

Rawls's Teaching and the 'Tradition' of Political Philosophy*

Teresa M. Bejan

Department of Politics and International Relations
University of Oxford

teresa.bejan@politics.ox.ac.uk

I. Introduction

As a “peculiarly self-reflective discipline,” controversies over the nature of political philosophy run long and deep.¹ Answers—including the label one uses (philosophy or theory) and one's home department—tend to look very different in different places. Distinctive schools of thought have long been associated, however imperfectly, with different institutions—from the critical and historical “Schools” of Frankfurt, Cambridge, or Berkeley, to the analytic strongholds of Oxford and Princeton, and American Straussians in their “West,” “East,” and “Midwest” varieties.²

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¹ Jonathan Floyd and Marc Stears eds., *Political Philosophy versus History?: Contextualism and Real Politics in Contemporary Political Thought* (Cambridge, 2011).

² For the Frankfurt School, see Rolf Wiggershaus, *The Frankfurt School: Its History, Theories, and Political Significance* (Cambridge MA, 1995). For Cambridge, see Samuel James, “J. G. A. Pocock and the Idea of the ‘Cambridge School’ in the History of Political Thought,” *History of European Ideas* 45/1 (2018), 1–16. For analytic political philosophy, see G. A. Cohen, “How to Do Political Philosophy,” in *On the Currency of*

In this sectarian state of the discipline, the tendency to mistake one's parish for the world proceeds apace.³ All seem to agree, however, that John Rawls's *A Theory of Justice* transformed the discipline in 1971 by introducing something new: a resolutely contemporary, normative and analytic approach to political philosophy, one that challenged more traditional textual and contextual approaches to the history of political thought.⁴ While many of these divisions predated *Theory*'s publication, this continued factionalism reflects, in part, a reaction against the perceived hegemony of "Rawlsianism" in the discipline, both in its principles and personnel.⁵

The irony of reading Rawls as we might Hobbes or Hegel—that is, as just another canonical figure in the history of political thought—has not been lost. As one eminent political philosopher at the "Historical Rawls" conference held in Oxford in 2017 described her excitement as a graduate student in the 1990s: "One read Rawls to *avoid* reading history."

Egalitarian Justice, and Other Essays in Political Philosophy, ed. Michael Otsuka (Princeton, 2011), 225-35.

For Straussians, see Michael P. Zuckert and Catherine H. Zuckert, *Leo Strauss and the Problem of Political Philosophy* (Chicago, 2014).

³ Teresa M. Bejan, "Liberalism's Parish," *Syndicate Theology* (2019), online at <https://syndicate.network/symposia/theology/liberalisms-religion/>.

⁴ See, for example, Richard Tuck, "History of Political Thought" in Peter Burke, ed., *New Perspectives on Historical Writing*, 2nd ed. (Cambridge, 2001), 218-32; Floyd and Stears, *Political Philosophy versus History?*, 2011; David Leopold and Marc Stears eds., *Political Theory: Methods and Approaches* (Oxford, 2008). For the charge of "ahistoricism" leveled against analytic political philosophy, see Mark Philp, "Political Theory and History," in Leopold and Stears, eds., *Political Theory: Methods and Approaches*, 128-49.

⁵ See Katrina Forrester, *In the Shadow of Justice: Postwar Liberalism and the Remaking of Political Philosophy* (Princeton University Press, 2019), 270. Andrew Sabl makes the case for a "Harvard School" of political theory associated with Rawls's colleague Judith Shklar as representing a "realist" reaction against Rawlsianism in "History and Reality: Idealist Pathologies and 'Harvard School' Remedies" in Floyd and Stears, eds., *Political Philosophy versus History?*, 151-76.

Resistance to historicizing Rawls on the part of those committed to seeing things his way is therefore understandable. To treat him as simply one more figure in “the Tradition,” to be contextualized and criticized accordingly, would seem to undermine the decisiveness of his break with it. It suggests that his texts and tools are not enough, that they—and our supposed emancipation from what came before—come with their own encumbrances that only historical awareness can bring to light.

Nevertheless, that Rawls himself was a remarkable traditionalist is well known.⁶ *Theory* appealed routinely to the “tradition” of political philosophy, invoking canonical thinkers and texts, while in lectures Rawls argued consistently that political philosophy was *itself* an essentially “traditional” pursuit, in the remarkable continuity of concepts, texts and “basic questions” over time.⁷ While Rawls’s critics might take such appeals as evidence of the continuing cultural chauvinism of analytic political philosophy,⁸ his admirers might dismiss them just as easily as unreflective conformity to unstated genre conventions in the discipline, rather than expressive of any historical or methodological interest in “the tradition of political philosophy” as such.

This article suggests, however, that there is more to Rawls’s constant and self-conscious fidelity to “tradition”—including what he *meant* by it, and how he understood himself in relation to it over the course of his career—than meets the eye. It examines how

⁶ Andrews Reath, Barbara Herman and Christine M. Korsgaard, “Introduction” in *Reclaiming the History of Ethics: Essays for John Rawls* (Cambridge, 1997), 1-7, at 3-4.

⁷ John Rawls, *A Theory of Justice* (Cambridge MA, 2005), viii, 32, 52, 166. This edition reprints the original 1971 edition; John Rawls, *Lectures on the History of Political Philosophy*, ed. Samuel Freeman (Cambridge MA, 2009), 3. For discussion, see Michael Frazer, “The Modest Professor: Interpretive Charity and Interpretive Humility in John Rawls’s *Lectures on the History of Political Philosophy*,” *European Journal of Political Theory* 9/2 (2010), 218-26.

⁸ See Charles Mills, “Decolonizing Western Political Philosophy,” *New Political Science*, 37/1 (2015), 1–24.

Rawls himself made use of historical authors and examples, including the “enduring” and “classic” texts of Western political philosophy, in light of the shifting appeals to tradition across his works.⁹ Drawing on his archive at Harvard, I argue that Rawls’s fascination with tradition arose out of his own pedagogical engagement with the “death” of political philosophy debate in 1950s—a debate that left its mark not only on *Theory*, but continued to shape his thinking through *Political Liberalism* (1993) and beyond. This engagement culminated in Rawls’s extraordinary assessment of the irenic “roles” of political philosophy and its various traditions in *Justice as Fairness: A Restatement* (2001), completed with assistance from Erin Kelly and published the year before his death.¹⁰

The following survey is not exhaustive. Still, it should accomplish three things. First, it should correct the persistent misimpression shared by political philosophers and historians alike as to the un- or anti-historical nature of Rawls’s own political philosophy. Second, it should demonstrate how viewing Rawls himself as a historical figure can illuminate important, but hitherto neglected aspects of his thought. Thirdly, it attests to the significance of Rawls’s *teaching*—beginning with his earliest lectures on “Social and Political Philosophy” at Cornell in the late 1950s, and throughout his long-running Harvard survey courses on the history of moral and political philosophy—to his shifting views on the tradition of political philosophy, what it was and how to teach it, that culminated in the increasingly contextually-minded and insistently irenic approach on display in his later works.¹¹

⁹ Rawls, *Lectures on Political Philosophy*, 3.

¹⁰ See “Four Roles of Political Philosophy” in John Rawls, *Justice as Fairness: A Restatement* (Cambridge MA, 2001), 1-5, cf. 83, 95-6.

¹¹ See, for example, Rawls’s 1992 introduction to *Political Liberalism* (New York, 1996), at xiii-xxxiv and *Justice as Fairness*, 3.

Rawls took his teaching seriously, and much work still remains to be done on this aspect of the Historical Rawls.¹² The published versions of his *Lectures on the History of Moral and Political Philosophy* drew exclusively from courses taught at Harvard in the 1980s and '90s;¹³ however, among the treasures of the archive are successive versions of syllabi and lectures revised from year to year, beginning in the 1950s. Little scholarly attention has been paid to these early lectures, including those Rawls gave as an Assistant Professor of Philosophy at Cornell (1953-59) and MIT (1960-62) before his return to Harvard permanently in 1962.¹⁴ While we must be careful not to impose a false coherence on the whole, the connection between Rawls's teaching and the development of his thought cries out for further exploration—not least in its impact on his successive reformulations of the “roles” of political philosophy.

As we shall see, looking to his teaching offers insight into how Rawls, himself, might have read “John Rawls” as a canonical figure in the history of political thought. He spent a lot more time contemplating that question than one might think.

