

# 1 *Life and work*

John (Jack) Bordley Rawls was born on February 21, 1921 in Baltimore (Maryland, USA), as a child of a well-to-do family that had its roots in one of the southern states of the USA (North Carolina). His youth was spent in Baltimore, with the exception of the summers when the family stayed on the east coast, in a summer cottage south of Blue Hill (Maine). His father, William Lee Rawls (1883–1946), was a highly respected attorney and constitutional authority. His mother, Anna Abell Stump (1892–1954), came from an old Maryland family (a family that had its roots in Germany). She was for some time president of the Baltimore chapter of the then new “League of Women Voters.”

Rawls had four brothers. Two of his younger brothers would die during his childhood, one of diphtheria (Bobby, who died at five years old in 1928), the other of pneumonia (Tommy, who died at two years old in 1929). Both died of diseases they had contracted from him. These experiences (“Why did I remain alive while my brothers died?”), as well as the undeserved, less-advantaged position of (both black and white) children of his own age that crossed his path, made a lifelong impression on Rawls. They made him realize the *arbitrariness of fortune* and the *unmerited contingencies of life*.

Rawls’ radical perspective on human fate is a consequence of these experiences. According to him, the opportunities people have should be influenced as little as possible by “natural and social contingencies.” His paradigm of injustice was slavery as it had existed in the southern states of the USA. Some judgments Rawls viewed as fixed points: ones we never expect to withdraw, as when Abraham Lincoln said: “If slavery is not wrong, nothing is wrong.” Lincoln was, next to Immanuel Kant, a permanent source of inspiration. Rawls continued to study the works of both all his life. Abraham Lincoln especially was, for Rawls, a point of reference for what the philosopher Thomas Nagel has phrased “the engagement between the hope for achieving justice and the nearly overwhelming obstacles of the real world.”

Rawls attended high school from 1935 to 1939 at the Kent School, an episcopalian private school for boys in Connecticut. After graduating in 1939, Rawls was admitted to Princeton University. He entered in September 1939 as a member of the “class of 1943.” It was a moment that coincided with the German attack on Poland (September 1, 1939) that meant the beginning of the Second World War in Europe. Everyone around Rawls, including himself, was convinced that sooner or later the United States would participate in this war. Rawls started – in addition to his studies – deepening his knowledge on the history of the First World War and the general question of war and international justice.

Among his teachers at Princeton was Norman Malcolm, who had worked with, and was a friend of, Ludwig Wittgenstein (about whom Malcolm would publish his famous memoirs in 1958<sup>1</sup>). It was Malcolm who first raised in Rawls an interest in political philosophy. Rawls also took another course with Malcolm, during the spring term of 1942, on the (quasi-religious) topic of human evil. Rawls completed his BA in January 1943, *summa cum laude* in philosophy.

In the meantime, the United States had indeed started participating in the Second World War, following the attack on Pearl Harbor by Japan on December 7, 1941. A month after Rawls graduated, in February 1943, he entered the US Army as an enlisted man. He would remain one for three years. As a private of F Company of the 128th Infantry Regiment of the 32nd Division (the “Red Arrow Division”), he was sent to the Pacific theater for two years, where he served in New Guinea, taking part in the fighting in the Philippines (the 36-day Battle of Leyte and the 120-day Battle of Luzon, where he was grazed in the head by a sniper’s bullet); he was still in the Pacific when American planes dropped the atomic bombs on Hiroshima and Nagasaki; and he was finally, from September 1945 onward for four months, part of the American forces occupying Japan.

During the war, many of Rawls’ friends in his regiment, seventeen students of his Princeton “class of 1943,” twenty-three of the year below, as well as classmates from Kent School, were killed. These events also profoundly influenced Rawls’ thinking, once again with regard to “the arbitrariness of fortune,” and also with regard to the *ius in bello*, the principles governing the conduct of democratic peoples at war, which establish certain lines that must not be crossed, thus formulating the moral limits of the means to be used during a war.

