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Rawlsian Liberalism and/as American Progressivism

"No one takes democracy seriously anymore"
John Rawls, in several letters to friends
and colleagues over the 1990s

Abstract

Without denying that the new century has pushed center-stage new political problems, I want in this essay to push back against the idea that *TJ* and Rawls's work more generally are best understood as artifacts of the so-called mid-century, post-War, American consensus and so now of interest mainly for historical and perhaps aesthetic reasons. I aim to show that, notwithstanding some overlap, neither *TJ* nor Rawls's work more generally articulates and defends, as a matter of substantive political commitment, the so-called mid-century American liberal consensus. Rawls's substantive political commitments are better understood in relation to earlier 20th century American progressivism and to the complex crisis of American democracy that was already unfolding decades before the Great Depression and World War II. Understood thus, *TJ* and Rawls's work more generally belong to and advance an enduring American tradition of progressive republican liberal democratic nationalism. To this tradition belong not only America's greatest 19th century presidents, Thomas Jefferson and Abraham Lincoln, but also two of its greatest 20th century presidents, Theodore Roosevelt and Woodrow Wilson, as well as the now mostly forgotten early 20th century American intellectual father of the progressive republican liberal democratic nationalist vision that Rawls would do so much to revive and advance, Herbert Croly.

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I.

It is increasingly common to hear that A T*heory of* J*ustice* (*TJ*) articulates and defends a mid-century post-War American liberal consensus that was already passing by the time the book hit the shelves of bookstores and landed on desks of academics late in 1971. This often-heard observation, itself a necessary correction to earlier failures to recognize that Rawls began the work that would lead to *TJ* in the philosophical climate of the late 1940s and early 1950s, not the late 1960s a few years before *TJ*'s publication, is typically followed by a suggestion that it is long past time for political and legal philosophers and theorists, especially those drawn to liberal and progressive commitments, to move on, to get out from under Rawls's and *TJ*'s shadow, as it were. The problems of the new century demand a new political philosophy (Forrester 2019).

Without denying that the new century has pushed center-stage new political problems, I want in this essay to push back against the idea that *TJ* and Rawls's work more generally are best understood as artifacts of the so-called mid-century, post-War, American consensus and so now of interest mainly for historical and perhaps aesthetic reasons. I aim to show that, notwithstanding some overlap, neither *TJ* nor Rawls's work more generally articulates and defends, as a matter of substantive political commitment, the so-called mid-century American liberal consensus. Rawls's substantive political commitments are better understood in relation to earlier 20th century American progressivism and to the complex crisis of American democracy that was already unfolding decades before the Great Depression and World War II. Understood thus, *TJ* and Rawls's work more generally belong to and advance an enduring American tradition of progressive republican liberal democratic nationalism. To this tradition belong not only America's greatest 19th century presidents, Thomas Jefferson and Abraham Lincoln, but also two of its greatest 20th century presidents, Theodore Roosevelt and Woodrow Wilson, as well as the now mostly forgotten early 20th century American intellectual father of the progressive republican liberal democratic nationalist vision that Rawls would do so much to revive and advance, Herbert Croly.

A few preliminaries. First, if one sets aside more concrete institutional commitments and takes Rawls's well-known two principles of justice exhaustively to express his substantive political commitments, then his

commitments clearly overlap substantially with the so-called mid-century liberal consensus. Both include commitments to the priority of a familiar list of civil and political rights, to a conception of fair equality of opportunity more demanding than the elimination of *de jure* discrimination, and to an economy that works over time to the advantage of all sectors within its division of labor. Still, despite this overlap, Rawls's principles were more demanding than those orienting, whether explicitly or implicitly, the so-called mid-century liberal consensus. They included commitments to not only the priority of political participation rights but to securing for all their fair substantive value, to an especially robust conception of fair equality of opportunity requiring significant public health and public education initiatives, and to demanding constraints on mutually beneficial inequalities between sectors cooperating with the operative division of labor. Further, against the grain of the mid-century liberal consensus, Rawls offered his two principles of justice not as an ex-post standard by which to evaluate the political results of democratically aggregating interests and preferences, but rather as an ex-ante public framework for citizens and officials democratically to deliberate and decide matters constitutional, legislative and adjudicative.

Second, the American tradition by reference to which I think Rawls's substantive political commitments are best understood undeniably continued, though in modified and steadily compromised or diminished form, through most of the 20th century. It would be a mistake not to see it as extending to President Franklin Delano Roosevelt's (FDR's) "New Deal" and President Lyndon Johnson's "Great Society" and so to the so-called mid-century liberal consensus. But from FDR's election in 1932 through the publication of *TJ*, the American tradition to which Rawls wished to contribute steadily yielded to a more legalistic and technocratic form of welfare and warfare administrative state capitalism. Not long after *TJ*'s publication, it began to yield further to a neoliberal globalist capitalism. Unsurprisingly, Rawls repeatedly observed in correspondence over the final decade of the 20th century that after many decades it seemed finally that Americans had abandoned, though he had not, their self-understanding as a distinct and non-fungible people progressively realizing itself as a republican liberal democratic nation. This erosion of national self-understanding and purpose unfolded over many decades. Because *TJ* was published just before the so-called mid-century liberal

consensus in America, running from FDR's New Deal through Johnson's Great Society, began itself to yield to a neoliberal globalist capitalism, those keen to resist further erosion were understandably drawn to *TJ* to defend the mid-century liberal consensus. In so doing, they ignored the ways in which *TJ* constituted a critique of that consensus and a call to return to an earlier tradition of American political thought that began to fall into eclipse after World War I.

Third, my focus is primarily on the substantive political commitments of *TJ* and Rawls's work more generally. It is with respect to these that I suggest we do better to read Rawls and *TJ* in relationship to early 20th century American progressivism than its modified and diminished expression in the form of the so-called mid-century liberal consensus. Were my focus primarily on matters philosophical and methodological, I would be drawing more (though not exclusive) attention to Rawls's interaction with and debts to mid-20th century developments (e.g., post-positivist 'analytic' philosophy). In fact, I would argue that Rawls is best read as putting mid-century philosophical and methodological resources to work in the articulation and defense of substantive political commitments more fully expressed by early 20th century American progressivism than the mid-century liberal consensus.