II. Death of a Discipline

To understand the end, one must return to the beginning. From the start, as Sophie Smith and Nikhil Krishnan highlight in their contributions to this Forum, the transatlantic debates about the state of the discipline that set the stage for *Theory*'s reception focused on the health of the *tradition* of political philosophy, as a continuous thread of engagement

¹² Cf. Mark Bevir, “John Rawls in Light of the Archive: Introduction to the Symposium on the Rawls papers,” *Journal of the History of Ideas* 78/2 (2017), 255-63, at 258.

¹³ See Samuel Freeman, “Editor's Foreword” in Rawls, *Lectures on Political Philosophy*, ix-xvi.

¹⁴ Rawls first taught his long-running course Phil 171, “Modern Political Philosophy,” in the 1959-60 academic year as a visitor at Harvard.

between the “great” (always male) thinkers of the (always Western) past. In 1956, Peter Laslett proclaimed that “for three hundred years of our history there have been such men writing in English”—i.e., philosophers concerned with “political and social relationships at the widest possible level of generality.”¹⁵ But now, he lamented, “the tradition has been broken...for the moment, anyway, political philosophy is dead.” The culprits were British philosophers: “Logical Positivists” like “Russell and Wittgenstein, Ayer and Ryle who convinced philosophers that they must withdraw” to examine “their logical and linguistic apparatus.” The resulting reexamination “threatened to reduce the traditional ethical systems”—hence political philosophy itself—“to assemblages of nonsense.”¹⁶ “It was perhaps never intended by the analytic philosophers of the early twentieth century that a traditional area of philosophic inquiry should be permanently closed,” Laslett conceded. But closed it was, at least for the time being.¹⁷

Not everyone took news of political philosophy’s demise lying down. In his 1959 address to the Political Studies Association, John Plamenatz insisted that reports of its death were greatly exaggerated.¹⁸ While he accepted much of the positivists’ case against the tradition, Plamenatz insisted that political philosophy or theory (at home among social scientists at Nuffield College, Oxford, he used the terms interchangeably) was very much alive and well as an essential, human pursuit—especially in the 20th century, when “sophisticated” man could no longer rely on “primitive” prejudice to supply his values for him.¹⁹ The “great thinkers” were thus worthy of study, he further explained in *Man and*

¹⁵ Peter Laslett, ed., *Philosophy, Politics, and Society* (Oxford, 1956), vii.

¹⁶ *Ibid.*, ix.

¹⁷ *Ibid.*, x.

¹⁸ Published as John Plamenatz, “The Use of Political Theory,” *Political Studies*, 8/1 (1960), 37-47, at 37-40.

¹⁹ *Ibid.*, 42.

Society, “not [as] a stock of ideas sufficient for [our] purposes. They are inadequate for all kinds of reasons” (including their failure to grasp the fact-value distinction).²⁰ Yet, “we have still to come to terms with these thinkers of the past, to make up our minds about them if we are to learn to think *more clearly* than they did.”²¹ Breaking with the tradition was impossible: “there can be no real turning of the back on these old theories, whose ideas and assumptions still permeate our thinking about society and government, whether we know it or not.”²²

Plamenatz’s largely forgotten contribution to these debates should alert us to the presence of yet another “Oxford” tradition to which the young John Rawls might have been exposed in the early 1950s.²³ Still, for Plamenatz, political philosophers needed to understand their debt to these traditional political theories primarily so as to supersede them. The political philosopher’s study of the tradition could therefore not be a matter of “mere history”: “Those who say that to understand a theory we must understand the [historical] conditions in which it was produced...speak as if, to understand what a man is saying, we must know why he is saying it. But this is not true. We need understand only the sense in which he is using words.”²⁴ Thus, even if “to understand why Machiavelli or Hobbes or Rousseau wrote as he did, we must know something of social and political conditions in their

²⁰ John Plamenatz, *Man and Society: A Critical Examination of Some Important Social and Political Theories from Machiavelli to Marx*, 2 vol. (London, 1963), 1: xii.

²¹ *Ibid.*, xiii. My emphasis.

²² *Ibid.*

²³ See Nikhil Krishnan, “John Rawls and Oxford Philosophy,” *Modern Intellectual History* (this issue).

²⁴ Plamenatz, *Man and Society*, 1: ix.

day...this does not, I hope, mean that whoever discusses their theories must also discuss these conditions and controversies. *Is there to be no division of labour?*”²⁵

Plamenatz would go on to succeed Isaiah Berlin as the Chichele Professor of Social and Political Theory at Oxford in 1967. Today, however, his naively textualist and supersessionist approach to the history of political thought is remembered mainly among Quentin Skinner’s chief targets in “Meaning and Understanding in the History of Ideas.”²⁶ Drawing on Austin and Wittgenstein, Skinner declared that political theorists like Plamenatz were the true nonsense-peddlers in suggesting that the “sense” of a historical text could be understood independently of its discursive context. Skinner’s arguments have been highly influential, and today it is often assumed that “analytic” and “historical” approaches to political philosophy must be in tension, even antagonistic.²⁷ Yet this mistakes matters rather badly.²⁸ In fact, the methodological broadsides that poured out of Cambridge in the ’60s and ’70s dovetailed nicely with the burgeoning self-understanding of analytic philosophers that political philosophy, as applied philosophy, had a history in the same way physics or geology did—a history mainly of error, false starts, and dead ends.²⁹

For both sides, then, the study of the tradition of political philosophy might therefore proceed, but as a properly *historical* subject that served mainly to highlight the contemporary irrelevance of the so-called “Greats.” It is no accident that Skinner’s “Meaning and Understanding” began in 1968 as a conference paper, also addressed to the Political Studies

²⁵ Ibid. My emphasis.

²⁶ Quentin Skinner, “Meaning and Understanding in the History of Ideas,” *History and Theory* 8/1 (1969), 3-53.

²⁷ For this trend, see Floyd and Stears eds., *Political Philosophy vs. History?*

²⁸ See Richard Tuck, “History of Political Thought.”

²⁹ E.g., Daniel McDermott, “Analytical Political Philosophy” in Leopold and Stears, eds., *Political Theory: Methods and Approaches*, 11-28.

Association, entitled “On the Unimportance of the Great Texts.”³⁰ Nearly a decade after Plamenatz’s rejoinder to Laslett, Skinner effectively radicalized the former’s division of labor by eliminating the middle ground. Historians should historicize, philosophers philosophize, with the “tradition” of political philosophy squarely within the remit of the former. Their problems were not our problems. The time had come to “do our thinking for ourselves.”³¹

III. *Theory*

Published two years later, *Theory* appeared straightforwardly to accept Skinner’s division of scholarly labor. The purview of political philosophy, as Rawls presented it in that work, was entirely presentist. Through the device of the Original Position, one could derive a conception of justice “that can serve as a standard”—an “Archimedean point”—from which to “appraise institutions and [guide] the overall direction of social change.” The only relevant authority was that of reason freely exercised, albeit suitably and sufficiently constrained.³²

As Smith notes in her essay, from the beginning readers were struck by the ambition of Rawls’s theory as a break with tradition.³³ Yet Rawls—like Robert Nozick, who presented his own libertarian theory of justice as an extension of “Lockean” natural rights—was evidently eager in *Theory* to insist that his work did *not* make any such break; rather, he depicted its arguments as emerging from within various “traditions” in the history of political philosophy. This included most obviously the “contractarian tradition” and “the familiar

³⁰ Quentin Skinner, “Meaning and Method,” Interview conducted by Teresa M. Bejan, *Art of Theory* (2011), online at https://www.academia.edu/1073948/Quentin_Skinner_on_Meaning_and_Method.

³¹ Skinner, “Meaning and Understanding,” 52.

³² Rawls, *Theory*, 261.

³³ Sophie Smith, “Historicizing Rawls,” *Modern Intellectual History* (this issue).

theory...found, say, in Locke, Rousseau, and Kant.”³⁴ By pitting this against the “dominant utilitarianism of the tradition,” and the “classical doctrine” espoused by Bentham and Sidgwick, Rawls conveyed to his readers a sense of his project’s civilizational stakes.³⁵

Rawls’s determination in *Theory* to engage with philosophical arguments as attached to historical authors could sometimes produce strange results—most notably, in his decision to dub the preference for more complex and completely developed capacities (like chess) over simpler ones (like checkers), the “Aristotelian principle.”³⁶ Elsewhere, he took historical thinkers to task for empirical errors, as well as philosophical ones, as with Locke and Rousseau’s unnecessarily restrictive grants of toleration: “Presumably a greater historical experience and a knowledge of the wider possibilities of political life would have convinced them that they were mistaken.”³⁷

More often, however, *Theory* treated historical authors with deference in the course of linking their projects with Rawls’s own. Neglected features of the text suggest that he was eager, even anxious, to establish his continuity with the greater tradition of political philosophy. For example, Rawls originally intended *Theory* to open with an epigraph from Rousseau’s *Emile*: “Those who expect to treat moral and political philosophy as separate

³⁴ Rawls, *Theory*, 166, 11. According to Joshua Cohen, Rawls “once said...that his two principles of justice could be understood as an effort to spell out the content of the general will.” Joshua Cohen, *Rousseau: A Free Community of Equals* (Oxford, 2010), 2.

