominant protective agency may prevent them from doing so. But it must compensate them for this loss by protecting them. With everyone subject to this association’s protection, the “minimal” state is achieved.

To counter claims that the state should do more than protect rights, Nozick presents a “historical” theory of distributive justice. This is comprised of three principles: just acquisition, just transfer, and rectification. Possessions are held legitimately, if they are acquired justly or result from just transfers, and so distribution of property should be based on historical events: “Whatever arises from a just situation by just steps is itself just” (1974, 151). The principle of rectification, about which Nozick says little, is necessary to remedy distributions that came about unjustly. Nozick contrasts his historical view and what he refers to as “patterned” or “end-state” theories, according to which legitimate distribution must correspond to a “structural” principle of distribution such as Rawls’s difference principle or a principle of utility.

Nozick’s position amounts to support of the free market. His main objection to end-state principles is that they impinge upon the liberty of property-holders. For example, if people wish to pay extra to see Wilt Chamberlain play basketball, and he will play only if he receives an especially high salary, this will not be allowed, if it contravenes the required principle. Patterns prevent “capitalist acts between consenting adults” (1974: 163). Every time a transaction departs from the mandatory end-state distribution, the state must intervene.

Distributions that result from market transactions may be unacceptably inegalitarian if assessed against Rawls’s principles. But Nozick believes Rawls’s overall strategy based on the veil of ignorance is misconceived. The veil of ignorance misconstrues the nature of property. Property is not something that one finds already in existence, to be distributed according to whatever principle one prefers. According to Nozick’s historical theory, property comes into the world attached to the people who produce it. Nozick contends that Rawls’s method of developing principles of justice behind a veil of ignorance is unfairly biased toward egalitarian principles. If property exists in the form of ready-made stuff—manna from heaven—to be distributed to all alike, and each person has an interest in getting the largest possible share, a principle of equal distribution must result. But is this how property should be construed? (1974: 198). Along similar lines, if students in a class are placed behind a veil of ignorance and asked to distribute grades on a chemistry test, the resulting distribution will be equal, which is obviously unfair to the students with greater ability in chemistry or who studied
harder. In separating people from what they have produced, the veil of ignorance undermines the concept of desert, while this in turn entails an insupportable conception of the person.

Nozick contends that Rawls's principles violate the Kantian injunction to treat people always as ends in themselves, never merely as means. Behind the veil of ignorance, people's special talents and abilities become resources to be used to promote the interests of all alike. As Rawls writes: “the difference principle represents, in effect, an agreement to regard the distribution of natural talents as a common asset” (1971: 101). Does this mean that gifted people are used as means to the advancement of others? One could respond that this is treating people’s talents as means, rather than the people themselves. But Nozick answers that this response is convincing only “if one presses very hard on the distinction between men and their talents, assets, abilities, and special traits,” and he questions the defensibility of the conception of the person that results from pressing on this distinction (1974: 228; emphasis in original).

Nozick’s arguments did not, of course, go unanswered. For instance, his account of rights was criticized for being not only inadequately defended but overly strong, especially in regard to an absolutist view of property rights. Supporters of economic redistribution criticized the Wilt Chamberlain example. In focusing on particular voluntary transaction, the example presupposes the fairness of background institutions and does not recognize that a long series of voluntary transactions could have highly undesirable overall results, which would not have been accepted voluntarily by many community members. Nozick’s criticism of the veil of ignorance neglects representative individuals’ knowledge of how society works and their concern with long-term effects of the principles they choose. For example, if places in medical school were assigned arbitrarily, as Nozick apparently thinks the veil implies they would be, the eventual result would be incompetent doctors, which would adversely affect future members of society. Concern with a society that works well requires that many scarce opportunities be assigned to people best able to make use of them—in other words, to people who deserve them.

COMMUNITARIANISM

As advanced by a series of thinkers during the 1980s and 1990s, communitarianism attracted enormous attention. Important figures include Alasdair MacIntyre, Charles Taylor, Michael Walzer, and Michael Sandel. Communitarians criticize the universalist pretensions of liberal theory and the kind of abstract moral theorizing to which it gives rise. Not only are moral standards rooted in the norms of particular communities, but the same is true of standards of inquiry. According to MacIntyre: “standards of rational justification themselves emerge from and are part of a history in which they are vindicated” within a specific tradition (MacIntyre 1988: 7). Along similar lines, Walzer argues that social criticism must be conducted within frameworks of beliefs and
traditions of specific societies (Walzer 1987). As a set of philosophical claims, communitarianism is far more detailed and defensible in its criticisms of liberalism than in any full-blown alternative. This is especially clear in communitarianism’s most celebrated work, Sandel’s *Liberalism and the Limits of Justice* (1982), which is largely a detailed criticism of *A Theory of Justice*.