Fifty years after the fire-bombing of Japanese cities which began in the spring of 1945 (on Tokyo, for example), and the atomic bombing of

Hiroshima on (August 6), and shortly afterwards Nagasaki (August 9), Rawls wrote an article on these events. He could find no justification for these acts and considered them to be “very grave wrongs.”<sup>2</sup> One of the arguments for dropping the atomic bombs was the claim that it would shorten the war. President Harry Truman thought it would, and would thereby save the lives of American soldiers. Japanese lives, military and civilian, presumably counted for less, Rawls notes. However, all the arguments given fail to justify violations of the principles of the conduct of a just war. Even if war is a kind of hell, and death a common occurrence, that ought not to mean that all of the moral and political distinctions on which just and decent civilized societies always depend should cease to hold (LoP: 100, 103). At the same time, Rawls had always been conscious of the fact that these very grave wrongs influenced his own fortune. He knew that if the atomic bombs had not been dropped, he and his fellow soldiers would certainly have had to fight a conventional campaign in Japan. These “very grave wrongs,” then, contributed to the fact that he himself was “fortunate” and benefited from an *unmerited contingency*. He survived the war.<sup>3</sup>

Rawls left the army in January 1946 and began his graduate study in philosophy at Princeton University (on the GI Bill).<sup>4</sup> His intention was to write a dissertation on moral and political philosophy. This had not been his original plan. During his BA, Rawls had become interested in the religious question of why evil exists. His undergraduate honor thesis submitted to the Department of Philosophy at Princeton had as its subject “the origin of evil” (“A Brief Inquiry into the Meaning of Sin and Faith: An Interpretation Based on the Concept of Community,” December, 1942). His intention had been to attend the School of Divinity and to become a minister. The war had made him change his mind. His personal war experiences in the Pacific, seeing with his own eyes the devastated city of Hiroshima after the Japanese surrender (his troop train went through the remains of Hiroshima), and, especially, hearing about the Holocaust, all brought Rawls to reconsider his religious beliefs as an orthodox episcopalian Christian. “How could I pray and ask God to help me, or my family, or my country, or any other cherished thing I cared about, when God would not save millions of Jews from Hitler? When Lincoln interprets the Civil War as God’s punishment for the sin of slavery, deserved equally by North and South, God is seen as acting justly. But the Holocaust can’t be interpreted in that way, and all attempts to do so that I have read of are

hideous and evil. To interpret history as expressing God's will, God's will must accord with the most basic ideas of justice as we know them. For what else can the most basic justice be?" By June 1945, they led Rawls to abandon many of the main doctrines of Christianity, and eventually "to reject the idea of the supremacy of the divine will as also hideous and evil."<sup>5</sup>

Near the end of the war, then, Rawls had given up his plans to enter the episcopalian ministry. The cruelties and destruction of war, which he himself had also experienced, brought him to reflect once again on the question of evil, now framed as the question whether human beings have a moral nature able to be moved by justice, or whether that nature is so self-centered, amoral, and corrupt that justice lies outside the reach of human possibilities.

This negative perspective on humankind, that in fact is the basis of the Christian orthodox doctrine of original sin, would be rejected by Rawls for the whole his life. Negating this perspective on human nature, and banishing the dangers of resignation and cynicism, would be the driving force behind Rawls' philosophical reflection and work for more than fifty years. Rawls steadfastly remained of the opinion that a just society that guarantees liberty, equality, and self-respect for all its members remains within our reach. A reasonably just society, both at home and abroad, is possible.

On New Year's Eve, 1948, Rawls met in Baltimore Margaret (Mardy) Warfield Fox (born 1927). Her parents were Joseph Mickle Fox (from a distinguished old family from Philadelphia) and Ruth Louise Martin (from a respected family from Baltimore). Margaret Rawls studied art history at Pembroke College (now part of Brown University, at Providence, Rhode Island). In June 1949, two weeks after she graduated, they married in Baltimore. Four children were born to their marriage.

They spent their first summer together in Princeton, producing the index of Walter Kaufmann's *Nietzsche: Philosopher, Psychologist and Antichrist* (1950),<sup>6</sup> a book that was to become justifiably famous. (Rawls had always considered an index to be an important key by which a reader can "enter" a work. The index for his *A Theory of Justice* [1971], which he compiled, ran, for example, to nineteen pages; the index of his *Political Liberalism* [1993] to twenty-nine pages. But it is in their content rather than their size that they are exemplars of the role an index ought to play.)