³⁵ Rawls, *Theory*, 32.

³⁶ *Ibid.*, 424-8.

³⁷ *Ibid.*, 216.

things will never understand anything about either.”³⁸ Introduced in the first full manuscript of 1969, it was “killed” only at the pre-proof stage.³⁹

Still, the strangest example came in chapter one, where Rawls insisted that although his “approach [to justice] may not seem to tally with tradition,” this was a mistake:

The more specific sense that Aristotle gives to justice...is that of refraining from *pleonexia*, that is, from gaining some advantage for oneself by seizing what belongs to another, his property, his reward, his office and the like...Now such entitlements are, I believe, very often derived from social institutions and the legitimate expectations they give rise to. There is no reason to think that Aristotle would disagree with this, and certainly he has a conception of social justice to account for these claims.

Therefore, Rawls concluded, “*there is no conflict with the traditional notion.*”⁴⁰

The published footnote to this passage claimed to “follow the interpretation” of Gregory Vlastos. Rawls first introduced this discussion in December 1969 after reading a recent article by Vlastos in the *Journal of Philosophy*.⁴¹ There, Vlastos defined Aristotle’s “more specific sense” of *pleonexia* as “gaining some advantage for oneself by grabbing what belongs to another – his property, his wife, his office, and the like – or by denying him what

³⁸ John Rawls, “A Theory of Justice, chapter I, 1969 December,” Folder 1, Box 11, John Rawls Papers (HUM 48), Harvard University Archives (henceforth “Rawls Papers”).

³⁹ John Rawls, “A Theory of Justice, final draft of manuscript prior to publication, chapter I, 1971,” Folder 11, Box 11, Rawls Papers.

⁴⁰ Rawls, *Theory*, 11. My emphasis.

⁴¹ Rawls, “A Theory of Justice, chapter I, 1969 December.”

is (morally or legally) due him.”⁴² While the plagiarism may have been an inadvertent consequence of Rawls’s note-taking process, his amendments to Vlastos’s wording—changing “grabbing” to “seizing” and “wife” to “reward”—suggest a deliberate intention to render Aristotle’s ancient and alien conception more familiar and palatable to modern audiences.⁴³

Plagiarism aside, the passage is strange. Whether or not the claim is plausible, why does it matter whether Rawls’s conception of justice “tallies with tradition?” What does the agreement of Aristotle, of all people, add? Certainly, the unnecessary pains Rawls took in *Theory* to claim continuity with the tradition made it easier for early critics to dismiss his engagement as glib, at best, and arrogantly clueless at worst. Allan Bloom’s vicious 1975 review, “Justice: John Rawls vs. the Tradition of Political Philosophy,” accused Rawls of dressing his theory up in the authority of the Western tradition without recognizing that “the Tradition” might have something to teach him.⁴⁴

Bloom’s scolding subtitles proclaimed Rawls’s “misuse” of Aristotle and Kant, and he accused Rawls of offering nothing more than a post hoc rationalization of “what is wanted here and now” rather than a genuinely philosophic inquiry.⁴⁵ *Theory*’s success should thus be attributed solely to the fact that it was “the most ambitious political project undertaken by a

⁴² Gregory Vlastos, “Justice and Psychic Harmony in the Republic,” *The Journal of Philosophy*, 66/16 (1969), 505–21.

⁴³ The published footnote cites the *Nicomachean Ethics* and credits the “interpretation” to Vlastos’s reprinted essay in *Plato: A Collection of Critical Essays* (New York, 1971), but cites the wrong page. In the first draft of *Theory*, Rawls inserts a citation only to “Ethics Bk V, ch. 1,” but notes “cf. Vlastos, JPhil” on the reverse page; Rawls, “A Theory of Justice, chapter I, 1969 December.”

⁴⁴ Allan Bloom, “Justice: John Rawls vs. The Tradition of Political Philosophy,” *The American Political Science Review*, 69/2 (1975), 648–62.

⁴⁵ *Ibid.*, 649.

member of the [analytic] school currently dominant in academic philosophy in the Anglo-Saxon world”—“hence in method and substance it fits the tastes of the times.”⁴⁶ Coming from Bloom, of course, this was not a compliment. “A more appropriate title,” he concluded, would have been “A First Philosophy for the Last Man.”⁴⁷

IV. Breaking with Tradition

Bloom’s review demonstrates how quickly *Theory* would be co-opted into the academic culture wars in the United States, in which an emerging Straussian faction defined itself against its enemies as the guardians of “the Tradition.”⁴⁸ Yet *Theory*’s ahistorical approach to the past recalls nothing more than Skinner’s Cambridge colleague John Dunn’s 1968 description of the “weird tendency of much writing” in the history of political thought to serve as a chronicle “of what propositions in what great books remind the author of what propositions in what other great books.” Only here, the other great book in question was Rawls’s own.⁴⁹

But why did Rawls bother? Certainly, efforts to link his philosophical project with that of Aristotle or Locke represented a striking departure from his earlier works.⁵⁰ In his undergraduate thesis, written at Princeton in 1942, Rawls suggested that a radical “repudiation” (as he put it) of tradition must be the beginning of his philosophical inquiry.

⁴⁶ Ibid., 648.

⁴⁷ Ibid., 662.

⁴⁸ A similar phenomenon shaped the American reception of Skinner’s *Foundations of Modern Political Thought*. See, for example, Nathan Tarcov, “Review: Quentin Skinner’s Method and Machiavelli’s *Prince*,” *Ethics*, 92/4 (1982), 692–709.

⁴⁹ John Dunn, “The Identity of the History of Ideas,” *Philosophy* 43/164 (1968): 85–104, at 87.

⁵⁰ John Rawls, *A Brief Inquiry into the Meaning of Sin and Faith: With “On My Religion”* (Cambridge MA, 2009).

When it came to the wisdom of the ancients, “the sooner we stop kow-towing to Plato and Aristotle, the better.”⁵¹ Of course, the young Rawls went on to clarify that their authority must be rejected for the sake of something better: “an ounce of the Bible is worth a pound (possibly a ton) of Aristotle.” Still, his openness even to the authority of Scripture would not last long.

When Rawls returned to Princeton after the war as a PhD student in Philosophy,⁵² his loss of faith in Christian scripture did not lead him to reevaluate the authority of the philosophical tradition. In his doctoral dissertation, “A Study in the Grounds of Ethical Knowledge,” he argued that the “stability” of moral judgments—by which he meant “a certain constancy from time to time and from person to person”—counted in their favor as material for theoretical reconstruction and testing by ethicists.⁵³ Still, philosophers enjoyed no advantage in discovering or accessing moral truths, and should be regarded as valuable interlocutors only insofar as their judgments agreed with those of other “reasonable men.”⁵⁴ In a footnote, he cited the Oxford jurist (and Baronet) Frederick Pollock’s 1880 comments on Spinoza’s lack of “originality” approvingly: “The scientific discussion and explanation of morality is the task of philosophers. But morality itself is made by the *community of right-minded men*, whether they happen to be philosophers or not...the philosopher has little or no

⁵¹ Ibid., 107.

⁵² He spent two years visiting at Cornell during the PhD before returning to Princeton as a postdoctoral instructor in 1950.

⁵³ John Rawls, “A Study in the Grounds of Ethical Knowledge: Considered with Reference to Judgments on the Moral Worth of Character” (PhD dissertation, Princeton University, 1950), 49-50.

⁵⁴ I am grateful to Robert Cheah for his generous discussion and insights on this point. See Robert Cheah, “Moral Psychology and Reflective Equilibrium in the Work of John Rawls, 1950-1971” (MPhil Thesis, University of Oxford, 2019).

advantage over any of the other right-minded men beyond the habit of expressing himself in accurate language.”⁵⁵

On this view, morality was a matter of “common sense,” and common sense was “common” in that it transcended history. In the thesis, Rawls thus put the insights of his own philosophical project on a par with and subjected them to the authority of the abstract, transhistorical community of “reasonable men.” Accordingly, “the important theories proposed in the past *should* be known,” insofar as it was “highly possible that some one of them, or some combination of them, may be correct after certain adjustments and changes have been made.”⁵⁶ Yet the present cohort of reasonable men would necessarily be privileged in this process, as those in a position to judge of the “reasonableness” of their predecessors.

