

The Individual in Royce's and Sandel's Philosophy as a Response to Rawls's Self¹

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In the current debate, we find the conditions for linking identity with the ability to act morally. Michael Sandel argues that in order to consider our abilities to act morally, we must examine our connection to society. In fact, it is first our identity which is formed from this connection, which then in turn informs our commitments and obligations. This argument is part of Sandel's criticisms of Rawls's theory of justice, where commitments are the result of free will. Sandel finds in Joshua Royce an ally for his claims as Royce argues in his philosophy of individualization that our commitments are formed from our place in the world and our relationships with others; furthermore, our ability to fulfill these commitments depends on virtue and loyalty.

Keywords: Josiah Royce, Michael Sandel, individualization, morality, justice, loyalty

This article deals with the approach Michael Sandel and Josiah Royce take as far as individualization and morality are concerned. Josiah Royce is an American philosopher of the turn of 19th and 20th century. Michael Sandel is a contemporary follower of American communitarianism. These two thinkers share the same interest in human's ability to act morally regarding the necessary morality conditions. For Royce and Sandels, these conditions are especially the social attachment and the ability of self-reflection, which shows an individual the responsibilities they are obliged to have. Sandel's critique of

¹ This study came about thanks to project SGS03/FF/2019 – 2020, "White spots of history and contemporary philosophy: Personalities and topics on the fringes of the canon", which was carried out at Ostrava University's Philosophical Faculty in 2019 – 2020.

liberal subject, found on Rawls' *Theory of Justice* (1971), proves that Royce's philosophy of individualization, i.e. an individual's moral anchor, is also today a topic to deal with. Particularly, if we understand the concept of subjectivity similarly to Sandel, for whom it is not morally strong enough.

I would like to summarize Sandel's critique as following: we cannot interpret the relationship between an individual's identity and morality so unproblematically. Moral acting is an adopted ability, which we acquire during our life in society.

The core of Sandel's critique is a claim that liberal self in the *Theory of Justice* cannot comply to the requirements, which this theory implicitly defines. The conception of subjectivity, which Rawls presupposes – an unencumbered self, cannot reflect the demands of society and fulfil its obligations, because it cannot identify with them. The question is- which concept of subjectivity fits the liberal theory? I do not argue that the Roycean self is the answer to this question; However, Sandel's image of self is different, in some respects. Still, there are some essential features, which connect these two conceptions of subjectivity. The Roycean self is a self that is embedded in the society and acquires its own identity through reflection. The Roycean self is able to participate in the identity of the community and its purposes and goals. Here I would like to consider Sandel's critique of Rawls's liberal self and individualization in Royce's philosophy, and how it relates to the question of how individuals in society can act morally and how they acquire this ability.

I contrast the Rawls's self with the Royce's self because Royce's self represents the contemporary view on individuality. Moreover, Sandel argues that it is the theory of self that we are living by: „...despite its philosophical failure, this liberal vision is the one by which we live.”² Sandel also suggests the concept of self, which fits the liberal theory, and which is able to identify itself with its demands. Sandel's claim that the liberal self can choose its end arbitrarily seems to be the gravest of his points; Sandel's enlarged self is supplemented, in this regard, by Royce's way of individualization, which is a way to the realization of individual's goals.

1. Critique of the Liberal Subject by Michael Sandel

Sandel's critique of liberalism focuses on two liberal assumptions: 1. right is over the good, and 2. subject itself is the true and independent source of its identity. In the liberal conception of subjectivity, the individual is not defined through its goals or purposes, it is independent of them in the

2 SANDEL, M.: Procedural Republic and Unencumbered Self. In: *Political Theory*, 1984, 12(1), p. 82.

sense that it precedes them. According to Sandel, the priority of right over the good implies that the self is before its goals.³