In June 1950, at Princeton, Rawls defended his PhD thesis “A Study on the Grounds of Ethical Knowledge: Considered with Reference to Judgments on the Moral Worth of Character.”<sup>7</sup> It focused on the issue of how in ethical questions a choice can be justified, on which procedure has to be used. Rawls formulated a method that can be called “a coherence theory of ethical justification.”<sup>8</sup> The only way to convince someone of the correctness of a general moral principle is, according to this coherence theory, to show that one’s own moral convictions in particular cases are nothing other than a specific application of that general moral principle. Rawls here laid down the foundation for what he later worked out as the ideas of “reflective equilibrium” and “considered judgments,” ideas that have the capability to give someone conscious insight into their own sense of justice.

After having taught for the following two years in the Department of Philosophy at Princeton, Rawls spent the year 1952–1953 on a Fulbright Fellowship at Christ Church, Oxford. There he met with, among others, H. L. A. Hart, Isaiah Berlin, and Stuart Hampshire. That year was, from the perspective of the development of Rawls’ ideas on (political) philosophy, the most important year of his life so far.

After his return to the United States he became assistant professor at Cornell University at Ithaca, where he joined his former teacher Norman Malcolm on the faculty, and where he was promoted to associate professor with tenure in 1956. Subsequently the Massachusetts Institute of Technology (MIT) in Cambridge (MA) offered him a professorship with tenure. He stayed at MIT as a professor of philosophy from 1960 to 1962. In 1962 he went to Harvard University (Cambridge, MA) to join the Philosophy Department, where he was appointed professor in philosophy, and where he would remain for the rest of his academic career.

Politically speaking, the second half of the 1960s in the United States was dominated by the Civil Rights Movement and by the Vietnam War. Rawls himself publicly took a stand with regard to the war. From the beginning he was of the opinion that the war was morally unacceptable: it was an unjust war. In the spring term of 1969 he taught a course, “Problems of War,” which included, among other issues, *ius ad bellum* (i.e. under which circumstances is it justified to go to war) and *ius in bello* (i.e. how war ought to be conducted), and the related issues of the conscientious objection to serving in an unjust war, and of civil disobedience.

These latter ideas would eventually find their way into *A Theory of Justice* and his ideas on *ius ad bellum* and *ius in bello* would later be elaborated in *The Law of Peoples* (1999). Rawls' ideas on civil disobedience in particular, and the way in which he elaborated when citizens as dissenters are justified in publicly and non-violently disobeying the law, within the limits of fidelity to the law, had tremendous influence. (These ideas were first published in 1969 as "The Justification of Civil Disobedience," but had been circulating in manuscript form since September 1966.) They provided a justification for engaging in actions of dissent against the Vietnam War and for supporting the Civil Rights Movement in the United States.

The Vietnam War directly confronted university professors with another moral issue. Although there was compulsory military service for men up to the age of twenty-six, the Department of Defense had decided not to conscript students *in good standing*, the so-called "2-S" deferment. One failing grade could cause a student to be called up. Rawls considered this to be an unjust proposition: "If young men are forced to participate in the war at all, then at least the sons of the rich and the well-connected should share this fate equally with the rest. If not all fit young men are needed for the war, then the requisite number should be selected by lot."<sup>9</sup> It was a position defended by Rawls and seven of his colleagues from the Philosophy Department and another eight from Political Science. Proposals to get this position adopted in faculty meetings in late 1966 and early 1967 were eventually defeated. Disagreements relating to the Vietnam War continued for many years at Harvard University, and at many other places as well.

In the meantime, Rawls continued working steadily on the manuscript of *A Theory of Justice*. In August 1969, he left with the family to spend the academic year 1969–1970 at the Center for Advanced Study at Stanford University (CA), so that he could finally complete his *magnum opus*. Then, one morning in early April 1970, Rawls was called by the director of the Center, and told that a few incendiary bombs had exploded in the Center overnight. Rawls had left the latest version of his manuscript on his desk! But he was, once again, lucky: his office was spared by the fire, although the manuscript sustained severe water damage. It was dried page by page. After that Rawls went back to work, further modifying the manuscript.