The same ahistorical orientation was reflected in his earliest articles. Rawls’s first, “An Outline of a Decision Procedure for Ethics” (1951), was a consummate work of analytic philosophy both in its systematic argumentation and for its lack of footnotes, or indeed any references to other authors, living or dead. In the articles that followed, however—“Two Concepts of Rules” (1955), “Justice as Fairness” (1957, expanded in 1958), and “The Sense of Justice” (1963)—Rawls’s public orientation to the tradition changed markedly, with the distinctively conciliatory approach on display in *Theory* coming into view.

⁵⁵ Rawls, “Study in the Grounds of Ethical Knowledge,” 52 n. 2. My emphasis. To Pollock’s suggestion that philosophers simply “organize the common moral sense of good men,” Rawls added that they could “attempt to show wherein its dictates are justified, as well.” See Sir Frederick Pollock, *Spinoza: His Life and Philosophy*, 2nd ed. (London, 1899), 266. Rawls also cited Pollock approvingly on “the capacity of the average man to be an expert on moral questions. He also held that unusual philosophical speculations about morals did not, and ought not, have much weight” (96).

⁵⁶ Ibid, 69. My emphasis. I thank Robert Cheah for discussion on this point.

This Rawls was an energetic footnoter, generous in his acknowledgment of the parallel thoughts, contributions, and criticisms of others.⁵⁷ Beginning with “Two Concepts of Rules,” references to canonical thinkers—above all, “the classical utilitarians,” whom he identified as Hobbes, Hume, Bentham, Mill and Sidgwick—were front and center, both in the notes and in the text itself.⁵⁸ Published three years later, the original “Justice as Fairness” reflected an incipient historical awareness and organization by pitting this utilitarian “tradition” against Rousseau and Kant as representatives of a rival social contract tradition, and tracing the latter in a footnote all the way back to the Sophists and Book II of the *Republic*.⁵⁹

The public shift between 1951 and 1955 in the direction of emphasis—that is, of the present cohort of “reasonable men” over the past, and vice versa—is striking. Although Laslett and others presented analytic ahistoricism as a British disease, the impetus for Rawls’s initial shift towards the history of political philosophy was evidently his 1952-3 Fulbright year at Oxford, during which Rawls attended seminars taught by Isaiah Berlin and Stuart Hampshire. Here again, we are reminded of the importance of an alternative “Oxford” tradition to that of analytic philosophy. Archival papers from that year reveal the first traces of Rawls’s direct engagement with canonical authors not only as a source of historic “common sense,” but also of philosophic insight and inspiration. In addition to a short essay

⁵⁷ Eric Schliesser, “On Rawls and Esotericism,” *Digressions&Impressions*, online at <https://digressionsnimpresions.typepad.com/digressionsnimpresions/2015/07/on-rawls-and-esotericism.html>.

Cf., Arthur Melzer, *Philosophy Between the Lines: the Lost History of Esoteric Writing* (Chicago, 2014), 135.

Cheah sees this shift rather as a return to form in the PhD thesis.

⁵⁸ John Rawls, “Two Concepts of Rules,” *The Philosophical Review*, 64/1 (1955), 3–32.

⁵⁹ John Rawls, “Justice as Fairness,” *The Philosophical Review*, 67/2 (1958), 164–94. In his later *Lectures on the History of Political Philosophy*, Rawls later presents these not as separate traditions, but as two strands within a single tradition of “democratic constitutionalism.” Rawls, *Lectures on Political Philosophy*, xvii.

on Hobbes on taxation, Rawls compiled a list of other “classical texts on taxation and justice,” including Hobbes, Smith, Bentham and Sidgwick, with additional critical notes on utilitarianism and folders on Hume and Mill’s views on justice.⁶⁰ While there is no record of a direct encounter with Plamenatz, Rawls was evidently indebted to his classic study on “The English Utilitarians” for his understanding of the *dramatis personae* of that tradition.⁶¹

Similarly, although Rawls’s unpublished “Outline of a Constitution of Discussion”—identified as the “first form of the O[riginal] P[osition]” in a later insert—presented appeals to authority as violations of the principle of the “the equal chance of winning,”⁶² Rawls now insisted that the history of philosophy had an important verificationist role to play. The principles of justice generated by a properly constituted discussion must now be assessed by comparison with “the principles which have had a long history in moral discussion and which have gone, for a long time, under the name of principles (maxims) of justice.”⁶³

The idea that continuity with tradition and historical antiquity might count in a theory’s favor would, of course, drive *Theory*’s problematic discussion of *pleonexia*, which demonstrated the risks of shoehorning agreement with a past author at the expense of reckoning with a truly alien view. For Rawls, it remained the case that when looking to the past, a historical moral argument might be attractive or alien, but not both.⁶⁴ His apparent success in reconciling his conception of justice with Aristotle’s would thus have come as a relief. His initial attempt in his 1953 “Justice as Fairness” seminar, taught in his first semester

⁶⁰ John Rawls, “Oxford 1952-1953,” Folder 2, Box 7, Rawls Papers.

⁶¹ John Plamenatz, *Mill’s Utilitarianism: reprinted with a study of the English Utilitarians* (Oxford, 1949).

⁶² John Rawls, “Outline of a Constitution of Discussion,” in “Oxford, 1953 Spring,” Folder 10, Box 7, Rawls Papers, 4.

⁶³ Rawls, “Outline of a Constitution of Discussion,” 13.

⁶⁴ I am grateful to Robert Cheah for this formulation.

on the faculty at Cornell, had ended less happily. He confessed to students that “when we come to Aristotle we will want to compare [our] notion...with his notion” of the “grasping man...moved by *pleonexia*” but that “the notion [of injustice] as we have worked it out is very different from this.”⁶⁵ Rawls then attempted to explicate *pleonexia* as a matter of a profit-seeking will—as with a bad neighbor planting trees to take advantage of rising real estate values. Aware that he was making a hash of the *Nicomachean Ethics*, Rawls insisted that “no criticism of Aristotle is intended. He knew the Greek usage better than I do, to put it somewhat mildly.”

For all of his increasing interest in the tradition, then, in the early 1950s Rawls retained the ordinary language philosopher’s attention to usage. While Aristotle’s Greek proved an insuperable hurdle, Rawls was less charitable toward Mill, who functioned in the seminar as the premier expositor of utilitarianism and had the even greater misfortune to speak English. As such, Rawls took him to task for extending the concept of injustice too far by including ingratitude, breaking friendships, etc. Mill “was in error” in doing so, for “we would not say of a man who did any of these things that he was being unjust...we would use such words as untrustworthy, ungrateful, etc. But these are very different.”⁶⁶

Why Mill should be accused of philosophical error on the basis of mid-twentieth century English usage is unclear. Still, Rawls’s ahistorical high-handedness in his early teaching was consistent with his published works, in which his increasing engagement with “the tradition” remained largely second-hand.⁶⁷ Only with “The Sense of Justice” (1963) did

⁶⁵ Rawls, “Comments on Last Time,” in “Justice as Fairness Cornell Seminar, 1953 Fall,” Folder 11, Box 7, Rawls Papers, 5-6.

⁶⁶ *Ibid.*, 1. My emphasis.

⁶⁷ John Rawls, “Two Concepts of Rules,” 19-21; “Justice as Fairness,” 174, 176; “The Sense of Justice,” *The Philosophical Review* 72/3 (1963): 281–305. Citations are to John Austin, *Lectures on Jurisprudence, or, The*

Rawls go to the text itself, Rousseau's *Emile*.⁶⁸ These appeals came chiefly when Rawls wanted to point out similarities with his own arguments—or, more often, historical authors' mistakes. Mill, we are told, failed to “*grasp the significance*” of his stipulation that the advantages of some could not outweigh others' disadvantage,⁶⁹ while Hobbes “*would have improved his argument...had he appealed to the duty of fair play*”⁷⁰; similarly, “Kant was *not far wrong* when he interpreted the original contract merely as an ‘idea of Reason’; yet he still thought of it as a general criterion of right and as providing a general theory of political obligation.”⁷¹ And so on.

