

Chapter 2

Personal Identity and Liberal Political Theory

Introduction to Communitarian Objections to Liberal Political Theory

The purpose of this book is to defend a Rawlsian conception of political identity. As explained in Chap. 1, I focus on objections to Rawls's liberal political theory according to which it relies on an unacceptable conception of personal identity. My concerns are broader than merely defending Rawls, but looking at this kind of objection to Rawls and his responses helps to bring into sharper relief the considerations that are essential to assessing and defending a conception of political identity and to showing how the debate over Rawls's conception of the person is related to the more recent debate concerning perfectionism and neutrality in political theory.

While the debate over Rawls's conception of personal identity is esoteric, a debate over his "political conception" of identity is pertinent in virtue of its relevance to a more general and familiar political debate. Before turning to communitarian objections to Rawls—or even to communitarian objections to liberals in general—I explain the nature of this more general debate, in order to show how the debate over Rawls's conception of political identity is related to it. I use an example to introduce the general debate and explain the political views supported by the two camps in the debate. As explained in Chap. 1, an important feature of the liberal/communitarian and the perfectionism/neutrality debates is whether the government ought to endorse or promote a particular conception of what is valuable in life.

In our society, pornography—or, more precisely, regulation of it—is a complicated issue because competing considerations support different conclusions on whether pornography should be allowed and, if so, in what forms. On the one hand, there are personal freedoms, such as the freedom of expression or the freedom to engage in activities one enjoys, that speak in favor of allowing individuals the freedom to produce and consume any pornography they like. Doing so promotes individual freedom, which, intuitively, is good. On the other hand, though, there are moral and religious norms that suggest that pornography is immoral, and there is evidence that pornography causes harms—not only to individuals engaged with it, but also to

women in general because of pornography's social-psychological impact.¹ If it were true that pornography is immoral or that pornography does indeed cause harms, then both of those "facts" would give reason for the government to prevent people from producing and consuming pornography.

The tension between these competing interests makes regulation of pornography an intractable issue. Allowing pornography and limiting pornography each have reasons in their favor. If the government were to allow individuals unlimited access to pornography, it would be promoting individual freedom, but it would be doing so at the expense of allowing its citizens to engage in immoral behavior and allegedly to or potentially to harm other citizens. Supposing that pornography is morally wrong, if the government were to prohibit the production and consumption of pornography, it would be helping its citizens live morally good lives. Also, supposing that pornography causes harms, governmental prohibition of it would help keep citizens safe from the harms of pornography. Those benefits, though, would come at the expense of limiting individuals' freedoms. Of course, there are any number of positions between the two extremes: the government could allow some types of pornography but prohibit others. Deciding which policy is right is difficult because it requires weighing concerns that are supported by different ideals.

For our purposes, those supporting these different ideals can be placed into two camps. These respect in which these two camps differ can be brought out by Berlin's famous distinction between positive versus negative liberty that I discussed briefly in Chap. 1. Roughly, those who give primacy of place to individual freedoms and would allow pornography insofar as it does not harm others or infringe on their freedoms, can be taken to support negative liberty. Those who hold the view that the government ought to limit pornography because doing so would help its citizens live more valuable lives support positive liberty. In the discussion that follows, I'll use 'liberal' to refer to the political theorists who endorse negative liberty.² I'll use 'perfectionist' to refer to those who endorse positive liberty. Much of the discussion that follows concerns communitarians. As I'm defining things, communitarians can be thought of as a variety of perfectionist theorist because they believe that the government ought to take a stand on a conception of what is valuable in life; the particular conception they endorse is one that has to do with the good of the community. In the discussion that follows, my concern is more broadly with the views characterized by positive versus negative liberty, but I discuss the debate regarding liberals and communitarians because that ground is well-trodden and provides useful background for understanding the broader issue over perfectionism and anti-perfectionism, particularly as it relates the nature of persons, personal identity, and political identity.

¹ I am thinking, for example, for the facts presented in MacKinnon's (1985) famous argument in "Pornography, Civil Rights, and Speech." For a more recent overview of literature on pornography see Watson (2010).

² Some liberal political theorists, for example Raz (1986), as I'll discuss later, actually fall in the other camp, so, strictly speaking, the label "liberal" is does not apply only to those who support negative liberty. But, for ease of discussion here, I'll use liberal to mean only non-perfectionist liberals.

To return to the example of pornography, these views of government, in turn, support different judgments about how the government should deal with pornography. As explained in the previous chapter, liberals argue that one of the primary purposes of the government is to protect individuals' freedoms to the largest extent possible, consistent with the same freedom for others. Because they believe that the government should promote freedom, it seems that they would take the view that the government should allow individuals to make and consume pornography as they wish. It only seems that liberals would take that view because they believe that the government should promote freedom only to the extent it is consistent with the same freedom for others. Above, I mentioned that one reason in favor of limiting pornography is that it causes harm. If one person's exercise of her freedoms causes harm to another person, then the second person's freedom has been infringed upon. For this reason, presumably, liberals would argue that the government has an obligation to limit pornography, but only to the extent necessary to prevent harms that infringe on individuals' freedoms. This idea is rooted in what is commonly referred to as John Stuart Mill's "Harm Principle," which is roughly the idea that the government can only limit the freedom of one person in cases when the exercise of that freedom causes harm to another person. It follows from this principle that the government may not limit a person's freedom for her own sake, for example, in order to help the person live a life that is more valuable.

Perfectionists, on the other hand, believe that the government ought to ensure that its citizens are living a life that is actually good. If producing or consuming pornography is actually bad, then perfectionists would likely argue that, despite the fact that some people might think that consuming pornography is good (or even neutral) in their lives, the government should intervene and regulate or outlaw pornography, to increase the worth of the lives of the people who would otherwise be involved with pornography.³ Communitarians, specifically, believe that one of the primary perfectionist goods the government should promote is the continuity of the community's culture in order to ensure that the community is thriving. The government can do this by promoting a "common good." It is not clear exactly what a "common good" is. For the moment, take promoting the common good to consist in part in promoting social cohesion. The purpose of the government then, communitarians argue, is to foster a society that promotes a common good. One way the government fosters such a society may be by preventing people from engaging in immoral activities. If we assume that pornography is immoral, then communitarians might claim that the government has an obligation to prevent its citizens from producing or consuming it.

