

Rawls, Utopia and Unrealism

Rawls, utopía e irrealidad

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Abstract

This paper examines the utopian character of John Rawls' political philosophy and its enduring influence on Anglo-American political thought. It argues that Rawls' conception of justice as "the first virtue of social institutions" and his detachment from the concrete realities of political life place his work within the tradition of utopian thinking. Despite this detachment, Rawls' systematic approach and focus on justice resonated deeply with political philosophers seeking a normative framework to defend liberal democracy in the post-war era. The paper explores the philosophical and historical reasons behind Rawls' appeal, critically assesses the conceptual foundations of his theory—particularly the role of "basic intuitive ideas"—and reflects on the broader implications of grounding political philosophy in abstract moral ideals. Ultimately, it proposes that Rawls' enduring significance lies in how his utopian vision redefined the aims and methods of political philosophy in the twentieth century.

Keywords: Rawlsian liberalism; Utopian political theory; Justice as fairness; Anglo-American political philosophy; Contractualism

Resumen

Este artículo examina el carácter utópico de la filosofía política de John Rawls y su influencia perdurable en el pensamiento político anglosajón. Se sostiene que la concepción desarrollada por Rawls de la justicia como "la primera virtud de las instituciones sociales" y su desvinculación de las realidades concretas de la vida política sitúan su obra dentro de la tradición del pensamiento utópico. A pesar de esta desvinculación, el enfoque sistemático de Rawls y su atención a la justicia resonaron profundamente entre los filósofos políticos que buscaban un marco normativo para defender la democracia liberal en la posguerra. El artículo explora las razones filosóficas e históricas de su atractivo, analiza críticamente los fundamentos conceptuales de su teoría—en particular el papel de las "ideas intuitivas básicas"—y reflexiona sobre las implicaciones de fundamentar la filosofía política en ideales morales abstractos. En última instancia, se propone que la vigencia de Rawls radica en cómo su visión utópica redefinió los fines y métodos de la filosofía política en el siglo XX.

Palabras clave: Liberalismo rawlsiano; Teoría política utópica; Justicia como equidad; Filosofía política anglosajona; Contractualismo

1 Introduction

No account of Anglo-American political philosophy in the latter half of the twentieth century can be complete without considering the influence of Rawls' work. During this period, Anglo-American political philosophers not only adopted his vocabulary as the *lingua franca* of academic political discourse, but also embraced his way of framing the issues of political philosophy and his underlying assumptions about which questions truly matter. One might naively expect that such widespread influence would stem only from a body of work that philosophers regard as a particularly effective tool for understanding the complex machinery of political life. But in this case, nothing could be further from the truth: Rawls exerted his considerable influence despite the general detachment of his theory from the actual dynamics of politics—and despite the fact that it seems ill-suited to explain the motivations and reasons behind the many changes that unfolded in the second half of the twentieth century.

This paper explores how this could be—specifically, how a body of work so detached from the intricacies of political life could have such a massive influence on political philosophy. I approach this question from two angles: first, by examining why Rawls' work resonated so deeply with Anglo-American political philosophers; and secondly, by exploring why his work strikes us as detached from political reality in the first place. The first section addresses the former, developing the thesis that Rawls' appeal lay in his systematic approach to political philosophy and in how his focus on justice aligned closely with the post-war search for a normative framework to defend liberal democracy. The second section tackles the latter, offering a critical assessment of the conceptual foundations of his theory—particularly the role of “basic intuitive ideas.” In the third and final section, I reflect on the broader implications of grounding political philosophy in abstract moral ideals.

2 Rawls' Contractualist Political Philosophy and The Revitalisation of Anglo-American Political Thought

Anglo-American political philosophy underwent a profound revitalisation following the 1971 publication of Rawls' *A Theory of Justice*. This transformation is evident across various metrics, including the number of practitioners, journals dedicated to the subject, the volume of published papers in the field, and the elevated standing political philosophy acquired within the broader landscape of academic philosophy in the latter part of the twentieth century (Newey, 2001, pp. 1–2; Kymlicka, 2002, p. viii).