IV. Teaching the Tradition

Rawls's early published and pedagogical efforts thus show little evidence of reflection on the uses to which he was putting historical authors and arguments in his political philosophizing. But that changed decisively around 1958, when Rawls was first called upon to teach a survey course on political philosophy to Cornell undergraduates.⁷² At this point, his lecture notes begin to reflect the familiar excitement of a young teacher, who in explaining a difficult work to his students, is forced to really *read* it for the first time, as well as to impose upon the syllabus some sense of narrative coherence.

Philosophy of Positive Law (London, 1873); Karl Popper, *The Open Society and Its Enemies* (Princeton, 1950); J. W. Gough, *The Social Contract: A Critical Study of Its Development* (Oxford, 1957).

⁶⁸ Rawls, “The Sense of Justice,” 2, 8.

⁶⁹ Rawls, “Justice as Fairness,” 168 n. 6. My emphasis.

⁷⁰ *Ibid.*, 181 n. 15. My emphasis.

⁷¹ *Ibid.*, 193 n. 23. My emphasis.

⁷² Rawls, “1958: Philosophy 326: Political and Social Philosophy, First Remarks,” in “[Philosophy 171] Locke lectures, 1958, 1965-1966,” Folder 12, Box 52, Rawls Papers (henceforth “12/52”). The lecture appears to have been misfiled.

The course catalog stipulated that the lectures for “Philosophy 326: Social and Political Philosophy” would offer “a study of the philosophical and ethical doctrines involved in such political and social conceptions as the common good, natural law and natural rights, justice and equity, tolerance and liberty. Two different traditions will be studied.” As his traditions, Rawls chose “classical utilitarianism (with Locke thrown in)” and “the holistic systems of 19th century continental thought” on the grounds that “Utilitarianism is perhaps the one system of social and political thought to which Englishmen have been attracted [with] a long history from Hobbes through Locke, Hume, Bentham, the Mills, Sidgwick, Moore, and...is still influential and important at the present time.” “Of the powerful influence in the world of Hegel, Saint-Simon and especially Marx,” by contrast, “no comment is needed.”⁷³

These early lectures thus not only offer Rawls’s first sustained treatment of Locke and contractarian thought as a “tradition” dating back to the *Crito*; they also contain his earliest reflections on the nature of political philosophy, as he was in the process of figuring out how to *teach* it.⁷⁴ From the beginning, Rawls took pains to distinguish “political and social philosophy”—as a branch of moral philosophy dealing exclusively with normative questions (e.g. “What is the grounds [sic] of political obligation?” or “What is the justification for a skewed distribution of income?”)—from “political and social theory,” dealing with empirical questions of fact.⁷⁵ Rehearsing the familiar analytic complaint against the tradition, he noted that “the so-called history of political theory,” represented by “well-known classics such as Aristotle, Aquinas, Hobbes, Locke, Rousseau, etc....certainly mix political philosophy and

⁷³ Ibid., 1. Locke’s inclusion among the utilitarians is further testament to Plamenatz’s influence. Cf. Plamenatz, “The English Utilitarians,” 17.

⁷⁴ John Rawls, “Locke XI – The Theory of the Social Contract,” 12/52, 1. This lecture is undated, but the paper and ink suggest late 1950s.

⁷⁵ Rawls, “Political and Social Philosophy, First Remarks,” 2.

political theory” together. But it was incumbent upon students to maintain the distinction as they sought to answer these questions “and arrive at the truth in these matters” for themselves: “why should we be always surveying the views of others; why shouldn’t we try to work out what is right”?⁷⁶

Rawls’s conviction that the history of political thought was insufficient training for political philosophy is striking—but so is his insistence that one could not do without that history, either. Rather, students must begin by situating themselves within one historical tradition or another, and by “subject[ing] it to criticism and scrutiny find one’s own way to truth.” Although it may come as a surprise to later readers, Rawls defended his own starting point as follows: “I myself am a utilitarian of sorts... That is [why], I begin with a view which seems to me likely to be nearly right.” Yet the social contract tradition might work equally well. “Certainly, in a tradition as recurrent [as that] it would be surprising if there were nothing in it, even although today it should be widely regarded as out of date and a historical curiosity”; by understanding it aright “we might make some reuse of it”.⁷⁷

Thus, beginning at Cornell in 1958 and ending with his retirement from teaching at Harvard in the 1990s, Rawls would organize his survey courses teleologically, presenting historical material as following an inexorable trajectory culminating with his own works in progress. A choice made, perhaps, from efficiency or institutional culture had the effect of presenting Rawls’s own thinking about justice as continuous with an unbroken tradition of political philosophizing. This approach remained consistent as Rawls went on to teach versions of the same survey course in almost every year of his teaching life—at Cornell (1958-59), then as a visitor at Harvard (1959-60), then MIT (1960-2), before returning to Harvard permanently. After Cornell, however, Rawls would jettison the “two traditions”

⁷⁶ Ibid., 2.

⁷⁷ Rawls, “The Theory of the Social Contract,” 1.

model (along with his identification with Utilitarianism), offering instead a thematic overview of a *single* tradition of Western political philosophy—beginning with Aristotle and Aquinas on natural law, and covering Hobbes, Locke, Hume, Rousseau, Mill and Marx—within which the “Theory of the Social Contract and Utilitarianism” were competing strands or sub-traditions offering different “accounts of justice.”⁷⁸ Thereafter, Rawls would maintain that the changing roster of authors on the Phil 171 syllabus constituted a diverse, but unitary tradition—namely, “the tradition of democratic thought.”⁷⁹

The turn from “traditions” to “tradition” in Rawls’s published works thus owed something to the exigencies of the course catalog. But it also reflected his direct engagement with the methodological debates inspired by Laslett’s 1956 declaration of the death of political philosophy. Again, while it remains unclear whether Rawls was ever personally acquainted with Plamenatz at Oxford, he made his Plamenatzian sympathies explicit in his lectures in the early 1960s.⁸⁰ After the publication of Plamenatz’s Political Studies lecture as “The Use of Political Theory” in 1960, Rawls took copious notes and had fully incorporated its arguments disputing the “death” of political philosophy in time for his opening lecture that year.⁸¹ “If political philosophy seems quiescent today,” he told students, “it is because few...practical political problems” call for it. Communism was a matter of power, “none are intellectually attracted to it.” Similarly, according to Rawls in lectures (and in contrast with

⁷⁸ John Rawls, “Phil 171, Topics and Readings, 1959-60,” in “Nature of Political and Social Thought and Methodology, [1960-1964],” Folder 10, Box 35, Rawls Papers (henceforth, “10/35”), 1.

⁷⁹ John Rawls, “Is Political Philosophy Dead?” (handwritten outline, dated 1964), 10/35. The priority of “the tradition of democratic thought” within which Utilitarianism and social contract theory were competing strands remained consistent thereafter. See Rawls, *Justice as Fairness*, 95-6.

⁸⁰ John Rawls, “Lecture 1: The Nature of Political and Social Philosophy (1960)” 10/35.

⁸¹ John Rawls, “[Notes on] J. Plamenatz. The Use of Political Theory, Political Studies February 1960 February Vol VIII,” 10/35; “Lecture 1: The Nature of Political and Social Philosophy (1960).”

his activism behind the scenes in 1966 detailed by Brandon Terry⁸²), racial segregation “has no moral defenders: it is a psychological and sociological problem” of “getting people to act as they overtly think they should.” Thus the “leading political and social questions of the modern age” were “in our country,” he insisted, “in a sense resolved.”⁸³

Hereafter, Rawls’s already teleological approach to the tradition took on an explicitly Hegelian cast. “We all believe in, or profess to believe in religious toleration...who worries today, about the punishment of heresy?” Still:

This is no reason perhaps for not discussing them. Hegel remarked in the Preface to his Philosophy of Right that the owl of Minerva takes its flight only at dusk, by which he meant that wisdom was achieved only after a movement of thought had come to fruition...at this moment, he thought, the dry coldness of philosophical reflection brings to consciousness the logical structure of the preceding mode of thought in action. Well perhaps just because these ideas and principles are so widely accepted by us and the debate about them ostensibly turns more on matters of detail and application, we can afford *for the first time* to be rational in our examination of their structure and their relation to other political and social conclusions.⁸⁴

⁸² Brandon Terry, “Conscription and the Color Line: Rawls, Race, and Vietnam,” *Modern Intellectual History* (this volume).

⁸³ John Rawls, “Some Notes on the Use of Political Philosophy (undated)” 10/35.

⁸⁴ John Rawls, “Lecture 2: The Nature of Political & Social Philosophy and Outline (1960),” 10/35, 3. My emphasis.