Finally, fourth, Rawls often said that there was little in his work that was original, that he had simply assembled into a coherent whole, and clarified the implications of, ideas and insights long recognized by others. Though this overstates the case, it is true enough. Still, readers have often characterized Rawls's work as breaking radically from the American political tradition (Schaefer 2007). In what follows, I hope to show that while Rawls does break from a fair amount of the so-called mid-century American liberal consensus, he does so for the sake of continuity with an American tradition the roots of which run back to the Founding generation but the flower of which first blooms only in the early 20th century.

Now, the plan. I begin with a more fine-grained sketch of the so-called mid-century liberal consensus in America, noting various point of disagreement between it and Rawls's and *TJ*'s substantive political commitments. I then sketch the development of early 20th century American progressivism with which Rawls substantive political commitments are more easily aligned, noting Rawls's contact with those commitments through his family and Herbert Croly's anticipation of the task that Raw-

ls himself would undertake decades later. I then briefly conclude with a comment about Rawls's relevance to the restoration of a shared and public American self-understanding and sense of national purpose.

II.

The so-called mid-century American liberal consensus emerged out of the Great Depression, President Franklin Delano Roosevelt's (FDR) New Deal, and the victory of Allied Forces in World War II. As with other historical generalizations, it is descriptively accurate only if one views things from a suitable distance. Examined up close, mid-century American liberals disagreed over a great deal. And political tides shifted over the middle of the 20th century (Beck 1987). Already in 1944, sensing a shift in political winds, FDR dropped his progressive vice-president, Henry Wallace, and ran for re-election with the more conservative Harry Truman as his vice-presidential running mate. Shortly thereafter, with FDR's death and then the war's end, the more conservative wing of the mid-century liberal consensus continued to challenge the more progressive wing. Having become President upon FDR's death, Truman won reelection in 1948 defeating the slightly more conservative, liberal Republican Thomas Dewey. But progressivism was nevertheless in retreat, even if the retreat was slower with Truman's victory than it would have been with Dewey's. Progressives found themselves politically stalled by headwinds arising from eruptions of Cold War anti-communist hysteria, anxiety about the size and reach of the growing modern technocratic and administrative bureaucratic state, and reactionary resistance to federal action taken to eliminate racial segregation in Southern states. In the 1952 presidential election, the liberal Republican Dwight Eisenhower soundly defeated the more progressive Democratic candidate Adlai Stevenson. Though both parties were oriented by the so-called liberal consensus through the 1950s, for most of the decade center-stage was occupied by the liberal wing of the Republican party, rather than the slightly more progressive Democratic party. Liberal Republicans, often dubbed Rockefeller Republicans in recognition of the leading role played by the Standard Oil scion and New York politician Nelson Rockefeller, supported a well-regulated, corporate-friendly form of welfare state capitalism; Keynesian fiscal pol-

icy oriented toward sustained economic growth and a rising tide lifting all boats; cautious and targeted exercises of federal and state power to eliminate de jure segregation; and a muscular but cooperative foreign policy that relied upon development aid and military deterrence and avoided direct military conflict. By the late 1950s, the more progressive wing of the mid-century liberal consensus, led by the Democratic Senator Eugene McCarthy, was reasserting itself, leading to Democrat John F. Kennedy's election as President in 1960. These Democrats, slightly more progressive than the liberal Republicans, supported a well-regulated but more labor-friendly form of welfare state capitalism; the prioritization of poverty relief; and a more pronounced and comprehensive federal role in the elimination of *de jure* racial segregation. They held center-stage within the mid-century liberal consensus until the mid-1960s.

For two decades, from the mid-1940s to the mid-1960s, the mid-century liberal consensus held. Its center of gravity shifted between liberal Republicans and somewhat more progressive Democrats. But the broad political consensus held. Remarkably, it held despite, or perhaps because of, the absence of any underlying public ideological vision or orientation. The shared public self-understanding and sense of national purpose that it expressed seemed to involve little more than the formalities of liberal democracy, a growing capitalist economy, and an anti-communist foreign policy. Commentators described the era as an "end of ideology". But then in 1964 the Republican party nominated Barry Goldwater as its candidate for president. Goldwater supported civil rights. But he was hostile to the welfare state, to organized labor, and to the federal administrative bureaucratic state that had been nurtured since FDR's New Deal to serve as a counterforce capable of maintaining a durable détente between organized capital and organized labor. And he favored a more aggressive militantly anti-communist foreign policy. In 1964 Goldwater lost badly to Lyndon Johnson, who as Kennedy's vice-president had, upon Kennedy's 1962 assassination, become President and so ran as an incumbent. But Goldwater's candidacy signaled the beginning of both the end of the mid-century liberal consensus and the return of ideologically driven politics. Ronald Reagan's election as President in 1980 completed the process.

While it held for roughly two decades, the mid-century liberal consensus incorporated a commitment to FDR's so-called "second bill of rights"

(1944): legislatively secured rights to employment opportunity, housing, health care, social security, education, and other necessities, including some amount of leisure. It also incorporated President Truman's "Fair Deal" (1949): the extension of political and civil rights, long secured for Whites and men, to Blacks, women, and other marginalized groups (e.g., Jews). With respect to voting rights, it rejected poll taxes and literacy tests. With respect to education and housing, it rejected *de jure* segregation, then still common in many Southern states. With respect to economic policy, it incorporated a commitment to realizing economic efficiency and mutual advantage through private property (capital, labor, commodity) markets regulated by state action to preserve a competitive price system (e.g., through anti-trust legislation) and macro-economic stability (e.g., through Keynesian fiscal policy). On these fronts – securing for all citizens a decent social minimum and equal political and civil liberties, and maintaining an efficient, competitive, and stable private property market economy; what Arthur Schlessinger dubbed the "vital center", occupied by Rockefeller Republicans and Kennedy Democrats alike – *TJ* and Rawls's work more generally does, in fact, overlap with the so-called mid-century American liberal consensus. (Schlessinger 1949) Relative to this consensus, there was, as Rawls himself often observed over the period, visible progress in America from the mid-1940s through the mid-1960s.

But Rawls never fully embraced the mid-century consensus. He rejected its acquiescence, if not commitment, to an administrative state sufficiently large and powerful to, *inter alia*, constitute a counterforce adequate to maintain a durable détente between organized capital and organized labor. He found it impossible to see how a republican liberal democratic people could regulate and so survive an economy that it understood to be appropriately organized around the ostensibly permanent fact of a structural competitive relationship between organized capital and organized labor. Rather than empower the state to match the power of and maintain a *modus vivendi* between organized capital and organized labor, Rawls favored economic reforms that would ensure productive resources, whether physical, financial or human, were widely and continually circulated within and across generations of citizens who in turn understood their economy to be appropriately organized so that as free equals they could all accept as a matter of pure procedural justice

whatever particular allocations of distinct roles, responsibilities, wealth and income their voluntary undertakings within it generated.