In this example, we see important features of the liberal and perfectionist positions that underwrite the debate between the two camps. Liberals take individual liberty to be of the utmost importance. They believe that the government's obligation

³ I say things like the government ought to "ensure" and "intervene," which are somewhat vague, because there are a great many questions here concerning how to properly characterize governmental action on perfectionist grounds. These issues will be dealt with in greater detail in the discussion of liberal neutrality in Chap. 3 and 7.

is to protect and promote personal freedom. As with the example of pornography above, this liberal commitment to individual freedoms has the consequence that the government does not limit individuals' freedoms unless it is necessary to prevent individuals' freedoms from being infringed upon, as, for example, to prevent people from harming others. Liberals argue that it is wrong for governments to limit individuals' freedoms on the grounds of morality as such. Perfectionists, though, think it is acceptable for the government to limit individual freedom on moral grounds when doing so is necessary to promote the true conception of what is valuable—whether it is the communitarian common good, or some other conception. Communitarians argue that governments ought to foster the common good in a way that will help individuals live good lives. Again, in the example above, communitarians may argue that the government ought to limit pornography in order to help individuals live good lives and to promote the common good of society.

The general debate between liberals and perfectionists consists in this disagreement over the purpose of government and the extent to which individual freedom is to be weighed against a particular conception of what is intrinsically valuable. The more particular debate over a Rawlsian conception of political identity seems to be a far cry from this debate, but, in fact, as shown by the debate between liberals and communitarians, it is quite central to the debate. Here's why.

Rawls is a liberal political theorist. A Rawlsian conception of political identity is one that is supported by political values that are manifest in our society, the most important of which are freedom and equality. The emphasis on freedom and equality should be unsurprising in light of the description of liberalism above: liberals believe that individuals each should have as much freedom possible, consistent with equal liberty with others. A Rawlsian characterization of political identity gives primacy of place to those two values—he characterizes persons as free and equal. For communitarians, what a Rawlsian characterization of political identity leaves out is just as important as is included. Rawlsian political identity characterizes persons without their conceptions of what is intrinsically valuable—such conceptions are not essential to persons' political identities.

It should be clear, then, why communitarians object to the Rawlsian conception. Communitarians claim that individuals' fundamental interest is in living a life that is morally good, that the government ought to help individuals live such a life, and the way it should do so is by promoting a common good. Communitarians think that the government has an obligation to promote a common good partly because of the view of personal identity they accept. Communitarians argue that a conception of what is intrinsically valuable is essential to a person's identity. Communitarians also claim that, in order for an individual to live a good life and be a fully functioning person, she must have a conception of what is intrinsically valuable. Finally, communitarians claim that people gain their conceptions of what is intrinsically valuable from the society in which they live. The idea seems to be that living in a society that promotes a common good plays an important part in helping individuals form their identities. This is the reason that the government's primary responsibility is to promote a common good: promoting the common good helps individuals become fully developed persons. Once this view is on the table, it is clear how to this objection connects

to perfectionism. Communitarians claim that the government's support for a certain conception of the good is necessary either for people to become fully developed persons or in order to create the social conditions necessary for people to do so. Perfectionists' concern is that the good or what is valuable in people's lives ought to be promoted, however it needs to be promoted (by promoting the community or fostering individual development) so that people can achieve the good, according to the perfectionist theory they endorse.

As mentioned above, Rawlsian political identity does not include persons' conceptions of what is intrinsically valuable. This omission, communitarians argue, shows that Rawls fundamentally misunderstands the nature of personal identity. They think this because they think that accepting the Rawlsian conception of political identity commits one to the view that a conception of what is intrinsically valuable is not essential to a person's identity. Critics claim that there is a second problem. The Rawlsian conception is used to justify political principles that promote individual freedom over the common good. Critics argue that because of this Rawls's political principles again commit him to the same false view of personal identity—the view that conceptions of what is intrinsically valuable are not essential to personal identity.

From the foregoing, we can see that liberals and perfectionists support different political views, and that the differences in their political views yield different policy decisions, such as the difference in the case of pornography. The different political views, it seems, are supported by different conceptions of persons. Perfectionists support certain views about how persons develop their identities and argue that the government has an obligation to foster the conditions required for individual development. Liberals focus on individual freedom and equality, and this commitment supports their view that the government ought to promote individual freedoms. Communitarian critics argue that the liberal commitment to freedom and equality shows an implicit commitment to a conception of identity according to which individuals' identities are formed independently of society. I now turn to those communitarian arguments.

Liberal Theory and Individualism

Conceptions of political identity are, obviously, closely related to conceptions of personal identity. Rawls's political conception of the person has been faced with a number of objections from critics due to its purported inconsistency with the metaphysical nature of persons and with the features which are most salient in persons. In this section, I explain critics' arguments that liberals are committed to an unacceptable metaphysical view of personal identity. The metaphysical view with which they saddle liberals is the one I referred to at the end of the previous section, the view that persons' identities are developed independently of society. The conception of personal identity that is attributed to liberals is often called "abstract individualism." For example, Kymlicka claims that "it has become a part of the accepted wisdom that

liberalism involves abstract individualism. . . .”⁴ The problem with the liberal commitment to abstract individualism, according to many critics, is that it is inconsistent with the view that persons are partially constituted by their social circumstances. Critics claim that liberalism fails to account for “the inescapably social nature of the individual, the sense in which the individual is ‘embedded in’ and ‘constituted’ through social practices and social roles.”⁵ The problem, as I explain below, is both metaphysical and normative.

Metaphysical Individualism

Abstract individualism is generally taken to be a metaphysical conception of persons. For example, Jagger offers the following account of individuals she claims is central to liberal theory.

The assumption in this case is that human individuals are ontologically prior to society; in other words, human individuals are the basic constituents out of which social groups are composed. Logically, if not empirically, human individuals could exist outside a social context; their essential characteristics, their needs and interests, their capacities and desires, are given independently of their social context and are not created or even fundamentally altered by that context. This metaphysical assumption is sometimes called abstract individualism because it conceives of human individuals in abstraction from any social circumstances.⁶

Jagger offers a cluster of related ideas. The important claim is that persons’ *essential* characteristics are given independently of social context. This claim is important because it can be taken in two different ways, and, as I argue below, critics’ failure to distinguish them has muddled the debate over liberal individualism.