It seems that Rawls was the first to analogize himself to Hegel's Owl.⁸⁵ Moreover, he justified his pedagogical focus on the social contract and utilitarian strands within classical liberalism as the source of his own analysis of justice, "most, if not all of [which], can be...found in the contractarian tradition, from Hobbes through Rousseau to Kant, or in the utilitarian tradition from Hobbes (once again) through Hume to Sidgwick."⁸⁶

Also evidently inspired by Plamenatz, around this time Rawls began to assemble a bibliography of methodological reflections on political philosophy, including works by Leo Strauss ("What is Political Philosophy?" and *Natural Right and History*) and Sheldon Wolin (*Politics and Vision*).⁸⁷ Although his notes on Strauss cribbed straightforwardly from Plamenatz,⁸⁸ Rawls's copy of Wolin's book (also published in 1960) is heavily underlined, especially its assertion that political philosophy represents "a special tradition of discourse," one "best understood by analyzing the many ways that the acknowledged masters have practiced it."⁸⁹ Although Rawls would steadfastly refuse to adopt Plamenatz and Wolin's usage of "political theory" to include normative political philosophy, he seized upon the idea common to both that the latter addressed a permanent need of "civilized society" and hence that the study of the tradition—the clarification of its concepts and categories and the "logical

⁸⁵ Cf. Smith, "Historicizing Rawls."

⁸⁶ Rawls, "Lecture 2," 5.

⁸⁷ John Rawls, "Bib[liography]: Nature of Political & Social Philosophy," 10/35.

⁸⁸ "First part attacks conventionalism of Max Weber, good chapter on origin idea of natural right, good discussion of Burke's philosophy. Rest not so good (so [says?] Plamenatz)." Ibid. Cf. John Plamenatz, "Book Review: *Natural Right and History*," *The Philosophical Review* 64/2 (1955), 300-302.

⁸⁹ Sheldon Wolin, *Politics and Vision: Continuity and Innovation in Western Political Thought* (Boston, 1960), 1-2. Rawls's copy available in Box 13, Personal Library of John Rawls (HUM 48.1), Harvard University Archives. It is difficult to date Rawls's notes on the text precisely. They are made in red ink similar to other notes made in the 1980s, suggesting he may have returned to Wolin's text long after it was published.

structure of its basic notions”—was essential if one was to make any progress in philosophizing about politics.⁹⁰

Nevertheless, Rawls’s own approach in the early lectures remained closer to Plamenatz in its quasi-social scientific supersessionism: “Personally, I have no doubt that it is possible to develop an analysis of the concept of justice which in its theoretical interest is as much an improvement on the classical doctrines of Locke and Rousseau as the economic theory of Marshall...is an improvement of Adam Smith.”⁹¹ Accordingly, he ended his 1960 discussion of the death of political philosophy on an optimistic note: “To the contrary, I conjecture that the subject may be viewed as just beginning.”⁹²

V. Progress or Return?

Clearly Rawls, at least, understood the rebirth of political philosophy in his day as continuous with tradition, and not as a radical break from it. Reading his early lectures, one is struck by the remarkable continuity of concern and approach not only with *Theory*, but *Political Liberalism* and *Justice as Fairness: A Restatement* as well, works composed in much the same way that *Theory* had been, as successive drafts assigned to students in Phil 171.⁹³ Still, if *Theory* treated the “tradition” of political philosophy as a history of ideas, centered on which clever propositions in which great books reminded Rawls of his own, *Political Liberalism* memorably invoked the tradition as a history of political *problems*, as

⁹⁰ Rawls, “Lecture 2,” 3.

⁹¹ John Rawls, undated typed lecture, c. 1961-4, 10/35, 6.

⁹² Rawls, “Lecture 2.”

⁹³ Rawls, *Lectures on Political Philosophy*, xvii. One student in Rawls’s final series of 171 lectures was Bryan Garsten, who has been generous in sharing his recollections.

well as the social and political contexts in which certain principles or arguments had been forged.

Beginning with his 1981 Tanner lectures, Rawls would appeal consistently to the “wars of religion of the sixteenth and seventeenth centuries following the Reformation” as the context within which “the principle of toleration” (and hence the tradition of political liberalism) developed.⁹⁴ In his introduction to *Political Liberalism*, Rawls made his shift from concepts to problems explicit: the “emphasis on the Reformation and the long controversy about toleration...[may seem] dated in terms of contemporary political life [in which] our most basic problems are those of race, ethnicity, and gender.” Still, his “rationale” was that “a conception of justice worked up by focusing on a few long-standing classical problems should be correct, or at least provide guidelines for addressing further questions.”⁹⁵

Rawls’s fascination with the historical process whereby the principle of toleration had been accepted in Western Europe coincides with what some scholars characterize as a shift from Kant to Hegel in his thought.⁹⁶ As we have seen, however, his interest in early modern religious conflict—not to mention his Hegelianism—long predated the Tanner lectures. Indeed, in his posthumously published 1997 reflection, “On My Religion,” Rawls described reading Henry Lea’s massive multi-volume history of the Spanish Inquisition and Lord

⁹⁴ John Rawls, “The Basic Liberties and Their Priority,” in John Rawls and Sterling M. McMurrin, eds., *Liberty, Equality, and Law: Selected Tanner Lectures on Moral Philosophy* (Salt Lake City, 1987), 3-87, at 17. This claim would become most closely associated with *Political Liberalism*, but it appears with almost identical phrasing in “Justice as Fairness: Political not Metaphysical,” *Philosophy & Public Affairs* 14/3 (1985), 223-51, *The Law of Peoples* (Cambridge MA, 1999) and the original article in *Critical Inquiry* 20/1 (1993), 36-68, and *Justice as Fairness: A Restatement*, as well as in his collected lectures on moral and political philosophy.

⁹⁵ Rawls, “Introduction” in *Political Liberalism*, xxviii-xxix.

⁹⁶ See Jeffrey Bercuson, *John Rawls and the History of Political Thought: The Rousseauvian and Hegelian Heritage of Justice as Fairness* (London, 2014).

Acton's review of it, shortly after the Second World War and credited these with his increasing awareness of the persecutory potential of Christianity.⁹⁷ This historical interest evidently piqued philosophic curiosity in turn. "Tolerance and its Justifications" would be the subject of one of Rawls's earliest lectures at Cornell (c.1953-5).⁹⁸

Still, there and elsewhere, Rawls kept historical detail to a minimum, discussing it "only insofar as the analytic presentation...seems to require it."⁹⁹ Similarly, a 1958 lecture on Locke's *Second Treatise* noted that "like any important book not altogether exact in its meaning, and having perhaps a good bit to be gathered from the circumstances under which it was written, it can be given different interpretations." However, "without resurrecting Locke and asking him whether he meant this or that, it may be impossible to reach any conclusion; and it is not unlikely that, could this cross-examination be conducted, Locke would not understand the questions we wanted to put to him."¹⁰⁰

That these early lectures were largely free of historical detail does not mean, however, that Rawls was uninterested in history. Behind the scenes, he continued to do an impressive amount of historical research. He had begun to read about the early modern history of toleration in the 1950s, taking extensive notes on Huguenot debates in Holland following the Revocation of the Edict of Nantes in 1685 (including arguments made by Pierre Bayle and Isaac d'Huisseau, whose irenic "Compromise Theory of Tolerance" Rawls found particularly

⁹⁷ John Rawls, "On My Religion," in Rawls, *Brief Inquiry*, 261-9 at 264.

⁹⁸ John Rawls, "Tolerance and its Justifications," typed lecture in "Essays and notes on Toleration, 1950-1955," Folder 16, Box 7, Rawls Papers.

⁹⁹ Rawls, "Lecture 2."

¹⁰⁰ John Rawls, "Fundamental Principles of Locke's 2nd Treatise (undated)," 12/52, 1.

intriguing), and reading up on Catholic defenses of intolerance from Aquinas to Leo XIII.¹⁰¹ Similarly, Rawls devoted considerable effort in the late '50s and early '60s to studying Robert Filmer and other “Divine Right” theorists as background for his lectures on Locke.¹⁰² In both cases, the impetus was to recover the arguments to which contract theorists like Locke or defenders of toleration like Bayle or John Milton had been responding.¹⁰³ Accordingly, Rawls’s historical research found its way into lectures primarily when he wanted to highlight the weakness or inadequacy of the “winning” argument, as with Locke’s response to Filmer: “F[ilmer]’s arguments contra contractarian ideas are acute and were never answered properly by Locke, who attacked the weakest parts of F[ilmer]...and not the points where [he] was strongest.”¹⁰⁴ (Rawls appears not to have considered the problem that cases wherein “the tradition” reproduced the weaker argument over the stronger might pose for his general approach.)