And he rejected the welfare state. To be sure, he understood the state to be properly tasked with ensuring for all citizens resources sufficient to their participating on fair terms with others in political and economic life, and so he shared with the welfare state a commitment to eliminating poverty and securing an adequate social minimum. But this he distinguished from tasking the state with securing for citizens any particular level of welfare or happiness or well-being. A state so tasked would find itself inevitably drawn into regulating diverse voluntary associations and without any reliable measure of its success. Rawls was focused not on welfare or happiness or well-being, which was in large part the responsibility of individuals. He was focused on socially produced resources instrumentally valuable for all, for these were the collective responsibility of citizens (Rawls 2001, secs. 41 and 42).

Further, Rawls rejected inequalities allowed by the welfare state. He rejected both non-trivial inequalities in the substantive value of political liberties, and, between sectors within society's division of labor, inequalities not strictly necessary to maximizing the income and wealth of the sector least-advantaged (unskilled labor in the mid-20th century) relative to the benchmark of sectors cooperating for equal advantage. To find prominent American thinkers expressing this idea, one does better to look not to the mid-century liberal consensus, but to early-20th century progressivism. (e.g., Perry 1918).

It is there that one finds outlined the idea of 'property-owning democracy,' which Rawls was already endorsing as early as 1951, long before he formulated the principles of justice articulated and defended in *TJ*. Preeminent among its merits was that it was well-aligned, at both the macro and micro levels, with what he took to be core republican liberal democratic commitments and an associated *prenez garde* attitude toward the state. Republican liberal democracy was simply not compatible with an economy the viability of which required a large and powerful state to maintain a durable détente between between organized capital and organized labor engaged in permanent structural competition. Nor was it compatible with a state tasked with securing for citizens a particular level of welfare or happiness or well-being. Of course, property-owning democracy required state action. But it did not require a massive administrative bureaucratic state able to facilitate industry-wide collective bargaining agreements between organized capital

and organized labor, or to regulate the welfare, happiness or well-being of citizens regardless of their diverse voluntary associations. Property-owning democracy required only sustained redirection of some already existing state policies. It required redirecting anti-trust policy from only maintaining a competitive price system, which the mid-century liberal consensus endorsed, to also facilitating a wide and continual circulation of productive resources within and across generations. It required redirecting estate and inheritance tax policy from raising revenues for an ever-expanding welfare state to facilitating a wide and continual circulation of productive resources. It required redirecting welfare programs toward ensuring that all citizens have continual reliable access to productive resources sufficient to participate and make their own way on fair terms in political and economic life. At both the macro and the micro levels, property-owning democracy is aligned with a conception of republican liberal democratic self-governance. At the macro level, it does not task citizens with controlling and directing a state large and powerful enough to impose a modus vivendi on the permanent structural competition between them as organized capital and organized labor. At the micro level, by ensuring an economy dominated by small to moderately sized firms operating in a context within which productive resources widely and continually circulate, it provides fertile soil for voluntary experiments in workplace democracy (Rawls 1971 [1999a], sec. 43).

It is not clear whence Rawls drew the phrase "property-owning democracy" in the early 1950s, though it seems certain he drew it from early 20th century American progressives. He would of course later have likely encountered it while on a Fulbright at Oxford. In the United Kingdom, the phrase ran back to the early 20th century. There, after World War I, Noel Skelton, a Conservative MP, recognized that in the UK universal suffrage and mass democracy was a *fait accompli* and that neither it nor a vibrant market economy organized around private ownership would long survive if the newly enfranchised working classes were not made into citizens with roughly symmetrical stakes in and vulnerabilities to the unavoidable economic interdependencies of the rapidly advancing industrialized market economy. This meant that workers had to be also private owners of productive property. Toward this end, Skelton proposed combining an agricultural sector returned to small-landholders and an industrial sector reformed so that wage workers enjoyed not only a social minimum but also opportunities to participate in workplace governance

and eventually to share in firm ownership. After World War II, in the early 1950s, while Rawls was on a Fulbright at Oxford, the Conservative Party, having ousted Atlee's post-War Labor Party government, which had nationalized several large industrial sectors, again made Skelton's property-owning democracy part of its political platform, and Rawls would probably have encountered the phrase at that time. In the mid-1960s, James Meade, a British economist difficult to pigeon-hole, argued for a modestly modified version of Skelton's property-owning democracy as an institutional ideal superior to welfare state capitalism, to the trade union state, and to centralized state socialism. On Meade's version, property-owning democracy aims to maintain background conditions such that all citizens are both wage workers and owners of productive private property. It is to Meade that Rawls refers in *TJ* when he endorses property-owning democracy[1] (Jackson 2012; Ron 2008). But he clearly had the idea and phrase before any encounter with Meade's work or with the idea and phrase as part of British politics more generally.

Within the American context, the idea of, if not the phrase, property-owning democracy runs from Thomas Paine and Thomas Jefferson through Abraham Lincoln and Woodrow Wilson. (Tong 2015) In the early 20th century it drew the allegiance of a wide range of thinkers, all of whom by mid-century Rawls was familiar with, from both his family and his schooling: not only Wilson, but the liberal Jewish Supreme Court Justice Louis Brandeis, the German historical school economist Richard Ely, the Chicago school classical economist Frank Knight, the 'critical realist' philosopher Ralph Barton Perry, and the journalist and political theorist Herbert Croly, among others. Despite their disciplinary and methodological differences, all these early 20th century American thinkers converged generally on the substantive political ideal that mid-century Rawls was characterizing as "property-owning democracy". From the late 1930s, Rawls worried, along with his parents, that

[1] If one thinks of Atlee's Labor Party government as committed to something like liberal market socialism, then both institutional ideals that Rawls contemplates in *TJ* as potential embodiments of justice as fairness were in the UK on the political table, as it were, in the immediate post-War years. Thus, for those who read *TJ* from a British point of view, there is perhaps more to the claim that it and Rawls's work more generally expresses a mid-century liberal consensus. But for Americans, and for Rawls as an American, matters are, as I argue, otherwise.

under FDR the country was slowly beginning to drift away from rather than continuing to move toward this ideal. Like his parents, he opposed FDR and supported Wendell Willkie in the 1940 presidential election, maintaining that Willkie, a Wilsonian progressive Democrat who switched to the Republican party to run against FDR, better expressed and was a safer steward of the American political tradition with which they identified.