In short, the two notions of “essential” features are, first, the features that are essential to personhood and, second, the features that are essential to persons’ identities (in the sense that without them a person would cease to be the very person he or she is).⁷ To clarify, I call the view that relies on the first notion of essential features “personhood individualism.” According to personhood individualism, there are some features that an organism must have in order to be a person and those features are independent of any social context. The second view, which I call “identity

⁴ Kymlicka (1988), cf. Kymlicka (1989, p. 13).

⁵ Carse (1994, p. 184).

⁶ Jagger (1983, p. 29).

⁷ In what follows, I use the term ‘personhood’ to refer to the set of features, capacities or properties that are essential to being a person. In some cases, I take what others say about *human nature* to be about *personhood*. Human nature has been defined as “a quality or group of qualities belonging to all and only humans” (Schneewind 1995, p. 341). *Personhood* is defined as the set of qualities that underwrite beings’ moral status as having rights (Johnson 1995 p. 513.). While a theory of human nature is broader than a conception of personhood, for my purposes, I suggest that it is acceptable to use them interchangeably because other writers on this topic seem to use the term ‘human nature’ to refer to those features that are essential to beings’ moral status, and those are the features that are relevant to my project.

individualism,” is the view that the features that are essential to each person’s identity are independent of any social context. I defend Rawlsian political identity from objections that it relies on either personhood individualism or identity individualism.

Normative Individualism

Liberalism’s commitment to individualism is also taken to be normative. For example, Nancy Rosenblum claims that “in some cases abstract individualism *is* prescriptive; it is a normative concept of the person that values and promotes impersonal relations.”⁸ She writes that, “Abstract individualism is meant to serve a particular kind of sociability.”⁹ Critics have objected to liberalism’s normative commitment to individualism on the grounds that *inter alia* the “sociability” liberalism promotes is problematic. Kymlicka writes,

It is a commonplace amongst communitarians, socialists and feminists alike that liberalism is to be rejected for its excessive ‘individualism’ or ‘atomism,’ for ignoring the manifest ways in which we are ‘embedded’ or ‘situated’ in various social roles and communal relationships. The effect of these theoretical flaws is that liberalism, in a misguided attempt to protect and promote the dignity and autonomy of the individual, has undermined the associations and communities which alone can nurture human flourishing.¹⁰

The idea is that, as a normative view, the liberal individualist view of persons is unacceptable because it promotes only “impersonal” relations. Moreover, the fact that liberalism promotes only individualistic relations has negative consequences for society.

Liberals, Communitarians, and Individualism

Although perfectionists and communitarians have similar concerns about the nature of persons and the proper aims of government, objections to the liberal conception of political identity come primarily from communitarians. It is for this reason that I claim that revisiting communitarian objections to the liberal conception of persons can inform the perfectionism/neutrality debate.

Kymlicka explains two main types of communitarian criticisms of liberalism. From the discussion in the previous section, these criticisms should be familiar. The first, coming from Sandel is that “liberals exaggerate our capacity to distance and abstract ourselves from [our] social relationships, and hence exaggerate our capacity for, and the value of, individual choice.”¹¹ The second type of objection comes from

⁸ Rosenblum (1987, p. 161).

⁹ *Ibid.*, p. 162.

¹⁰ Kymlicka (1988, p. 181).

¹¹ Kymlicka (1989, p. 1).

Charles Taylor; this objection is that liberals fail to appreciate that our capacity for choice “can only be developed and exercised in a certain kind of social and cultural context.”¹² As I explain below, Sandel and Taylor’s objections concern personhood individualism, identity individualism and normative individualism.

Kymlicka writes that these two objections,

if sound, pose a serious challenge to liberal beliefs about culture and community. . . . They suggest that liberalism is *obviously* inadequate in these matters, that liberals are denying the undeniable, neglecting the most readily apparent facts of the human condition. And this neglect is exacting a high price: liberals, in a misguided attempt to promote the dignity and autonomy of the individual have undermined the very communities and associations which alone can nurture human flourishing and freedom. Any theory which hopes to respect these facts about the way in which we are socially constructed and culturally situated will have to abandon the ‘atomistic’ and ‘individualistic’ premises and principles of liberal theories of justice.¹³

As is clear from this quotation, objections from the likes of Sandel and Taylor must be taken seriously by liberal political theorists. In the chapters that follow, I look at arguments from Sandel and Taylor in detail. I defend Rawls, the liberal torch-bearer, from their objections. Ultimately, I aim to articulate a Rawlsian conception of political identity and show that it does not fall prey to these objections.

The view that persons are socially constituted, and objections to Rawlsian political identity on the grounds that it is inconsistent with that view, have been labeled “communitarian.” Like ‘liberal’, the term ‘communitarian’ does not pick out one particular view, but a cluster of views. While these views (and objections) have come to be called “communitarian,” one thing they have in common is the idea that a viable political theory must be supported by a theory of personhood or personal identity that takes into account the ways in which personhood and identity is influenced by social circumstances.

While this intuition is most often supported by communitarians, similar claims are voiced by feminists (as we have seen) and multi-culturalists. For example, Kwame Appiah, while discussing communitarian objections to Rawls’s conception of the person, says that “One needn’t be a card-carrying communitarian to accept that these considerations aren’t without substance. . . .”¹⁴ What he is getting at is that, while these objections liberal political identity have traditionally come from those of communitarian ilk, the intuitions motivating them concern not only the communitarian idea that individuals are influenced by their community, but general concerns regarding personal identity. Communitarians suggest that any conception of the person as independent of the community leaves out something essential to personhood,

¹² Ibid., p. 2. I note again that, though commentators have given Sandel and Taylor the communitarian label, neither explicitly accepts that label. As explained above, though, the concern here is not with the labels, rather, we are concerned with the extent to which their view exhibits the perfectionist view that the government ought to promote a particular conception of what is intrinsically valuable, and the fact that the reason for endorsing that view connects with personhood or personal identity.

¹³ Ibid.

¹⁴ Appiah (2005, p. 47).

namely, as we will see, the “fact” that persons are “partially constituted by their community.”