Rawls’s “historical turn” in his later works, then, did not constitute a sudden, seismic change of direction.¹⁰⁵ Rather, it reflected a shift in focus, with historical material related to

¹⁰¹ See John Rawls, “Compromise Theory of Tolerance – Agreement on Essentials,” “Jurieu’s Refutation of Compromise Theory,” and “Preconditions of Persecution,” undated handwritten notes, in “Essays and notes on Toleration, 1950-1955.” See also Rawls’s 1959-60 Phil 171 syllabus, which included Leo’s encyclicals *Libertas Praestantissimum* (1888) and *Immortale Dei* (1865), 10/35.

¹⁰² For example, Rawls took extensive notes in the 1960s on J.W. Allen’s *A History of Political Thought in the Sixteenth Century* (1928). See 12/52. J. W. Allen, *A History of Political Thought in the Sixteenth Century*, 3rd ed. (London, 1951).

¹⁰³ See John Rawls, “Religious Liberty Arg[ument]s for,” Folder 16, Box 7, Rawls Papers.

¹⁰⁴ John Rawls, “Filmer against Locke”, 12/52, 1.

¹⁰⁵ Some Straussians have been tempted to credit Bloom’s review for the increasing openness to historical insight in Rawls’s later works. E.g., Jerome C. Foss, *Constitutional Democracy and Judicial Supremacy: John Rawls and the Transformation of American Politics* (Amherst, 2016). Rawls’s treatment of nineteenth-century

the “tradition” of political philosophy long relegated to the background finding its way into the foreground at last. As with *Theory*, the impetus for Rawls’s shifting approach to tradition was primarily pedagogical. Readers have often been struck by the impressive historical range and facility on display in Rawls’s published *Lectures on the History of Political Philosophy* (2000), drawn mainly from Phil 171 lectures given in the 1980s.¹⁰⁶ His archive reveals that this work began in the late 1970s, and that between 1978 and 1984, Rawls revised and expanded his Locke lectures, in particular, by introducing a significant amount of historical detail.¹⁰⁷

One 1979 lecture opened with an in-depth discussion of Laslett’s re-dating of the *Second Treatise* to the Exclusion Crisis, which Rawls now told students “explains much of the tone and emphasis of the book.”¹⁰⁸ Another from 1984 offered an extended analysis of

American abolitionists has also been taken as evidence of an increasing openness to the importance of history for theory. See Melissa Lane, “History and Theory without Teleology,” in Floyd and Stears, eds., *Political Philosophy vs. History?*, 128-50, at 150. cf. Jan-Werner Müller, “Rawls, Historian: Remarks on the Political Liberalism’s ‘Historicism’,” *Revue internationale de philosophie* 237/3 (2006), 327-39; and Ronald Beiner, “John Rawls’s Genealogy of Liberalism,” in Shaun Young, ed., *Reflections on Rawls: An Assessment of His Legacy* (Farnham, 2009), 73-90. A likely influence in his turn to the problem of religious toleration, as Seyla Benhabib notes, was Rawls’s friendship with his long-term Harvard colleague and occasional early modernist, Judith Shklar.

¹⁰⁶ See Frazer, “The Modest Professor,” 220-1. Frazer notes that some Straussians were quick to claim Rawls for themselves against the Cambridge School on this basis, e.g., Michael Zuckert, “John Rawls, Historian,” *Claremont Review of Books* 2/4 (2002), online at <https://www.claremont.org/crb/article/john-rawls-historian/>. But see Steven B. Smith, “The Philosopher of Our Times,” *The New York Sun* (11 May, 2007), online at <https://www.nysun.com/arts/philosopher-of-our-times/54265/>.

¹⁰⁷ John Rawls, “Philosophy 171: Three Lectures on Locke, 1978-1979 Fall,” Folder 17, Box 52, Rawls Papers. This folder contains lectures dated as late as 1984.

¹⁰⁸ Rawls, “Lecture: Locke II 1979,” in “Three Lectures on Locke,” 1.

Locke's debt to other seventeenth-century Whigs, including George Lawson.¹⁰⁹ Rawls chastised colleagues (including Nozick) who claimed to be "Lockeans" but neglected the importance of religion to Locke's arguments about natural rights.¹¹⁰ And whereas in 1958, a younger Rawls had canvassed C. B. Macpherson's Marxian interpretation of Locke as a "possessive individualist" without any reference to context, the older Rawls now took issue with Macpherson's reading on contextual as well as philosophical grounds.¹¹¹ His tone in defending Locke from Macpherson and other Leftist critics was frankly exculpatory: "Locke was a great man—one who...ran enormous risk to his life for many years to defend the cause of constitutional government." In contrast with his own earlier treatment of Hobbes, Mill and Kant, Rawls now declared that in Locke's case it would "be indecent to take a lofty critical tone towards him because his view is not as democratic as we now would like."¹¹²

In Locke's case at least, Rawls's turn to history seems to have been driven by real personal sympathy, perhaps reflecting his increasing sense of identification with a fellow metonym of liberalism: "It is remarkable that anyone could write such a reasonable work, one of such imperturbably good sense, while [so] actively engaged, at great personal risk."¹¹³ Still, another likely source of Rawls's historicist fascination with Locke, in particular, was his friendly acquaintance with Quentin Skinner himself when they coincided at the Institute for Advanced Study in 1977-78.¹¹⁴ The two corresponded about Rawls's Locke lectures for Phil 171, among other things, and this correspondence reveals that Skinner was Rawls's source

¹⁰⁹ Rawls, "Locke's Problem 1984," in Folder 17, Box 52, Rawls Papers.

¹¹⁰ Rawls, *Lectures on Political Philosophy*, 121.

¹¹¹ *Ibid.*, 138-40.

¹¹² *Ibid.*, 140.

¹¹³ *Ibid.*, 108.

¹¹⁴ I am grateful to Sophie Smith for first bringing this correspondence to my attention.

for the anecdote later included in his lectures about Isaac Newton mistaking Locke for a “Hobbi**st**.”¹¹⁵ Skinner may have also been Rawls’s inspiration in his methodological excursus on R.G. Collingwood’s logic of question and answer with which his published Locke lectures began.¹¹⁶ Gone were all references to Plamenatz. In describing his approach to the tradition, Rawls now appealed exclusively to Collingwood’s idea that “the history of political theory is not the history of different answers to one and the same question, but the history of a problem more or less constantly changing, whose solution was changing with it.”¹¹⁷

Lest one think that Rawls became a card-carrying Cambridge School contextualist in his later years, his subsequent criticism of Collingwood indicates that his sense of political philosophy as a *tradition* that bound the great thinkers and texts together over time, remained intact. After all, “there are certain basic questions that [political philosophers] keep asking, such as:

What is the nature of a legitimate political regime?

What are the grounds and limits of political obligation?

What is the basis of rights, if any? And the like.

...These questions, when they come up in different historical contexts can,” of course, “be taken in different ways and have been seen by different writers from different points of view.” But that meant simply that “to understand their works, then, we must identify those

¹¹⁵ Quentin Skinner to John Rawls, dated Tuesday [1978], Folder 16, Box 41, Rawls Papers. cf. Rawls, *Lectures on Political Philosophy*, 25, and “Hobbes as background to Locke, Fall 1979” in Folder 17, Box 52, Rawls Papers.

¹¹⁶ Rawls, *Lectures on Political Philosophy*, 103, xiii. This idea from Collingwood was central to Skinner’s own methodological arguments, as well as to John Dunn’s. See Skinner, “Meaning and Understanding,” 50-1, and Dunn, “The Identity of the History of Ideas,” 100 n. 6.

¹¹⁷ John Rawls, “Some Remarks About My Teaching” quoted in Samuel Freeman, “Editor’s Foreword” in Rawls, *Lectures on Political Philosophy*, xii-xviii, at xiii.

points of view and how they shape the way the writer's questions are interpreted and discussed."¹¹⁸

Gone were the callow "x failed to see y" remarks of his youth. Rawls now emphasized historical context as a counsel to epistemic humility and interpretive charity, confessing himself "never altogether satisfied that what I say about these books is correct."¹¹⁹ His unpublished 1993 reflection, "Some Remarks About My Teaching," likewise suggested that Rawls had long observed the maxim that "the writers we were studying were always much smarter than I was." For:

If they were not, why was I wasting my time and the student's time by studying them?
If I saw a mistake in their arguments, I supposed they saw it too and must have dealt with it, but where? So I looked for their way out, not mine. Sometimes their way out was historical: in their day the question need not be raised; or wouldn't arise or be fruitfully discussed. Or there was a part of the text I had overlooked, or hadn't read.¹²⁰

Whether this had, in fact, always been his stance towards the tradition of political philosophy, let the reader judge.

