MORAL AGENCY, COMMITMENT, AND IMPARTIALITY*

By Neera K. Badhwar

I. Introduction

Liberal political philosophy presupposes a moral theory according to which the ability to assess and choose conceptions of the good from a universal and impartial moral standpoint is central to the individual's moral identity. This viewpoint is standardly understood by liberals as that of a rational *human* (not *transcendental*) agent. Such an agent is able to reflect on her ends and pursuits, including those she strongly identifies with, and to understand and take into account the basic interests of others. From the perspective of liberalism as a political morality, the most important of these interests is the interest in maximum, equal liberty for each individual, and thus the most important moral principles are the principles of justice that protect individuals' rights to life and liberty.[1]

According to the communitarian critics of liberalism, however, the liberal picture of moral agency is unrealistically abstract. Communitarians object that moral agents in the real world neither choose their conceptions of the good nor occupy a universalistically impartial moral standpoint. Rather, their conceptions of the good are determined chiefly by the communities in which they find themselves, and these conceptions are largely "constitutive" of their particular moral identities. Moral agency is thus "situated" and "particularistic," and an impartial reflection on the conception of the good that constitutes it is undesirable, if not impossible. Further, communitarians contend, the good is "prior" to the right in the sense that moral norms are derived from, and justified in terms of, the good. An adequate moral and political theory must reflect these facts about moral agency and moral norms.

The idea that our moral identities are constituted by communally determined conceptions of the good and the right, and that an impartial reflection on these conceptions is impossible or undesirable, is essential to what I will call "communitarian morality." This view has been defended by Alasdair MacIntyre, Michael Sandel, and Michael Walzer, and something

*I would like to thank Chris Swoyer, the other contributors to this volume, and its editors, for their helpful comments.

[1] Thus, liberalism as a political philosophy obligates the state to enforce, and the individual qua citizen to respect, primarily (or only) these "negative" rights and other principles of justice. The wider moral theory from which liberalism draws its picture of the moral agent and moral viewpoint does, of course, recognize other sorts of moral duties and virtues of individuals.

© 1996 Social Philosophy and Policy Foundation. Printed in the USA.

close to it has often been defended by Charles Taylor and others. There are some important differences between Walzer's defense of "democratic communitarianism," on the one hand, and MacIntyre's and Sandel's defenses of "republican communitarianism," on the other.[2] Nevertheless, all three see communitarian morality, in contrast to liberal morality, as being respectful of the shared understandings and particularities of different communities; and all three see the only valid, efficacious, or even possible, moral criticism as criticism that is internal to a community's history and traditions. Internal criticism, they contend, is capable both of respecting a community's particular understandings, and of condemning any reprehensible practices it might engage in, such as slavery.

Liberals have challenged the communitarian view about the nature of moral identity and the moral point of view, as well as the claim that internal criticism is capable of distinguishing between good and bad communal practices. Liberals have also questioned communitarians' emphasis on political participation as a prerequisite of a good polity.[3] I will not repeat these criticisms here. Instead, I will concentrate on an issue that has gone almost unremarked by liberals, namely, the centrality of the political community to communitarian morality and the implications of this centrality for partial communities such as family or friends, as well as for other political communities.[4]

My first aim in this essay is to show that the communitarians' rejection of the impartial, universal viewpoint in favor of the situated viewpoint of the political community is incompatible with concern for the particularities of people's lives in partial communities as well as in other political communities.[5] Further, the communitarians' adoption of the political

[2] I will note these differences as and when they become relevant. Charles Taylor is generally regarded as a republican communitarian, although both he and Walzer seem recently to have distanced themselves from communitarianism. Even MacIntyre has declared that he is not and "never" has been a communitarian, but all he means by this is that he does not believe that a "systematically" communitarian society is any longer possible, not that communitarianism is not an ideal. In any case, all these writers continue to use the label "communitarian" for others who defend, or have defended, the view I have identified as communitarian morality, or similar views. See Daniel Bell, *Communitarianism and Its Critics* (Oxford: Clarendon Press, 1993), p. 17 n. 14. (Bell may be the only communitarian theorist who calls himself a communitarian.)

[3] On these points, see, for example, Amy Gutmann, "Communitarian Critics of Liberalism," *Philosophy and Public Affairs*, vol. 14, no. 3 (Summer 1985), pp. 308-22; and Allen E. Buchanan, "Assessing the Communitarian Critique of Liberalism," *Ethics*, vol. 99, no. 4 (July 1989), pp. 852-82.

[4] A major exception to the first part of my claim is Stephen Holmes, "The Permanent Structure of Antiliberal Thought," in Nancy L. Rosenblum, ed., *Liberalism and the Moral Life* (Cambridge: Harvard University Press, 1989), pp. 227-53. However, Holmes does not discuss the implications of the centrality of political community for other communities; rather, his concern is to point out the "unbroken continuity" of antiliberal thought since the Counter-Enlightenment of the late eighteenth and early nineteenth centuries, including the similarities between European fascism and republican communitarianism (p. 227).

[5] It is important to note that the rejection of the universal viewpoint is not simply a rejection of liberal political morality, as communitarian criticisms typically suggest, but a rejection of all ethical systems whose fundamental principles include norms of respect or concern,

community as the preeminent moral community is unjustified even if the general thesis about the situated nature of moral agents and the moral standpoint is granted. Indeed, I argue, on any plausible construal of this thesis, it is incompatible with the centrality of political community in communitarian morality.

My second aim is to show that there is an important sense in which the impartial, universal standpoint is internal to the standpoint we take in committing ourselves to particular persons or projects that have an intrinsic human importance. The impartial standpoint commits the liberal agent to treat all persons as equally real, as equally bearers of rights to their own (compossible) values and pursuits, by virtue of their common humanity. The ability to do this, I will argue, is inherent in the ability to commit oneself to particular goods that have, and are valued as having, an intrinsic human importance. Hence, insofar as such commitment is constitutive of an individual's or a community's identity, the impartial, universal standpoint is also constitutive of that identity, whether or not the individual or the community understands this explicitly or acts accordingly. To the extent that individuals or communities fail to act accordingly, they fail to act consistently with their own particular commitments and identity. An "internal" criticism of individuals or communities committed to goods with an intrinsic human importance, then, is certainly possible, but what it is internal to is not necessarily their practices or explicit self-understandings (which may be inconsistent with their commitment), but rather, the nature of their commitment to these goods.

II. The Political Morality of the Common Good

According to communitarians, our good as individuals is to be found primarily in our relationships to particular people (e.g., in family or friendship), in our various social roles (e.g., as doctor or farmer), in our membership in certain voluntary associations (e.g., tribe or church), and in the community which contains all these partial communities, namely, our political community or society. The most important goods we find in

however understood, for all human beings. These systems include not only secular humanism and Christianity but also (though some communitarians might deny it) Aristotle's ethics. For, despite his parochialism, and his endorsement of the idea that only free males, in contrast to "natural slaves" and to women, were capable of full human rationality, Aristotle regards justice and the other virtues as based on universal features of human nature and, therefore, as applicable to all human beings. Thus, justice is possible not only between men and women, but also between masters and slaves, and between Greeks and all other human beings: "every human being seems to have some relations of justice with everyone who is capable of community in law and agreement," including slaves; and, since justice, community, and friendship are coextensive, there is friendship even with a slave "to the extent that a slave is a human being" (Aristotle, *Nicomachean Ethics*, trans. Terence Irwin [Hackett Publishing Co., 1985], 1161b6; see also 1097b9-11, 1155a17-22, 1159b25-30; and *Eudemian Ethics*, 1245b18-19).

any of these communities are joint or common goods—goods that exist and can be realized only in these communities, and that, when realized, devolve jointly on the participants. A shared understanding of the common good of a community is, indeed, the primary bond of its members. Our moral norms or virtues are defined and justified in terms of these goods, and our moral selves are constituted by our commitment to these goods and norms.

