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Rawlsian justice and welfare state: Foundations, critiques and institutional alternatives

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Abstract

The present research paper seeks to examine John Rawls's theory of justice and its complex relationship with 'welfare state institutions'. While 'A Theory of Justice' (1971) has profoundly influenced contemporary political philosophy and social policy discussions, John Rawls's framework presents both a philosophical foundation for welfare state policies and a fundamental critique of "Welfare State Capitalism". This paper analyzes the core principles of 'Rawlsian justice' like the 'original position', 'veil of ignorance' and 'two principles of justice' and explores how these concepts relate to 'welfare state' theory. Through comprehensive analysis, this research demonstrates that while Rawls's theory offers compelling justifications for redistributive policies and social safety nets, it simultaneously challenges traditional "Welfare State Capitalism" and points towards more fundamental institutional alternatives like "property-owning democracy" and "liberal socialism". The analysis reveals that contemporary welfare states face increasing challenges from inequality, political polarization and economic pressures, making Rawls's institutional alternatives increasingly relevant to current policy debates.

Keywords: Distributive justice, welfare state, welfare state capitalism, property-owning democracy, liberal socialism

1. Introduction

The relationship between justice and social welfare has been a central concern in political philosophy for centuries, but few works have been as influential in shaping modern discourse as John Rawls's 'A Theory of Justice'. This seminal work (1971) revitalized political philosophy and provided a systematic framework for understanding 'distributive justice' in modern democratic societies. Rawls's theory offers both a defense of certain welfare state principles and a sophisticated critique of existing welfare arrangements, creating a complex but illuminating relationship between 'Rawlsian justice' and welfare state theory. This paper examines how Rawls's theory of justice functions as a philosophical model for understanding and evaluating welfare state institutions. The central argument developed here is that while 'Rawlsian justice' provides strong theoretical support for redistributive policies and social welfare programs, it simultaneously challenges the adequacy of traditional "Welfare State Capitalism" and points toward more fundamental institutional reforms. This analysis is particularly relevant in contemporary debates about inequality, social policy and the proper role of government in ensuring the fair distribution of social goods. The significance of this investigation extends beyond academic philosophy to practical policy considerations. As societies grapple with increasing inequality and debates over social welfare provision, Rawls's framework offers valuable insights into the moral foundations of redistributive policies and the institutional arrangements necessary to achieve social justice.

2. Theoretical Foundations of Rawlsian Justice

2.1. The original position and veil of ignorance

The cornerstone of John Rawls's theory lies in the thought experiment known as the 'original position'. This hypothetical scenario serves as a device for determining principles of justice that rational individuals would choose under conditions designed to ensure fairness and impartiality. In the 'original position', parties are placed behind a 'veil of ignorance' that deprives them of knowledge about their personal characteristics, social position and conception of the good.

The 'veil of ignorance' ensures that the chosen principles of justice are not biased by particular interests or circumstances. Those in the 'original position' do not know their race, gender, social class, natural talents or religious beliefs. This ignorance is designed to create conditions where rational individuals would choose principles that are fair to all members of society, since they do not know which position they will occupy in the actual society. The philosophical significance of this approach lies in its attempt to model moral impartiality through rational choice. By removing knowledge of particular circumstances, Rawls aims to ensure that the principles chosen reflect what is genuinely fair rather than what serves particular interests. This methodological innovation has been widely influential in political philosophy and continues to generate substantial scholarly debate.

2.2. The Two Principles of Justice

From the 'original position', John Rawls argues that rational parties would choose two fundamental principles of justice arranged in lexical priority. The first principle, often called the liberty principle, states that "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." This principle encompasses fundamental rights such as freedom of thought, liberty of conscience, political liberties and rights protected by the rule of law. The second principle addresses social and economic inequalities and contains two parts. The first part, known as the fair equality of opportunity principle, requires that positions and offices be open to all under conditions of fair equality of opportunity. The second part, the famous 'difference principle', permits social and economic inequalities only if they are "to the greatest benefit of the least advantaged." Rawls arranges these principles in lexical priority, meaning the first principle must be satisfied before the second, and fair equality of opportunity takes priority over the 'difference principle'. This ordering reflects Rawls's view that basic liberties cannot be traded off for economic advantages, establishing a foundational commitment to individual rights within his theory of 'distributive justice'.