1.1 Right Over the Good

The priority of right over the good implies that there is no particular conception of good within the society, and also, there is no principle that precedes society. Society itself is the society, which does not prefer any way of the good life, and individuals themselves choose their conception of the good. Justice does not consist of goals (telos), justice according to Rawls's view is not preferring any particular goal or conception of good. The choice of a conception of good and goals is a personal decision of individuals. In this respect, Rawls's liberal theory stands against teleological conceptions.⁴

Why is right over the good? Society itself has a legal and institutional framework, which allow individuals to achieve their goals, no goals and purposes are prior to any others. In a moral sense, this legal framework precedes all conceptions of the good, which individuals choose. The legal framework comes from the "original position"; in this situation, we precede all circumstances (empirical or social).⁵

The original position is a hypothetical situation, which through the Veil of Ignorance helps to look beyond natural and social circumstances or all contingencies: „First of all, no one knows his place in society, his class position or social status; nor does he know his fortune in the distribution of natural assets and abilities, his intelligence and strength, and the like. Nor, again, does anyone know his conception of the good, the particulars of his rational plan of life, or even the special features of his psychology such as his aversion to risk or liability to optimism or pessimism.”⁶ Therefore, we may choose principles of justice in the original position, we have to be subjects of some kind. There are some requirements for the subject or individual. First, we have to consider justice as the first principle, and we have to be free independent selves, who precede their goals and conceptions of good. The priority of right over the good presupposes some image of a subject, which Sandel calls "unencumbered self": "What they do presuppose, is a certain picture of a person, of the way we must be if we are beings for whom is justice the first virtue. This is the picture of the unencumbered self a self-understood as prior to and independent of purposes and ends."⁷ Theory of Justice presupposes the concept of self that is independent of society and of its goals and purposes. Hence,

3 SANDEL, M.: *Liberalism and its Critics* (Sandel's introduction). New York : New York University Press, 1984, p. 5.

4 SANDEL, M.: *Procedural Republic and Unencumbered Self*, p. 82.

5 SANDEL, M.: *Procedural Republic and Unencumbered Self*, pp. 85 – 86.

6 RAWLS, J.: Rawls, R.: *Theory of Justice* (2nd ed.). Cambridge : Cambridge University Press, 1999, p. 118.

7 SANDEL, M.: *Procedural Republic and Unencumbered Self*, p. 86.

Rawls raises a question: "is a liberal subject able to comply with its social and moral demands?"

1.2 A Self Over the Good

The priority of right over the good requires a subject, whose goals, purpose and conception of the good precede this independent self. Such subject is independent of existing values. Any feature of the subject is not constitutional, it is just an attribute of the subject, which is not essential. This definition of the subject implies the type of society the subject can join or establish. Even a sense of community is just an attribute of society, which is not essential: „As a person’s values and ends are always attribute and never constituent of the self, so a sense of community is only an attribute and never a constituent of well-ordered society, defined by justice, is prior to the ends – communitarian or otherwise – its members may process. This is the sense..., in which justice is the first virtue of social institutions.“⁸ The priority of right over the good implies not only some conception of individuality but even social and ethical implications about the character of the connection of self to its demands and duties.

There is a kind of society that the unencumbered self can establish and join in. It is a society that Sandel calls "cooperative". A cooperative society is composed of individuals whose features (like commitments) are not formative. The opposite is "a constitutional society" composed of individuals who are defined through their purposes (roles or commitments). Commitment in the cooperative society is just seeking the support of advantages for all parties. Members of cooperative society cannot understand themselves as an essential part of society through shared identity or self-reflection⁹: „The notion of independence carries consequences for the kind of community of which we are capable. Understood as unencumbered selves, we are of course free to join in voluntary association with others, and so capable of community in the cooperative sense. What is denied to the unencumbered self is the possibility of membership in any community bound by moral ties antecedent to choice; he cannot belong to any community – call it constitutive as against merely

8 SANDEL, M.: *Liberalism and the Limits of Justice* (2nd ed.). Cambridge : Cambridge University Press, 1998, p. 64. See also: „No role or commitment could define me so completely that I could not understand myself without it. No project could be so essential that turning away from it would call into question the person I am.“ (SANDEL, M.: *Procedural Republic and Unencumbered Self*, p. 86).