But all of us are members of a variety of communities, each with its own goods and meanings. In case of moral disagreement, which of these is primary? The primary moral community for any of us, according to communitarians, is the political community, the community of citizens. As Walzer observes, "the political community is probably the closest we can come to a world of common meanings," and "in matters of morality, argument simply is the appeal to common meanings."[6] Walzer's claim that the political community is "a world of common meanings" rests on the assumption that the political community is also, typically, a historical community with a common language and culture, and shared "sensibilities and intuitions."[7] The common understandings of this political-historical community shape all our categories and commitments, including our view of the proper distribution of goods in different distributive spheres (e.g., education or employment) and of the proper use of political power in enforcing these distributions.[8] It is possible, of course, for those with political power to misunderstand the common meanings of some sphere, or deliberately to override them, but that is "the unavoidable risk" of a communitarian democracy.[9] Moreover, the only "plausible alternative to the political community is humanity itself, the society of nations," but an international community with a set of common meanings does not yet exist.[10]

Since "we exist as the moral beings we are" only by virtue of our political community, this community is also "authoritative for us" vis-à-vis any universalist morality.[11] There is, according to Walzer, a universal moral code prohibiting such things as murder or deception, a code which provides the framework for a moral life—but it is no more than a framework.

[6] Michael Walzer, *Spheres of Justice* (New York: Basic Books, Inc., 1983), pp. 28, 29. I will follow communitarian practice in using "society," "nation," "state," and "political community" interchangeably.

[7] *Ibid.*, p. 28. However, even when by his own admission it is *not* the case that the political and historical communities are identical, Walzer continues to describe the political community as the community of "common meanings" (p. 29).

[8] Michael Walzer, *Interpretation and Social Criticism* (Cambridge: Harvard University Press, 1987), p. 21; Walzer, *Spheres of Justice*, pp. 15n, 29.

[9] Michael Walzer, "Liberalism and the Art of Separation," *Political Theory*, vol. 12, no. 3 (August 1984), p. 328; cited in William Galston, "Community, Democracy, Philosophy: The Political Thought of Michael Walzer," *Political Theory*, vol. 17, no. 1 (February 1989), p. 130.

[10] Walzer, *Spheres of Justice*, pp. 29-30.

[11] Walzer, *Interpretation and Social Criticism*, p. 21.

All the "substantive details," necessary for answering substantive moral and legal questions about the good or the right, need to be filled in by our political community.[12] The morality of a society consists of the detailed social meanings inherent in the interactions and shared understandings of its members, and it is these meanings that the law enforces (or ought to enforce). Hence, we cannot compare and evaluate different societies with respect to their moral or legal codes.[13]

MacIntyre and Sandel present the same basic picture of morality as Walzer in their republican communitarianism, differing from Walzer chiefly in placing a greater emphasis on social unity and in seeing their accounts as offering an objective theory of the good.

Thus, MacIntyre sees the ideal political community as transcending the potentially conflicting goods of the other (partial) communities by uniting all its members in a shared vision and pursuit of the common good, which includes both "the good for man" and "the good of that community."[14] The political community thereby provides what MacIntyre regards as the only adequate context for ordering and evaluating partial goods and defining moral norms and virtues.[15] In doing so, it provides, according to him, an "objective" standard for making choices between goods. Without this objective standard, individuals would have to choose on the basis of their own preferences, and thus their choices would be "criterionless" and the moral life would be marked by a "subversive arbitrariness."

Sandel's endorsement of a "politics of the common good" over a "politics of rights" is based on the same basic understanding of the role of the political community in our moral lives.[16] In a politics of the common good, "the nation" would serve "as a formative community" for a common life, and not, as in a politics of rights, "as a neutral framework for the play of competing interests."[17] Only in such a community of common purposes could we find "moral ties antecedent to choice," and only with such antecedent moral ties could we make sense of our moral and political lives.[18]

[12] *Ibid.*, pp. 24-25.

[13] Walzer, *Spheres of Justice*, p. 314.

[14] Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame: University of Notre Dame Press, 1981), p. 233; see also pp. 146, 188-89, 204-5.

[15] *Ibid.*, pp. 188-89. MacIntyre defines justice in terms of desert, and desert in terms of contribution to the common good (p. 188). This conception of justice, he adds, is possible only in the kind of community described above, and thus the conception of justice as desert is alien to liberal society, where "there is a limit to the bonds between us, a limit set by our private and competing interests" (p. 233).

[16] Michael Sandel, "The Procedural Republic and the Unencumbered Self," *Political Theory*, vol. 12, no. 1 (February 1984), pp. 81-96; and Sandel, "Morality and the Liberal Ideal," *New Republic*, May 7, 1984, pp. 15-17.

[17] Sandel, "The Procedural Republic," p. 93.

[18] *Ibid.*, p. 87.

Thus, Sandel and MacIntyre agree, our very personhood is inconceivable "without reference to our role as citizens"; the moral community just *is* the community of citizens.[19] The goods and norms of partial communities—personal relationships, social roles, religious or ethnic affiliations—derive their moral worth from the extent of their contribution to the (politically defined) common good, or, at least, their compatibility with it. Indeed, in the ideal political community there is no real difference between individuals' interests as members of these partial communities and their interests as citizens. For in such a community their basic interests are shaped by their commitment to the common good, such that, under certain circumstances, they are best described as possessing an "intersubjective self."[20]

The expectations, obligations, and responsibilities we inherit from our political affiliations—and our affiliations to those partial communities that are compatible with our political affiliations—provide us with our historical and moral identity.[21] Accepting this identity implies accepting the shared understandings of our own society as the standard for judgments of justice or generosity, or of our individual, communal, or human good.[22] It also implies recognizing, as Sandel argues, that our inherited

[19] Michael Sandel, *Liberalism and Its Critics* (New York: New York University Press, 1984), p. 5; MacIntyre, *After Virtue*, pp. 236-37.

[20] Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), pp. 62-63, 143-44, 150. See also MacIntyre, *After Virtue*, p. 233.

[21] MacIntyre, *After Virtue*, pp. 205-6. See also Alasdair MacIntyre, "Is Patriotism a Virtue?" The Lindley Lecture, University of Kansas (March 26, 1984), pp. 3-20; excerpted in *Morality and Moral Controversies*, 3d ed., ed. John Arthur (Englewood Cliffs, NJ: Prentice Hall, 1993), pp. 424-31. It has been suggested to me that in this essay MacIntyre is not *defending* the morality of patriotism, but merely trying to show its incompatibility with the morality of liberalism. This may, indeed, be MacIntyre's formal task here. However, since MacIntyre defends patriotism in *After Virtue*, and criticizes liberalism in it and several later works (cited below), it is safe to conclude that in showing the incompatibility of patriotism with liberalism, MacIntyre thinks that we ought to opt for the former.

For a similar view of identity, see Charles Taylor, "Atomism," in *Philosophy and the Human Sciences, Philosophical Papers 2* (Cambridge: Cambridge University Press, 1985), pp. 188-89, 208-9. Taylor does not subscribe to the view that morality just *is*, first and foremost, the morality of the political community we happen to find ourselves in; but he does believe, contrary to liberals, that we have a "natural," fundamental, and unconditional "obligation to belong" to a political community, to "obey authority," because we need such a community to realize our human powers and achieve our full human identity as autonomous beings.

[22] MacIntyre, *After Virtue*, pp. 204-5, 233. In "Is Patriotism a Virtue?" MacIntyre argues that this kind of loyalty to one's moral-political community is part of the virtue of patriotism (p. 5). Patriotism, a central virtue for communitarian morality, "requires me to regard such contingent social facts as where I was born and what government ruled over that place at that time . . . as deciding for me the question of what virtuous action is . . ." (p. 5).