The revitalisation prompted by Rawls' influential work was widely acknowledged as a positive development by Anglo-American political philosophers and its influence in the Anglo-American world can hardly be overstated. H. L. A. Hart, for instance, stated in 1973 that, apart from the great classics of the subject, no other book of political philosophy had stirred his thoughts as deeply as Rawls' *A Theory of Justice* (1973, p. 534). With even more hyperbole, in 1979, Peter Laslett wrote that Isaiah Berlin's famous claim—“that no commanding work of political theory had appeared in the twentieth century”—had ceased to be true with the publication of Rawls' *magnus opus* (Berlin, 1964, p. 1; Laslett, 1979, p. 1). Against this background, it is unsurprising that at the beginning of the new millennium, when Kymlicka came to

write his introduction to contemporary political philosophy, he felt completely comfortable making the bold claim that Rawls' *A Theory of Justice* was "ground zero" for contemporary political debates (2002, p. viii; cf. Kukathas & Pettit, 1990, p. 1).

What was it about Rawls' work that appealed so strongly to these philosophers to merit such enthusiastic response? After all, the gloomy statement "political theory... is dead," issued by Peter Laslett in 1956 (1956, p. vii), refers to a period that had witnessed the publication of works of the highest calibre in the field, such as *The Road to Serfdom*, *The Open Society and Its Enemies*, *The Origins of Totalitarianism*, and "Rationalism in Politics" (Douglass, 2012, p. 83). So, what did Rawls' enthusiasts see in his *A Theory of Justice* that they did not see, for instance, in the works of Hayek, Popper, Arendt, or Oakeshott?

A major element of Rawls' appeal was that his work did not feel as a reaction to something else. The thinking of Hayek, Popper, and Arendt, for instance, always bears the mark of their fight against fascism, Nazism, and other forms of totalitarianism they had to endure. Consequently, in their works, liberal ideas often have a 'reactive' quality that is completely absent in Rawls' work. Rawls' writings always feel like the output of a "liberal mind" (Minogue, 2000, pp. 11–19) freely exploring the liberal institutions of its time, driven solely by a desire to better understand the moral and political ideas that sustain its own liberal outlook.

Another major element triggering Anglo-American scholars' enthusiasm for Rawls' work was his systematic approach to political philosophy (Kukathas & Pettit, 1990, p. 5; Nussbaum, 2001). When pressed to explain why they claimed political philosophy was on the verge of disappearing by the 1950s, Rawls' enthusiasts argue that, at that point, it was unclear whether political philosophers of the time could keep practicing their craft in a form resembling that of their predecessors (Douglass, 2012, p. 81). They never went so far as to deny the value of the ideas of thinkers like Hayek and Popper, but they emphasised that these authors' contributions did not constitute a systematic theory of politics akin to those that can be found in the great classics of political philosophy. What Rawls' enthusiasts mean with their claim that he revitalised political philosophy is, then, that he revitalised, in the Anglo-American world, that grand tradition of political philosophy that, running uninterrupted through the works of Plato, Hobbes, and Mill, understands the discipline as "systematic thinking about the purposes of government" (Plamenatz, 1960, p. 37).

However, the primary catalyst for the enthusiasm surrounding Rawls' work was his understanding of the main task of political philosophy and, more specifically, his distinctive approach to framing and reasoning about political and social issues. This approach was marked by his opposition to the utilitarian tradition, which had long dominated Anglo-American academia, and his revitalisation of the contractualist tradition of political thought.