A central part of this tradition, and of Willkie's campaign against FDR in 1940, was a cautious, anti-imperialist foreign policy that focused on international cooperation and resisted the use of military force save as democratically authorized in clear cases of national self-defense. Oriented by the Cold War and eager to contain expanding Soviet and Chinese influence, the foreign policy of the mid-century liberal consensus drifted from this tradition. America mid-century adopted foreign policy aims and developed foreign policy capabilities, including military, the possession and exercise of which would only threaten domestically the American political tradition with which Rawls identified. Truman's launch of the Korean War, Eisenhower's approval of covert American involvement in the 1953 overthrow of the Mossadegh regime in Iran, in the 1954 overthrow of Arbenz in Guatemala, in America's 1954 entry into the conflict in Vietnam, all without Congressional authorization were all at odds with the anti-imperialist, war averse, internationalism of early 20th century American progressivism. To be sure, the foreign policy orientation of both early 20th century American progressivism and mid-century American liberalism fell somewhere between imperialist and isolationist. But mid-century Cold War liberals were more readily moved to military campaigns, and so placed domestic commitments and achievements at greater risk, than earlier progressives. The unfair selective conscription of citizens into military service only exacerbated the threat to domestic commitments and achievements. As with domestic policy, so too with foreign policy: while mid-century Rawls was a kind of American liberal, he was as much or more an early-20th century progressive kind of liberal as he was a mid-century and Cold War liberal.

One final observation about the relationship between Rawls's and *TJ*'s substantive political commitments and those orienting the so-called mid-century American liberal consensus. First, the point and purpose of the state, on Rawls's view, was to secure, as the agent of citizens acting as free equals, just background conditions for their diverse voluntary associ-

ational undertakings, the pursuit of their welfare, happiness or well-being. In addition to national security and peaceful international relations, these conditions included a republican liberal democratic constitution, the rule of law, essential public goods such as sanitation, and an economy organized so that as free equals all citizens could accept the results of their voluntary undertakings within it as a matter of pure procedural justice. It was permissible for citizens to task their state with the pursuit of other ends *only* if there was democratically expressed consensus, or near consensus, on how to fund the undertaking. (Rawls 1971 [1999a], sec. 43) This 'Wicksellian' constraint on the ability of a mere democratic majority to expand the power and capacity of the state expressed Rawls's *prenez garde* stance toward the state. It is a constraint that other prominent dissenters from the mid-century liberal consensus, for example, F.A. Hayek and James Buchanan, also saw increasingly breached as, from FDR on, often bare democratic majorities increasingly tasked the state with satisfying their aggregate preferences or interests. This point of common commitment led these other dissenters to try to draw Rawls into the circles of the Mont Pelerin Society and the emerging public choice school of political economy. But while Rawls shared with these dissenters (and with Barry Goldwater) significant worries about mere democratic majorities increasingly expanding a large and powerful welfare state to satisfy their aggregate interests or preferences, he recognized that the substantive political commitments of these other dissenters were inconsistent with early 20th century American progressivism and the American tradition of which it was the flower in bloom. Theirs expressed an anti-progressive reactionary libertarian competitive individualism the ideological legitimacy of which depended on question begging notions of 'desert' and 'meritocracy.' Though Rawls joined them opposing the continual expansion of welfare state capitalism by mere democratic majorities, he did not do so for their reasons, as made clear by his own discussions of 'desert' and 'meritocracy' (Rawls 1971 [1999a], sec. 17).

III.

To understand the early 20th century American progressive commitment to property-owning democracy or something close to it, it helps to begin with America's path to the early 20th century. The United States was

founded in 1787 as a constitutional representative federal republic, not a democracy. By constitutional amendment completed in 1791, it was transformed into a constitutional representative federal liberal republic. But democratic aspirations were not foreign to its Founders. Here Jefferson stands out. With Thomas Paine, Jefferson recognized that liberal democracy was the culmination of the republican political tradition and that citizenship in a liberal democratic republic required not only an independence that was incompatible with both chattel and so-called wage slavery, but also kind of approximate equality in economic relations. In a democratic liberal republic, citizens had to be roughly symmetrically vulnerable to the unavoidable interdependencies of their common market economy. Jefferson insisted that democratic liberal republican citizenship required, then, a constant redivision and recirculation over generations of productive property (then mainly land) so that citizens would remain not only adequately independent but also more or less symmetrically situated relative to the background structural interdependencies of the capital, labor, and commodity markets that they shared. In Jefferson's view, the "Western Frontier" fortuitously provided Americans with a way, within their Constitution, to approximate this condition. Thus, the Louisiana Purchase (and the possibility it afforded all citizens to be landholders) was for him necessary to the new country's progressive realization as a constitutional democratic liberal republic. It kindled and spread the "democratic spirit" that Tocqueville observed in the United States only a few years after Jefferson's death. Unfortunately, it also brought the Missouri Compromise of 1820 which allowed slavery to spread into part of the new US territory.

Though many states within the new United States eliminated chattel slavery, an inherited British practice, before or shortly after the Founding, others, with Constitutional permission, retained it. Though Jefferson, a Virginian, owned slaves, he hoped that in due course those states, such as his own, would find a way to abandon the practice without economic collapse or a Constitutional crisis. And, but for the Missouri Compromise, the Louisiana Purchase might have hastened the process. But the Compromise breathed new life into chattel slavery, and it was clear by the mid-19th century that it would not disappear from the United States without a Constitutional crisis and/or substantial economic cost to the South, probably both. Initially elected to keep slavery from further ex-

panding into the Western territories, Lincoln eventually led the country through a Civil War and the abolition of slavery first piecemeal by Executive Order and then wholesale by Constitutional Amendment.

Like Jefferson before him, Lincoln understood that republican liberal democratic self-governance – government of, by and for the people – required not only the elimination of both chattel and so-called wage slavery, but also the maintenance of citizens roughly equally vulnerable over time to the unavoidable interdependences of their shared labor, capital, and commodities markets. Even before the Civil War, with the Western Frontier still open, he and Radical Republicans launched several initiatives oriented by this ideal. After the War and during Reconstruction, Radical Republicans continued the effort to build in America what might have been characterized as a property-owning democracy. But with the (in retrospect premature) end of Reconstruction, new patterns of economic vulnerability emerged.