In this work, Sandel presents alternative views of individual identity and standards of distributive justice, both of which he roots in the community. He criticizes Rawls’s account of the liberal “self,” “the conception of the moral subject” that Rawls posits (Sandel 1982: 49). Arguing backward from the original position to the conception of the person it presupposes, Sandel identifies an “unencumbered self,” devoid of the particular attributes that make us who we are. Rather than viewing these as essential to the subject, Sandel claims, liberalism is committed to an abstract self that *chooses* its identity, as it chooses the moral principles to which it subscribes. This view of the self is insupportable: “we cannot coherently regard ourselves as the kind of beings” a Rawlsian ethic requires that we be (Sandel 1982: 14).

According to Sandel’s alternative view, the individual is not an abstraction inhabiting a ghostly original position. Rather, an individual is who she is because she lives in a particular time and belongs to a particular community. Factors such as her nationality and religion are responsible for central aspects of her personality, while her moral life is built around relationships with other community members. Particular difficulties Sandel raises include the impossibility of grounding an acceptable conception of the person on the liberal unencumbered self. Like Nozick, he also criticizes Rawls for violating the Kantian injunction, by allowing the community to regard the attributes of individuals as means to promote the interests of other people.

Communitarianism should be credited with raising important questions concerning the nature of the liberal self. To some extent, the movement’s popularity was connected with great interest in questions of identity that accompanied the rise of identity politics in the last half of the twentieth century. But, in spite of the power of some critical arguments, communitarianism has not worn well. There are clear reasons for this. To begin with, as Rawls argues, Sandel misunderstands the original position. The individuals posited there do not reflect Rawls’s conception of human nature, but are hypothetical constructs, composed of the characteristics that we believe make for the most appropriate hypothetical choosers of our moral principles (Rawls 1985: 239 n. 21). Moreover, Will Kymlicka appears to have provided an account of the liberal self that defuses Sandel’s objections. Liberalism does not posit a self devoid of particular attributes, an abstract, pre-existing entity that chooses its identity. Rather central to liberalism is the idea that people have the ability to maintain critical distance from their particular attributes, which they are able to revise if they wish to do so. A person is free to change her profession, to move from the USA to the UK, to switch religions, even surgically to change her sex. In this sense but only in this sense does liberalism recognize a gap between the self and its attributes and priority of the former to the latter (Kymlicka 1988; accepted by Rawls 1993: 27 n. 29). In *Political Liberalism*, Rawls presents the related idea of the “political conception of the person.” In liberal society,
one can change attributes—hair color, political party, and, again, even sex—without affecting one’s rights or standing in society (1993: 30). There is no substance to the claim that liberal theorists do not recognize the importance of particular attributes of the self. As Kymlicka argues, it is because people are concerned with these and wish to get them right that they may wish to change them.

Finally, in spite of its critical edge, communitarianism is hard put to provide positive moral recommendations. An injunction to act in accordance with the norms of our society and our identities may be well and good in a society that is extremely homogeneous, but, in modern liberal societies, norms often conflict. How do we decide which ones to follow? To address questions along these lines, one has no alternative but to engage in the kind of abstract moral reasoning communitarians decry. Moreover, extremely homogeneous societies are historically oppressive against minorities and anyone who does not conform to the dominant type. Faced with the possibility that at least some social norms are unjust, the communitarian, again, must engage in the process of ethical reflection to which communitarianism presents itself as an alternative.

THE EVOLUTION OF RAWLS’S THOUGHT

To address the problems noted above, Rawls recast justice as fairness as a “political” liberalism, moving his position in a communitarian direction by rooting it in the particular culture of liberal society. In his pioneering article “Justice as Fairness: Political not Metaphysical” (1985), Rawls reformulates justice as fairness as expressly intended to serve the practical function of allowing inhabitants of pluralistic societies to live together cooperatively. As Rawls uses the term, a “political” conception, as opposed to a comprehensive view, addresses a narrow range of practical issues. Although Rawls believes that profound disagreement is the normal result of the free use of reason, a society can be well ordered if people generally agree on a set of essential moral principles—a “political” conception of justice—which each person understands from the perspective of his or her own comprehensive view. The result is what Rawls calls an “overlapping consensus.” Justice as fairness is one set of principles that can fulfill this function.