So, just what is the objection to the liberal conception of personal identity? Sandel claims that the debate between liberals and communitarians is rooted in different views of selves. As explained above, liberals are committed to the view that persons can be characterized independently of their particularities. Sandel says communitarians object to liberalism for just this reason. He writes

we cannot conceive ourselves as wholly independent in this way, as bearers of selves wholly detached from our aims and attachments. They [communitarians] say that certain of our roles are partly constitutive of the persons we are—as citizens of a country, or members of a movement, or partisans of a cause.¹⁵

In this quotation, Sandel offers the central claim motivating communitarian objections to liberals’ metaphysical conception of personal identity: persons’ identities are fixed by their social circumstances. His concern seems to be metaphysical because he claims that some of our particularities, “our aims and attachments,” *partly constitute* the persons we are. Sandel’s concern seems to be with what I called “identity individualism” because he is concerned not with the features that are essential to being a person, but the features that constitute persons’ identities.

Sandel is not alone in claiming that persons’ identities are partially constituted by their aims and attachments. For example, MacIntyre argues that persons’ identities are not independent of their roles. Moreover, for MacIntyre, what is valuable in persons’ lives is not chosen but is a product of their social circumstances. MacIntyre writes,

In what does the unity of an individual life consist? The answer is that its unity is the unity of a narrative embodied in a single life. To ask ‘What is the good for me?’ is to ask how best I might live out that unity [of a life] and bring it to completion. To ask ‘What is the good for man?’ is to ask what all answers to the former question must have in common.¹⁶

MacIntyre’s answer to the question he poses is this:

the good for me has to be the good for one who inhabits these roles. As such, I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations and obligations. These constitute the given of my life, my moral starting point. This is in part what gives my life its own moral particularity.¹⁷

MacIntyre claims that his view is in contrast to the “modern individualist” view. MacIntyre characterizes the individualist view as the view according to which “I am what I myself choose to be. I can always, if I wish to, put in question what are taken to be the merely contingent social features of my existence.”¹⁸

MacIntyre objects to the liberal individualist view because he claims that social features of individuals’ lives are not merely contingent in that they are the result

¹⁵ Sandel (1984, pp. 5-6).

¹⁶ MacIntyre (1984, p. 218).

¹⁷ *Ibid.*, p. 220.

¹⁸ *Ibid.*

of individuals' choices. He claims that social features partially define individuals' identities. MacIntyre characterizes his view of a life as a narrative unity as follows:

the story of my life is always embedded in the story of those communities from which I derive my identity. I am born with a past; and to try to cut myself off from that past, in the individualist mode, is to deform my present relationships. The possessions of an historical identity and the possession of a social identity coincide. Notice that rebellion against my identity is always one possible mode of expressing it.¹⁹

It not entirely clear what MacIntyre has in mind here. The idea seems to be that persons' lives and identities are like narratives in that they are intrinsically tied to their social circumstances and histories.²⁰ Moreover, even when persons are rejecting socially-given ends, they are expressing them.

MacIntyre's view may seem *prima facie* implausible, but some ways of viewing both our own lives and the lives of others do seem best expressed by a narrative. Consider the fact that biographies generally tell the story of their subjects starting by explaining where they were born, then discussing how they were raised, then recounting their college years, and so on. After reading a biography there is a sense in which the reason knows the "identity" of the person the biography was about—in some sense, the reader knows *who the subject is*. My explanation of MacIntyre's conception is admittedly speculative, but I hope it gives a rough idea of what his view is and why someone might accept it. Happily, though, the details of MacIntyre's conception of personal identity as a narrative unity are not my concern. The purpose in mentioning his view is merely to provide an example of a conception of persons as socially constituted.

Sandel explains that the conception of persons as socially constituted underwrites the communitarian criticism of modern liberalism. Communitarians object to liberalism on the grounds of

the picture of the freely-choosing individual it embodies. Following Aristotle, they [communitarians] argue that we cannot justify political arrangements without reference to common purposes and ends, and that we cannot conceive our personhood without reference to our role as citizens and as participants in common life.²¹

From this quotation, we can see that objections to normative individualism are both metaphysical and normative. By this I mean, Sandel claims that communitarian objections to the liberal commitment to normative individualism take as their starting point the fact that liberals are committed to a false metaphysical conception of persons. Also, communitarians object to normative individualism on the grounds that the correct normative conception of persons—a conception that justifies political arrangements—takes into account the importance of social circumstances to our political life. From the foregoing, we have a clearer idea of the reasons Sandel would give for objecting to what he takes to be the liberal conception of the person. I now turn to Taylor's objection.

¹⁹ Ibid.

²⁰ For discussion of narrative identity and its relation to political theory, see Whitebrook (2001).

²¹ Sandel (1984, p. 5).

Taylor claims that “the free individual or autonomous moral agent can only achieve and maintain his identity in a certain type of culture. . . .”²² This claim grounds the above-mentioned social constitution thesis. He explains the thesis as the view that

men cannot develop the fullness of moral autonomy—that is, the capacity to form independent moral convictions—outside a political culture sustained by institutions of political participation and guarantees of personal independence.²³

According to Taylor, this fact about persons makes it the case that people must be concerned not merely about themselves, but also about their society. Taylor writes,

The crucial point is this: since the free individual can only maintain his identity within a society/culture of a certain kind, he has to be concerned about the shape of this society/culture as a whole. He cannot . . . be concerned purely with his individual choices and the associations formed from such choices to the neglect of the matrix in which such choices can be open or closed, rich or meager.²⁴

The social constitution thesis is a thesis about personal identity—the thesis that persons depend on society to develop their identities. Taylor argues that people must be concerned about society because people need society to develop the capacities that are constitutive of identity in fully developed, morally autonomous persons. Taylor’s claim should call to mind Jaggar’s claim that a problem with liberalism is that it conceives of individuals’ desires as essentially solitary.²⁵ In later chapters, I explain Taylor’s arguments regarding the capacities that are constitutive of identity and his arguments that people need society to develop those capacities.

Although Taylor uses the term ‘identity’ in this discussion, the fact that he links this discussion with general facts about persons—claims about how persons develop moral autonomy and the capacity to form moral convictions—provides initial evidence for a claim I will support below: While Taylor makes claims about the relation various features and capacities have to identity, his real concern seems to be the relation those features have to personhood. As will become clear in later chapters, Taylor objects to liberalism because of its purported commitment to the view I called “personhood individualism.” I support this claim in Chap. 4.

Taylor argues that the social constitution thesis and the facts about personhood and personal identity have normative implications for political theory. He argues that, if the social constitution thesis is true, then political theorists who value certain rights, on pain of inconsistency, must also support a particular type of society. The type of society they must support, Taylor argues, is a society that, first and foremost, promotes a common good. I explain this argument in detail in Chap. 6. Taylor is taken to be a communitarian because he endorses the social constitution thesis and because of the normative conclusions he draws from it, e.g. the conclusion that government ought to promote a common good.