In the South, the quasi-feudal agricultural system of sharecropping took hold. In the Northeast, industrialization intensified and then spread westward with the railroads over the latter decades of the 19th century. Outside the South, independent small-scale farming, tradecraft and manufacturing oriented to regional consumption was steadily displaced by large scale agriculture and industrialized factory production oriented to national consumption. Land and capital steadily accumulated in fewer hands. Outside the South, cities grew rapidly, fueled by capital investment in industry and substantial flows of inexpensive immigrant and Southern Black labor. Across the Plains states, large livestock companies, with their own factory scaled meatpacking facilities, grew rapidly. With the new economy, all manner of new social pathologies emerged and spread across America.

The Western Frontier 'closed' around the end of the 19th century. All the land was effectively parceled to owners. Of the contiguous 48 states, only Oklahoma, Arizona and New Mexico awaited admission to the Union, which occurred early in the new century. Observant Americans had long seen the writing on the wall. Achieving and sustaining a property-owning democracy would require new thinking. The muckraking journalist Henry Demarest Lloyd observed as early as 1879 that "the constitutional era for which Jefferson wrote is nearing its end. New departures need a new political philosophy".

As the Western frontier closed and new social pathologies emerged and spread, a wide range of reform movements emerged over the latter years of the 19th century: Western populist, farm-labor, Social Gospel, anti-corruption, and so on. States and municipalities experimented; state constitutions were amended and new political institutions established, including direct democracy mechanisms such as the referendum, recall and initiative, and anti-elite mechanisms such as the primary voting system for selecting party candidates. At the national level, the 20th century began with Theodore Roosevelt's two terms as a reformer turned progressive President.

Roosevelt recognized that many of the country's new social pathologies grew out of a mismatch between a constitutional, institutional and legal order still oriented toward the open frontier and rapidly passing farmer and small manufacturer economy of the 19th century, on the one hand, and the now closed frontier and new and large corporations, trusts, banks, and monopolies of the 20th century. Though he lacked 'a new political philosophy,' he had a plan. Convinced that the new and large corporations, trusts, banks, and monopolies had emerged because they were economically efficient, he saw no reason to eliminate them. His plan was, instead, to subordinate them to an expanded and more powerful federal government, especially its Executive Branch and a new professionalized civil service, capable of ensuring that they serve the public interest and common good.

As he completed his second term as President, a then largely unknown Herbert Croly published *The Promise of American Life* (Croly 1909). Croly had been raised on Comte's positivism and a heterodox Christianity that rejected Augustinian original sin. He was then educated at Harvard into Josiah Royce's idealism. In a spirit reminiscent of Lloyd, and that Roosevelt found more than congenial, he argued that the time had come for Americans to embrace a new political philosophy. Drawing on Alexander Hamilton's commitment to a strong national executive able to catalyze, express and execute public opinion for the sake of economic growth and prosperity, on Jefferson's commitment to a property-owning republican liberal democracy, and on Andrew Jackson's commitment to including with equal dignity in national life hoi polloi in America, Croly set out a new vision of the 'promise' of American life. He dubbed it a "new nationalism". It fused the progressive realization of democratic liberal republican nationalism with the effective regulation of a national

market economy by federally coordinated but locally implemented decentralized state power, regional and associational pluralism and toleration, a political-cultural rather than ethno-religious nationalism, and the rejection of both isolationist and interventionist foreign policies in favor of international peace and cooperation. Croly's "new nationalism" provided, at least in outline, a new political philosophy capable of uniting the early 20th century's many diverse and multifaceted progressive reform movements.

In 1910, no longer in office but hoping to influence the direction of progressive reform, Theodore Roosevelt drew from Croly's book to deliver in Kansas a speech calling for, and titled, A N*ew* N*ationalism*. Appealing to Lincoln and Jefferson, he identified America with a great democratic experiment aimed at realizing freedom and union at national scale. Affirming his commitment to a private property market economy, he insisted on its subordination to the requirements of republican democratic self-governance. These included securing for all citizens a right to vote the value of which was independent of their wealth and income, immunizing political institutions from domination and capture by economic special interests, and regulating capital markets so that they positively serve the good of the community. Americans, he insisted, did not begrudge one another differential income and wealth. What they rightfully demanded was instead that no one's income and wealth either exceed or fall short of what they earn through their voluntary efforts within an economy organized such that all democratically accept it as advancing their common good. Their common good he identified with the ability of average men and women to develop and exercise their capacities for sound judgment not only in politics, but in their families, churches and diverse associational undertakings in civil society.

In 1912, Theodore Roosevelt sought again the Republican Party's nomination as its candidate for President. When the Party nominated the incumbent, Taft, who thought Roosevelt too close to dangerous populism, Roosevelt ran as the newly created Progressive 'Bull Moose' Party candidate, adopting 'A New Nationalism' as his campaign slogan. Addressing the New York Bar Association that year, Elihu Root, a prominent Republican attorney and past cabinet member in Roosevelt's prior administration, echoed Lloyd and Croly: conditions in the United States had shifted sufficiently such that if American's were to keep faith with

aspirations of Jefferson and Lincoln, they needed 'a new political philosophy,' 'a new nationalism'.

The Achille's heel of Theodore Roosevelt's 'new nationalism' was its emphasis on expanding the power and scope of the federal executive office. Croly's supported so doing, but as a temporary measure necessary to cultivate a national self-understanding and more robust federal state capacity adequate to the new problems of the new century. Eventually, Croly recognized, the progressive realization of democracy would require at the newly invigorated national level the supremacy of a deliberative legislative body. But others worried that temporary measures tend inevitably to become permanent, and that following Roosevelt would in the longer run compromise rather than advance republican liberal democratic self-governance.

This was the position taken by Woodrow Wilson, an academic political economist and a past President of Princeton University. Seeking to be the Democratic Party's candidate for President in 1912, Wilson, then Governor of New Jersey, presented himself as a different sort of progressive. To highlight what distinguished his platform from Theodore Roosevelt's, he adopted the campaign slogan of A N*ew* F*reedom*.

Wilson maintained that the new large national corporations, banks, trusts and monopolies that Roosevelt proposed to check and regulate by a larger and more powerful federal executive office were not in fact the inevitable result of timeless laws of economic efficiency but rather the result of contingent and recent laws of finance, liability and labor that favored them over smaller regional firms. Rather than grow the federal executive to match the power of the large national corporations, banks, trusts and monopolies, Wilson proposed using federal legislative power to break them up and to reform the laws of finance, liability and labor that had facilitated their growth. This, Wilson argued, was the more reliable path forward. It expressed an appropriate and American *prenez garde* attitude toward the size and power of the state and toward populism conjoined with executive branch supremacy over the more deliberative legislative branch.