9 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 65. See also Rawls’ statement about cooperation: “Yet one basic characteristic of human beings is that no one person can do everything that he might do... Thus everyone must select which of his abilities and possible interests he wishes to encourage; he must plan their training and exercise, and schedule their pursuit in an orderly way. Different persons with similar or complementary capacities may cooperate so to speak in realizing their common or matching nature. When men are secure in the enjoyment of the exercise of their own powers, they are disposed to appreciate the perfections of others, especially when their several excellences have an agreed place in a form of life the aims of which all accept.” (Rawls, R.: *Theory of Justice*, pp. 457 – 459).

cooperative – would engage the identity as well as the interests of the participants, and so implicate its members in a citizenship more thoroughgoing than the unencumbered self can know.”¹⁰ Sandel suggests “an enlarged self”, a self that can establish and join into constitutional societies. An enlarged self comes to its identity through life in society.

1.3 Enlarged Self

According to Sandel, personal identity is created through the process of reflection. It is not possible to understand values as our own without an introspective look at the conception of the good in society. On the opposite, the individual needs some distance from values of society: „...the bounds between the self and the other must somehow be relaxed.”¹¹ The subject we are looking for can share and creates values with others and participate in achieving goals of its society. Sandel creates the concept of a wider subject.

To some extent, Sandel’s subject is determined by society regarding the values that he exposes. This subject can partake in origin of common identity, family, nation, community. Because of this ability, it can join into society and help in achieving its purpose: „One consequence of an enlarged self-understanding such as this is that when ‚my’ assets or life prospects are enlisted in the service for a common endeavor, I am likely to experience this less as a case of being used for other’s ends and more as a way of contributing to the purposes of a community I regard as my own.”¹²

The boundaries of an enlarged self are compared to a more-extended unencumbered self. Nevertheless, Sandel argues that society does not interfere too tight, so the relationship of the enlarged self between individual and community is not so strong. It seems that Sandel attributes reflection to the ability of keeping certain distance from society: „The bounds that remain are not given by the physical, bodily differences between individual human beings, but by the capacity of the self through reflection to participate in the constitution of its identity, and where circumstances permit, to arrive at an expansive self-understanding.”¹³ Sandel calls the self whose boundaries are not strong, a “radically situated self”. Sandel’s wider subject is between two extremes – between an unencumbered self with weak social relationship, and radically situated self, which is not sufficiently distinguished from the others; and a society, which would consist only of radically situated selves, would be homogenous mass.

According to Sandel, we need a wider subject, which does not choose its values and goals on its own, particularly in commitments to family or nation,

10 SANDEL, M.: *Procedural Republic and Unencumbered Self*, pp. 86 – 87.

11 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 139.

12 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 143.

13 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 144.

which could hardly be chosen. We do not choose family, nation or country. Because of the relationship to structures like these, we need to justify through something different from a choice, i.e. through loyalty or sense of belonging.¹⁴

2. The Essence of Individuality in Philosophy of Josiah Royce

The process of individualization is one of the most important motives in Royce's philosophy. His view on individualization changed over the years, he emphasized gradually more and more the role of community. Sandel's enlarged self is like Royce's individual in some respects. It is similar in a way that the individual engages in society, and also in the significance of the relationship of individual, society and moral act. However, also because of what is necessary for creating a good society that enables members of that society to act morally. Nevertheless, there are also some differences. The biggest difference is Royce's conception of the absolute. Royce relates the individual and society to the absolute. In the third period of Royce's philosophy, after the year 1901, the conception of absolute changed as we can see in *Philosophy of Loyalty, Problem of Christianity a Hope of the Great Community*. In this period, the absolute is more immanent and connected with society, and the community is its appearance. At the beginning of Royce's philosophy, there was the Absolute Knower, who involved all meanings. Later, the Absolute Will involving all purposes. In the late period of his work, community is considered the absolute. Members of society became individuals through the community. It is the principle of individualization in the community, then we may ask if there is a clear distinction between the individual and society. I think Sandel's and Royce's solutions to that problem is very similar. They both emphasize a unique relationship among all individuals in society.

