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FORUM: THE HISTORICAL RAWLS

The Historical Rawls: Introduction

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John Rawls (1921–2002) and his work are now squarely a subject for history.[1] In the more than fifteen years since his death, a rich body of scholarship has emerged which attempts, in different ways, to understand the nature, development, and impact of Rawls's thought from a variety of historical perspectives. With 2021 marking fifty years since *A Theory of Justice* (1971) was first published, this special forum examines what we here call the "historical Rawls."

The papers in this forum build on and critically engage with ongoing efforts to historicize both Rawls's interventions and postwar anglophone analytical political philosophy more broadly.[2] The authors work across the disciplines of African American studies, history, philosophy, and politics, bringing a variety of disciplinary perspectives to existing scholarship, while pushing it in new and exciting directions. Each draws on the archives of Rawls's papers, held at Cornell, Princeton, and, most abundantly, Harvard.[3]

Much of the archival work on Rawls to date has focused on his early thought leading up to *A Theory of Justice* (hereafter *TJ*), paying particular attention to his religious background and turn to analytic philosophy.[4] The essays in this forum,

[1]For a bibliography of Rawls's published work between 1942 and 1971 see Andrius Gališanka, "Appendix B," in Gališanka, *John Rawls: The Path to a Theory of Justice* (Cambridge, MA, 2019), 207–8; for one that notes many of the subtle changes Rawls made between similarly titled pieces between 1951 and 1995 see Eddie Yeghiayan "John Rawls: A Selected Bibliography," at www.uv.es/~fores/AcosoTextual/rawlsbio.html. For another partial bibliography that nonetheless extends the picture through to Rawls's death in 2002 see Samuel Freeman, *Rawls* (New York, 2007), 515–18.

[2]Some recent work reflecting on the project of historicizing postwar analytic philosophy includes Joel Isaac, *Working Knowledge* (Cambridge, MA, 2012); Mark Bevir, "Histories of Analytic Philosophy," *History of European Ideas* 37 (2011), 243–8; Joel Isaac, "The Many Faces of Analytic Philosophy," in Warren Breckman and Peter Gordon (eds.), *The Cambridge History of Modern European Thought* (Cambridge, 2019), 176–99.

[3]For a useful overview of the contents of these archives see 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.

[4]This characterization is not intended to be exhaustive, but see P. Mackenzie Bok, "To the Mountaintop Again: The Early Rawls and Post-Protestant Ethics in Postwar America," *Modern Intellectual History* 14/1 (2016), 153–85; Bok, "'The Latest Invasion from Britain': Young Rawls and His Community of American Ethical Theorists," *Journal of the History of Ideas* 78/2 (2017), 275–85; Eric Gregory, "Before the Original Position: The Neo-orthodox Theology of the Young John Rawls," *Journal of Religious Ethics* 35/2 (2007),

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however, point beyond 1971 to historicize the arguments Rawls presented in *Political Liberalism* (1993), *The Law of Peoples* (1999), and *Justice as Fairness: A Restatement* (2001), and to connect these later works to the preoccupations of his youth.[5] Our contributors speak also to topics often flagged in previous historical work on Rawls, but rarely discussed in detail—from race to political economy, pedagogy, and the politics of knowledge. They further acknowledge the unsung contributions of Rawls's many correspondents—including feminist critics, free-market economists, and Harvard colleagues—to his published arguments and to some of his most famously "Rawlsian" formulations. Their efforts to trace the development of Rawls's thinking are the product of years of careful work, which this forum now presents in its fullest form.

The varied perspectives on the "historical Rawls" presented here thus offer new insights into Rawls's life and works. Hidden interlocutors come into view, as do persistent, yet previously unacknowledged, preoccupations. Moreover, several of the essays address abiding puzzles in Rawls's theory—including the aims and limitations of ideal theory and its capacity to address racial injustice. All provide an opportunity to reflect critically on the inherited categories and practices of contemporary analytic political philosophy, as well as its relation to other disciplines. Throughout this forum, our authors question the standard histories that political theorists and philosophers tell about their disciplines, and so reveal the circuitous route by which Rawls's now influential theory developed, as well as the complementary processes by which disciplinary shibboleths emerged and boundaries took shape. In doing so, they recover and render explicit the moral and political stakes of debates which have since travelled a long way from their early contexts.[6]

Efforts to historicize major figures in the history of political philosophy are sometimes dismissed as of little more than "antiquarian" interest. Historians will be all too familiar with the request that they explain why their findings should matter to normative theorists, for whom studies of the context, development or influence of an argument—interesting as those stories might be—are assumed to hold little theoretical or philosophical significance. And yet it is striking that much of