Unhappily, Wilson also supported White supremacy and racial segregation, which he thought supported by evolutionary Darwinian theory. Throughout the South, this made his progressivism more attractive than Theodore Roosevelt's. Wilson was elected President in 1912. But he won only about 40% of the vote. Roosevelt won almost 30%. And the

Socialist Party candidate, Eugene Debs, won about 6%. The incumbent Republican, and the least progressive candidate, Taft, won little more than 20%. Americans were clearly divided over how best to understand progressivism. But they were united in a super-majority in favor of a progressive rather than more conservative national agenda. And they were clearly rejecting both the *laissez-faire* economic policy of previous decades and the Lockean natural law or, then more recently, classical aggregative utilitarian justifications offered for it.

Rawls's father worked vigorously supporting Wilson's candidacy. He did so with his senior law partner, who chaired Wilson's campaign in Maryland. Rawls's mother also supported Wilson. Rawls's father would remain a visible and prominent Wilson supporter throughout Wilson's two terms, and would thereafter continue to play an important role in Maryland politics as a Wilson progressive Democrat. John Rawls was born just as Wilson's second term ended. The family into which he was born had by then been for a decade a prominent politically active Wilson-supporting Democratic family.

Croly supported Roosevelt's 1912 candidacy. He thought Wilson's 'new freedom' campaign an invitation to take the country a step back toward 19th century Jeffersonian ideals that the country had clearly outgrown. But his enthusiasm for Roosevelt faded as he began to suspect that Roosevelt was committed as a permanent measure to a strong national executive cultivating and channeling a popular will. This Croly recognized as incompatible with the eventual supremacy of a national deliberative legislative office and so with the progressive realization of republican liberal democratic nationalism. As Croly's enthusiasm for Roosevelt faded, his enthusiasm for Wilson grew. In 1913, with Wilson's support, Americans ratified two progressive Constitutional amendments, permitting a national income tax, and requiring the direct election of Senators (who had previously been elected by state legislatures). Wilson took important steps early in his presidency to increase federal national regulatory capacity, but he seemed disinclined to any permanent institutional marriage between populism and executive authority. Croly conjectured that with some nudging Wilson might be led more fully to embrace the sort of new political philosophy that he had begun to outline in P*romise*.

And so, he began to work on a second book, fleshing out and refining the ideal that he outlined in P*romise* and outlining a political process, incorpo-

rating social education, economic reform, and constitutional amendment, oriented to its progressive realization in America. When War broke out in Europe, Croly recognized that it presented Wilson and Americans with an opportunity to further clarify and more fully embrace a 'new political philosophy' more adequate to the new century. He raced to complete *Progressive Democracy*, which was published late in 1914 (Croly 1914). Wilson read it with sympathy and understanding. So, very likely, did Rawls's parents.

Over the remainder of Wilson's presidency, Croly worked tirelessly with other public intellectuals to guide and to crystalize political and public support for his agenda. Shortly after publishing *Progressive Democracy*, he joined with Walter Lippmann and Walter Weyl to launch the influential magazine, *The New Republic* Wilson ally and prominent attorney Louis Brandeis, who Wilson would soon appoint to the Supreme Court, regularly contributed articles. The magazine was regularly read in the Rawls household and by Rawls's senior law partner. It served as a kind of gestational public forum for, and a midwife of, 'the new political philosophy' that Lloyd and Root had called for and that Croly thought Americans had been searching for since the premature end of Reconstruction. The 'new republic' would be, of course, a constitutional federated 'democratic' liberal republic. It would be oriented by both Roosevelt's substantive political commitments and Wilson's *prenez garde* attitude toward state power and capacity, especially in the form of populism channeled through executive office supremacy.

Three themes of *Progressive Democracy* bear mention. The first is that Croly takes the fundamental democratic idea to be that politically speaking there is no public authority superior to the convergent judgment of citizens as independent free equals. As Rawls would later put it in the early pages of his Ph.D. dissertation: When it comes to politics there can be between citizens no 'exalted authorities' to which publicly any or all must bow. Not any religion. Not natural law. Not the positively enacted Constitution or the law made pursuant to and in accord with it. Not the fact of tradition. Croly thought that Americans had finally evidenced this self-understanding with their 1913 Amendments. The post-Civil War Reconstruction Amendments were ambiguous. Abolitionists had drawn publicly on Christian natural law and natural rights (e.g., Lockean self-ownership) as an exalted authority to which politically citizens must publicly bow. By so doing they were able to defeat Southerners who drew publicly on the positively adopted Constitution

as an exalted political authority. But a political battle waged between publicly exalted authorities failed to express, Croly observed, the fundamental democratic idea. But by 1914, Americans seemed to Croly to be getting the idea that the only public political authority to which they and so their Constitution must bow was that of their convergent reflective judgment as independent free equals. This was not because they were infallible. It was rather because for them acting together as a body politic there was no further court of appeal beyond that of their convergent reflective judgment as independent free equals. It expressed their conscience as a democratic people. And just an individual person cannot rule herself save by accepting the authority of her own best conscientious judgment, so too for a democratic people. Neither a person nor a people is free if it subordinates its own conscientious judgment to an 'exalted authority'. Of course, this is the idea of wide and general reflective equilibrium, a central animating idea of *TJ* and Rawls's work more generally and one to which he was committed long before he developed his original position argument or appealed to the social contract tradition of Rousseau and Kant.

The second theme from P*rogressive* D*emocracy* that bears mention is the idea that without the radical transformation of the wage labor/capitalist system, the progressive realization of democracy in America would remain incomplete. Looking ahead, it was not enough, Croly insisted, that wage earners eventually enjoy a social safety net, collective bargaining, arbitration, workplace safety, rising wages, job security and equal chances to win the lottery and become employers or capitalists. Democracy required more than a generous welfare state. It required citizens reliably able in politics – as independent free equals and so as roughly symmetrically vulnerable to the unavoidable interdependencies of labor, capital, and commodities markets – to offer, deliberate others over, and vote for their own best judgments regarding collective action aimed at just relations between them and at their common good. It was compatible with private ownership of, and efficient markets for, labor, capital, and commodities. But it was incompatible with markets, irrespective of their efficiency, that over time predictably and avoidably permanently locked a large segment, perhaps even the bulk, of citizens into a lifetime of wage labor on terms and under conditions over which they had little, if any, power. A democracy with private property markets for labor, capital, and

commodities must maintain over successive generations citizens standing in a rough equality of lifetime vulnerability to unavoidable market interdependencies. To do so it must have some permanent mechanism(s) capable of widely circulating productive resources within and between generations, and of securing for wage workers opportunities for both meaningful shared governance within their specific workplaces and an ownership stake in their firms. Because temporary inequalities unavoidably arise in any market economy, it (or they) had to be immunized, ideally by both constitutional amendment and the convergence of free and equal citizens on a publicly shared 'higher law' orienting their politics, constitutional and otherwise, from ordinary democratic majorities.