²² Taylor (1985, p. 205).

²³ Ibid., p. 198.

²⁴ Ibid., p. 207.

²⁵ Jaggar (1983, p. 40).

Taylor's communitarian position opposes the liberal view, which he characterizes as follows:

It sees society as an association of individuals, each of whom has his or her conception of a good or worthwhile life, and correspondingly, his or her life plan. The function of society ought to be to facilitate these life plans, as much as possible, and following some principle of equality. . . . The principle of equality would be breached if society itself espoused one or other conception of the good life. This would amount to discrimination, because we assume that in a modern pluralist society, there is a wide gamut of views about what makes a good life. Any view endorsed by society as a whole would be that of some citizens and not others. . . . Thus, it is argued, a liberal society should not be founded on any particular notion of the good life. The ethic central to a liberal society is an ethic of the right, rather than the good.²⁶

The feature of the liberal position Taylor's quotation emphasizes has come to be called the "priority of the right over the good." The thesis of the priority of the right over the good is, roughly, the idea that individual rights and freedoms may not be sacrificed for the sake of some social goal or benefit. The liberal commitment to the priority thesis can be seen in the above discussion of pornography. In that example, I suggested that liberals argue that the government should not limit individuals' freedom to produce and consume pornography, for the sake of promoting a common good. To save words, I call this thesis "priority of the right." Liberals' commitment to the priority of the right supports their claim that the government should be neutral so that each individual can pursue his or her own conception of what is intrinsically valuable.²⁷ It should be clear here that the distinction between negative and positive liberty roughly maps onto the distinction between the priority of the right over the good and vice versa. Those who endorse negative liberty give the right priority; those who endorse positive liberty, give priority to the good. I explain this in more detail below.

Liberals argue that the priority of the right is merely a normative thesis; it is a claim about how governments should treat persons. Liberals claim that the normative thesis need not be supported by a metaphysical theory of persons. Taylor and other communitarians argue, though, that the priority of the right does rely on a theory of personal identity. Like Sandel, Taylor argues that individualism (or "atomism," as he calls it) is a metaphysical theory of personal identity, and that metaphysical theory is the reason liberals support the priority of the right. Taylor claims

Atomism represents a view about human nature and of the human condition which (among other things) makes a doctrine of the primacy of rights plausible; or to put it negatively, it is a view in the absence of which this doctrine is suspect to the point of being virtually untenable.²⁸

²⁶ Taylor (1989, p. 164).

²⁷ In the literature on this topic, the phrase 'conception of the good' is used to refer to individuals' conceptions of what is intrinsically valuable. Because these discussions also make reference to "the good," by which they mean the common good of society. I will refer to conceptions of the good as 'conceptions of what is intrinsically valuable', or sometimes 'conceptions of value' for short.

²⁸ Taylor (1985, p. 189).

Taylor argues that the priority of the right only seems plausible if it is paired with an atomistic theory of personal identity. Given that the priority of the right is taken to be one of the primary issues in the liberal/communitarian debate and Taylor claims that it is supported by a metaphysical theory of identity, he claims that a resolution to the liberal/communitarian debate will be found by “opening up questions about the nature of man. . . .”²⁹

Perfectionists believe that certain facts about persons give the government a reason to treat them in certain ways. For example, if, according to the perfectionist theory, a person needs certain opportunities or experiences in order to develop into a fully-autonomous person, then the perfectionist would say that the government has an obligation to promote or foster the conditions which make those opportunities or experiences available to people. Similarly, Taylor claims that, at bottom, communitarians’ concern is with the relation certain human capacities have to social conditions. He writes,

the issue between the atomists and their opponents therefore goes deep; it touches the nature of freedom, and beyond this what it is to be a human subject; what is human identity, and how it is defined and sustained.³⁰

In Chap. 6, I discuss the perfectionist view mentioned above according to which individuals need certain opportunities or experiences to become a fully-autonomous moral person. These views make trouble for what I called “normative individualism,” which, it is argued, is committed to individuals being able to develop full moral autonomy independently of certain conditions. It also makes trouble for the view that the government ought not to foster a particular view on what is most valuable in a human life, given that the government’s promoting certain opportunities and experiences just is its promoting a certain conception of what makes for a valuable life.

In Chap. 4, I explain Taylor’s view on personhood and personal identity. These views, he argues, show that the views that I have been calling “personhood individualism” and “identity individualism” are fundamentally flawed. In particular, in Chap. 4, I explain Taylor’s arguments for (i) the social constitution thesis, the thesis that persons’ identities are partially constituted by their social circumstances, and (ii) his theory of personal identity, which leads him to accept the social constitution thesis. In Chap. 6, I explain Taylor’s argument that (i) and (ii) support the claim that political theories cannot be wholly independent of metaphysical commitments regarding personal identity. These arguments provide needed substance to communitarian arguments against liberal theories. Thus far, I have been explaining liberalism and communitarian and perfectionist objections to it on the grounds of its purported commitment to metaphysical or normative individualism. I now explain how these claims link up with Rawls in particular.

²⁹ Ibid., p. 209.

³⁰ Ibid.

Communitarian Objections to Rawls

Rawls certainly appears to accept the political elements of liberalism. For example, the first, and lexically prior, of his two principles of justice is the principle of equal liberty. According to it, each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others. The emphasis on the enhancement of individual liberty correlates well with liberalism's political emphasis on the individual discussed earlier.

However, critics who accuse Rawls of a commitment to abstract individualism do not do so because of his principles of justice. Rather, they focus on the ways he argues for those principles, viz. via "the original position," and on his "political conception of the person." The way he argues for his principles is taken to commit him to particular views of personhood or personal identity. Rawls's conception of the person has been taken to be vulnerable to communitarian criticism. For example, it has been claimed that

In general, then, Rawls's conception of the self as antecedently individuated excludes any understanding of the relation between the self and its ends and circumstances that implies that the boundaries of the self might be disrupted, whether by personal commitment, by intra-subjective conflict or by intersubjective relationships. But moral and political life abounds with examples that can only be described in these ways.³¹

In this quotation we see that Rawlsian political identity has been taken to be objectionable for the very reasons that communitarians have objected to liberal conceptions of persons I have been discussing. Communitarians have objected to Rawls's conception of the person due to his use of the original position and the political conception of the person. I discuss them in turn.