For a more liberalized understanding of patriotism, see Charles Taylor, "Cross-Purposes: The Liberal-Communitarian Debate," in Rosenblum, ed., *Liberalism and the Moral Life*, pp. 172-80. Here Taylor acknowledges the possibility of a common good defined in terms of the rule of right, and the possibility of a patriotism that consists of loyalty to this common good, but expresses reservations about the continuing viability of a regime in which participatory self-rule is marginalized.

loyalties and allegiances go "beyond the obligations [we] voluntarily incur and the 'natural duties' [we] owe to human beings as such."[23]

Nor can any part of this account of the moral self or moral community be legitimately criticized from a universal, impartial standpoint, the standpoint of a rational person as such, detached from his particular moral community. For there is no reason, according to communitarians, why we should—even if we could—adopt this standpoint. Attempts to discover or invent a morality from this "transcendental" standpoint will succeed either in delivering only "disguised interpretations" of the already existing morality, or in delivering a theory that, although new, is neither plausible nor effective.[24] Moreover, adopting this "artificial" viewpoint toward our deepest aims and attachments—as liberal morality demands we do—requires us to be shallow, characterless persons. For adopting the rational standpoint implies evaluating and, possibly, revising and rejecting even those attachments that are constitutive of our very identities. But no one who has such attachments, i.e., no one with character, can do this without profound damage to his "loyalties and convictions" and, thus, to his self-understanding.[25]

In short, according to communitarian morality, the communal loyalties and convictions that make us the persons we are, not only determine to a large extent what we happen to find meaningful or important, right or wrong, they also determine what truly *is* important in our lives, what truly *is* right or wrong. And so the liberal ideal of the impartial moral agent is both psychologically implausible and morally unappealing.

III. Anti-Universalism and Outsiders

The obvious question that communitarian morality must raise for anyone who believes in universal rights (or any universal norms of justice or goodness) is: What if the common good of a community requires it to harm strangers who have done the community no harm? Do the interests of outsiders impose no limits on a community's pursuit of the common

[23] Sandel, *Liberalism and the Limits of Justice*, p. 62.

[24] Walzer, *Interpretation and Social Criticism*, pp. 20–21; Walzer, *Spheres of Justice*, p. xiv. See also Sandel, *Liberalism and the Limits of Justice*, p. 7; Sandel, *Liberalism and Its Critics*, pp. 5–6, 9; MacIntyre, *After Virtue*, pp. 119, 205; MacIntyre, "Patriotism," p. 12; and MacIntyre, "Moral Rationality, Tradition, and Aristotle: A Reply to Onora O'Neill, Raimond Gaita, and Stephen R. L. Clark," *Inquiry*, vol. 26 (1983), pp. 447–66. In "Moral Rationality," MacIntyre describes the liberal moral agent, "the individual *qua* rational person . . . characterizable independently of his or her social role and situation," as belonging to the same realm as "unicorns, glass mountains, and squared circles" (p. 454).

[25] Sandel, *Liberalism and the Limits of Justice*, p. 179. See also MacIntyre's *After Virtue*, according to which a person's attempt to reject his past by rejecting his "inherited" obligations and responsibilities "in the individualist mode, is to deform . . . [his] present relationships" as well as to lose his self-understanding and disrupt his identity (pp. 205–7).

good? And if they don't, then how should the reader understand the universalist-sounding talk that sometimes appears in the communitarian literature? For as we have seen above, Sandel talks of " 'natural duties' " to all human beings as human beings, and MacIntyre describes the political community as having the shared aim of realizing the "good *for man*," which he proceeds to characterize as "the life spent in seeking for the good life *for man*."[26] Walzer goes even further by explicitly affirming universal rights to life and liberty as based on "our common humanity"—rights that ground his theory of just war and his view that there is "universal value in opposing oppression. . . ."[27] How can these claims be reconciled with the fundamental tenet of communitarian morality that the good, the right, and the moral self are to be defined in terms of the (communally understood) common good?

Sandel and MacIntyre reconcile them by making the universalist claims secondary to the requirements of the communal good. According to Sandel, our natural duties are secondary to our communal obligations, which may "allow" us to give to those individuals, groups, and institutions with whom we share our communal heritage more than justice "even permits."[28] Since the conception of justice Sandel is discussing in these passages—that of John Rawls—primarily requires respect for the negative rights of all individuals, it follows, from Sandel's claim, that our communal obligations may even allow us to give to members of our community more than is permitted by respect for the negative rights of those outside our community. In other words, our communal obligations may even allow us to violate the rights to life and liberty of those outside our community.

MacIntyre is explicit on this point. He argues that the virtue of patriotism requires "unconditional" loyalty to the nation, seen as a project to pursue the common good. Such loyalty implies that the nation be "permanently exempted from criticism" and, indeed, supported in all enterprises "crucial to its overall project," even when their success would be contrary to the best interests of mankind impartially understood.[29] Hence, if the nation's conception of the good life includes raiding the territories of traditional enemies, including peaceful, nonthreatening agricultural communities, republican virtue demands loyalty to this project and, consequently, a (righteous) violation of what an impartialist morality sees as the rights of outsiders.[30] The claim that the search for the

[26] Sandel, *Liberalism and the Limits of Justice*, p. 62; MacIntyre, *After Virtue*, pp. 146, 204 (italics mine).

[27] Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977); Walzer, *Spheres of Justice*, p. xv; Walzer, *The Company of Critics* (New York: Basic Books, 1988), p. 227.

[28] Sandel, *Liberalism and the Limits of Justice*, p. 179.

[29] MacIntyre, "Is Patriotism a Virtue?" pp. 13–14.

[30] *Ibid*., p. 7.

human good is part of the community's common good does not, after all, imply that the good of outsiders may not be sacrificed to the cause of protecting the community's ability to keep searching.

Sandel's and MacIntyre's references to our "natural duties" to all human beings and to "the human good," then, turn out to be mere formalities, with no moral leverage in their theories. This is not surprising, however, since these concepts seem equally to be without foundation in their theories.

By contrast, Walzer's affirmation of our common humanity does have leverage insofar as he sees it as justifying a condemnation of oppression anywhere. But can this affirmation be squared with his view that justice "is relative to social meanings," that a society is just so long as it is "faithful to the shared understandings of the members"?[31] Does not this relativistic view of justice imply that a community acts justly in violating universal rights if its members share the understanding that doing so is justified? Walzer might reply that his theory of justice as relative to shared understandings requires that we respect *all* societies' shared understandings, and since we may safely assume that every society shares the understanding that it has a right not to be invaded, invasive societies are necessarily unjust. This entails, however, that the shared understandings of invasive societies—societies that do *not* regard themselves as bound to respect the shared understandings of other societies—are unjust, contrary to the view that justice must be defined simply as living according to the shared understandings of one's society.[32]

Perhaps Walzer would point out that his relativism about justice is limited to distributive justice, that justice in matters of life and liberty is universal and, therefore, independent of shared understandings. But there is no principled way to draw such a line between (relativistic) distributive justice and (universalistic) rights-based justice. For, as MacIntyre's example of raiding societies suggests, a society that invades another for its wealth may simply be acting on its conception of distributive justice. To save his view that justice must be defined simply as living according to shared understandings, Walzer must bite the bullet and agree with Sandel and MacIntyre that an invasive society acts justly in trampling on the lives and liberties of others, so long as doing so is part of, or a means to, its conception of the common good.[33]

[31] Walzer, *Spheres of Justice*, pp. 312, 313. The notion of morality, including justice, as grounded in shared understandings is retained in *The Company of Critics*, where Walzer argues that the good critic "gives expression to his people's deepest sense of how they ought to live . . ." (p. 232). More recently, however, Walzer might have changed his view of justice. In "The Communitarian Critique of Liberalism," *Political Theory*, vol. 18, no. 1 (February 1990), pp. 6–23, he rhetorically asks how, "if we really are a community of strangers," as Sandel claims, we can do anything "but put [liberal] justice first" (p. 9).

[32] Cf. Galston, "Community, Democracy, Philosophy" (*supra* note 9), p. 123.