Broadly speaking, and perhaps somewhat simplistically, the utilitarian tradition justifies the authority of moral rules and evaluates the moral worth of actions and political decisions based on the principle of utility—that is, whether they maximize the greatest happiness for the greatest number of people (Scanlon, 1982, pp. 103–128). From this teleological perspective, an action or rule is considered good only if it can be shown to maximize the overall happiness of a society. In contrast, the social contract tradi-

tion, as Rawls interpreted it, assesses the moral worth of rules, actions, and political decisions based on their alignment with fundamental moral concepts, such as self-interest and rights, which are regarded as the foundations of moral reasoning. It was precisely this interpretation of the contractualist tradition that directed Rawls' focus toward justice as the *summum bonum* of liberal political philosophy.

Rawls begins his *Theory of Justice* by stating that justice is “the first virtue of social institutions” (1999a, p. 3), that is, the most important sign of institutional excellence and the sole standard against which institutions should be measured, particularly within the context of a liberal democracy. To explain what he meant by this, he made a comparison with truth, stating that justice is as essential to social and political institutions as truth is to “systems of thought.” Just as “systems of thought” should be judged by their truth, societies and their institutions should be judged by their justice or fairness. Similarly, just as we should reject a system of thought that proves to be untrue, we should reject any institution or political arrangement that is unjust or unfair.

Given this opening statement, it is understandable that Rawls came to view justice as the primary subject matter of a liberal political philosophy. Whereas previous philosophers, such as Hobbes and Spinoza, thought the main task of political philosophy was to understand power—where it comes from, what makes it legitimate, who should exercise it—so they could lay the conceptual foundations for a form of government that would guarantee a certain degree of social stability and personal autonomy, Rawls thought that the main task of a liberal political philosophy was to understand justice.

However, he most definitely did not understand this task as implying an inquiry into why justice should be regarded as “the first virtue of social institutions,” inquiry that throughout history has seemed reasonable enough to many philosophers (for instance, Spinoza). Rawls simply had the “intuitive conviction” (1999a, p. 4) that recognising justice as “the first virtue of social institutions” was the most fundamental presupposition of social and political philosophy, something so fundamental that did not really need any proof (except, of course, the brief comparison between justice and truth he provided at the beginning of his work). Thus, he understood the task of political philosophy as that of formulating the principles of justice, that is, those political principles that would make a society just.

All of which, of course, highlights another contrast between Rawls' thinking and that of earlier political philosophers. Earlier philosophers assumed there was a correlation between social stability and justice. They believed an unjust society would not remain stable for long and thus that the principles of justice could be deduced from social stability—or, more precisely, that understanding justice required understanding what distinguishes stable from unstable societies (Cf. Spinoza, 2007, Ch. 5, par. 8 and Ch. 16, par. 9). In contrast, Rawls viewed the principles of justice as something that could be determined independently of considerations of social stability or an analysis of which political practices contribute to a stable society. In his view, the primary task of a political philosopher was to rationally establish the principles of justice. Only after these principles had been determined could the philosopher address the subsequent task of exploring their political consequences and practical implications, such as demonstrating how a society structured around those principles could also be stable (Rawls, 1993, pp. 140-144).

Given “the abstract and unworldly character” of his idea of justice (Rawls, 1993, p. lx), it is not surprising that Rawls regarded his philosophical project as broadly aligning with utopian thinking. While it is true that, in *The Law of Peoples*, he coined the rather clever phrase “realistic utopia” to describe his project, the term ‘realistic’ in this oxymoron is not meant to negate the ‘utopian’ aspect but rather to emphasize its ‘non-allegorical’ or ‘non-heavenly’ character (1999b, pp. 3–10; cf. Douglass, 2012, p. 90, n. 6). Clearly, with this phrase, Rawls did not imply that reorganizing society around his principles would transform it into an inherently harmonious place, as the term ‘utopia’ might suggest. Differences in comprehensive conceptions of the good would still persist, even in a just and fair society.

On the other hand, while Rawls acknowledged an idealistic element in his political philosophy, he also viewed his project as an effort to understand the ethos embodied in liberal democracy and to identify its political consequences and limitations. For this reason, he frequently asserted that his claim about the primacy of justice is rooted in the political reality of liberal democracy, as all the practices and institutions of a modern democratic regime presuppose it.