Rawls claims that a liberal theory of justice will be accepted only in liberal societies. Such societies have undergone an often painful process of historical development, especially since the Protestant Reformation and ensuing centuries of religious warfare, which has caused their inhabitants to recognize the need to cooperate on some basis other than shared religious or other comprehensive views. As the idea of tolerance has been accepted in regard to questions of religion, it must be extended to philosophical differences as well. Rather than being based on philosophical agreement, justice as fairness is now developed from generally recognized “intuitive ideas” present in the public culture of liberal societies. The main intuitive ideas are conceptions of the
person as free and equal and of society as a cooperative enterprise for mutual advantage. Rawls believes liberal societies have developed a particular conception of the person, as having two “moral powers,” the ability to choose a conception of the good and to pursue it in a plan of life, and the ability to live cooperatively with others. The process of choosing principles of justice behind the veil of ignorance in Rawls’s revised original position is to promote the development of these moral powers. The primary goods are reconceived as goods that are necessary for the development of the moral powers, and so principles according to which people receive the largest possible share of these goods that should promote maximum development of the powers.

Because of the pluralism of liberal societies, Rawls argues that choice of principles of justice should be “freestanding,” not based on particular comprehensive views. If the choice is made on the basis of the intuitive ideas, the results should be acceptable to adherents of different comprehensive views, thereby achieving an overlapping consensus. This reconceived argument also responds to the criticism of Hart. As Hart recommended, Rawls replaces concern with maximizing “liberty” with maximizing a particular list of liberties. These include freedom of thought, liberty of conscience, political liberties, and the like (Rawls 1993: 291). Rawls’s conception of the person with interests in furthering the growth of the moral powers provides a way to index different liberties. Because freedom of speech, of conscience, or of religion are more necessary for development of the moral powers than, for example, economic rights, they take precedence.

Rawls retains his belief that justice as fairness will be the result of the choice procedure. He believes that his first principle of justice, the equal liberty principle, will clearly be chosen. But he has less confidence in the difference principle. While he continues to believe that the difference principle is the preferred principle of economic distribution, he recognizes that there is no knockdown argument for it over other plausible principles and that the balance of considerations in its favor could strike other people as less weighty (1993: 156–7; 1996: pp. xlvii–xlix; 2002: sects 36 ff.). In his later works, Rawls describes a liberal doctrine as comprised of three elements: a set of basic rights and liberties; assignment of special weight or priority to these, so that they are not outweighed by considerations of overall social utility; measures ensuring adequate resources to enable citizens to make use of their rights (1997: 774). The third component distinguishes the liberalism of the social welfare state from earlier forms of liberalism (see Moon, Chapter 40, this volume) and from libertarian views such as Nozick’s. Recognizing a variety of ways in which this requirement can be met, Rawls is content to have established justice as fairness as one of a set of acceptable liberal views.

An important component of political liberalism is Rawls’s doctrine of public reason, which is also made necessary by the pluralism of liberal societies. In addition to agreed-upon principles of justice, liberal legitimacy requires agreement on standards of argument to be employed in addressing political issues. Rawls describes the latter too as arising from the original position. In addition to deciding on principles of justice, the representative individuals must generate “a companion agreement” on epistemological
principles, which will define “the guidelines for public inquiry,” and so the “principles of reasoning” and “rules of evidence,” for public discussion (2002: 89).

Liberal legitimacy requires that forms of argument be acceptable to the entire range of reasonable citizens. Thus public reason must also be “freestanding.” When “constitutional essentials” and matters of basic justice are at issue, arguments used must be independent of particular comprehensive views. In terms of substantive content, this implies reliance on “presently accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science, when these are not controversial” (1993: 224; 1997: 773–80).