[33] Is it open to Walzer to argue that respect for universal rights sets a *limit* on the view that distributive justice is a matter of shared understandings? I think not. For if there is no

Communitarian morality thus justifies a total nonconcern both for other political communities, and for individuals qua individuals in other communities.

IV. Anti-Universalism and Insiders

For obvious reasons, a moral theory that justifies the invasive acts of a society so long as these reflect its shared understandings about the common good, must also justify that society's acts of internal oppression and violence so long as these reflect shared understandings. In such a theory, the deviant individual's (or individuals') deviant understanding can have no moral force.

This is starkly illustrated in Walzer's discussion of the Indian caste system, a system that greatly restricts the liberty of the lowest castes—the Sudras or "untouchables"—to choose their occupations, or live or marry where or whom they will—a system that even, not infrequently, justifies killing those "overreaching" individuals who violate the general understanding. Notwithstanding all this, Walzer claims (as he and other communitarians must), that the caste system is just if it rests on the shared understandings of Indian society.[34] Moreover, the logic of the communi-

---

principled way to draw a line between rights-based and distributive justice, then a priority of universal rights over relativistic justice will end up invalidating the latter altogether. For other problems with Walzer's theory, see Ronald Dworkin, "What Justice Isn't," in Dworkin, *A Matter of Principle* (Cambridge: Harvard University Press, 1985), pp. 214-20; and Galston, "Community, Democracy, Philosophy," pp. 122-27. Both point out that, among other things, Walzer's theory is unfaithful to *our* self-understandings, *our* conception of justice, which *we* see, in Dworkin's words, as "our critic not our mirror" (p. 219).

This points to a problem with communitarian morality in general. Since communitarians regard their view of morality as a social product as applicable to all societies, they all face a difficulty with respect to societies that understand their own morality as embodying universal principles. And these probably include all societies, both liberal and illiberal. For a discussion of this and related issues, see Jeremy Waldron, "Particular Values and Critical Morality," *California Law Review*, vol. 77, no. 3 (May 1989), pp. 561-89.

[34] Walzer, *Spheres of Justice*, pp. 313-15. If "shared understandings" simply means "shared by most people" rather than "shared by all," then Walzer is, of course, right to suggest that the caste system, unlike slavery (p. 250n), rests on shared understandings. However, aside from the fact that this is irrelevant to the issue of justice for each individual, Walzer underestimates the problem of the oppressed internalizing the understandings of the oppressors and, thus, the possibility that the Sudras have internalized the understandings of the upper castes. Indeed, it appears that even some slaves internalized their masters' understanding of slavery; see *The Slave's Narrative*, ed. Charles T. Davis and Henry L. Gates, Jr. (Oxford: Oxford University Press, 1985). In any case, it is not clear what Walzer means by shared understandings; see Will Kymlicka's discussion of this point in Bell, *Communitarianism and Its Critics* (*supra* note 2), Appendix 1, pp. 211-15. Bell suggests that "deepest understandings" be understood as "those beliefs that we can consciously articulate and rationally endorse as our guiding principles" (Appendix 2, p. 224). But the reference to rational endorsement just gives the game away to the liberal, unless the notion of rationality itself is relativized to a community; and this leaves the communitarian conception of justice also relativized, and therefore still open to the objections already made.

tarian argument implies that the Indian government is wrong to prohibit acts of violence against "errant" Sudras, and wrong to recognize them as equal citizens. For a government ought to *express* the shared understandings of its citizens, not *override* them: the latter is always unjust.[35] Walzer does claim that once a government has done this and changed people's shared understandings, so that the lowest castes start talking about the injustice of the caste system (as they have begun to do), then, indeed, the caste system will become unjust. Nevertheless, it follows from his view that the initial act of the government in recognizing the rights of Sudras remains unjust, and that if members of the higher castes complain about the loss of their status (as many do), then at least with respect to this initial act, their complaint remains justified.

Walzer's view also seems to imply that deviant nonpolitical communities cannot be tolerated, despite his claim that when there is disagreement over social matters, society ought to reflect them in its scheme of justice.[36] For it is hard to see—nor does Walzer ever explain—how this can be done when the disagreement is radical, e.g., when the lowest caste disagrees with the other castes over its subordination. Nor is it clear *why*, on his conception of justice as reflecting shared understandings, the lowest caste should be heard rather than dismissed as deviant. As he himself proceeds to point out, understandings can count as shared even if they are not harmonious; and so, a partial community's disagreement with all the others may reasonably be seen as a rejection or violation of the society's shared understandings. If this were not the case, then the concept of justice as living by society-wide shared understandings would be hostage to every disagreement and, thus, largely otiose.

To summarize the discussion so far: The communitarian conception of morality grants to the norms of the political community the authority to override even the most basic norms of respect and concern for individuals qua individuals, both outside and inside the political community. In doing so, it also justifies total nonconcern for other political communities and for deviant nonpolitical communities within its own borders.

V. Self-Understanding, Agency, and Communal Norms

We have seen that one common justification given by communitarians for granting communal norms such preeminence is that it is only by

[35] Walzer, *Spheres of Justice*, pp. 313–15; MacIntyre, *After Virtue*, p. 236. This view also justifies communities of hard-line Muslim clerics and their followers around the world vis-à-vis governments with reformist (or relatively reformist) tendencies. A case in point is the example of the Bangladeshi feminist Taslima Nasrin, who was targeted for death by Muslim hard-liners, but supported by the Bangladeshi government in her attempt, with Western help, to escape to Sweden (*San Francisco Sunday Examiner and Chronicle*, October 23, 1994, p. C-13).

[36] Walzer, *Spheres of Justice*, pp. 313–14.

doing so that we can understand ourselves as (and continue living as) the particular persons we are. Trying to live by universal principles of respect and concern will lead to a disruption of our identities and render us incapable of moral depth and of leading a meaningful life.

However, even if this is true, it has moral force for the universalist only if the *kind* of moral depth and the *kind* of meaningful life in question are justifiable by independent criteria. To take the example of the caste system again, even if it is true that this system with its oppressions is part of a meaningful way of life and the deep identity of (nearly all) of those who live (or die) by it, it does not follow (without prior acceptance of the communitarian position) that the system is morally good and its disruption or loss, therefore, a moral loss. MacIntyre, however, provides an additional reason for regarding our identity-constituting communal loyalties and obligations as having overriding moral force, namely, that doing so is necessary for moral agency itself.

MacIntyre argues that the ability to understand one's life as a narrative "embedded in the history of . . . [one's] country" is necessary not simply for ensuring depth and meaning in one's life, but even for understanding our mutual obligations, for understanding what is good or bad about one's community, and for being motivated to act according to these understandings.[37] Moreover, he claims that moral understanding and motivation can only be sustained in the context of one's community; without this context, the individual is likely to lose grasp of "all genuine standards of judgment."[38] Hence, preserving one's way of life and one's identity through loyalty to one's community and its norms—unconditional, unquestioning patriotism—is a condition of moral understanding and motivation.[39] Correlatively, disloyalty to one's community is a threat to one's very moral agency, and the rational criticism of one's social ties called for by liberal morality is a form of disloyalty.[40]

MacIntyre concedes that communitarian morality is dangerous insofar as its survival or flourishing may require allegiance to a communal enterprise that is (on the liberal understanding) unjust to other human beings.[41] But he asserts that liberal morality is equally dangerous because, in calling for rational criticism, it undermines our ability to understand ourselves as part of a communal narrative and, thereby, our ability for effective moral agency.[42]

If MacIntyre is right about the nature of moral agency and liberal moral-

[37] MacIntyre, "Is Patriotism a Virtue?" p. 16.
[38] *Ibid.*, p. 11.
[39] *Ibid.*, p. 18.
[40] *Ibid.*, pp. 13, 18.
[41] *Ibid.*, pp. 14–15.
[42] *Ibid.*, p. 16.

ity's threat to it, then what we have is not a standoff between liberal and communitarian morality, as he goes on to suggest, but rather, a rout of liberal morality by communitarian morality. For whereas communitarian morality only leads to injustice (as understood from the impartial standpoint) under certain circumstances, liberal morality opens the very floodgates of injustice by threatening our moral agency and, hence, our sense of justice itself (however understood).