While he continued to identify an important temporary role for the national executive in the progressive realization of democracy, Croly made explicit his worries about a state dominated by an executive office cultivating and channeling popular sentiment and matching the power of and subordinating the conflict between organized capital and organized labor. Aligning himself with Jefferson, Lincoln, and what he then hoped Wilson would prove to be, he argued for a form of property-owning democracy with deliberative legislative supremacy and within which workers might have not only fair value for their political liberties but ample opportunities for workplace self-governance and a share in firm ownership. He emphasized that the role of the state was to maintain a wide and continual circulation of productive property, whether physical, financial, or human. Though he withdrew from the executive-dominated-large-and-powerful-state component of Roosevelt's "new nationalism", he affirmed another of its components, one which he thought Wilson shared. And that was that given background conditions all citizens could as free equals affirm as fairly and reliably oriented toward their common good, Americans would not complain about transient inequalities in the allocation to particular individuals of income and wealth arising from their voluntary undertakings. Anticipating Rawls's idea of pure procedural justice, Croly held that, within the sort of property-owning democracy he thought required by the progressive realization of republican liberal democratic nationalism, citizens would accept without complaint or envy whatever allocation of income and wealth followed from their voluntary undertakings. Assuming voluntary undertakings in accord with the rules of the game, and the game itself one that all could affirm as

fairly and reliably oriented to their common good as free equals, there would be no reason, at least no reason of general justice, to interfere with or correct particular allocations ex-post. Their fundamental political interests satisfied by playing the game, citizens would not begrudge one another transient outcome inequalities of income and wealth.

The third theme from P*rogressive* D*emocracy* I want to highlight here is Croly's explicit recognition that to transform the wage labor/capital system (and perhaps also the role of money in the political process) as needed for the progressive realization of democracy in America, the Constitution most likely had to be amended. As a practical matter, he observed, this almost certainly meant first amending its Article V, which governs the very onerous amendment process. Acknowledging that the circumstance of the Founders' generation warranted Article V's very demanding procedure, and that it had not stopped Americans from amending their Constitution many times, including the still fresh 1913 16th and 17th Amendments, he emphasized that Americans had reached a point both in their social and political education and their constitutional ambitions warranting a more permissive amendment procedure. This was reflected in the supermajority consensus expressed in the 1912 presidential election, in which even the most conservative candidate, Taft, still claimed (and not without some justification) to be a progressive. (Among Taft's primary complaints about other progressives was that the populist and direct democracy reforms that they advanced often imposed a cost on the rule of law and political stability greater than any benefit conferred on the progressive realization of constitutional republican liberal democracy. Such considerations led him to reject the initial state constitution proposed by Arizona when it sought admission as a state into the federal union). P*rogressive* D*emocracy* was a call for Americans to take up constitutional politics, ideally to clear a path to amending formally their Constitution, alternatively to impose on the three branches of government sustained pressure sufficient informally to amend it.

Like Rawls, Croly recognized that in a constitutional democratic liberal republic, the Constitution is not and does not mean what the Supreme Court (or the President or Congress) says. It is and means what free and equal citizens over time exercising their political office as such allow the Court (and the President and Congress) to say that it is and means (Rawls 1993 [1996, 2001], 237). Their convergent reflective judg-

ment as free and equal citizens is the 'higher law' with which their positive constitution, whether formal and written or informal and unwritten, must eventually align. Croly believed that with respect to this "higher law" Americans were properly converging on a clearer conception of republican liberal democratic nationalism, leaving behind earlier forms of Lockean natural law and nondemocratic forms of republicanism as well as more recent forms of classical aggregative utilitarianism. He hoped to play a role in the associated constitutional reforms.

IV.

Rawls was born just as Wilson's second term ended. By that time early 20th century American progressivism was in retreat. Croly blamed Wilson, though not only Wilson. Wilson invoked World War I as sufficient justification to violate citizens' political liberties. He tolerated, even encouraged, anti-German ethno-nationalist sentiment. He promised Americans that they were joining the fight in Europe to make the world safe for democracy. But then at Versailles he traded away that prospect to advance the League of Nations, an undertaking for which he was unable, and should have known he would be unable, to secure Senate ratification. He struggled to shift the country from a wartime to a peace-time economy. The economic downturn, combined with the return of Black soldiers increasingly and justifiably impatient with racial segregation in the United States, led to some of the worst racial conflict in US history. Wilson, a White supremacist, failed to intervene. By the end of Wilson's second term, Croly had lost faith in him.

More importantly, he had begun to lose faith in his fellow Americans, and not only because they failed to prevent Wilson from or politically to punish him in timely fashion for making the foregoing mistakes. But because they seemed increasingly prepared to trade the progressive realization of themselves as a distinct nonfungible republican liberal democratic nation or people for the apparent safety of a homogenous and basely materialist national consumer culture. To be sure, they ventured democratic progress by adopting the 19th Amendment granting women the vote, and the 18th Amendment prohibiting the sale and consumption of alcohol and thus, ostensibly, purifying the electorate and destroying

the corrupt 'tavern system' of politics. But the former was low-hanging fruit that should have been picked decades earlier when Theodore Roosevelt was arguing for women's suffrage. And the latter suggested a dangerous illiberalism. From Warren Harding's election as President at the time Rawls was born through the rest of the 1920s, Americans seemed steadily to abandon progressivism, at least within national politics. Taxes became more regressive. Capital became more concentrated. The economy became more dependent on financial speculation. Croly despaired that Americans were losing grip of their national purpose.