He considered this fact of the greatest importance because he saw it as the key to developing a version of liberal political philosophy that was not ‘metaphysical,’ that is, that did not rely on controversial religious beliefs or philosophical claims to justify its embrace of liberal democracy (Rawls, 1985, pp. 223–251; cf. Rorty, 2013, pp. 179–184). In Rawls’ view, previous versions of liberalism (those of Locke, Jefferson or Mill, for instance) ultimately depended on religious or philosophical views that could be seen as controversial, either to twentieth-century philosophers or to parts of the diverse citizenry that make up modern constitutional democracies.

The continuous influence of modern science on philosophy in the late 19th and throughout the 20th century led philosophers to view with scepticism, because they could not be scientifically verified, the sort of general claims about human nature or society which earlier philosophers saw as the most natural to make and would typically use as the foundation for their moral and political beliefs. Moreover, considering the diverse cultural and religious backgrounds of the various groups within any modern Western nation, it is not uncommon for some citizens to feel that the philosophical justifications earlier versions of liberalism provided for embracing liberal democracy conflict with their religious or traditional beliefs.

For Rawls, then, the values embedded in the practices and institutions of a modern democratic regime provided the non-controversial base on which to anchor a liberal political philosophy. However, more than providing a non-controversial basis for his theory, one that pre-emptively guarded it against possible attacks from sophisticated philosophers and traditionalist thinkers alike, this ‘conviction’ about the primacy of justice also lent ‘objectivity’ to his theory. It allowed him to claim that “justice as fairness” was not a theory aimed at elucidating or clarifying his own particular ideas and beliefs about justice, but those ideas and beliefs shared by the citizenry of modern democratic regimes.

Sure enough, Rawls acknowledged that within these democracies, there were individuals who, for various reasons, did not share the same appreciation for the “basic intuitive ideas” that form the basis of the liberal outlook (1985, pp. 223, 225, 229,

231, 233, 236, 238, 244, 246, 250). However, he deemed such dissenters inconsequential for his purposes. What mattered more, in his view, was the ability within modern democratic societies to achieve significant agreement on how disputes about the exercise of power and the fate of collective life should be handled. This agreement, which persisted despite substantial differences in fundamental beliefs and values among citizens, forms the basis of what he termed “overlapping consensus” (1987, pp. 1–25). In essence, “justice as fairness” is a theory that attempts to systematise and elucidate the practical implications of this “overlapping consensus,” that is, of the beliefs held by what could be called the ‘reasonable majority’ of modern constitutional democracies (1993, p. lx; 1999b, pp. 3–10).

These ideas developed by Rawls clearly resonated with Anglo-American scholars’ ‘intuitive’ understanding of liberal democracy. By the 1960s, most Anglo-American scholars felt that liberal democracy was a tried-and-true form of government. They viewed it not only as the most stable form of government, especially when compared to the illiberal forms that preceded it (cf. Stern, 1992, pp. 1–73), but also as the one that had created the greatest prosperity the world had ever seen and that, because of this, enjoyed the highest levels of popular support (cf. Searle, 1999, pp. 57–60). They saw Rawls’ work as not only legitimising this perspective but also as suggesting that the practical achievements of liberal democracy were a sign of the fairness of its underlying moral principles. After reading his works Anglo-American liberal philosophers felt that they could speak with greater confidence about their preferred form of government. It is this bestowal of confidence what explains Rawls’ “enduring significance” among these philosophers (Nussbaum, 2001).

The enthusiasm for Rawls’ work was so profound that his influence quickly extended beyond the topic of justice, to the point where Anglo-American liberal philosophers adopted his version of contractualism as their default approach to political philosophy. This method became the favoured approach for an entire generation of political philosophers who, under Rawls’ influence, came to believe that contributing to political philosophy required first uncovering their “basic intuitive ideas” about political issues and then systematizing the practical implications of those ideas.