VI. Conclusion

Martha Nussbaum recounts a story about a meeting in the 1990s between Rawls and a PhD student in Philosophy working on utilitarianism. It became clear over the course of the conversation that the student had never read Bentham or Sidgwick, nor any other historical

¹¹⁸ Rawls, *Lectures on Political Philosophy*, 103.

¹¹⁹ Ibid., 34.

¹²⁰ Rawls, "Remarks About My Teaching," xiv.

proponent of the view. When the student left, Rawls lamented, “What a pity that young man is so poorly educated!”¹²¹

Pedagogically at least, Rawls would remain an unapologetic traditionalist throughout his career, insisting that adequate training in political philosophy required sustained attention to the “tradition,” too. Although he never defined what, exactly, he meant by tradition, the concept was central to his teaching from the start, and it captured something Rawls saw as intrinsic to political philosophy itself.¹²² As he put it to a student in the 1960s: “You are a part of a tradition, place yourself within it.”¹²³ For Rawls, the practice of political philosophy had always to begin with where one happened to be—and, it seems, with some awareness of how one got there.

When it came to the *teaching* of political philosophy, then, Rawls’s emphasis on the tradition remained consistent, although his understanding of where one must begin became increasingly contextual from the late 1970s onwards. Where “we” were going, however, did not change very much. Rawls continued to present the trajectory of the canon to undergraduates as constrained by the telos of secular liberal democracy on the model of the

¹²¹ Martha Nussbaum at the Oxford Political Thought Seminar, Nov. 2018. See also Martha C. Nussbaum, “Conversing with the Tradition: John Rawls and the History of Ethics,” *Ethics* 109/2 (1999), 424-30, at 425-6.

¹²² Alasdair MacIntyre defines a tradition as a “self-aware” and “coherent movement of thought,” “originally rooted in contingent circumstance.” He cites Rawls as a liberal thinker aware of liberalism’s contingency as a tradition, with its own “set of authoritative texts and its disputes over their interpretation.” MacIntyre, *Whose Justice, Which Rationality?* (Notre Dame, 1988), 326-7, 345-6.

¹²³ The student, Bill Hart, recalls that Rawls also told him, that “a person has no place outside of history [hence] the desire to lift [one]self up out of [it...is] a wish for vacuity.” Quoted in David A. Reidy, “Rawls on Philosophy and Democracy: Lessons from the Archived Papers,” *Journal of the History of Ideas* 78/2(2017), 265-74, at 273.

United States under the Warren Court, with “each writer”— even Marx— “contributing to the development of doctrines supporting democratic thought.”¹²⁴

Nevertheless, the connection between Rawls’s pedagogical approach and philosophical project shifted subtly over time. His early comments about the verificationist role that past arguments might play in the present analysis of considered convictions was largely consistent with the method of reflective equilibrium developed in *Theory*.¹²⁵ Yet decades of teaching the tradition as a history of fundamental *consistency* between different thinkers in vastly different places and times informed the insistently irenic approach to political philosophy that came to define his later works. As Rawls put it in retrospect in 1998: “I make a point in *Political Liberalism* of really not discussing anything, as far as I can help it, that will put me at odds with any theologian, or any philosopher.”¹²⁶

Justice as Fairness: A Restatement likewise presented the first, “practical role” of political philosophy as “arising from divisive political conflict and the need to settle the problem of order”:

We suppose, then, that one task of political philosophy...is to focus on deeply disputed questions and to see whether, despite appearances, some underlying basis of philosophical and moral agreement can be uncovered. Or if such a basis of agreement

¹²⁴ Rawls, “Remarks About My Teaching,” xiii. For more on this teleology and the “romance of liberalism,” see Brandon Terry’s contribution to this Forum.

¹²⁵ See Cheah, “Moral Psychology and Reflective Equilibrium.”

¹²⁶ See “*Commonweal* Interview with John Rawls,” in John Rawls, *Collected Papers*, ed. Samuel Freeman (Cambridge MA, 1999), 616-22, at 621. One is reminded here and elsewhere of Rawls’s enthusiastic notes on Isaac d’Huisseau’s “compromise theory of tolerance” as “an agreement on essentials” from the early 1950s.

cannot be found, perhaps the divergence of...opinion at the root of divisive political differences can at least be narrowed.¹²⁷

The apparent optimism underlying this approach was remarked upon with characteristic irony by Isaiah Berlin, who responded to Rawls's initial circulation of "The Idea of an Overlapping Consensus" in 1988 by suggesting that "my only doubts arise about the degree of your optimism in the possibility of offering your views, with which I totally agree, as a permanent basis within which disagreements can be resolved."¹²⁸

At that point, Rawls's optimism about the possibility, if not the probability, of an overlapping consensus had been informed by decades of teaching "the tradition of political philosophy" to undergraduates as a story of progressive agreement between past thinkers—both among themselves, and with the political philosophy of John Rawls. But this consensus-based and conciliatory approach to the tradition came at the expense not only of historical understanding, but also of the possibility of an encounter with past ways of thinking as a productive source of alienation, self-awareness, and critical insight.¹²⁹ As Brandon Terry reminds us, Rawls worried aloud at the end of his life that justice as fairness might itself be "ideological...and if not, why not?"¹³⁰ One wonders if an alternative approach to the tradition—of contingency rather than continuity, of paths not taken rather than problems solved—might have helped him to answer this question.

¹²⁷ Rawls, *Justice as Fairness*, 1-2.

¹²⁸ Isaiah Berlin to John Rawls, dated 31 August 1988, Folder 6, Box 39, Rawls Papers.

¹²⁹ Cf. Annabel Brett, "What is Intellectual History Now?" in *What Is History Now?*, ed. D. Cannadine (Basingstoke: Palgrave, 2002), 113-31, at 127.

¹³⁰ Rawls, *Justice as Fairness*, 4 n. 5.

In any case, as with his teaching more generally, Rawls's method of composition and revision, which presented his own work-in-progress to students in his survey courses, has been largely neglected by commentators. Still, it suggests that his major works, including *Theory*, should be read as the product of an explicit, ongoing project of canon-construction in the history of political thought, a tradition that Rawls himself would present consistently as culminating in John Rawls.

Reading Rawls as a canonical figure in the history of political thought is thus not a repudiation of his project, but rather a continuation of a process in which he was an active participant. In offering his students advice on how to approach Locke or other members of "the tradition," Rawls was not so subtly offering guidance on how he, *himself*, wanted to be read.¹³¹ "In looking at a text of this sort," he told students, "if you are to get as much as you can out of it, you must try to interpret it in the best and most interesting way. There is no point in trying to defeat it...Otherwise, I think it's a *waste of time* to read...any of the important philosophers."¹³² "Unless we follow these guidelines," he wrote elsewhere, "we fail to treat them as conscientious and intelligent writers who are in all essential respects at least our equals."¹³³ As the self-styled Owl of Minerva came to terms with his own setting sun, Rawls was clearly concerned that those who would come after him in the tradition be respectful, that they read him charitably and grant him the plea of necessity when need be.

¹³¹ Smith's overview of the "memorializing" tendency in early historical treatments of Rawls suggests that his students were paying attention. Smith, "Historicizing Rawls."

¹³² Rawls, *Lectures on Political Philosophy*, 52. My emphasis.

¹³³ *Ibid.*, 104.

For “political philosophy must recognize the limits of the possible. It cannot simply condemn the world.”¹³⁴

The question facing readers today is thus not *whether* we should historicize Rawls, but *how* viewing him as a historical figure in the tradition of political philosophy might lead us to read him differently. For, as he put it in his published lectures: “Political Philosophy can only mean the *tradition* of political philosophy and in a democracy this tradition is always the joint work of writers and of their readers.”¹³⁵ Rawls’s own reflections on, and contributions to, the work of canon-construction in the discipline should remind political philosophers today that questions about the curriculum—what we teach and how we teach it—are not peripheral, but absolutely central to the activity itself. As, indeed, they have been since Socrates first proposed to banish the poets from Kallipolis as corrupters of the youth.

To follow Rawls thus far: there is no conflict with the tradition.

¹³⁴ Ibid., 151. This is fully consistent with his presentation of political philosophy as a tool also of “reconciliation” in *Justice as Fairness*, published the following year.

¹³⁵ Ibid., 2. My emphasis.