When he returned to Harvard in September 1970, Rawls became chairman of the Department of Philosophy. The Vietnam War

continued, and those working in the department had not only very diverse philosophical beliefs, but also diverse political opinions. The philosopher Hilary Putnam, for instance, was a member of the Maoist Progressive Labor Party, while the philosopher W. V. Quine supported the Vietnam policy of the American president, Richard Nixon. There was not a lot of time left for Rawls to finish his manuscript. When he eventually received the typeset galleys for correction from Harvard University Press, Rawls was amazed to discover its length: 587 pages, to which still had to be added the index prepared by Rawls himself. As Rawls recalled in 1991: “It’s size and scope was a little mad, actually. In writing it I guessed it was about 350 pages; when it was put in galleys and the Press told me it was nearly 600 pages (587 to be exact) I was astounded.”<sup>10</sup> Finally, at the end of 1971, *A Theory of Justice* was published, a study which had been a legendary twenty years in the making.

In later years Rawls rarely participated in public debates, and when he did so it was mainly in his role as philosopher. He had (political) opinions, but as he often said, these opinions were not arguments. He was of the opinion that in public debates philosophers are nearly always misunderstood. Although political philosophy has great influence on the lives of people, its effects are indirect and it takes years before they have become part of the moral consciousness of a society. To get acquainted with Rawls’ “political” views, for instance that all citizens should have equality of access to the political process, that the (American) system of financing electoral campaigns is unacceptable, for his arguments on the issue of abortion, for these and many more one has to study the expositions given by him in his philosophical works.

One example where Rawls did participate in a public debate, be it once again in his role as philosopher, was in the context of the American debate with regard to legalized *physician-assisted suicide*. Before the Supreme Court at the end of 1997 would contemplate two cases involving state laws that banned physician-assisted suicide, a so-called friend of the court “*Brief of the Amici Curiae*” was presented to them. It was signed by Rawls and five other *amici*, the political and moral philosophers Judith Jarvis Thomson, Robert Nozick, Ronald Dworkin, Thomas Scanlon, and Thomas Nagel. It was the first time in the history of the Supreme Court that a group of philosophers, as *philosophers*, presented a brief.

To the question of whether dying patients have a right to choose death rather than continued pain and suffering, the signatories answered that



they were united in their conviction that respect for the fundamental principles of liberty and justice, as well as for the American constitutional tradition, required that the answer should be that indeed such a right should be honored. Extensively the position is substantiated that: "Each individual has a right to make the 'most intimate and personal choices central to personal dignity and autonomy.' That right encompasses the right to exercise some control over the time and manner of one's death."<sup>11</sup>

In 1979 Rawls was promoted to the highest academic rank at Harvard, that of the James Bryant Conant University Professorship. His predecessor had been Kenneth Arrow, the Nobel Prize laureate for economics in 1972. Although he formally retired in 1991, Rawls continued teaching until 1995. In October 1995 Rawls suffered a stroke.<sup>12</sup> Several more would follow.

Rawls was not a person wanting to be in the limelight, or to accept public honors. There are a few exceptions, an honorary degree at Oxford University (1983), one at Princeton (1987), and one at Harvard (1997). In 1999 Rawls was a recipient of the National Humanities Medal, an honor awarded him by the president of the United States, William J. (Bill) Clinton. It was awarded to him not only for his philosophical work, which "stimulated a national revival of attention to moral philosophy," it was also an award in recognition of his profound influence as a teacher. As the laudatio mentions, Rawls "trained many members of the generation who are now the most distinguished practitioners of moral and political philosophy, and through his mentorship he has helped many women into the ranks of a male-dominated field."<sup>13</sup>

In November 1999, Rawls was awarded by the Royal Swedish Academy of Sciences the Rolf Schock Prize in Logic and Philosophy for *A Theory of Justice*, "which has constituted a renewal of normative ethics and political philosophy and has in an essential way contributed to the methodology for normative ethics."<sup>14</sup>

In 1960 the family had settled in Lexington (MA), one of the oldest townships in New England (founded in 1642), a short distance from Cambridge. For over thirty years Margaret Rawls was a town meeting member, focusing on matters of land use planning and environmental protection. Over the last few years she has spent her time on more fully pursuing her artistic career. It was in their home in Lexington that John Rawls died on November 24, 2002, at eighty-one years of age.