But it would be hasty to conclude that MacIntyre is right about the nature of moral agency and the dangers of rational criticism. Even if we accept the idea that self-understanding must have a narrative form, in that we must understand our lives in terms of a past, present, and future united by a *telos*, and the idea that moral agency—the capacity for "genuine" moral understanding and action—requires this sort of self-understanding, we have no reason to accept the further idea that this *telos* must be *political-historical*. This assertion is no more plausible than the assertion that a good work of literature must not only be a narrative but a political epic. It is even less plausible when we remind ourselves that all it means is that we can understand ourselves as moral agents only insofar as we can understand ourselves as citizens.[43] And in the absence of any philosophical, psychological, historical, or sociological support for this claim, it only begs the question against a universalist morality. For according to a universalist morality, it is precisely because our personhood, our moral agency, is distinct from our citizenship, that we can be good persons and bad citizens (as Aristotle, famously, pointed out).[44]

Moreover, MacIntyre's argument has breathtakingly implausible implications. It implies, for one thing, that those who do not identify with their country's political-historical commitments lack self-understanding and genuine moral understanding, a description that applies to any critic who questions his nation's injustices by invoking impartial ideals alien to its way of life. Such critics include men whom many would regard as moral exemplars, such as Andrei Sakharov, who had to invoke liberal (rather than traditional Russian) ideals to criticize Soviet authoritarianism, and Mohandas Gandhi, who had to invoke liberal (rather than Hindu) ideals to criticize the ancient caste system of India. Again, the assertion that a loosening or loss of one's communal ties results in a loss of moral agency applies to anyone anywhere who feels alienated from her country, to every immigrant—and, of course, to every individual anywhere who has internalized impartial, universal principles, whether or not she lives in a

[43] See also MacIntyre, *After Virtue*, pp. 236–37, where "moral community" is characterized as "the moral community of citizens" or one's "country," and patriotism is characterized as loyalty to this community and obedience to a government that represents it. Recall, also, Sandel's assertion (in *Liberalism and Its Critics*, p. 5) that our personhood is inconceivable apart from our role as citizens (see Section II above).

[44] Aristotle, *Politics*, 1276b30–35, 1278b1–5, 1293b5–8.

liberal society.[45] If these implications are too outlandish to be credible, then even if we accept that rational criticism necessarily threatens our communal ties (and I will discuss this claim later), we cannot accept that it threatens moral agency.

Suppose, however, that we accept the central communitarian contention about the nature of moral agency, namely, that it is particularist and situated, not universalist and impartial. Does this contention justify the communitarian assumption that it is in the *political* community that we are primarily situated? Not quite: it would be justified only if the political community were the dominant influence in shaping us, only if the shared understandings of *this* community were the understandings that most thickly defined us. In fact, however, in almost every society, both liberal and illiberal, the communities in which people are most deeply situated are nonpolitical (partial) communities, such as the community of two friends or lovers, the family, the national community of Planned Parenthood, or the international community of Baha'is. For it is in such partial communities, where a common conception of the good is the very basis of the community, that shared understandings are the most intense, the most thickly definitive of our identity. In comparison to these, for most of us, most of the time, our identities as citizens are secondary (which helps explain why partial communities are so often made up of citizens of different lands).

Walzer recognizes that there may be a greater sharing of sensibilities and intuitions in partial communities than in a political community (which, he also acknowledges, is often not a historical community). He still believes, however, that "distributive decisions" to accommodate the requirements of those partial communities have to be made by the political authority, according to citizens' shared understandings about how much and what type of cultural diversity and local autonomy to permit or require.[46] But neither he nor other communitarians can have it both ways. If the moral authority of a community is to be derived from shared understandings, then, for any individual, the community she most strongly identifies with, the community with which she shares the deepest understandings, must be the preeminent moral authority. This preeminent moral community would, then, provide the individual with the context and standard for evaluating her other particular goods, giving content to the virtues she is expected to have, and defining the norms that are authoritative for her. If, however, the political community is to

[45] It is part of the communitarian contention that liberal society is not a genuine community precisely because it refuses to inculcate a single, politically defined conception of the good in its citizens. I am not sure how communitarians, living in a liberal society, explain their own grasp of genuine moral standards. (MacIntyre seems to see himself as belonging to the community of ancient and medieval philosophers, but this, of course, is an intellectual, and not a political, community.)

[46] Walzer, *Spheres of Justice*, p. 29.

have preeminent moral authority, then the basis for this cannot be simply (or even primarily) shared understandings and the need for a communal normative context.

It might be objected that this line of criticism is uncharitable. For it should be obvious that the reason the preeminent moral authority must be the political community, rather than different partial communities for different individuals, is that one single normative standard is needed for people living in the same territory. Since, according to the argument about the particularist nature of moral agency which I have provisionally accepted, this single standard cannot be a universal, impartial standard, it must be a single communal standard, and the norms of the political community are the closest we can come to such a standard.

This response, however, will not do. For if the aim is a single moral standard compatible with our most intensely shared understandings, then the communitarian should propose not a politicized morality but, rather, a morality guided by the principle of equal respect for all compossible partial communities, i.e., all partial communities willing and able to coexist peacefully. This would still be a communitarian morality, because it would appeal not to any impartial, universal principle enjoining respect for all individuals qua individuals, but to a communally shared principle enjoining respect for all compossible partial communities within the boundaries of the political community. On this modified communitarian morality, each community would have its own conception of the right and the good, but each communal conception would include a principle of noninterference with other communities. Each community would be free to decide on policies of exit for its members and criteria of new membership, and (since the basic normative principle would be shared understandings rather than history when the two diverged) new communities of like-minded people could form and existing ones dissolve. Such a communitarian polity would thus resemble a liberal polity in making room for a capacious realm of diverse, private (nonpolitical) communal goods and pursuits.

But perhaps the resemblance is too great to be theoretically comfortable for the communitarian. For if partial communities are allowed this kind of moral standing, then partial communities committed to impartial, universal principles of respect for individuals qua individuals, such as Amnesty International and Asia Watch, must also be recognized. Moreover, since commitment to such principles and the goods they protect are the very raison d'être of these communities and the primary bond of their members, they would have to be recognized as genuine "constitutive" communities, i.e., communities whose norms and goals are partly constitutive of the identities of their members.[47] On the other hand, a com-

[47] Sandel, *Liberalism and the Limits of Justice*, pp. 62, 150, 172, 173. There are also, of course, organizations of people united by universal principles of charity or compassion, such as the Sisters of Charity, or *Children*, Incorporated.

munitarian polity based on the modified communitarian morality I have proposed would *not* be a constitutive community, because the conception of the common good holding it together would simply be a shared concern and respect for partial communities. This conception is no thicker than the conception of the good holding together pluralistic liberal polities; the sole difference is that the former conception is nonindividualistic, the latter individualistic. Hence, if such modified communitarian polities have moral and political standing on account of their basis in shared understandings, so do liberal polities.

The upshot, then, is that if communitarian morality emphasizes shared understandings about the good as the ultimate moral court of appeal, it must accept the modified polity described above as the only legitimate communitarian regime. If, on the other hand, it emphasizes the political community as the preeminent moral authority, it must abandon the appeal to shared understandings and present a new justification. As we have seen, such a justification is not forthcoming. A closer look at some of the communitarian literature does, however, suggest an *explanation* for the preeminence of the political community.

The explanation lies, I believe, in the unargued-for assumption that a good society is a morally unified society, a society that lives by the same thick communal norms. Since the only way to guarantee such unity is through the law, the political community must be the morally authoritative community. The law may, indeed, enforce different norms about certain moral matters in different jurisdictions, but in each jurisdiction moral unity is guaranteed through the law. In other words, in each jurisdiction it is the political community that is morally supreme, rather than partial (and mostly voluntary) communities, whose moral authority is informal and limited to their own members.