Much of the criticism directed at Political Liberalism has focused on Rawls’s view of public reason. A prominent line of attack is launched by proponents of religious comprehensive views, who claim public reason is unfair to religious citizens. To begin with, it unfairly limits their freedom, in forcing them to set aside essential parts of their identities when engaging in public debate, which is a burden non-religious citizens do not bear (Wolterstorff 1997: 94; Eberle 2002: 232; Stout 2004: 68, 75–7). Along similar lines, while professing fairness, public reason is biased toward secular world views, as its results seem invariably to align with such views. Rawls’s religious critics argue that what justice actually requires is allowing citizens to support their views with the arguments they believe to be most forceful, regardless of whether or not they draw on specific comprehensive views. Proponents of this position believe that Rawls is not correct about the public culture of liberal societies. These societies, it is argued, present a different conception of the free and equal citizen, as one who is free to argue from his or her comprehensive view, while all citizens are equal in possessing this right (McConnell 2000). So construed, freedom is participatory, closer to Benjamin Constant’s “freedom of the ancients” than “of the moderns” (Constant 1819) Along similar lines, critics offer an alternative construal of respect. In the words of William Galston: “we show others respect when we offer them, as explanation, what we take to be our true and best reasons for acting as we do” (Galston 1992: 109).

Proponents of public reason have a response to this line of argument. The implications of such open advocacy could lead to tyranny of the majority, endangering the rights to minorities. But critics of public reason prefer to rely on substantive elements of the political system. As Christopher Eberle argues, liberal citizens have learned from past horrors and have taken steps—for example, the Bill of Rights—to make sure they will not happen again (Eberle 2002: 161).

In a society as religious as the United States, it is unlikely that public culture will support positions as liberal as those Rawls advocates (Klosko 2000). Rawls was probably aware of this problem, as indicated by his interest in the utopian role of political theory in his last works. In Justice as Fairness: A Restatement, he writes: “We view political philosophy as realistically utopian: that is, as probing the limits of practical political possibility” (Rawls 2002: 4). Debate over public reason is currently ongoing. Whether liberal public culture will catch up with Rawls’s vision remains to be seen.
Feminism and Liberalism

In the second half of the twentieth century, concerns of equality that were prominent in Anglo-American political philosophy were obviously influenced by currents in society—for example, struggles for civil rights and women’s rights and on behalf of other oppressed groups. A central demand on the part of all these groups was to be treated with “equal concern and respect” (Dworkin 2000). Major contributions to political philosophy were made in conjunction with these movements. I will briefly discuss questions concerning treatment of women and cultural minorities.

For much of Western history, women enjoyed markedly inferior status. In many societies, they had little or no public identity and few if any civil rights. According to J. S. Mill in The Subjection of Women (1869), such treatment of women was a residue of earlier forms of tyranny. Liberal societies had abolished slavery and authoritarian government. Mill was confident this last form of subordination would also pass away.

Many feminist theorists argue that traditional liberal political theory pays insufficient attention to concerns of women, in particular to childrearing (see Hirschmann, Chapter 46, this volume). Criticisms are developed from a variety of perspectives. Radical feminist theorists resist “male” models of reasoning and posit alternative feminist epistemology. More moderate views address disadvantages women confront from a philosophical framework that is essentially liberal. My concern in this section is the latter perspective, especially in a well-known work by Susan Okin. More radical perspectives cannot be discussed here.

A particular target of feminist critics is the private/public distinction that is a basic feature of liberal political philosophy. As traditionally viewed, the distinction was between the private realm of the family and home and the public sphere, which encompassed the worlds of politics, business, and wider society. According to traditional views, the home and family were off limits to government interference. An unfortunate implication of this position was that fathers and husbands, generally physically stronger than their wives and children, were able to violate their rights with impunity. For instance, until fairly recently, most states did not recognize marital rape. Husbands were held to have the right to have sex with their wives whenever they pleased, while this subject was viewed as a private matter, closed to government. Interpreted along these lines, the private/public distinction could serve to oppress women.

Achievement of equality for women required reformulation of the distinction. This concern is central to Okin’s Justice, Gender, and the Family (1989), in which she extends criticism of the private/public distinction to address issues concerned with unpaid work in the home. Okin makes a powerful case that the way unpaid work is distributed in existing societies oppresses women—although at present (2010), perhaps somewhat less than twenty years ago, when her book was published.
Okin’s analysis turns on economic circumstances. The labor market rewards people according to their skills and experience. Unpaid domestic work—taking care of the home and caring for children—is not only burdensome in itself, but takes up time and energy that could otherwise be used to improve one’s skills and marketability. Because the bulk of such work is done by women, the division of domestic labor places women in disadvantageous positions. To some extent, women find themselves in this position because of gender expectations. Many women do not prepare adequately for the labor market, intending to be wives and mothers. Because their earning capacity is generally lower than that of their husbands, they are in weaker bargaining positions within the marriage. For similar reasons, they are less able to leave their marriages through divorce, which generally means a drastic fall in their standard of living, as opposed to that of husbands, who, with more marketable skills, tended to raise their standard of living after divorce. Lacking marketable skills and effectively unable to divorce, many women find it difficult to resist unfair distribution of domestic work: “gender structured marriage involves women in a cycle of socially caused and distinctly asymmetric vulnerability” (1989: 138; emphasis removed).