2.1 Reflection and Will as Principles of Individualization

In the first period of Royce's philosophy,¹⁵ the principles of individualization are reflection and will. individualization is a process of personal identity acquiring and understanding of oneself. Reflection is the process of "mirroring"

14 Justice: What's the Right Thing to Do?" [Online]. [Accessed October 2019]. Available from: <http://justiceharvard.org/lecture-11-mind-your-motive/>

15 See works *Religious Aspects of Philosophy* (1885), *Spirit of Modern Philosophy: An Essay in the Form of Lectures* (1892).

that goes through interactions within society. According to J. A. Kegley, Royce's "mirroring" is permanent relating to others, to something that we are trying to become, to become the ideal. It is a never-ending process of becoming ourselves. All the time, we are the imperfect embodiment of the ideal or the purpose.¹⁶ Royce disagrees with Descartes's conception of self, which is a fulfilled and independent self. "Whatever the self is, it is not a Thing. It is not, in Aristotle's or Descartes's sense, a Thing. It is not a realistic entity of any type. Whether we men ever rightly come to know it or not, it exists only as somewhere known, and as a part of fulfilment of meaning in the divine life."¹⁷ Royce's self is a constantly incomplete ideal.

Royce was wondering how children's individuality develops. He starts by distinguishing between two terms, the external and the internal. According to Royce, the external term is dependent on society. As individuals, we adopt the concept of externality during interactions with others. Our awareness of the difference between the internal and external, arises from social consciousness, which we acquire during life, not from the beginning.¹⁸

Royce denies the belief that human's individuality and self-consciousness are created first, and then is created the social consciousness, and finally a notion of other people. Our belief about ourselves and all self-understanding is totally a social product acquired through imitation: „Imitation is the primary, originality the secondary, submission is the earlier, relation the later, authority is natural, reflective independence the derived element, in the social and in the cognitive life of man."¹⁹

In the second period,²⁰ will or love are the principles of individualization. Individuality is uniqueness or irreplaceability in some sense. The uniqueness of the individual is in some special purpose, which we embody in society and in relationship to the absolute, which we are trying to reach: „The Self can be defined in terms of an Ideal... Self is definable in terms of purpose, of continuity of life-plan, and of voluntary subordination of chance experiences to a persistently emphasized ideal. If this ideal keeps the individual contrasted with other individuals, as servants of these masters, or again as the servant, in some unique fashion, of God, - as the friend of these friends, as the teacher if these pupils, as the fellow-worker with these comrades, then the Self which we have defined is the Self of an individual men."²¹ Each individual is in the world, and society is in a unique situation, whether to others or to the absolute, which has in that period the image of Absolute Will. Absolute Will includes all individual purposes.

16 KEGLEY, J. A. K.: Josiah Royce on Self and Community. *Rice Institute Pamphlet – Rice University Studies*, 1980, 66(4), pp. 34 – 35.

17 ROYCE, J.: *World and The Individual*, II. New York : Macmillan, 1901, p. 268.

18 ROYCE, J.: The External World and the Social Consciousness, *Philosophical Review*, 1894, 3(5), pp. 515 – 520.

19 ROYCE, J.: The External World and the Social Consciousness, p. 533.

20 i.e. individualization in Royce's works *Conception of God* and *World and the Individual*.