At the same time, academics and intellectuals working in the social sciences, philosophy, law, and related fields were drawn increasingly to reductively naturalistic, often physicalist or behavioralist, methods; to forms of positivism that entailed non-cognitivist, relativist or historicist positions on value; to a variety of new formalisms; and to a 'realist' skepticism about central democratic ideas such as the 'common good', 'will of the people', even 'the rule of law'. Economics, which had long identified value with the satisfaction of objective human needs and progress in terms of human development, began to identify value with the satisfaction of expressed preferences and progress with wealth production. The Millian utilitarianism with which Croly was sympathetic, always ill-suited to formalization, gave way to cruder utilitarianisms. Narrow technical expertise steadily replaced wider human wisdom. With respect to democratic self-understandings, a kind of crisis unfolding in America. (Purcell 1973) The early apparent success of the Soviet Union and then democratic struggles in Europe and elsewhere only added fuel to the fire. Then came the Great Depression.

Throughout the 1920s, Croly struggled to sustain and defend his commitment to progressive democracy. But like so many others at the time, he found himself increasingly susceptible to the emerging trends. He began to worry that ordinary citizens may forever be more irrational than he had thought, and that they might be reliably moved *en masse* only by a powerful executive responsibly wielding myth, metaphor, and religion to cultivate and then enact popular sentiment. He died shortly after the Depression began and before FDR was first elected president. In his final years, he found renewed his faith in ordinary American citizens and his hope for progressive democracy. But he confessed that he found himself unable philosophically to articulate and defend either. A large part of the

problem, by his own account, was that he lacked a moral psychology and political sociology capable of supporting an account of social learning adequate to the progressive realization and enduring stability of republican liberal democratic nationalism. Another part of the problem was that beyond general descriptions of the republican liberal democratic nationalist ideal that property-owning democracy expressed, he had no systematic public justification for either. He knew that Lockean natural law and classical aggregative utilitarianism were non-starters. But he made little further progress.

When he died, democracy was in full retreat, and not only in Europe. Wielding executive power, FDR seemed to lurch from plan to plan, hoping to find some way to save not so much progressive democracy in America as American capitalism. Expressing a sentiment widely shared in the social sciences at the time, the President of the American Political Science Association called on its members, at their 1934 annual meeting, to "rethink the dogma of universal suffrage" as well as liberal deliberative democracy more generally. Governance by executive power informed by popular sentiment and technical expertise looked more promising.

Of course, Americans were still broadly committed to democracy. But among *hoi polloi*, the commitment was, as noted, each in his own way, by Louis Hartz and Daniel Boorstin, tied to the Founders' largely Lockean political self-understandings (Hartz 1955; Boorstin 1958). To be sure, it sought to transcend the struggle between 19th century interpretations of Lockean self-ownership as a natural right within natural law, laissez-faire liberal, on the one hand, and Marxist, on the other. But it did so not by rejecting the fundamental idea of Lockean natural rights and natural law but rather by endeavoring, *ad hoc*, to render their consequences politically tolerable. That *hoi polloi* failed to get out from under Lockean natural rights and natural law, and from self-ownership as fundamental, was evidenced by FDR's public defense of his Social Security initiative as a kind of self-insurance scheme whereby workers would exchange some of the current market value of their labor for the sake of post-retirement income, a pattern of reasoning that was mirrored after World War II during the so-called mid-century liberal consensus when industry-wide pension plans were negotiated, with state oversight, between organized capital and organized labor.

Intellectuals ready to abandon Lockean natural law and natural rights seemed to turn either to Catholic Thomistic rationalism or to empirically

oriented pragmatism, often relativist and historicist. In 1940, a major interdisciplinary conference in New York addressing the future of American democracy degenerated into a shouting match between competing camps none of which could embrace Croly's progressive democracy or the fundamental democratic idea that as between independent free and equal citizens there is no public political authority higher than their convergent reflective judgment. The progressivism for which Croly had been a national voice seemed all but forgotten.

It found something of a champion in Wendell Willkie, the Wilson progressive Democrat who switched parties in order to oppose FDR in the 1940 presidential election. As noted, Rawls's parents, and Rawls himself, supported Willkie. But FDR won. And then Pearl Harbor drew the United States fully into World War II. John Rawls was drafted into the Army, serving in the Pacific and participating in some of the most difficult campaigns and worst fighting of the War.

When the war ended, Rawls faced hard questions. Some were theological. Others were political and moral. For what had he fought and killed? If it was to express his faith in human nature freely expressed and his commitment to what Lincoln had called humanity's "last best hope", and to what Croly had thought, with J.S. Mill, the permanent interest of humankind as a progressive species, then should he not be able to articulate and defend this faith and hope as rational, reasonable, and not wildly unrealistic. From his post-war graduate studies to his death, this is precisely what he tried to do. Of course, in so doing there would be some overlap between what he aimed to articulate and defend and the so-called mid-century American liberal consensus. But to focus on that overlap is to miss the more compelling arc of Rawls's efforts.

In the late 1950s, at what might be thought of as the high-water mark of the so-called mid-century American liberal consensus, and year before he hired Rawls at Harvard, Morton White observed that the American progressive tradition from the early 20th century had fallen into full eclipse. Looking for publicly articulated alternatives to the still loosely Lockean mid-century liberal consensus, he was able to identify only a resuscitation of the Catholic metaphysical Thomism (which he associated with Mortimer Adler) and of Protestant Augustinian realism (which he associated with Reinhold Niebuhr). (White 1957, xxx-xxxi) White was drawn to recruit Rawls to Harvard in part because he saw already in his

mid-century work more than a decade before *TJ* the possibility of politically resuscitating and breathing new philosophical life into the then all-but-forgotten American progressive tradition of the earlier 20th century, reinvigorating an American sense of national purpose capable of orienting Americans for the foreseeable future. By the time Rawls published *TJ*, however, events had conspired to obscure its and Rawls's aims. As the so-called mid-century liberal consensus gave way to the dissensus politics of the New Right and the New Left, readers read Rawls and *TJ* through that contest, feeling it necessary to assign him and it to one side or the other, or to the preservation of the mid-century consensus status quo ante. But to so read is to misunderstand Rawls, *TJ* and his work more generally. He spent his professional life trying to do what Croly was unable to do: articulate and defend, as rational, reasonable and realistic, an early 20th century progressive account of America's national purpose, a purpose that has roots that run back to the Founding but that demands a new articulation and defense for a national mass pluralist industrialized democracy. In 21st century America, so-called progressives would do well, at least insofar as they have any interest in renewing America's sense of national purpose, to return to Rawls as an essential contributor to the tradition that they claim as their own.

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