Besides being inherently unfair to women, this situation has unfortunate social implications. Oppressive homes are ill suited to produce democratic citizens. Because the family is a “school of justice” (Okin 1989: 17–24), equality for women not only means improvement in their own lives but should also help the next generation fulfill their role as citizens of democracies.

In order to remedy this situation, Okin argues, the dividing line between private and public must be rethought. Just as laws have been passed to protect women from marital rape and other forms of domestic violence, so other policies can promote equality in the home. The existence of affordable, high-quality day care and more flexible work schedules could increase many women’s opportunities to work outside the home. Since women have been victimized by no-fault divorce, alimony and child-support payments should be increased, with payment enforced. Similarly, the general belief that a post-divorce husband’s earnings belong entirely to him should be countered. If the wife made sacrifices to help him acquire marketable skills, some percentage of his future earnings should be awarded to her. Not only would such reforms directly contribute to women’s economic well-being, but, by improving women’s prospects outside their marriages, it would increase their ability to exit and so also strengthen their bargaining positions within marriage.

In *Justice, Gender, and the Family*, Rawls is one of Okin’s targets. She contends that Rawls largely overlooked injustice to women. Unaccountably, sex is not mentioned as one of the characteristics knowledge of which is shielded by the veil of ignorance. In *Theory*, Rawls says almost nothing about the family, although it is one of society’s basic institutions, as Rawls defines them (Okin 1989: 92–3), and so should be a central concern. In “The Idea of Public Reason Revisited” (1997), Rawls responds, accepting Okin’s criticisms but saying that his shortcomings on this subject are his fault, rather than a fault of his theory itself (1997: 787 n. 58). However, he raises additional issues of gender equality that liberal political philosophy has difficulty addressing. Many
women voluntarily subordinate themselves to their husbands—and raise their daughters to do so as well—in accordance with religious beliefs. Liberal theory is deeply concerned with preserving rights, including, of course, religious liberty, which falls within the private sphere. Liberal theory demands that women have the opportunity to live equally in society, if they choose to do so. But, if they do not, forcible intervention in family life to counter unfavorable gender identities will oftentimes cross the boundaries of permissible state activities (Rawls 1997: 764–5).

**Multiculturalism**

Problems of multiculturalism result from the pluralism of modern societies, as different cultural groups demand recognition of their identities and special accommodations for their cultural practices. According to Kymlicka, the standard liberal position on these issues is the assimilation model of the melting pot. As long as people are not discriminated against, they can achieve equality and blend into the larger culture. This position too rests heavily on the private/public distinction. Individuals are to able practice their cultures in their private lives, as long as their practices do no harm, while they are protected from oppression by the right to exit their cultural groups. On this model, the state is to be neutral between cultures. But, Kymlicka argues, public culture cannot possibly be neutral. For instance, the state must privilege a particular language or languages, while something similar holds for recognition of particular holidays, which favor specific groups.

Kymlicka’s positon is a liberal multiculturalism. He upholds the crucial liberal value of autonomy and makes his case on liberal grounds. He contends that culture is necessary to provide a framework of values within which people can make autonomous choices; understanding one’s culture “is a precondition of making intelligent judgments about how to lead our lives” (Kymlicka 1995: 83). It not only provides options, it also provides “the spectacles though which we identify experiences as valuable” (1996: 83; quoting Ronald Dworkin).