2.3. The Difference Principle and Distributive Justice

The 'difference principle' represents perhaps the most distinctive and controversial aspect of Rawls's theory. Unlike utilitarian approaches that seek to maximize total welfare, or strict egalitarian approaches that demand equal outcomes, the 'difference principle' allows inequalities only when they improve the position of the worst-off members of society. This principle embodies what Rawls calls "democratic equality", a conception that combines concern for equality with recognition that some inequalities may benefit everyone, including the least advantaged. The 'difference principle' requires that social institutions be arranged so that any departures from equality work to the advantage of those who are worst off in society. The 'difference principle' has significant implications for economic policy and institutional design. It provides a framework for evaluating whether particular economic arrangements or policy proposals are just, based on their effects on the least advantaged members of society. This focus on the worst-off distinguishes 'Rawlsian justice' from both laissez-faire capitalism and traditional utilitarian approaches to social policy.

3. Rawlsian Justice and Welfare State Theory

3.1. Theoretical Foundations for Social Welfare

John Rawls's theory provides strong philosophical foundations for many welfare state institutions and policies. The 'veil of ignorance' thought experiment suggests that rational individuals, not knowing their future position in society, would choose arrangements that provide security against falling into poverty or disadvantage. This reasoning supports a comprehensive social safety net that protects individuals against various risks and contingencies. The 'difference principle' offers a particularly powerful justification for redistributive policies. If economic inequalities are only just when they benefit the least advantaged, then progressive taxation, social insurance programs and other redistributive mechanisms become not merely permissible but potentially required by justice. This theoretical framework provides moral legitimacy for welfare state interventions that might otherwise be viewed as arbitrary interference with market outcomes. Rawls's emphasis on fair equality of opportunity also supports many welfare state programs, particularly those focused on education, healthcare and other services that affect individuals' life chances. The principle requires that social institutions work to counteract the effects of arbitrary advantages and disadvantages that individuals experience through no choice of their own.

3.2. The Rawlsian Social Welfare Function

Economists have formalized aspects of Rawls's approach through what is known as the Rawlsian social welfare function. This framework evaluates social policies based on their impact on the welfare of the least advantaged members of society. Unlike utilitarian social welfare functions that sum individual utilities, the 'Rawlsian approach' focuses specifically on maximizing the welfare of the worst-off. His approach has significant implications for policy evaluation and design. It suggests that policies should be assessed not on their effects on average welfare or total social output, but on how they affect those who are most disadvantaged. This perspective can lead to support for policies that prioritize poverty reduction and social inclusion over economic efficiency. The Rawlsian social welfare function also provides a framework for understanding the moral foundations of different welfare state arrangements. It offers a standard for evaluating whether particular social policies and institutions contribute to or detract from social justice, based on their effects on the least advantaged.

4. Rawls's Critique of Welfare State Capitalism

4.1. Limitations of Traditional Welfare States

Despite providing philosophical support for many welfare state institutions, Rawls was highly critical of what he termed "Welfare State Capitalism". He argued that traditional welfare states, while better than laissez-faire capitalism, fail to achieve genuine justice because they do not address the root causes of inequality. Instead, they merely attempt to remedy the worst effects of an unjust basic structure through after the fact redistribution. Rawls identified several fundamental problems with "Welfare State Capitalism". First, it fails to guarantee the fair value of political liberties because concentrated wealth allows some citizens to exercise disproportionate political influence. Second, it cannot adequately secure fair equality of opportunity when large inequalities in wealth and income persist across generations. Third, it violates the 'difference

principle' by permitting inequalities that do not benefit the least advantaged. The philosopher argued that "Welfare State Capitalism" is essentially a system of "ex post" redistribution that comes too late to prevent the concentration of economic and political power. This approach fails to address the structural features of capitalism that generate inequality in the first place, instead attempting to compensate for these inequalities through transfer payments and social services.

4.2. The Problem of Concentrated Wealth

A central concern in Rawls's critique involves the concentration of wealth and its effects on democratic institutions. He argued that when significant wealth is concentrated in the hands of a few, it becomes impossible to maintain the fair value of political liberties. Wealthy individuals and corporations can use their resources to influence political outcomes in ways that undermine democratic equality. This problem cannot be solved through traditional welfare state mechanisms alone. Even generous social programs and redistributive policies may be insufficient to counteract the political influence that comes with concentrated wealth. The wealthy can use their resources to shape policy debates, fund political campaigns and influence public opinion in ways that protect their advantages. Rawls's analysis suggests that addressing this problem requires more fundamental changes to the economic system itself. Rather than simply redistributing income after it has been earned, society needs institutions that prevent excessive concentration of wealth from occurring in the first place.