179–206; David Reidy, "Rawls's Religion and Justice as Fairness," *History of Political Thought* 31/2 (2010), 309–43; Reidy, "From Philosophical Theology to Democratic Theory: Early Postcards from an Intellectual Journey," in Jon Mandle and David Reidy, eds., *A Companion to Rawls* (Chichester, 2014), 9–30; Eric Nelson, *The Theology of Liberalism: Political Philosophy and the Justice of God* (Cambridge MA, 2019), Ch. 3; Daniele Botti, *John Rawls and American Pragmatism: Between Engagement and Avoidance* (Lanham, 2019), esp. 85–138; and Gališanka, *John Rawls*. Katrina Forrester's recent *In the Shadow of Justice: Postwar Liberalism and the Remaking of Political Philosophy* (Princeton, 2019) considers the period after 1971, focusing primarily on the influence of *TJ* after its publication, rather than on the development of Rawls's later work.

[5]Several essays on the historical Rawls have connected his early thought to his mature work, for instance Gregory, "Before the Original Position," 197–202; and Jürgen Habermas, "The 'Good Life'—a 'Detestable Phrase': The Significance of the Young Rawls's Religious Ethics for His Political Theory," *European Journal of Philosophy* 18/3 (2010), 443–54. Bok, however, has noted that such connections have often been speculative, and unsupported by archival evidence. See Bok, "To the Mountaintop Again," 155.

[6]Our thanks to Jacob Levy for discussion on this point. For examples of paths not taken see Samuel Moyn, *Not Enough: Human Rights in an Unequal World* (Cambridge MA, 2018); and Forrester, *In the Shadow of Justice*.

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the current push to "historicize" Rawls comes from scholars who, regardless of their institutional homes, identify primarily as political theorists, not as historians. The essays collected in this forum thus contribute to ongoing discussions about how and why historical understanding matters for political philosophy and theory: not least, for ensuring that exegetical elisions are not made between the "best form" of an argument and the argument that a historical figure actually made. In many cases they help us to see more clearly the gap between what Rawls himself argued and what many of his later interpreters suggested (or perhaps wished) he had argued. That is, they allow us to see more clearly what can be a significant, though often understated, distance between Rawls and the Rawlsians.

The contributions to this forum also offer broader perspectives on what political philosophers and theorists might gain from a deeper knowledge of the histories of their field. Each reveals a Rawls who resists many of the categorizations created for him by friends, followers and fellow travelers, which nonetheless persist into the present. Many of them also press questions about patterns of exclusion in analytical political philosophy. In their accounts of why certain paths were not taken in the past, they offer theorists an opportunity to consider whether those paths—or some version of them—can be explored in the future.

In the first essay, Sophie Smith develops an extensive historiographical review by placing both the articles in this volume and earlier archivally informed historiography within a longer context of attempts to historicize Rawls, with the aim of delineating more clearly what is new and what is old from this broader perspective. This survey shows that there was, from the earliest reception of *TJ*, a deep impulse to situate Rawls and his work in history, and a wide range of views about how best to do so. It reveals in turn—and in the context of such pluralism—the move made by many of Rawls's students and friends in the years immediately before and after his death to direct (and, Smith argues, at times to constrain) how future generations would approach Rawls's past. Looking at more recent historiography reveals both the successes and the limitations of these early and sometimes preemptive attempts at "memorialization"; it also reveals the ways in which archival discoveries have both vindicated and called into question a series of earlier assumptions about Rawls's place in history. Smith's piece ends with some reflections on the politics of the archive and on what the history of the "historical Rawls" suggests for the future of historicizing twentieth-century political philosophy.

Nikhil Krishnan's essay explores how Rawls's early reception was informed from the start by the oft-repeated suggestion that political philosophy was on its deathbed in the mid-twentieth century. Krishnan seeks to complicate, rather than deny, this narrative by situating it within the larger context of the development of anglophone philosophy in the decades before Rawls wrote, and in light of the traumatic experience of the Second World War shared by many of its key personnel. What, he asks, is being affirmed when scholars endorse and deploy so freighted a piece of analysis as the death-and-revival trope? Taking the reader from early twentieth-century Vienna to mid-century Oxford, via Princeton, Cornell, and Harvard, Krishnan elaborates the views of many of the philosophers Rawls had read or met: including Bertrand Russell, A. J. Ayer, W. V. O. Quine, Ludwig Wittgenstein, G. E. M. Anscombe, R. M. Hare, Philippa Foot and H. L. A. Hart. Here, Krishnan locates both continuity and rupture, arguing that Rawls shared

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with logical positivists, for example, a sense of the subject matter of philosophy, even as he bracketed off the semantic focus of that older analytic tradition. So, too, Krishnan suggests, do we see continuity between Rawls's ethical naturalism and that of Anscombe and Foot, whose work he encountered directly in Oxford. The Rawls we see from Krishnan's perspective sought to show analytical philosophy what it could achieve by way of "substantial" political thought from the inside, with many of the resources it had already developed.

