

Robert S. Taylor

Reconstructing Rawls: The Kantian Foundations of Justice as Fairness.

University Park, PA: Pennsylvania State University Press
2011

360 pages

US\$74.95 (cloth ISBN 978-0-271-03771-4)

This is an ambitious and provocative book that will be of interest to political philosophers who have reservations about the enormous influence that Rawls' defense of political liberalism, in his later writings, has had on much recent political philosophy. Taylor is an enthusiastic and sophisticated advocate of a comprehensive variety of liberalism that he locates in Rawls' seminal presentation of justice as fairness in *A Theory of Justice*. Taylor argues that Rawls' turn toward political liberalism and away from a view in which a Kantian conception of the person plays a foundational justificatory role was a fatal error. Taylor contends that political forms of liberalism that are predicated on finding an overlapping consensus amongst reasonable comprehensive doctrines present in contemporary societies and that eschew controversial views of the person lack the resources to justify Rawls' principles of justice. They also risk succumbing to dangerous forms of relativism. A coherent form of liberalism must unashamedly embrace the enlightenment project of articulating and justifying a universal and objectively true account of justice that is grounded in our deepest conception of persons as free and practically rational agents.

The argument of the book is developed in four main stages. First, Taylor identifies important respects in which Rawls' early work embraced distinctively Kantian doctrines of moral constructivism and moral autonomy. He claims that the depth and importance of Rawls' theoretical commitment to these doctrines has not been sufficiently appreciated. This part of the book provides a careful and useful overview of different varieties of constructivism and a helpful explanation of the role that Rawls' characterization of free and equal persons in terms of the two moral powers—a sense of justice and a capacity for a conception of the good—plays in framing the original position argument for Rawls' principles of justice.

Second, Taylor develops a very complex Kantian conception of the person that goes well beyond the view officially adopted by Rawls but that Taylor believes is needed to supply justice as fairness with an adequate foundation. Taylor's account of the person has three dimensions—moral autonomy, personal autonomy, and self-realization—that are ordered hierarchically but that can be, he claims, coherently integrated. Taylor then provides an elaborate explanation of how this conception of the person can be seen to fit with different elements of Rawls' original position argument and the four-stage sequence for applying principles of justice to institutions. As this compressed and incomplete summary may suggest, understanding Taylor's proposal is demanding and many aspects of the position are controversial. However, the discussion thoughtfully engages recent literature and is carefully presented.

Third, with the Kantian conception of the person in place, Taylor sets out to show, in great detail, how each of the constitutive principles of Rawls's theory—the equal basic liberties principle, fair equality of opportunity and the difference principle—can be grounded on this conception. A very striking and surprising feature of Taylor's argument in these central chapters is that the controversial Kantian conception of the person is presented as the *only* basis on which Rawls' substantive principles of justice (along with the special lexical ordering he assigns to them) can be successfully defended. This reveals a curious facet of Taylor's attitude towards Rawls' theory. On the one hand, he thinks that the principles of Rawls' theory of justice are entirely correct. But on the other hand, he thinks that Rawls' own arguments for the principles are all fatally flawed. It seems odd to view Rawls' principles, the soundness of which are contested by many contemporary theorists, as correct, yet view his justifications for them as all inadequate. Taylor is especially critical of Rawls' attempt, in later work, to provide political justification for justice as fairness. In a late chapter entitled 'The Poverty of Political Liberalism', Taylor contends that the idea that there can be overlapping consensus amongst reasonable comprehensive doctrines about justice as fairness is completely untenable. Moreover, the move to political liberalism threatens the coherency of liberalism itself.

Finally, Taylor sets out a somewhat novel defense of the Kantian conception of the person that appeals to controversial elements of Kant's claims about freedom as a necessary practical postulate of rational agency. Taylor contends that it is possible to endorse this strategy without relying on speculative metaphysical claims about the noumenal realm that come with Kant's transcendental idealism.

Overall, this book succeeds in laying out a novel Kantian reinterpretation of Rawlsian liberalism. The intricate and often difficult arguments it presents are always informed by a close reading of both Rawls and Kant. Taylor also advances some interesting challenges to non-comprehensive conceptions of liberalism. But Taylor's sweeping rejection of political liberalism sometimes seems unnecessarily strident and rigid. Moreover, his insistence that only a rarified and contentious variety of Kantianism can underpin justice as fairness is likely to meet strong resistance from a wide variety of political philosophers. Despite these reservations, the book is a welcome addition to political philosophy and will play a useful role in stimulating discussion about the foundations of contemporary liberalism.

Colin Macleod
University of Victoria