Objections to the Original Position

Rawls's use of the original position has been taken to commit him to abstract individualism. Sparing all but essentials, the original position is a hypothetical decision procedure in which Rawls asks us to imagine someone in a very peculiar situation, a situation in which she is fully rational, almost entirely ignorant about features of herself, and confronted with a list of principles from which she must select the one she wants to govern her society. (This is a rough description; later I explain the original position in more detail.) According to Rawls, we can learn something deep about justice by considering the principles such an individual would select. It is reflection on the role of such an abstractly characterized individual, one denuded of many of the features had by real people, that has caused critics to accuse Rawls of being committed to abstract individualism. Rawls himself says that the description of the parties in the original position may

³¹ Mulhall and Swift (1996, pp. 51-52).

tempt us to think that a metaphysical doctrine of the person is presupposed. While I said that this interpretation is mistaken, it is not enough simply to disavow reliance on metaphysical doctrines, for despite one's intent they may still be involved. To rebut claims of this nature requires discussing them in detail and showing that they have no foothold.³²

While Rawls acknowledges that rebutting these objections requires discussing them in detail, he does not provide this discussion. The purpose of the fourth chapter is to draw on Rawls's writings to provide the detailed discussion needed to flesh out his conception of political identity and to use it in later chapters to refute these objections.

Critics have taken the original position to be objectionable on metaphysical grounds for a variety of reasons. For example, critics have charged that the original position is flawed because it makes individuation of the agents in the original position impossible. This is because "they are identical as agents of choice. . . their capacity to choose exhausts their identity."³³ A number of critics claim that the original position does rely on *some* metaphysical conception in its construction, if not abstract individualism in particular. For example, Norman Daniels claims that there are several "background" theories Rawls uses to justify the construction of the original position, one of which is a "theory of the person." He claims the original position "will not be acceptable if competing theories of the person . . . are preferable to the [theory] Rawls advances."³⁴ Amy Gutmann claims that the characterization of Rawlsian liberalism as independent of metaphysics is misleading.³⁵ She writes, "although Rawlsian justice does not presuppose only one metaphysical view, it is not compatible with all such views."³⁶ She claims that "Rawls must admit this much metaphysics—that we are not radically situated selves. . . ."³⁷ The notion of "radically situated selves" is not entirely clear. Gutmann seems to be referring to a conception of the individual as bearing metaphysically essential relations to her social circumstances. I attempt to clarify this in Chap. 4. As is typical in the literature on this debate, Gutmann has not explained the metaphysical view she attributes to Rawls, or why she takes that view to be incompatible with "radically situated selves."

Steven Lukes objects to Rawls on the grounds that he relies on abstract individualism. Lukes claims that, in general, liberalism relies on the notion of the abstract individual, on the idea that individuals' features are given independently of social context. Lukes says that this notion of the abstract individual has been "revived in our own day in the work of John Rawls."³⁸ Another critic of Rawls is Terry Hall, who implicitly accuses Rawls of a reliance on abstract individualism in his exposition of the debate between Sandel and Rawls (I attend to this debate in later chapters). In his discussion of this debate, Hall claims that Rawls is committed to

³² Rawls (1985, pp. 239–40, 1996, p. 29).

³³ Hall (1994, p. 84).

³⁴ Daniels (1979, p. 261).

³⁵ Gutmann (1985, p. 313).

³⁶ Ibid.

³⁷ Ibid., p. 314.

³⁸ Lukes (1973, p. 75).

a conception of the self as essentially autonomous. This . . . conviction is not political in nature but metaphysical (or ontological), because it involves an understanding of how the self, or the human agent *qua* agent, is constituted. It is a view about what the self necessarily is. Essentially the self is not constituted by the ends it in fact chooses, the attachments it makes, or the goods it desires.³⁹

Given Hall's claim that Rawls's commitment is ontological, he clearly claims that Rawls is committed to a metaphysical conception of persons. While he does not explicitly say so, he seems to take Rawls to be committed to abstract individualism, because, as he sees it, Rawls is committed to the view that persons' identities are independent of their particularities.

Richard Rorty also argues that Rawls is committed to abstract individualism. Rorty takes Rawls to be so committed because of what Rorty takes to be Rawls's conception of the moral agent. Rorty's understanding of Rawls's conception of the moral agent is derived from his understanding of the original position (which I show later is a *misunderstanding*) and the agent therein. Rorty claims that Rawls's conception of the moral agent is given by his account of the individual in the original position, who can "distinguish her self from her talents and interests and views about the good."⁴⁰ Rorty thinks that Rawls relies on a conception of the person that has a "substrate behind the attributes."⁴¹ Rorty thinks that Rawls is committed to a conception of persons as having an essential nature that is independent of social context and shared by everyone. Thus, Rorty takes Rawls to ascribe to personhood individualism.

Critics argue that the original position conceptually entails or relies on abstract individualism because it is inconsistent with the theories of personal identity or personhood supported by Sandel and Taylor. It seems that Gutmann's claim that Rawls's view is inconsistent with the view that persons are "radically situated selves" is an example of such an objection. The reason Rawls is supposed to be committed to personhood individualism or identity individualism is that, so the objections go, the original position describes a procedure that is impossible unless one or both of those theories is true.

Others have argued that Rawls relies on either personhood individualism or identity individualism in order to justify the details of the construction of the decision procedure. That is, critics claim that Rawls's justification for the features had by individuals in the original position is that those features are metaphysically essential to personhood or personal identity. Since the original position disallows features that make reference to social circumstances, critics argue that Rawls must be committed to the claim that the features that are essential to personal identity or personhood are independent of social circumstances.

³⁹ Hall (1994, p. 79).

⁴⁰ Rorty (1985, p. 217).

⁴¹ Ibid.

Objections to the Political Conception of the Person

In his later work, Rawls makes use of a “political conception of the person” that, he claims, is an understanding of persons’ political or public identities. What I am calling “Rawlsian political identity” is a more fully elaborated and modified account of this political conception of the person. As noted above, Rawls does not explain the details of the political conception of the person in depth. Rather, his focus is more on the role such a conception plays in the theory and the fact that it need not commit him to an unacceptable view about the nature of persons or personal identity.