Brandon Terry turns our attention from Rawls's formative experience of the Second World War to the Vietnam War, and deploys newly discovered archival evidence to demonstrate the latter's importance for understanding the relationship between Rawlsian ideal theory and the realities of racial injustice. Terry's paper locates two broad trends in the reception of Rawls's writings on race. On one side, critical race theorists and some recent historians regard Rawls's theory as in general inattentive to race, and as failing to recognize it as an independent cause of inequalities of fair opportunity, in particular. On the other, Terry suggests that liberal egalitarians, responding to criticisms of Rawls's handling of racial injustice, often adopt a "defensive posture of silence." If we look more closely at the contemporary politics of the draft, Terry argues, as well as to Rawls's own attempt to convince Harvard to denounce the system of deferments for college students, we see a different picture. By drawing on a series of archival discoveries and putting them in the context of 1960s debates about the racial injustice of the draft and the war itself, Terry argues that Rawls's objections were motivated by a concern not simply for the broad injustice of the draft, but for its racial injustice in particular. This new history becomes the basis for an intervention into contemporary debates about the possibilities, and the limits, of Rawls's theory: Terry offers a critique of Rawls that focuses not on his reliance on idealization per se, but on a vision of politics based on a faith in the possibility of some minimal consensus. Through a comparison between Rawls and the political philosophy of his younger contemporary, Martin Luther King, Terry offers a revisionist reading of the terms on which utopian strivings for justice must proceed.

Stefan Eich traces an alternative trajectory in Rawls's thinking through the post-Second World War period while situating *A Theory of Justice* in a longer—and unexpected—philosophical tradition. Eich places Rawls's vision of society in the context of the economic boom experienced by the US during the Bretton Woods years (1944–71), when future growth was assumed and predictions about the end of scarcity were widespread. This confidence in growth lay behind what Eich interprets as Rawls's early secular theodicy—a vision Eich ties to the thought of Gottfried Leibniz and Christian Wolff. This interpretation is based in part on his own archived notes, wherein Eich shows that Rawls himself entertained the language of theodicy explicitly before he redescribed his project in the more familiar (and palatable) Kantian terms of "reasonable faith." And yet, as Eich points out, the conditions that held true as Rawls was writing *TJ* summarily collapsed soon after it was published. This explains what is, in Eich's view, a significant change in Rawls's account of stability between *TJ* and *Political Liberalism*. The story of Rawls's theory presented by Eich is thus one of a tension that Rawls never managed to overcome: between the recognition of an unjust present and a "reasonable faith" in a liberal future.

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In their essay, Ben Jackson and Zofia Stemplowska also explore the importance of political economy to Rawls's thought while showing that the project of historicization cannot rely on the Rawls archives alone. Putting Rawls in context requires looking not only at what he was saying to and about others, but also at what others were saying to and about him. Drawing on the archival papers of Friedrich Hayek, Gordon Tullock, and James Buchanan, as well as the Rawls papers, Jackson and Stemplowska tell the story of Rawls's early warm reception by men who would become the heroes of late twentieth-century neoliberalism. They also build on their previous work to reveal the shared importance for both Rawls and Buchanan of the Chicago economist Frank Knight, who influenced Rawls's ideas about (amongst other things) desert and his conception of politics as a "game" with "fair rules."[7] As Jackson and Stemplowska point out, the emergence in the late 1970s of the polarized divide between social democrats and neoliberals can occlude the early shared influences and assumptions between Rawls and figures like Hayek and Buchanan with whom he was later in opposition. Jackson and Stemplowska thus chart the shared intellectual context that made seeming allies of Rawls and Buchanan in the 1950s, and the distance that opened between them in the years after *TJ* was published. What emerges is an illuminating new genealogy for Rawls's notion of ideal theory and its "realist" critics.

Murad Idris turns from economics to Middle Eastern area studies to reveal how the disciplinary politics of the latter shaped a text so far left largely untouched by historians: *The Law of Peoples*. This book began life as a published lecture Rawls gave for Amnesty International in 1993 where he developed principles of justice for interstate relations. Over the next six years, Rawls expanded it into a short monograph and, as Idris shows, made a striking late addition: a hypothetical Muslim state named "Kazanistan." Drawing on archival reading notes, correspondence and early drafts, Idris offers the first full account of the story of Kazanistan's emergence in Rawls's thought. He reveals the sources behind many of his descriptions and assumptions, one of which was the Harvard historian Roy Mottahedeh. Idris presents the invention of Kazanistan as an act of imaginative founding in the service of Rawls's own political project: to offer grounds for the "toleration" by liberal societies of "decent" non-liberal ones. The genealogy of Kazanistan, Idris argues, illustrates how ideal theory extracts data from other disciplines to construct other peoples, often without regard for the surrounding disciplinary politics. Particularly relevant here is the way in which the texts Rawls drew upon were themselves operating in a broader historiographical context, one grappling with assumptions about Islam's compatibility with democracy. By reconstructing the sources that informed Kazanistan, Idris reveals the way that Rawls's ideal theory was "quietly structured by the politics of scholarship about Islam and area studies." What emerges in Idris's account is a case study of the contingencies involved in the construction of any ideal theory: Rawls relied on a small selection of sources suggested to him by his immediate circle of Harvard faculty and fellow political philosophers. In a conclusion that might also serve as a general theme of this forum, Idris suggests that analytical political philosophers attend more closely to