3 The Notion of “Basic Intuitive Ideas” and the Source of Their Authority

Rawls’ general approach to political philosophy was not, however, without its critics among Anglo-American political philosophers. For instance, the late Newey dedicated a significant portion of his book *After Politics: The Rejection of Politics in Contemporary Liberal Philosophy* to arguing that the widespread adoption of this approach had not only imposed a very narrow understanding of political philosophy throughout Anglo-American academia but had also led to a detachment of the discipline from “the real world of politics” (2001, pp. 2–3, 106–136). By this, he meant that far too many philosophers who embraced this approach mistakenly believed that the validity or relevance of their ideas was completely independent of whether these ideas provided a truthful understanding of politics, “the ostensible subject-matter of their discipline.”

It is difficult not to agree with Newey's criticism. 'Aloof' certainly seems a fitting adjective to describe the style and the theories that Anglo-American Political philosophers, under Rawls' influence, developed during the latter part of the twentieth century. However, Newey's criticism seems somewhat off-target, as it boils down to criticising Rawls and his followers for delivering what they promised. If a philosopher promises a utopia, the fact of delivering a utopia cannot be held against him, and if he understands his project as broadly aligning with utopian thinking it should not be a surprise to find him showing certain aloofness towards "the real world of politics." In philosophy, as in real life, sticking to our word should always be counted as a virtue.

A better target for criticism seems to be the notion of "basic intuitive ideas" or "intuitive convictions" which plays such a crucial role in this approach to political philosophy. At first glance, this concept appears disarmingly simple, as something that even the most inexperienced observer can detect in the most basic forms of political reasoning. However, upon closer inspection, it reveals a certain vagueness, which seems to be one of the main factors contributing to the aloofness or detachment from "the real world of politics" that Newey, as well as other critics (cf. Shklar, 1958, p. 634), have perceived in the contributions of Anglo-American scholars to political philosophy in the latter part of the twentieth century.

These ideas or convictions are thought of as beliefs that (1) deal with moral or political matters of the utmost importance or that we care deeply about, (2) 'ring true' and we find difficult to let go of (Kukathas & Pettit, 1990, p. 3), and (3) hold a strong authority over us, swaying or influencing our decisions on these issues. In short, they are conceived as "provisional fixed points" (Rawls, 1985, p. 228, cf. Rawls, 1999a, p. 18) we use as reference whenever we are dealing with moral or political issues.

In this capacity, they perform a double function. On the one hand, they are the standard against which we measure political reality and judge whether that reality is good or bad—the mostly undisclosed assumption in this approach to political philosophy being that coherence with these convictions defines what is politically desirable. On the other hand, these "basic intuitive ideas" could also be used as a guide for political reform. If it is shown that some aspects of political reality do not conform to these ideas, then, in principle, they must be changed or reformed—the other mostly undisclosed assumption of this way of thinking about political philosophy being that anything not aligning with these "basic intuitive ideas" must be reformed.

Typical examples of what these philosophers consider "basic intuitive ideas" include miscellaneous claims such as justice is "the first virtue of social institutions" (Rawls, 1999a, p. 3), every person is "free and equal, and capable of autonomy" (Rawls, 1985, p. 224, n. 2), slavery is "inherently unjust" (Rawls, 1985, p. 228), or every individual is "endowed with equal dignity" (Vandevelde, 2013, p. 101). Under Rawls' influence, many political philosophers assumed that their primary task was to articulate their own convictions as clearly as possible and then determine whether political institutions were compatible with them (Newey, 2001, p. 107). For Rawls, this meant among other things determining whether a given institution was compatible with the idea of justice as the primary virtue of social institutions or with his principles of justice.