4.3. Alternative Institutional Arrangements

In response to these limitations, John Rawls proposed alternative institutional arrangements that could better realize the principles of justice. He identified two main alternatives to "Welfare State Capitalism" like "property-owning democracy" and "liberal socialism". Both systems aim to address the structural problems that prevent "Welfare State Capitalism" from achieving justice.

4.4. Property-owning Democracy

It involves widespread dispersal of productive assets rather than concentration in the hands of a few. This system would use inheritance taxes, asset redistribution and other mechanisms to ensure that ownership of capital is broadly distributed throughout the population. The goal is to give all citizens a meaningful stake in the economy while preventing the concentration of economic power.

4.5. Liberal socialism

It involves social ownership of the means of production combined with market mechanisms for allocation. This system would maintain competitive markets for goods and services while placing ownership and control of productive assets in social hands. John Rawls viewed both systems as potentially capable of realizing justice, with the choice between them depending on historical and cultural factors.

5. Property-owning Democracy as an Alternative Model

5.1. Institutional Features and Design

The "Property-owning democracy" represents Rawls's preferred alternative to "Welfare State Capitalism" for societies with strong traditions of private property and market economies. This system is designed to address the

fundamental problems of wealth concentration while maintaining the benefits of market mechanisms. The core idea is to ensure that productive assets are widely distributed rather than concentrated in the hands of a few. Key institutional features of "property-owning democracy" include progressive inheritance and gift taxes designed to prevent the intergenerational transmission of large concentrations of wealth. The system would also involve policies to promote widespread asset ownership, such as subsidized savings accounts, employee stock ownership plans and other mechanisms for distributing capital. Additionally, it would require strong antitrust enforcement and regulations to prevent the emergence of concentrated economic power. The system differs from "Welfare State Capitalism" not just in its distributive mechanisms but in its fundamental approach to economic organization. Rather than accepting high levels of inequality and attempting to remedy their worst effects through redistribution, "property-owning democracy" aims to prevent excessive inequality from arising in the first place. This represents a shift from "ex post" to "ex ante" approaches to 'distributive justice'.

5.2. Advantages Over Welfare State Capitalism

"Property-owning democracy" offers several advantages over traditional welfare state arrangements. First, by dispersing ownership of productive assets, it helps ensure that the fair value of political liberties is maintained. When citizens have roughly equal stakes in the economy, they are less likely to face systematic disadvantages in political participation. Second, the system better promotes fair equality of opportunity by addressing the root causes of inequality rather than merely its symptoms. When productive assets are widely distributed, children from different backgrounds are more likely to have similar opportunities for economic advancement. This represents a more fundamental approach to equality of opportunity than can be achieved through education and social services alone. Third, "property-owning democracy" is more likely to satisfy the 'difference principle' because it structures economic institutions to work for everyone's benefit. Rather than simply redistributing income after it has been earned, the system ensures that the basic structure of the economy operates in ways that benefit the least advantaged.

5.3. Challenges and Implementation

Despite its theoretical advantages, "property-owning democracy" faces significant practical challenges. The transition from existing capitalist arrangements to widespread asset ownership would require massive changes to legal, economic and political institutions. Such transitions would likely face substantial resistance from those who benefit from current arrangements. There are also questions about the economic efficiency of widespread asset ownership. Some economists argue that concentrated ownership may be necessary for effective management of large enterprises and efficient capital allocation. The dispersal of ownership might lead to coordination problems and reduced economic performance. Additionally, maintaining widespread asset distribution over time may prove difficult. Even with inheritance taxes and other redistributive mechanisms, there may be natural tendencies toward concentration that are difficult to counteract. The system would require constant vigilance and intervention to maintain its egalitarian character.

6. Contemporary Applications and Policy Implications

6.1. Modern Welfare State Challenges

Contemporary welfare states face numerous challenges that make Rawls's analysis particularly relevant. Rising inequality, political polarization and fiscal pressures have led to debates about the sustainability and effectiveness of traditional welfare arrangements. Rawls's framework provides tools for analyzing these challenges and thinking about potential reforms. The problem of concentrated wealth that Rawls identified has become increasingly severe in many developed countries. The growth of financial markets, technological change, and globalization have contributed to increasing concentration of assets in the hands of a small elite. This concentration threatens democratic institutions and makes it difficult to maintain fair equality of opportunity. At the same time, traditional welfare state mechanisms appear increasingly inadequate to address these challenges. Simple redistribution through taxes and transfers may be insufficient when the underlying distribution of assets is highly unequal. This suggests the need for more fundamental reforms along the lines that Rawls proposed.