Rawls’s political conception of the person, roughly, is an account of the features of persons that are relevant from the point of view of justifying political arrangements. The political conception of the person that Rawls appeals to in his later work is closely related to the conception of the person in the original position. He claims that the political conception of the person was “drawn on in setting up the original position.”⁴² Rawls claims that the political conception of the person is a characterization that picks out the features of persons that characterize them as having the rights and capacities required to participate in political life.

He claims that the conception is derived from ideas that are latent in our political culture, in particular, the ideas that people are free and equal and that society is a fair system of cooperation for mutual benefit. To characterize persons as free and equal, Rawls endows them with two “moral powers,” which are the “capacity for an effective sense of justice,” and “the capacity to form, to revise, and rationally pursue a conception of the good.”⁴³ He also claims that the political conception of the person is motivated by “two highest-order interests to realize and exercise these powers.”⁴⁴ I explain the political conception of the person along with the two moral powers in more detail in Chap. 7.

In his later work, Rawls is supposed to be committed normative individualism due to his use of the political conception of the person. Sandel writes that, after *A Theory of Justice*,⁴⁵ Rawls does not defend

the Kantian conception of the person as a moral ideal, he argues that liberalism as he conceives it does not depend on that conception of the person after all. The priority of the right over the good does not presuppose any particular conception of the person—not even the one advanced in Part III of *A Theory of Justice*.⁴⁶

To understand Sandel’s argument, we do not need to know exactly how to understand what he is calling the “Kantian conception.” What is important about the Kantian conception of the person—and Sandel’s claim that Rawls was committed to it—is that it is a conception of persons as having identities that are independent of social circumstances. Sandel argues that Rawls was, indeed, committed to the Kantian

⁴² Rawls (1996, p. 29).

⁴³ Ibid., p. 93.

⁴⁴ Ibid.

⁴⁵ Hereafter, I refer to *A Theory of Justice* as ‘Theory’.

⁴⁶ Sandel (1998, p. 189).

conception in *Theory*, and that this commitment haunts Rawls's later work, albeit in a more limited way.

Rawls claims that the political conception of the person is strictly normative, and that it does not rely on a metaphysical conception of personal identity. Rawls's use of the political conception of the person does not ward off all of Sandel's objections. Sandel argues that the political conception of the person

closely parallels the Kantian conception of the person with the important difference that its scope is limited to our public identity, our identity as citizens. Thus, for example, our freedom as citizens means that our public identity is not claimed or defined by the ends we espouse at any given time. As free persons, citizens view themselves 'as independent from and not identified with any particular such conception with its scheme of final ends.'⁴⁷

It is important that the *only* important difference Sandel mentions between the Kantian conception of the person and Rawls's political conception of the person is that the latter has a more limited scope. Presumably, as indicated by this quote and others, Sandel thinks that the political conception of the person is just as Kantian and just as metaphysical as the theory of unencumbered selves which he argues Rawls is committed in *Theory*. Here, according to Sandel, the difference is that Rawls only means for it to be a conception of citizens, rather than a more general conception of persons. While the difference Sandel acknowledges is significant, he claims that it does not save Rawls from the metaphysical commitments that he criticizes.

While Sandel is correct that Rawls's political conception of the person does rely on a distinction between personal identity and political identity, I argue that Rawls does not intend—nor does he need—the political conception of the person to be supported by a metaphysical view. I aim to support Rawls's claim that

a conception of the person in a political view, for example, the conception of citizens as free and equal persons, need not involve, so I believe, questions of philosophical psychology or a metaphysical doctrine about the nature of the self.⁴⁸

Rawls claims that the political conception of the person, like the original position need not be based on a metaphysical conception of personhood or personal identity. I aim to show that one can accept a Rawlsian conception of political identity without thereby committing oneself to any objectionable metaphysical views.

Sandel's objection to Rawls's political conception of the person does not stop with his claim that it commits Rawls to the false view of persons as unencumbered selves. The political conception of the person is also subject to what I call "normative objections." Sandel claims that political conception of the person is *normatively* deficient due to Rawls's commitment to the priority of the right. Because Sandel does not clearly state his objection, providing even a rough and ready account of the objection requires quite a bit of exegesis. This exegesis comes in the next chapter. The normative objections, when fully articulated, are more difficult for Rawlsian political identity to deal with, though I ultimately argue that they fail to undermine the Rawlsian conception of political identity that I defend.

⁴⁷ Ibid., p. 192, quoting Rawls (1996, p. 30).

⁴⁸ Rawls (1985, pp. 230–1).

Rawls's political conception of the person is faced with objections that aim to show that it is conceptually incoherent. Rawls's political conception of the person is supposed to be conceptually incoherent because it is inconsistent with the "fact" that persons are constituted by their social circumstances. For example, as mentioned above, Rawls's political conception of the person characterizes persons as free in the sense of being able to choose a conception of what is intrinsically valuable. Critics have claimed that the political conception of the person is untenable on the grounds that persons' conceptions of what is intrinsically valuable are not *chosen*, but are gained from society and a part of their very identities.

If it is true that persons' identities are partially constituted by their values, then, so the objection goes, Rawls's political conception of the person is incoherent, even if it is only supposed to be a conception of persons as citizens. The idea is that, if it is true that we cannot separate persons from their values, then, even if it is just for political purposes, a person cannot simply *bracket* her values because they are a part of who she is. The mere idea, critics claim, is fundamentally confused. In Chap. 4, I present a metaphysical view of persons that I hope clarifies what it means for personhood or personal identity to be constituted by social circumstances.

Normative objections purport to show that we have normative reasons not to adopt the political conception of the person. This sort of objection takes as its starting point the idea that motivates questions like the following asked by Sandel

Why should we adopt the standpoint of the political conception of the person in the first place? Why should our political identities not express the moral and religious and communal convictions we affirm in our personal lives? Why insist on the separation between our identity as citizens and our identity as moral persons more broadly conceived? Why, in deliberating about justice, should we set aside the moral judgments that inform the rest of our lives?⁴⁹

The idea motivating these questions seems to be that, since we do not view ourselves as fitting Rawls's political conception of the person, it is unclear why we would want to adopt that conception. Moreover, it seems false that such an alien point of view is the right one for justifying political theories. Sandel is not alone in thinking that the disconnect between the political conception of the person and our ordinary conception of ourselves could be problematic. For example, Alisa Carse claims that, metaphysical issues aside,

Clearly, we do want the moral point of view to be a point of view we can in principle take. We want our conception of the moral subject to hook up in some way with our conception of ourselves.⁵⁰

This claim is echoed by communitarians, who argue that the liberal point of view fails in this respect. These arguments are subtle. I aim to explain them in the next chapter by looking more closely at Sandel's arguments and in Chap. 6 by explaining other normative conceptions of citizens. I now turn to the priority of the right and explain why it has been taken to commit Rawls to normative individualism.