The moral-unity assumption is clearly evident in MacIntyre's and Sandel's criticisms of liberal individualism and freedom of choice, and in their celebrations of real or imaginary societies where individuals are less individualistic and choices less free. They criticize the voluntariness of social relations protected by individual rights in favor of tradition and inherited obligations—the individual's moral authority over her own decisions in favor of the authority of the community—the ideal of a community of flourishing individuals in favor of the ideal of a community with a flourishing intersubjective self—and the idea of a good community as a pluralistic community united in allegiance to justice in favor of the idea of a good community as one that is united in "allegiance to some highly specific conception of the human good" pursued under the tutelage of the law.[48]

[48] MacIntyre; "Moral Rationality" (*supra* note 24), p. 465. See also MacIntyre, *After Virtue*, pp. 160, 209, 236–37.

Walzer does not seem to rely on the idea of moral unity through an intersubjective good or intersubjective self in calling for the legal enforcement of communal norms. Indeed, as already noted, in his discussion of the caste system he expresses the view that if the lowest castes have different norms, the law can and should reflect them. We have also seen, however, that he neither shows how the disparate norms of all the castes *can* be legally recognized, nor, more importantly, *why* they should be recognized if they are not widely shared in a given jurisdiction. Nor can such a reason be given without recourse to the kind of principle of respect for all partial communities I suggested above. But the only kind of legal recognition *this* principle allows is the kind that leaves partial communities free to transact voluntarily with each other, and leaves subgroups who disagree with the larger partial community free to break off and form their own community. This kind of legal recognition could not lead to the imposition of a single set of norms on deviant communities, as Walzer's proposal would. So, even though Walzer does not explicitly endorse the principle of moral unity, this principle is implicit in his assumption that the law must enforce a single set of moral norms on society.

The requirement of moral unity explains why the political community has the authority to erase or control conflicts between contending partial communities, regardless of how this authority affects the actual situated agency of people—i.e., their actual shared understandings and moral identities. Thus, moral unity turns out to be more important in communitarian morality than its view of the nature of moral agency and the moral standpoint.

The politically defined good and the moral self as citizen are the communitarian antidote to the "divisive" individualism and pluralism of liberalism. The communitarian criticism of liberalism's neglect of the situated nature of moral agency is, thus, highly selective: the only "situated" viewpoint communitarianism is concerned to defend against the impartial, universal viewpoint is the viewpoint of the political community—more precisely, of the *communitarian* political community.

These observations also shed light on what communitarians mean when, despite their rejection of the impartial viewpoint and impartial reflection, they claim to be in favor of "critical reflection" on one's political community. To this claim I now turn.

VI. Impartial Reflection and Constitutive Particular Commitments

MacIntyre and Sandel allow that, as "self-interpreting" beings, we may reflectively distance ourselves from the historical communities that deter-

mine our moral identities, and question their moral limitations.[49] Likewise, Walzer sees the capacity for critical reflection as essential to the moral life, and sees exposure of "the false appearances of his own society" as one of the most important tasks of the critic.[50] Are communitarians simply being inconsistent in endorsing critical reflection while rejecting impartial reflection?

I believe not. For, in contrast to liberals, the reflection that communitarians endorse must always be undertaken on the basis of the political community's defining norms. Even when the aim is to find the universal human good, as in MacIntyre, we are reminded that because "particularity can never be simply left behind," the question must always be how *we* as members of a particular community, as sharing certain beliefs, ought to resolve this issue—and never how *I* as a rational human being, subscribing to universal normative principles, ought to resolve this issue.[51] There is no such thing as a universal morality or rationality; there are only particular moralities and rationalities.[52] And so the search for the universal must be for the universal *as understood in our society*, and a critique of our society's conception of the good must appeal to its own traditions and self-understandings.

Similarly, the distancing from one's history that Sandel talks about as a possibility can never amount to a departure from one's history. Rather, it must be "always precarious and provisional, the point of reflection never finally secured outside the history itself."[53] In other words, we cannot take a perspective on our inherited moral norms or identities that is not already a part of our moral heritage, much less reject these norms (or not, at least, without self-damage). As already noted, Walzer also holds that any attempt to reject communal norms from an impartial viewpoint in favor of a new theory will be either utterly unconvincing, or merely a disguised interpretation of social norms. The critical reflection he finds essential to the moral life is provided, like everything else that is essential to it, by our communal morality; this is what makes this morality "authoritative" for us.[54] Valid criticism is, necessarily, (politically) situated criticism: the critic must criticize his society by giving "expression to his people's deepest sense of how they ought to live."[55]

The communitarian opposition to the liberal idea of critical reflection is, thus, opposition only to criticism from the impartial, universal viewpoint,

[49] MacIntyre, *After Virtue*, p. 205; Sandel, *Liberalism and the Limits of Justice*, p. 179.

[50] Walzer, *Interpretation and Social Criticism*, pp. 20-21; Walzer, *The Company of Critics*, p. 232.

[51] MacIntyre, *After Virtue*, pp. 205-6; MacIntyre, "Moral Rationality," p. 451.

[52] MacIntyre, "Moral Rationality," p. 459; MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame: University of Notre Dame Press, 1988), pp. 3-10.

[53] Sandel, *Liberalism and the Limits of Justice*, p. 179.

[54] Walzer, *Interpretation and Social Criticism*, p. 21.

[55] Walzer, *The Company of Critics*, p. 232.

the criticism that purports to enable us to engage in a critique of the political community's norms themselves. There is no opposition to subjecting the norms of the nonpolitical communities to such a critique, a critique that may require their rejection or sacrifice, so long as this is done from the politically situated viewpoint.

Leaving aside the point that the adoption of the situated viewpoint does not entail adoption of the politically situated viewpoint, communitarian or noncommunitarian, let us now ask exactly what kind of situated viewpoint is opposed to the impartial viewpoint.

If a situated agent is merely someone who is, and who sees himself as, centrally constituted by a shared conception of the good, a conception that defines a community, then there is no necessary opposition between the situated and the impartial viewpoints. For we have already seen (in Section V) that impartial principles can define a community and centrally constitute an agent. The "particular" goods and norms of such communities and such agents are themselves grounded in impartial, universal norms. Even communities not formed for the sake of doing justice by protecting individual rights may be committed, implicitly or explicitly, to impartial norms. This seems to have been the case with many groups which took part in rescuing Jews in Nazi Europe, such as the residents of Le Chambon, who acted as a community to rescue fifteen hundred Jews. The important fact and motivating thought for the Chambonnais was that fellow human beings were being unjustly persecuted and needed their help, rather than the thought that by helping them they would endanger their community, their families, and themselves.[56] Their identity, too, as members of their community was partly constituted by their historical commitment to justice for all human beings qua human beings.[57]

The only kind of situated viewpoint that is incompatible with the impartial viewpoint is the viewpoint of an agent or community that rejects impartial norms and goods, or regards them as secondary to com-

[56] Richard Rorty claims that our "sense of solidarity is strongest when those with whom solidarity is expressed are thought of as 'one of us', where 'us' means something smaller and more local than the human race. That is why 'because she is a human being' is a weak, unconvincing explanation of a generous action" (Rorty, *Contingency, Irony, and Solidarity* [Cambridge: Cambridge University Press, 1989], p. 191; cited in Bell, *Communitarianism and Its Critics*, p. 150 n. 33). Ironically, research on the rescuers of Jews in Europe during World War II reveals that the thought "because she (or he) is a human being, one of us" is the very thought most rescuers report as the (rather obvious) explanation for their actions. See Philip Hallie, *Lest Innocent Blood Be Shed: The Story of the Village of Le Chambon, and How Goodness Happened There* (New York: Harper and Row, 1979); Samuel P. Oliner and Pearl M. Oliner, *The Altruistic Personality: Rescuers of Jews in Nazi Europe* (New York: The Free Press, 1988); and Kristen R. Monroe et al., "Altruism and the Theory of Rational Action: Rescuers of Jews in Nazi Europe," *Ethics*, vol. 101, no. 1 (October 1990), pp. 103–22.