In 1951 Rawls published his first article, “Outline of a Decision Procedure for Ethics,” which summarizes part of his dissertation.<sup>15</sup> Over the next twenty years he published some ten articles which can be considered as preliminary studies of the main themes eventually worked out in *A Theory of Justice*, published in 1971.

After the publication of *A Theory of Justice* it would be time to move on to a new topic, or so one would think. As Rawls himself tells us in an interview in 1991, “I had been writing it for a long time, so I would finally get it off my desk and then do something else. ... I had planned on doing some other things mainly connected with the third part of the book, which was the part I liked best, the part on moral psychology. That would not be exactly a new but a related topic. I have never gotten around to that and never will. I thought, the way things have turned out, that it would be better if I spent my time trying to state justice as fairness more convincingly and to reply to people and remove their objections. I’m not sure that’s the best thing to have done, but that’s what I have done. I’m a monomaniac really. I’d like to get something right. But in philosophy one can’t do that, not with any confidence. Real difficulties always remain.”<sup>16</sup>

This, then, is what Rawls did after 1971, and from this perspective one can interpret the publication of *A Theory of Justice* as the closure of a first phase in his work. The articles he published after 1971 can then be seen as an elaboration, but especially as stepping-stones for a second phase that resulted in the publication of *Political Liberalism* in 1993.

In the years after Rawls had published *A Theory of Justice*, he examined more and more the fact that a modern democratic society is characterized by a pluralism of religious, philosophical, and moral doctrines, as well as by cultural and ethnic diversity. He was of the opinion that his – in a political-theoretical sense (and thus not in a party-political meaning) – “liberal” theory of justice as he had formulated that theory in *A Theory of Justice*, did not sufficiently take this pluralism into account and had to be recast. This led to *Political Liberalism*, in which – still from a political-theoretical perspective – the issues of “justice and pluralism” are discussed. In June 1996 a paperback edition of *Political Liberalism* was published, to which Rawls had added a new Introduction. Rawls had planned after that another new paperback edition, including revisions he intended to make, but his illness prevented him from doing so. However, after his death a new paperback edition of *Political Liberalism* was published, in 2005, expanded with

what Rawls himself considered to be the best statement on his ideas on “public reason and political liberalism,” especially regarding the compatibility of public reason with religious views, ideas he had originally published as an article in 1997.

With *A Theory of Justice*, Rawls had formulated a theory for a modern democratic society, closed-off from the rest of the world. *Political Liberalism* did not change this perspective. Only with his monograph *The Law of Peoples*, published in 1999, did Rawls give his perspective on justice an international dimension and elaborate on what justice among peoples requires.

In his doing so, or so one can argue, a third and final phase had come to an end, the construction of Rawls’ theory of justice being completed. (One should hasten to add, however, that Rawls himself would never consider any of his published texts as “final” or “completed”; they would always remain open for revision.) Although one can now discern, over time, three phases, closer examination shows that Rawls’ complete work is in fact one coherent whole, with all the parts being closely related to each other. This introduction to Rawls’ works will demonstrate how this is indeed the case.

Also in 1999, Rawls’ *Collected Papers* were published, a volume that contains nearly all of his published articles.<sup>17</sup> In that same year he also published a revised edition of *A Theory of Justice*. In February and March 1975 Rawls had considerably revised the original English text of *A Theory of Justice* in preparing it for its German translation, a translation that was published later that year. The revisions – considered by Rawls to be significant improvements – have been included in all subsequent translations (at the time of writing there are some thirty), and no further revisions have been added since that time. Remarkably enough, this revised edition had not been available in English until 1999 (TJR: xvii).<sup>18</sup>

In this revised edition of 1999, the improvements that Rawls had originally made in 1975 have been incorporated. That we are concerned in this revised edition from 1999 with revisions that actually originate from 1975 also means that, to prevent any misunderstanding, we have changes only *within the framework* of *A Theory of Justice*. The revisions made by Rawls in 1975 have nothing to do with a recasting of the theory to be able to speak of “political liberalism,” a recasting that, as we noted above, resulted in 1993 in the publication of *Political Liberalism*.