⁴⁹ Sandel (1998, p. 193).

⁵⁰ Carse (1994, p. 196).

Priority of the Right and Objections to the Political Conception of the Person

Critics argue that Rawls's political conception of the person commits him to a particular view of persons due to his commitment to the priority of the right. In this section, I briefly explain the objection to the priority of the right that is the starting point for communitarian objections to Rawls's political conception of the person. I explain this argument in more detail in the next chapter. Rawls explains the idea that the right is prior to the good as follows:

Social unity and the allegiance of citizens to their common institutions are not founded on their all affirming the same conception of the good, but on their publicly accepting a political conception of justice to regulate the basic structure of society. The concept of justice is independent from and prior to the concept of goodness in the sense that its principles limit the conceptions of the good which are permissible. A just basic structure and its background institutions establish a framework within which permissible conceptions can be advanced. Elsewhere I have called this relation between a conception of justice and conceptions of the good the priority of right (since the just falls under the right).⁵¹

The idea Rawls explains in this quotation is what I have been calling "the priority of the right." For the sake of simplicity we can take "the right" to be a conception of justice because, as Rawls mentions, "the just falls under the right."

Regarding Rawls's commitment to the priority of the right, Kymlicka writes,

Rawls, of course, argued that it is a great virtue of his theory that it gives priority to the right over the good. Critics, however, have argued that this is liberalism's foundational flaw. The criticism is found not just among the old-style utilitarians Rawls was chiefly arguing against, but also among socialists and conservatives, communitarians and feminists. The desire to give priority to the right over the good is said to reflect unattractive or even incoherent assumptions about human interests and human community.⁵²

The idea is that, for Rawls, the priority of the right is a normative position, one that requires a particular conception of persons. As we have seen, this conception is sometimes taken to be strictly normative, and, in other cases, it is taken to be both normative and metaphysical. This latter view, that the priority of the right is both normative and metaphysical, is argued for by Sandel.

In *Liberalism and the Limits of Justice*, Sandel argues that Rawls is committed to a view of persons as metaphysically independent of their ends. He argues not only that this view is embodied in the original position (because the original position requires persons' identities to be independent of their particularities), but also that Rawls's commitment to this conception runs deeper. Rawls's commitment to unencumbered selves, according to Sandel, is rooted in Rawls's commitment to the priority of the right. It seems that, in fact, this deeper commitment that is supposed to result from the priority of the right may be what motivated Sandel's objections to the original position in the first place. That is not to say that Sandel does not *also* have problems

⁵¹ Rawls (1985, pp. 249–50).

⁵² Kymlicka (1988, p. 173, 1989, p. 21).

with the construction of the original position and the supposed conception of the person therein, but that he took the original position to be the tip of the iceberg, so-to-speak—the tip that offered up Rawls’s purported metaphysical view of persons on a platter. Rawls’s supposed deeper commitment to the unencumbered self has led Sandel and other critics to object to Rawls’s use of the political conception of the person in his later work. Sandel argues that, due to the priority of the right, even Rawls’s political conception of the person commits him to personhood individualism and identity individualism. I explain this in more detail in the next chapter.

As I hope this chapter has shown, the charge that Rawls’s original position or the political conception of the person relies on personhood individualism and identity individualism is common. Interestingly, arguments supporting these charges are rare. Indeed, the only philosopher I know of who has actually argued for these claims is Sandel. Sadly, though, as will become clear in the next chapter, his arguments fail to provide a clear account of the metaphysical view to which Rawls is supposed to be committed or what the alternative, more plausible view, is supposed to be. Similarly, the normative objections consist primarily in the charge that Rawls’s political conception of the person is normatively deficient without explaining why that is the case.

Taylor’s positive view of personal identity, the “practical-moral” conception, emerges in his criticism of the types of view that are often attributed to Rawls. Given that the views Taylor criticizes are similar to those that Sandel and others attribute to Rawls, looking at Taylor’s discussion helps to clarify both (i) Sandel’s conception of personal identity, and (ii) why someone who accepts it would object to Rawls. In Chap. 4, I hope it will become clear that Taylor’s account of persons provides a more explicit account of how to understand Sandel’s idea of the encumbered self.

To conclude, it is worth mentioning that an explicit definition of ‘metaphysical’ is hard to come by in this literature. Rawls himself is guilty of this; Jean Hampton writes, “Rawls gives us no precise definition of what he means by ‘metaphysical’.”⁵³ Carse suggests that a “‘metaphysical’ conception of the individual person is a conception of the person *qua* person, that is, a conception of the essential features of individual persons or selves as such.”⁵⁴ Similarly, in all of this discussion regarding conceptions of persons, personal identity, the nature of selves, human nature, and so on, one rarely finds a clear statement of what these terms actually mean.

Implicit in some discussion is the idea that there is a difference between persons and selves, or what is constitutive of being a person as opposed to an agent, or what constitutes personhood versus citizenship, and so on. Liberalisms’ critics and adherents alike discuss theories of human nature, conceptions of persons and personal identity interchangeably, as if these theories all give an account of the same phenomena. While it is likely that the theories are related, it is clear that they are distinct. Among writers on this topic, Unger is unusual in offering the following speculative account of how to understand these terms, theories, and their relation. He writes,

⁵³ Hampton (1989, p. 794).

⁵⁴ Carse (1994, p. 203, n. 3).

The common origin of the ideas of personality and society is a certain notion of what men are in their relationship with nature, to others, and to themselves. When we think of this notion as a quality, we call it human nature or humanity. When we think of it as a substance or subject of which qualities are predicated, we might call it the self. The self is the individual person. But to the extent individuals share common attributes, including a similar relation to the species, the self is the personification of mankind.⁵⁵

While Unger is to be commended for making an effort to define these notions, his definition is far from clear. In the following chapters, I aim, wherever possible, to clarify these terms. As will become clear below, clarifying these theories, how they are related and how they bear on political theory will clear the way for more productive discussion on political identity. This clarification, I suggest, will show the implausibility of many objections to Rawls's original position and the political conception of the person.

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⁵⁵ Unger (1975, p. 193).

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