[57] I defend this and related points, including the contextual nature of identity, in "Altruism Versus Self-Interest: Sometimes a False Dichotomy," *Social Philosophy and Policy*, vol. 10, no. 1 (Winter 1993), pp. 90–117. For an account of the rescue effort launched by the village of Le Chambon, see Hallie, *Lest Innocent Blood Be Shed*.

munal norms on the grounds that our universally shared features are relatively unimportant. We have seen ample reason to dismiss such a conception of moral agency. Nevertheless, there is one communitarian criticism of the impartial viewpoint which is independent of this conception and which, therefore, merits consideration. This is the criticism that reflection from a point of view that takes into account everyone's basic interests, those interests that are protected by justice, is incompatible with deep commitment to particular persons and projects.[58] So individuals or communities that internalize impartial, unconditional norms, are incapable of such commitments. But what is supposed to justify this criticism?

One suggestion often made by MacIntyre and Sandel is that a genuine commitment requires unconditional loyalty, a loyalty that is incompatible with a commitment to liberal impartiality. On the second point they are, of course, right: liberal impartiality requires that we not value our commitments unconditionally, i.e., regardless of their compatibility with justice. But the claim that unconditional loyalty or valuing is necessary for a genuine commitment to a person or project is neither defended nor, I believe, defensible.

What *is* undoubtedly necessary is that we value the project (or person) to which we are committed *intrinsically*, i.e., for its own sake and for what it is. What this amounts to I will consider below, but the point to note here is that valuing something (or someone) intrinsically is not the same as valuing it *unconditionally*: for most, if not all, of our intrinsic values, from the trivial to the profound, are conditional. For example, someone may value the exhilarating experience of skiing down a slope for its own sake, but only on the tacit assumption that it will not jeopardize his life or limbs. Or he may value contributing his hard-earned millions to the recovery of Hungary's economy out of a deep and abiding concern for Hungary, but only on the assumption that this recovery will not be used for an expansion of governmental power. Most of our intrinsic commitments are shaped and sustained by tacit conditional assumptions of this

[58] This criticism is made by MacIntyre and Sandel in their discussions of family, friends, and country. Walzer makes a similar point with respect to the critic who takes the impartial point of view. Even some liberals seem to have accepted that liberal norms are, at least, not quite in harmony with deep commitment. For example, Stephen Macedo agrees that the requirement of liberal justice that we subordinate our particular commitments to liberal norms will lead to affections that are "broader but less intense or deep than pre-liberal ones . . ." (Macedo, *Liberal Virtues* [Oxford: Clarendon Press, 1990], pp. 244, 267–68). And Buchanan, "Assessing the Communitarian Critique of Liberalism" (*supra* note 3); Charles Larmore, *Patterns of Moral Complexity* (Cambridge: Cambridge University Press, 1987); and Jeremy Waldron, "When Justice Replaces Affection: The Need for Rights," *Harvard Journal of Law and Public Policy*, vol. 2 (Summer 1988), pp. 635–47, all seem to think that the communitarian thesis that liberal justice and community are inversely related is, at least, highly plausible. I discuss these issues in "The Circumstances of Justice: Pluralism, Community, and Friendship," *Journal of Political Philosophy*, vol. 1, no. 3 (1993), pp. 250–76; reprinted in *Philosophical Perspectives on Sex and Love*, ed. Robert Stewart (New York: Oxford University Press, 1994), where I argue that rights and justice play a constitutive role in friendships and other communities.

sort, assumptions that they satisfy certain conditions. All that an acceptance of liberal impartiality adds to them is the condition of concern for others' rights.

But perhaps the thought is that this condition is incompatible with intrinsic valuing of persons or projects because it is entirely alien or irrelevant to such valuing, and imposing an alien condition on our commitments to persons or projects somehow misses their value and devalues them. Let us therefore ask whether the impartiality condition really is alien to intrinsic valuing. Valuing something intrinsically requires, minimally, recognizing its full value. And this involves valuing it for its own sake rather than as a mere means to an entirely independent goal, and valuing it for what it is rather than for incidental or extraneous reasons.[59]

The first requirement is the requirement of noninstrumentality. If something is valued primarily as a means to an entirely independent goal, then it is replaceable by anything better suited to serve this goal. Some Kantian defenses of liberal impartiality do, arguably, treat particular values as only means to the goal of greater justice, and are thus incompatible with valuing them intrinsically.[60] The second requirement has to do with valuing something for its inherent features, the features that make it what it is. If a thing is valued for incidental or extraneous reasons, reasons that have no essential connection to its inherent features, then *it* is not really the object of value. For example, to value Picasso's *Guernica* just because doing so is artistically or politically chic, rather than because of its artistic features, is to fail to value the painting itself. But accepting an alien or irrelevant condition for valuing something—for example, accepting that *Guernica* be valued for its artistic features only if it helps raise funds to alleviate hunger—is also an example of failing to value it for what it is. For to accept such a condition is to miss out on the function of art in our lives as an aesthetic embodiment of value, rather than as a practical aid to our moral causes. Similarly, if the impartial viewpoint is alien to our particular commitments, as communitarians contend, then to

[59] I give a fuller argument for these conditions in "Friends as Ends in Themselves," *Philosophy and Phenomenological Research*, vol. 48, no. 1 (September 1987), pp. 1-23; reprinted in Alan Soble, ed., *Eros, Agape, and Philia* (New York: Paragon House, 1990) pp. 165-86; the essay is also reprinted in Richard T. Hull, ed., *Histories and Addresses of Philosophical Societies*, Value Inquiry Book Series (Amsterdam: Rodopi Publishers, 1995); and in Clifford Williams, ed., *On Love and Friendship: Philosophical Readings* (Boston: Jones and Bartlett Publishers, 1995).

[60] See Bernard Williams, "Persons, Character, and Morality," in Williams, *Moral Luck: Philosophical Papers, 1973–1980* (Cambridge: Cambridge University Press, 1981); and Michael Stocker, "The Schizophrenia of Modern Ethical Theories," *Journal of Philosophy*, vol. 63, no. 14 (August 1976), pp. 453–66. Interestingly, Alan Gewirth sees John Rawls's difference principle and Ronald Dworkin's principle of equal concern and respect as forms of distributive consequentialism, because they justify unequal distributions as a means to some form of overall equality; see Gewirth, "Ethical Universalism and Particularism," *Journal of Philosophy*, vol. 85, no. 6 (June 1988), p. 289. Gewirth's own universalist rights-based justification of certain particularist attachments escapes this problem.

require that our commitments meet its demands is to fail to value them for what they are.

The question, then, is: Is impartiality thus alien? That it is often *treated* as alien by liberals is undeniable. For liberal theories often justify the principle of impartiality completely independently of particular values, as though there were no connection between impartial and particular values.[61] This not only devalues particular values, for reasons we have just seen, it also devalues impartiality. For it turns impartiality into a sort of forbidding monitor of the particular values that give our lives their color and texture, rather than a part of that color and texture. The truth in the communitarian contention that our moral norms must be derived from our particular values, that particularity can never be left behind, is that our moral norms are implicit in, and therefore to be derived from, those of our values that have an intrinsic importance in human life. Contrary to the communitarian view, however, it is not *communitarian* norms that can be so derived, for there is no necessary connection between commitment to one's political community and commitment to other sorts of particular values that have an intrinsic human importance.

By contrast, I will now argue, there *is* a necessary connection between liberal impartiality and particular intrinsic values. For the *understanding* that grounds the liberal agent's commitment to treat all persons as equally real, as equally bearers of rights to their own (compossible) values and pursuits by virtue of their common humanity, is implicit in valuing particular persons intrinsically. And valuing someone intrinsically involves valuing her for what she is, and as a human being; she is both one person among others equally real, and that particular individual.