Kymlicka argues that, in certain cases, cultures are justified in receiving protection against the larger society. This does not hold for what he calls “ethnic groups,” members of which came to their new country voluntarily, as immigrants. In doing so, they in effect agreed to accept the existing public culture. They are, of course, free to practice their cultural traditions in their private lives and voluntarily to associate with other members of their groups, but they do not have legitimate complaints if their language or customs are not officially recognized. National minorities, in contrast, are “previously self-governing, territorially concentrated cultures” that were incorporated into larger states (1995: 10). Members of these groups did not come to a new country voluntarily but were forcibly included in the new country through war or annexation. Examples are American Indians and inhabitants of Quebec, which became a province of Canada after the Seven Years War. Because members of these groups did not consent
to the existing national culture, Kymlicka defends various special rights for them that enable them to preserve their culture whilst experiencing minority status. These include rights of self-government, special representation, and what he calls “polyethnic rights.” The last category includes rights to public funding of cultural practices and exemptions from various laws and requirements that interfere with practice of their culture. An important example is restrictions on the use of English in Quebec, to preserve its Francophone culture. Similarly, among Pueblo Indians in the American Southwest, the tribal religion is given special authority, which, according to Kymlicka, amounts to a theocratic government that discriminates against members who do not accept the tribal religion (1995: 40).

As liberal societies become more pluralistic, the kinds of issues that Kymlicka raises have become increasingly prominent. Issues are especially problematic in regard to illiberal groups in liberal societies. From the liberal point of view, practices of these groups, such as denying women education or forcing them to marry in their early teens, are illegitimate. Under these practices, women are denied basic rights, and that is more or less all there is to it. But, from the point of view of illiberal groups, the larger society is denying them the right to practice their culture or religion. In a multicultural society, only they are denied this opportunity.

A vigorous liberal response is presented by Brian Barry, in *Culture and Equality* (2002). Barry defends basic liberal values and believes that, with scant exceptions, they should apply throughout society. He has an especially forceful response to complaints on behalf of illiberal groups. He contends that the protests are generally made by men, especially older men in positions of authority, while the people suffering are generally female and young. To assess the legitimacy of some oppressive practice, one should ask the people who actually bear the weight of it.

### GLOBAL JUSTICE

In recent years, theorists have begun to address problems of global distributive justice. Proceedings from basic assumptions concerning the equality of all human beings and the injustice of arbitrary inequalities lead to unsettling conclusions. Because the country in which one is born is obviously a matter of chance, global inequalities cry out for redress. These concerns are intensified by the existence of enormous differences in wealth between countries. To be born in a rich country makes it likely that one will live in material comfort and relative ease, while birth in a poor country could well have opposite consequences. However, strong redistributive duties on the part of inhabitants of rich countries toward inhabitants of poor countries run counter to common moral intuitions, according to which people have special obligations toward their fellows. Duties toward impoverished people in other countries are widely recognized. But these are generally viewed as requirements to meet pressing needs, to insure physical survival, as in the case of famine victims, or victims of natural disasters. These duties
require far less than the demands of equality at the heart of justice. In their approaches to questions of global justice, theorists generally fall into two camps. “Cosmopolitans” support strong duties of global justice, and so argue for extensive redistribution. “Statists” uphold special distributive requirements toward compatriots. In order for the latter to make their case, they must establish strong, morally relevant differences between relationships to one’s compatriots and to people in other countries.

As in many other areas, at the present time, the most prominent author on global justice is Rawls, whose Law of Peoples (1999) upholds a non-cosmopolitan perspective. Viewing society as a cooperative venture for mutual advantage, Rawls (1971: 4) argues that justice centers on fair distribution of the advantages and disadvantages that result from social cooperation, and so contrasts duties of justice, which are owed only to people with whom one stands in cooperative relationships, with weaker duties, owed to people generally. Once again, the latter require only assistance to those in dire need, as opposed to requirements to redress distributive inequalities.

Ever since the appearance of Theory of Justice, Rawls’s approach has been criticized for moral arbitrariness. If the veil of ignorance eliminates knowledge of one’s country, the process of reasoning behind the veil of ignorance that Rawls describes should result in a global difference principle. Concerned that they may end up being members of impoverished countries, the representative individuals will argue for strong redistributive duties (Barry 1973: ch. 12; Beitz 1979). In Law of Peoples, Rawls argues against a global original position as invading the autonomy of non-Western countries (1999: 82–3, 60). He argues against redistributive duties stronger than duties to rescue those in need. Because a country’s public culture determines its economic fortunes, Rawls argues that the most effective way to help what he calls “burdened societies” is to help them develop just or decent basic institutions (1999: 105–13).