21 ROYCE, J.: *The World and the Individual*, II, pp. 288 – 289.

Royce believes that this relationship of deference implies freedom. Each individual is a unique realization of the purpose, nevertheless, they are not fully determined by the purpose. They follow it voluntarily.²² The individual needs to be in the appropriate connection to the absolute. In the connection, which is strong enough for realizing what the purpose is and free enough for undetermined relationship: „The only possible moral world is a world where various individuals are so free from one another, so relatively separate from mutual predetermination, that each has his own share of the Divine Will, his own unique fashion of determining his attitude towards Whole, while all are so related to one another, and to Absolute, that they do realize, when viewed altogether, the unity of the Absolute Ideal.”²³ This knowledge of the appropriate distance between the individual and the absolute (Absolute Will) is for Royce the necessary knowledge where individuals can act morally. Moral acting requires individuals who are led by Absolute Will, but who also keep their freedom in their acting. He even starts to understand community as the absolute.

2.2 Community and the Individual

In the third period,²⁴ Royce turns his attention to the relationship of the individual to the community. The absolute becomes more immanent and apparent in the world. In the first period of Royce's thinking, the world consists of individuals with the imperfect understanding of the world regarding the Absolute Knower. In the second period, the world consists of finite beings that have limited will regarding the Absolute Will. And in the third period, there is a Community representing the absolute, which consists of individuals who participate in the purpose of the community. Individual identity arises from living in society, as it was in the first period. But now each individual participates in the purpose of society as a whole. They try to subordinate their purpose to the purpose of the whole community, or to have a purpose that is in harmony with society.

The form of our participation in the society cannot be free or independent. It is necessarily dependent on the society. According to Royce, we participate in society through the process of interpretation. Interpretation is a process of communication used by people to share values, vision of the world, notion of past or planning the future. Anything could be the object of interpretation if it is an issue of society: „...interpretation is needed and is

22 See here: „...Self is in its innermost individuality, not an independent, but still a Free Will, which so far owns no external Master, despite its unity with the whole life of God, and despite its dependence in countless ways upon Nature and upon its fellows, for everything except the individuality and uniqueness of its life” (ROYCE, J.: *The World and the Individual*, II, pp. 286 – 287).

23 ROYCE, J.: *Conception of God*. New York : The Macmillan, 1897, p. 275.

24 See works *Philosophy of Loyalty* (1908), *Sources of Religious Insight* (1912), *The Problem of Christianity* (1913), *Hope of the Great Community* (1916).

used only in our literal social relations with other individual beings."²⁵ Interpretation requires three elements – a person who communicates something, a person who listens to it, and an object of their communication. Royce gives us the interpretation of ourselves as an example. In this case, a person who communicates something is our present self, the listener is our future self, and the object of interpretation is our past self. It is a relationship within those three members that establishes the community. Now we may ask, how can the community be absolute and how does it relate to individuals?

Royce does not explain clearly the question about how the community could be absolute. But I think that there are two crucial moments in that connection. The first relates to the term interpretation and the second to another important motive of Royce's philosophy – an endeavor to reach the absolute. The finite individual can never interpret the world perfectly, they communicate the world with other finite individuals, but they cannot reach the absolute knowledge. But these finite individuals constitute a net or chain of meanings. Royce establishes a person of Universal Interpreter, who achieves a complete interpretation of the world, which probably means the sum of all possible interpretation and points of views.²⁶

The second moment relates to Universal Community, which is the fulfillment of an ideal community. This ideal form is for a community a similar thing as an identity for individual, it is a permanent process of becoming, which is never reached. And the individual participates on community through a mutual endeavor for fulfillment the ideal, and the absolute consists of these individuals, of the sum of their wills and interpretations. The way the community connects individuals relates to the principle of individualization, of the late period of Royce's philosophy – to loyalty.