6.2. Policy Reforms and Implementation

Rawls's theory suggests several specific policy directions that could move contemporary societies toward greater justice. Progressive taxation of wealth and inheritance represents one important mechanism for preventing excessive concentration of assets. Such policies could be designed to promote asset building among lower- and middle-income families while limiting the intergenerational transmission of privilege. Policies to promote broader asset ownership could include matched savings programs, employee stock ownership plans and sovereign wealth funds that distribute dividends to all citizens. These mechanisms could help ensure that all citizens have a meaningful stake in economic growth and development. Universal basic income proposals, while not explicitly endorsed by Rawls, share some features with his approach by providing all citizens with basic economic security. Education and healthcare policies also play critical roles in Rawlsian approaches to justice. Universal access to high quality education and healthcare helps ensure fair equality of opportunity by counteracting the effects of family background and natural lottery. Such policies are justified not merely as social investments but as requirements of justice.

6.3. Global Applications and Development

Rawls's framework has implications beyond domestic policy to questions of global justice and development. The principles of justice suggest that wealthy nations have obligations to assist in the development of just institutions in poorer countries. This might involve aid, technology transfer and institutional support designed to promote fair equality of opportunity globally. The 'difference principle' could also apply to global arrangements, suggesting that international economic institutions should be designed to benefit the world's least advantaged. This perspective provides a framework for critiquing current global economic arrangements that may perpetuate or exacerbate international inequalities. However, Rawls himself was cautious about extending his domestic theory of justice to the global level. His later work on 'The Law of Peoples' suggested a more limited approach to international justice

that respects the autonomy of different societies while still promoting basic human rights and development.

7. Critiques and Contemporary Debates

7.1. Philosophical Criticisms

Rawls's theory has generated extensive philosophical debate and criticism since its publication. Libertarian critics argue that the theory is too demanding in its redistributive requirements and violates individual rights to property and economic freedom. They contend that the 'difference principle' requires constant interference with market outcomes that undermines economic liberty. Communitarian critics argue that Rawls's approach is too individualistic and fails to recognize the importance of community and shared values in political life. They contend that the 'original position' abstracts too much from the social contexts that give meaning to human life. Some feminists have made similar arguments, suggesting that the theory fails to adequately address issues of care, dependency and gendered divisions of labor. Utilitarian critics argue that the 'difference principle' may require sacrificing overall welfare for the sake of helping the worst-off. They suggest that a more straightforward utilitarian approach might achieve better outcomes for society as a whole. Thus, these debates reflect deeper disagreements about the foundations of political morality and the proper goals of social institutions.

7.2. Practical Implementation Challenges

Beyond philosophical criticisms, Rawls's theory faces significant challenges in practical implementation. The transition to "property-owning democracy" or other alternative arrangements would require overcoming powerful vested interests and institutional inertia. Political feasibility constraints may make it difficult to achieve the kinds of fundamental reforms that Rawls's theory suggests are necessary. There are also questions about the administrative capacity required to implement and maintain Rawlsian institutions. Preventing concentration of wealth and ensuring fair equality of opportunity requires sophisticated institutional arrangements and ongoing government intervention. The information and enforcement requirements may be substantial, raising questions about feasibility and potential for abuse. Economic efficiency concerns also pose challenges. While Rawls argued that just institutions would be stable and productive over time, critics question whether the constant redistribution and regulation required by his theory might undermine economic growth and innovation. These concerns are particularly relevant in a competitive global economic environment.

7.3. Contemporary Relevance and Evolution

Despite these challenges, Rawls's framework remains highly relevant to contemporary political debates. Issues of inequality, social mobility, and democratic governance that concerned Rawls have become increasingly prominent in political discourse. His framework provides tools for analyzing these issues and thinking about potential solutions. Recent developments in inequality research have generally confirmed Rawls's concerns about the concentration of wealth and its effects on democratic institutions. Studies of social mobility suggest that fair equality of opportunity remains elusive in many societies. These findings lend support to Rawls's arguments about the inadequacy of "Welfare State Capitalism". At the same

time, new challenges such as technological change, environmental degradation, and global interconnection require extensions and modifications of Rawls's framework. Contemporary philosophers continue to develop and refine Rawlsian approaches to address these new challenges while maintaining the core insights of his theory.