Cosmopolitan theorists have developed strong arguments for global distributive justice. Rawls’s claim that concerns of cooperation make justice a domestic matter has been criticized. As argued especially by Charles Beitz (1979), cooperative relationships similar to those within countries are also present in the international realm. Examples include communications, travel, and multinational corporations, while a network of global institutions has arisen, including the World Bank and World Trade Organization. The economies of many countries are bound up with these factors, which, it is argued, amount to a global basic structure.

Arguments for global distributive justice have also been made on other grounds. Thomas Pogge makes his case on the basis of injustices rich countries have perpetrated against poor (Pogge 2002). These go back to colonial times, but include unfair trade agreements, and, strikingly, standard features of international law, which disadvantage people in poor countries. These include resource and borrowing privileges, which are enjoyed by countries’ rulers. Because of these provisions, rulers of poor countries, ruling essentially by force and lacking any usual claim to legitimacy, are able to plunder their countries’ natural wealth and also to borrow in their countries’ names, in order to advance their own interests rather than those of their countries. Their misbegotten riches are used for personal luxuries and, especially, the purchase of arms, which keep
them in power. Other theorists, take different tacks—for example, arguing from strong conceptions of human rights, including economic rights, which transcend national borders (Shue 1996; Buchanan 2003; Caney 2005).

The most prominent defense of special requirements toward compatriots proceeds from distinctive qualities of domestic institutions, which are not present in the international sphere. In an important article, Michael Blake attributes the need for justice to the existence of coercive institutions within states (Blake 2001). Beginning with liberalism’s concern to promote autonomy, Blake argues that the coercive measures that exist in liberal societies are incompatible with autonomy and therefore require justification. They could be legitimized if subjects consented to them or would consent under appropriate circumstances. Distributive justice—for example, implementation of Rawls’s difference principle, comes in to meet this need, as people would consent, once they realized “that no alternative principle could have made them any better off” (Blake 2001: 283).

A similar argument is presented by Thomas Nagel, who also proceeds from society’s coercive institutions (Nagel 2005). The state, unlike other forms of association, is non-voluntary. Ordinarily, we do not have a choice whether to join it, while an “institution that one has no choice about joining must offer terms of membership” that meet high standards (2005: 133)—higher than those provided by weaker moral requirements owed people in other countries. Nagel focuses on the peculiar nature of coercion in democratic societies, that individuals not only subject to it, but, through representative institutions, are also its authors. According to Nagel, it is this double-sided nature of state coercion that triggers requirements of justice, “that creates the special presumption against arbitrary inequalities in our treatment by the system” (2005: 128–9).

At the present time, the subject of global justice has moved to the center of philosophical debate. As with overall focus on the subject of equality, this development can in large part be attributed to changing social and political circumstances. As the world has become increasingly globalized, concerns of people in other countries have leapt to the fore, and moral dimensions of increased international interaction have been subject to increased scrutiny.

**CONCLUDING REMARKS**

A central theme in the above account is the political nature of contemporary political philosophy. In reviewing major currents in the field, I have repeatedly noted relationships between developments in society and philosophical responses. In modern democratic societies, political issues are battled on the plane of ideas. Contemporary political philosophy is largely a practical discipline, devoted to developing and criticizing the philosophical perspectives that undergird social policies.

Recent years have witnessed explosive growth in the field. There has been a proliferation of new journals, including *Philosophy and Public Affairs*, *Political Theory*, and
Journal of Political Philosophy. Production of new books and monographs has become a flood tide. One problem with this output, as Kymlicka notes in his valuable overview of the subject, is that it has become too great for any scholar adequately to keep up with (Kymlicka 2002: p. viii). In his 500-page survey, Kymlicka concentrates almost exclusively on questions of equality, which he views as at the heart of contemporary political philosophy. The above account largely supports this assessment, although theorists have not neglected other subjects. In recent years, there have been important studies of rights, democracy, political obligation, tolerance, and many other topics discussed in this volume.

The main theorists and theories discussed in this chapter are vigorously attacked. Within the Anglo-American tradition, philosophical justification of the welfare state has called forth libertarian responses, especially works of Friedrich Hayek, James Buchanan, and other important thinkers, in addition to Nozick (see Eric Mack, Chapter 41, this volume) The tradition itself has been criticized from alternative perspectives, including multiculturalism, feminist theory, critical race theory, and the point of view of traditional religions. Debates on innumerable subjects are ongoing. As Rawls says, the free use of human reason leads inevitably to disagreement. But this is in welcome contrast to the field’s moribund condition a half century ago.

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