The issue is not that Anglo-American philosophers, influenced by Rawls, recognised these "intuitive convictions" as a crucial element of political reasoning, or even that

they nearly elevated them to the primary subject matter of political philosophy at the expense of other important topics. Rather, the problem lies in (1) the lack of a proper classification of these convictions, and (2) the absence of a clear explanation for the source of their authority.

I think it is fair to say that, for Rawls, the authority of these “basic intuitive ideas” can be better understood through his concepts of the “original position” and the “veil of ignorance” (1999a, p. 24; 1985, pp. 234–239; 1993, pp. 22–28). These concepts belong to the family of thought experiments that philosophers have historically employed to clarify or advance their arguments, such as Plato’s allegories or Descartes’ evil genius. Plato, for instance, used the analogy of the divided line to explain his understanding of the relationship between knowledge and being (*Rep.* 6, 509d–510a), while Descartes employed the fiction of the evil genius to establish an indubitable truth upon which to anchor his philosophical meditations (Descartes, 1985, vol. 2, p. 15). In a similar vein, Rawls conceived the original position and the veil of ignorance as theoretical procedures designed to “work out which traditional conception of justice, or which variant of one of those conceptions, specifies the most appropriate principles for realizing liberty and equality once society is viewed as a system of cooperation between free and equal persons” (Rawls, 1985, pp. 234–235).

The original position represents a hypothetical scenario in which a group of individuals comes together to decide the rules that will govern society. Rawls envisions the participants in this scenario as rational and motivated by self-interest but ensures they pursue justice in their deliberations by placing them behind a veil of ignorance. This means they take part in discussions about the principles of justice without knowledge of personal specifics. While they possess general knowledge—such as an understanding of human psychology, social cooperation, and economic theories—they lack specific information about themselves. They are stripped of knowledge regarding their talents, abilities, and intelligence; their religious or political affiliations; their wealth, class, and social status; and the political or economic structure of their society.

Rawls believes that placing the participants under these constraints will compel them to approach their decisions from a universal perspective, focusing on what is best for society as a whole. In other words, he argues that, by eliminating the influence of personal contingencies on the participants’ judgment, these constraints ensure that their decisions will not be biased toward any particular group or individual.

Again, the aim of this thought experiment is to determine which principles of justice are most suitable for establishing a framework that is impartial and equitable for all members of society. Just as Descartes thought that the fiction of the evil genius provided an unimpeachable proof for the *cogito*, Rawls argued that the thought experiment of the original position, combined with the veil of ignorance, demonstrated the fairness of the principles he formulated as the foundation for a just society:

FIRST PRINCIPLE

Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.

SECOND PRINCIPLE

Social and economic inequalities are to be arranged so that they are both: (a) to the greatest benefit of the least advantaged... and (b) attached to offices and positions open to all under conditions of fair equality of opportunity. (1999a, p. 266)

However, this thought experiment also sheds light on the concept of “basic intuitive ideas,” which came to play a crucial role in the thinking of philosophers heavily influenced by Rawls’ work. Rawls regarded the process of political reasoning as a dialogue between the principles of justice that individuals would choose within the context of the original position and their “basic intuitive ideas.” His underlying assumption was that the principles chosen in the original position hold the highest authority in political debates, as passing the test of the original position and the veil of ignorance ensures their fairness. At the same time, he believed that these principles must align with our reasonable moral convictions. For Rawls, the ultimate test of a theory of justice is, therefore, whether it can pass the test of the original position while also illuminating the structure and coherence underlying our moral convictions (Hart, 1973, p. 536).

As we have seen, Rawls referred to “basic intuitive ideas” as “provisional fixed points,” suggesting that, for him, these ideas were merely a starting point for philosophical inquiry and that their authority was not absolute. However, he also acknowledged that, at times, these ideas held such authority that our principles would need to be adjusted to accommodate them. In political reasoning—this dialogue between principles of justice and moral convictions—there are moments when we must renounce or modify our convictions, and others when we must adapt our principles to align with them. Rawls believed that this iterative process would eventually lead to a state of “reflective equilibrium,” a provisional state where we felt that our principles and convictions were duly aligned (1999a, pp. 18–19; 1985, p. 228).