Consider, for example, what is involved in a friendship in which each friend values the other intrinsically. In such a friendship, there is mutual well-wishing and concern for the other's good for her or his own sake. This good includes both the relational or social goods central to this friendship, and the goods central to the life of each friend as a separate and distinct individual, with her or his own perspective on things. Yet neither the relational goods central to the friendship, nor the good of a friend as a separate and distinct individual, is entirely unique. Both are grounded, in part, in universally shared features of their natures as essentially social, but equally essentially distinct, individuals.

As distinct individuals, their good requires the satisfaction of certain aspirations and needs—in particular, the aspiration to guide their lives from their own perspectives, as well as the need to see things from oth-

[61] Even Gewirth's justification of rights-respecting commitments seems to treat rights as justified entirely independently of considerations inherent in these commitments (*ibid*). Williams's and Stocker's criticisms of certain sorts of impartial theories suggest the worry that impartiality may be incompatible with intrinsic valuing of persons and projects.

ers' perspectives; the desire to be the originators of their actions, as well as to entrust their well-being to others; the need to give material form to their ideas, as well as to admire others' achievements; the desire to be a source of benefit for others, as well as to be a beneficiary of their actions. These aspirations and needs are universally shared, and their satisfaction is part of the good of any individual as a separate and distinct individual. Further, the satisfaction of these aspirations and needs requires both friends to have certain virtues, not only the virtues usually seen as central to friendship, such as kindness, generosity, or sympathy, but also virtues like mutual respect for each other's autonomy and freedom of action, fair-mindedness in such matters as praise and blame or division of labor, and reliability and responsibility. In other words, the mutual satisfaction of friends' universally shared aspirations and needs as part of their good requires the virtues both of justice and of benevolence.

The mutual well-wishing of friends, then, implies an understanding of each other's good as separate and distinct individuals, and a commitment to act accordingly. Without this understanding and the virtues in which it is manifested, such well-wishing would not amount to valuing each other intrinsically, because it would neglect the good of each as a separate and distinct individual. But an understanding of the individualistic dimension of a friend's good implies a general understanding of the individualistic dimension of a good human life, an understanding that extends to other human beings. Someone who lacked this general understanding would fail to understand even his own friendships adequately, just as someone who lacked a general understanding of the word "flower" would fail to truly understand what it meant to call the geraniums on his window-sill "flowers." And someone who failed to act on this understanding toward other human beings would fail to act rationally.

The other component of a friend's good mentioned above is the relational or social component. The good of each friend includes the attainment of relational goods central to the friendship, and the mutual well-wishing of friends implies wishing and acting for the relational goods central to the friendship. As in the case of the individualistic goods discussed above, however, the relational goods central to the friendship include, among other things, the satisfaction of aspirations and needs that are central to any friendship—the aspiration for a fuller knowledge of another person and of oneself than otherwise possible, the need for self-disclosure in a context of mutual trust and concord, the desire for a differential and exclusive mutual love and concern, and so on. So anyone capable of understanding the value of relational goods and pursuits in his own friendship is capable of understanding their value in others' friendships, and anyone who sees himself as entitled to such differential sharing and mutuality must also see others as similarly entitled. Moreover, since mutual entitlements entail mutual obligations of noninterference, he

must see others and himself as mutually obligated to respect each other's right to such partiality.

Thus, a general understanding of the universally shared individualistic and relational dimensions of a committed friendship is implicit in an adequate understanding of one's own friendships. This point can be generalized to apply to larger communities as well as to the individual qua individual. Any good community must enable its members to achieve their individual as well as social good, and so it must understand both the individualistic and the social dimensions of a good life for its members, an understanding that, necessarily, extends to the members of other communities. Again, insofar as an individual understands her own good as an individual adequately, she must understand herself both as someone whose life is irreducibly separate and distinct, and as someone whose life is inextricably social. Under both aspects, she must see herself as one among others whose good, too, involves both the individualistic and the social dimensions. Since this kind of understanding of others and oneself is necessary for valuing persons (including ourselves) intrinsically, it follows that the point of view from which we value particular persons intrinsically is necessarily both particularist and universalist, both partial and impartial. This is just to say that there is a necessary connection between the ability to value particular people intrinsically and the ability to value persons as such, between the ability to see the value of one's particular goods as essential to one's own life and the ability to see the value of such goods as essential to a good human life.

Hence, the requirements of an impartial, universalist morality can and should be justified not simply by the fact that each one of us is equally real and that rationality requires consistency of response, but also by the fact that a recognition of this fact is a necessary element of valuing particular persons intrinsically and that such valuing is part of our own individual good. So, whereas it is true (as communitarians insist) that we ought not to simply leave particularity behind in matters of morality, it is equally true that we ought not to simply leave universality behind in matters of commitment—at least not if we want our commitments to have intrinsic value.

A commitment that is faithful to the communitarian account of the good fails to have such value because it fails to understand or respect the universally shared features of human life. In doing so, it fails to understand or repect both the individualistic and the social dimensions of human good.

To say that there is a necessary connection between impartial, universal values and intrinsic particular values, and that rationality requires consistency of response, is not to say that what we owe to those with whom we have special bonds of care and concern is no greater than what we owe to all others. Differential care can (as I have argued elsewhere) jus-

tify differential obligations.[62] What rationality requires on this point is that we recognize the differential obligations of others. Again, to say that the impartial point of view is implicit in an adequate understanding of our particular commitments is not to say that there cannot be a conflict between what we owe to all persons and what we owe to some. It is, rather, to locate the source of the conflict in the existence of plural concerns or values rather than in a clash between particularity and universality or between partiality and impartiality. The Soviet dissident who is willing to be tortured rather than to betray her comrades and her cause (and, thus, betray herself), but not willing to let her torturers torture her daughter (and thus, again, betray herself), is torn between two loves and commitments, two betrayals of her own identity, even as she is torn between two demands of justice.[63]

This kind of conflict is a necessary feature of human life, but a totalitarian regime committed to eradicating plurality can only make it more acute. For in such a regime political intrusion in the private lives of citizens is frequent and extreme, in an attempt to detach them from their private pursuits and attach them to the common good. The same, too, must hold for a regime that aspires to realize a constitutive political community in a liberal society: it must exacerbate conflict through frequent intrusions in individuals' lives. On the other hand, if such a regime *is* successful in subordinating private interests to political ones, and thus eradicating conflict between private and political interests, it is successful only at the price of eradicating differential and exclusive attachments. Thus, a society with a communitarian regime must either suffer a constant conflict between political and personal attachments, or it must purchase harmony by submerging individual identity and individual interests in the political community, at the cost of truly personal attachments.[64] In either case, a society with a communitarian regime fares far worse than a society with a liberal regime.

VII. Conclusion

I have argued that the preeminence of the political community in communitarian morality is unjustified by the communitarian conception of the

[62] Neera K. Badhwar, "Friendship, Justice, and Supererogation," *American Philosophical Quarterly*, vol. 22, no. 2 (April 1985), pp. 123-31.

[63] See Aleksandr Solzhenitsyn's description of interrogative methods in Soviet camps that create such conflicts in Solzhenitsyn, *The Gulag Archipelago 1918-1956: An Experiment in Literary Investigation, I-II* (New York: Harper and Row, 1973), pp. 106-8.

[64] In "Assessing the Communitarian Critique of Liberalism," pp. 871-72, Buchanan argues that communitarian society may leave so little room for autonomy, that it may be unable to accommodate any genuine commitment (as distinct from blind obsession).

moral agent and the moral standpoint, and incompatible with our particular, nonpolitical commitments. By contrast, commitment to the liberal conception of the moral standpoint is compatible with particular commitments insofar as they have an intrinsic human importance, because the understanding on which the commitment to impartiality is based is inherent in our capacity for such particular commitments.

Philosophy, University of Oklahoma