[7]Ben Jackson and Zofia Stemplowska, "On Frank Knight's 'Freedom as Fact and Criterion'," *Ethics* 125/2 (2015), 552–4.

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the history and politics of knowledge production in the disciplines they rely upon to inform their normative theories.

In the final essay, Teresa Bejan explores the development of Rawls's final methodological statements about the "tradition of political philosophy" in *Justice as Fairness: A Restatement* (2001). In the process, she takes up Mark Bevir's call for historians to use the archive to attend to Rawls's teaching.[8] By looking more closely at Rawls's published and unpublished lectures in moral and political philosophy at Harvard (delivered regularly from 1962), as well as their forebears from his time at Cornell and MIT, Bejan argues that Rawls's teaching of "the tradition" as culminating always in his own works-in-progress played a central role in the development of his philosophical views. Bejan offers a series of moments in the 1950s that were crucial to Rawls's increasing interest in the tradition: his year in Oxford in 1952–3 when Rawls came to think, she argues, of "canonical authors as a source … of philosophic insight and inspiration"; the debates in the mid-1950s over the alleged "death" of political philosophy; and in 1958, when Rawls began to teach an undergraduate survey course at Cornell. It is at this last juncture, Bejan suggests, that Rawls cultivated a truly reflexive relationship with the tradition inspired by John Plamenatz, who would later become one of Quentin Skinner's chief methodological targets. This all paved the way for Rawls's own teaching life at Harvard, during which time he would, in Bejan's view, develop a new relationship with the tradition: from a young reader eager to point out error, to a teacher who advocated charity, respect and a keenness to learn from the past. The history of Rawls's own increasingly contextual engagement with the tradition should be taken as a reminder, Bejan argues, of the centrality of teaching—what we choose to teach and how—to the practice of political philosophy itself.

Taken together, these essays reveal many of the contexts against which both Rawls and the broader history of analytical political philosophy should be understood. In carving out these new paths and in drawing attention to aspects of the archive so far unexplored, these essays also comment implicitly on the politics of historical writing. The emerging project that is the "historical Rawls" has itself been shaped by choices made by past actors.[9] The stories we can tell about Rawls and analytical liberalism are constrained by what has been preserved; what is preserved is often a reflection of who and what are considered worth memorializing. But, as these essays show, the stories that do get told are also a reflection of a scholar's sense of "what matters" in the archive. These choices are informed not only by genre—conceptual genealogy, intellectual biography, broader narrative history—but also by background assumptions about the very point of historicization: are we looking to vindicate or debunk Rawls's arguments, or simply to better understand them? Do we wish to recover paths not taken and revive past possibilities, or to "exorcize" his ghost from the discipline?[10]

[8]Bevir, "John Rawls," 258.

[9]Katrina Forrester has called this growing literature the "newest sector" of an already existing "Rawls industry." See her "Response" in *H-Diplo Roundtable XXI-24*, at https://networks.h-net.org/node/28443/discussions/5704868/h-diplo-roundtable-xxi-24-shadow-justice-postwar-liberalism-and.

[10]For the idea of intellectual-history-as-exorcism see Quentin Skinner, "Introduction: Seeing Things Their Way," in Skinner, *Visions of Politics: Regarding Method*, vol. 1 (Cambridge, 2002), 1–7, at 6. Cf. Forrester's "ghost story" in Forrester, *In the Shadow of Justice*, xi.

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Choices about what matters will be further informed—without being determined—by prevailing disciplinary preoccupations, which are themselves rarely immune from existing structures of injustice and the academy's own hierarchies of knowledge. The essays in this forum show that to bring new questions to the archive is to open up the space for a variety of original and important stories. And while we leave it to the essays to speak for themselves about the implications of an increasingly historicized Rawls in their chosen domain, we conclude by emphasizing a note of caution sounded by many of our authors. There is much left to say about John Rawls and his archive, and indeed about the history of political philosophy in the twentieth century. In writing those histories, however, we must be alert to how exclusionary practices past and present have shaped not only the discipline and the archive, but also widespread assumptions about just which histories are worth telling.

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