4 Conclusions

A natural conclusion that can be drawn from Rawls’ view of political reasoning is that, for him, a “moral conviction” or “basic intuitive idea” is one that holds such authority that it must be acknowledged within the context of the original position. However, it is fair to say that this conclusion is accompanied by an inversely proportional counterpart: if a conviction or intuitive idea lacks such authority, it can be attributed to the kinds of historical contingencies that Rawls seeks to exclude from moral and political reasoning through the constraints imposed by the veil of ignorance.

Much can be said about Rawls’ view of political reasoning, particularly regarding the numerous presuppositions and assumptions necessary to render it a workable conception. For instance, one could argue that the scope of general knowledge allowed to participants in the original position is ambiguous and open to debate. How can we ensure that some of this accepted general knowledge is not, in fact, influenced by historical contingencies? I have a sneaking suspicion that Rawls might have assumed that we possess an infallible method for distinguishing between cognitions that are independent of historical contingencies and those that are not. If this is indeed the

case, his approach becomes vulnerable to the same type of criticism Peirce directed at the philosophies of Descartes and Kant (Peirce, 1958, pp. 15–72), as well as the critiques Austin levelled against traditional theories of knowledge in *Sense and Sensibilia* (Austin, 1962, pp. 104–131).

A more pertinent line of criticism, however, is the one raised by Dworkin in “Justice and Rights,” an author who, in many ways, can be considered Rawls’ kindred spirit. He essentially asks: What kind of authority can a hypothetical contract hold? Why should we be influenced by the hypothetical decisions of a hypothetical group of people in a hypothetical scenario? (Dworkin, 1977, pp. 150–183) After posing these questions, Dworkin demonstrates how this type of reasoning would not be considered valid in many contexts, including both ordinary and legal cases, and questions why it should be permitted in the realm of philosophy.

However, my overall impression—and main objection—is that the model Rawls developed to explain the process of political reasoning, despite its many details and being framed in technical and up-to-date terms, fails to adequately explain the source of authority of “basic intuitive ideas.” Specifically, it does not address why we hold these convictions in the first place or why they exert such significant influence over us.

It is evident that Rawls assumes that the authority of these “intuitive convictions” is not due to self-interest or familiarity—that is, he does not think these convictions hold sway because they give us a practical advantage or because we are accustomed to them. His presumption is that these convictions’ authority is based on their rationality or reasonableness. That is, he tends to assume that these convictions have authority over us because they are reasonable, meaning they can be proposed as fair terms of cooperation that individuals will abide by willingly (1993, p. 48).

Still, he seems to misrepresent these terms. Rationality and reasonableness are not “freestanding conceptions” or ultimate, foundational ideas. Rather, they are subsidiary concepts, or more accurately, ideas that depend on more fundamental notions. Notably, there is a historical, contingent, or otherwise idiosyncratic component to how we use these terms that he does not fully acknowledge (cf. Oakeshott, 1991, pp. 99–131). We consider something rational or politically reasonable not because it aligns with our preferred stipulative definition of these terms, but because it broadly reflects the political traditions we identify with, or more specifically, our general understanding of the surrounding political landscape.

For Rawls, for instance, the primacy of justice was not an “intuitive conviction” merely because the claim that justice is the first virtue of social institutions somehow fitted with his definition of the reasonable as something that could be proposed as a fair term of cooperation. He accepted it as an “intuitive conviction” because he believed the main issue affecting the world, and the one that largely explained the political turmoil he was seeing all around him, was that people were not being treated equally. In this sense, Douglass has correctly argued that Rawls’ “justice as fairness” primarily reflects the perspectives and moral judgments of left liberals (2012, pp. 86–88, n. 4). I would further argue that Rawls’s theory appears compelling only to those who already share that perspective and are accustomed to making similar moral judgments.

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