8. Institutional Alternatives and Democratic Socialism

8.1. Liberal socialism as a Rawlsian Alternative

In addition to "property-owning democracy", Rawls identified "liberal socialism" as another institutional arrangement potentially capable of realizing justice. "Liberal socialism" combines social ownership of the means of production with market mechanisms for distributing goods and services. This system aims to achieve the benefits of market efficiency while ensuring that productive assets serve the common good rather than private profit. The case for democratic socialism from Rawlsian foundations has been developed by contemporary scholars who argue that it may better realize the principles of justice than "property-owning democracy". Democratic socialism would involve democratic control over economic decisions, workplace democracy and economic planning oriented toward meeting human needs rather than maximizing profit. Recent scholarship has explored how democratic socialist institutions might address the structural problems that Rawls identified with "Welfare State Capitalism". These include economic democracy, decommodification of essential goods and services and democratic economic planning that could ensure the 'difference principle' is satisfied.

8.2. Pluralist Democratic Approaches

Contemporary discussions of democratic socialism emphasize pluralist approaches that combine multiple forms of democratic organization. Rather than relying solely on state ownership or market mechanisms, pluralist democratic socialism envisions a variety of institutional forms including worker cooperatives, community ownership and democratic planning at multiple levels. This pluralist approach addresses some of the traditional criticisms of socialism while maintaining commitment to democratic control over economic life. It recognizes that different sectors of the economy may require different forms of organization while ensuring that all serve democratic purposes rather than private accumulation. The emphasis on associational democracy and civil society institutions in pluralist democratic socialism aligns with Rawls's concern for maintaining individual liberty while achieving economic justice. These approaches seek to overcome the dichotomy between individual freedom and collective organization by creating democratic institutions at multiple levels of society.

9. Conclusion

In view of the above analysis, it can be concluded that John Rawls's theory of justice provides both a powerful framework for understanding the moral foundations of the welfare state and a profound challenge to existing welfare arrangements. The theory offers compelling justifications for redistributive policies, social safety nets and efforts to promote equality of opportunity through the 'original position', 'veil of ignorance' and two principles of justice. These theoretical foundations provide systematic guidance for evaluating social policies based on their effects on the least advantaged members of society. However, Rawls's critique of "Welfare State Capitalism" reveals the

limitations of traditional approaches to social welfare. The concentration of wealth and political power that characterizes contemporary capitalist societies undermines the fair value of political liberties and prevents the realization of genuine equality of opportunity. Simple redistribution through taxes and transfers, while important, is insufficient to address these fundamental structural problems that generate inequality in the first place. The alternative institutional arrangements that Rawls proposed particularly "property-owning democracy" and "liberal socialism" offer more radical visions of how societies might be organized to achieve justice. These arrangements aim to prevent excessive concentration of wealth and power rather than merely responding to its effects. While the practical implementation of such arrangements faces significant challenges, they provide important guidance for thinking about institutional reforms that could move societies toward greater justice. The contemporary relevance of Rawls's framework is evident in ongoing debates about inequality, democracy and social policy. Rising inequality and political polarization in many developed countries reflect the kinds of problems that Rawls identified with "Welfare State Capitalism". His theory provides tools for analyzing these problems and thinking about potential solutions that go beyond conventional welfare policy. Looking forward, several implications emerge from this analysis. First, achieving social justice requires attention not only to the distribution of income and wealth but also to the institutional arrangements that generate these distributions. Second, maintaining democratic institutions requires preventing excessive concentration of economic power. Third, the goals of efficiency and justice are not necessarily incompatible, but achieving both requires careful institutional design. The enduring significance of Rawls's contribution lies not only in the specific principles and institutions he proposed but in the systematic framework he provided for thinking about justice. His method of approaching questions of 'distributive justice' through hypothetical rational choice under fair conditions continues to influence political philosophy and policy analysis. While debates continue about the details of his theory and its practical implications, the fundamental insights about the relationship between justice and institutional design remain highly relevant to contemporary challenges. Future research might profitably explore how Rawlsian principles apply to new challenges such as technological disruption, environmental change and global governance. Moreover, empirical research on the effects of different institutional arrangements could help evaluate the practical feasibility and effectiveness of 'Rawlsian reforms. Such work would contribute to the ongoing development of political theory while addressing practical questions about how to achieve more just societies. Ultimately, this analysis suggests that while Rawls's theory provides valuable guidance for thinking about welfare state institutions, it also calls for more fundamental reforms than have typically been implemented in contemporary societies. The full realization of 'Rawlsian justice' would require moving beyond "Welfare State Capitalism" towards new forms of economic and political organization that better embody the 'principles of fairness and equality' that lie at the heart of his theory. Whether through "property-owning democracy", "liberal socialism" or other institutional innovations, the path toward justice requires structural changes that address the root causes of inequality rather than merely its symptoms.

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