Contents

Abbreviations ix

Introduction 1

- Freestanding Political Philosophy and the Descriptivist Critique of Rawls 17
- 2. The Rawlsian Apparatus of Justification 34
- 3. Rawls between Metaphysics and Proceduralism 61
- Procedure and Substance, Construction and Reconstruction 81
- Discourse Theory and the Constitutional Democratic State 103
- Proceduralism and Functionalism in Habermas's Theory of Law and Democracy 125
- 7. Rawls and the Critique of Constitutional Contractarianism 149
- 8. Habermasian Constitutional Theory 166
- 9. Conclusion: Idealizations and Power 184

Notes 197 Works Cited 225 Index 237