2.3 Loyalty as the Principle of Individualization

In the process of individualization, in which we try to find our purpose of life or place in the society, in harmony with the purpose of the society, the will of individuals and the will of the whole community are connected. The individual accepts the purpose or "cause" of community and devotes to it. And this is a moment of realization or awaking of loyalty or duty. An individual identity arises from that awaking moment arises, the place and purpose in society, our definition as members of society. But, there is something even more significant for Royce, i.e. that realization implies acting or behavior. Our duty arises from self-understanding, and from our place in society. This is Royce's definition of duty: „My duty is simply my own will brought to my clear self-consciousness."²⁷ Royce calls the object of loyalty "a cause", this is what we

25 ROYCE, J.: *Problem of Christianity*, II. New York : Macmillan, 1913, p. 136.

26 ROYCE, J.: *Problem of Christianity*, II, pp. 267 – 296.

27 ROYCE, J.: *Philosophy of Loyalty*. New York : Macmillan, 1908, p. 25.

are devoted to. The community is constituted by sharing causes within the individuals. The question is, which cause is right to pursue? Or which cause is worth? Royce answers that if the cause connects individuals by devotion, it is right to pursue it.²⁸

According to Royce, each human life is defined by a purpose, and if we do not know our purpose, yet we are trying to find it. And through loyalty, we understand ourselves: „I am doer of these deeds, the friend of these friends, the enemy of these opposing purposes, the member of this family.“²⁹ It is not necessary to express loyalty in advance. The individual comes to loyalty progressively in society. But it does not require a conscious devotion, for example by a promise. Deeds and acting are the most significant for Royce, more than convictions or emotions. Self and individuality are defined through loyalty because loyalty is the essence of self and personality. The external sign of our self-definition is acting.³⁰

Loyalty establishes moral acting as well as it establishes individuality. In Royce's philosophy, loyalty becomes the principle of ethics. Understanding the significance and sense of loyalty is necessary for knowledge, for moral conflict solutions, and for answering the question "what should we do?" Loyalty establishes the individual as such, and a moral individual, a person able to act morally. The treatise *Philosophy of Loyalty* submits a very comprehensive ethical system, which has a higher principle in loyalty to loyalty. Loyalty to loyalty means that loyalty is explicitly considered as the highest virtue in society. We can summarize Royce's ethical principles as follows: 1. Be loyal to the goal or cause of your loyalty, which establishes loyalty in the sense that it devotes us to itself. 2. Choose such an object of loyalty that you can pursue until the goal is fulfilled. 3. Be loyal to loyalty, do all you can to your loyalty could be shared by others.³¹

28 ROYCE, J.: *Philosophy of Loyalty*, pp. 51 – 53.

29 ROYCE, J.: *Philosophy of Loyalty*, pp. 167 – 168.

30 ROYCE, J.: *Philosophy of Loyalty*, p. 171.

31 For the most complete description of those principles see *Philosophy of Loyalty*, p. 202.

3. The Embedding in Society as a Condition of Moral Acting in Royce's and Sandel's Philosophy

3.1 Identity and Commitments in Royce's and Sandel's Philosophy

Concerning the process of individualization in Royce's philosophy and regarding the direction of Sandel's critics of liberal self, it seems that these thinkers believe in some kind of connection between morality and identity. According to Royce, our duty depends on our identity, or on our self-understanding. Our duty springs from demands, which define our roles, and from relationship to others, to the community, to the nation or humanity as such. These demands are not chosen freely, in the sense in which we use this word usually. They are not a matter of independent personal choice. For Royce, they are based on our awareness of our place in the world. One of Royce's example is a patriot who naturally feels devotion to his country. But this devotion is not based on the feeling, but the virtue of loyalty, because patriotism without loyalty is just a sentiment. Loyalty is accompanied by devotion, but it is not just a feeling.³²

The character of the beginning of these demands does not depend on free choice as we may believe. Let us consider some demand and roles that we have already mentioned – a member of society, a member of a family, friendship or person who did something (like decision or act). If we are thinking with Royce about loyalty and duty, we conclude that we cannot just decide if we take a part of this relationship, or if we take responsibility. We already are in this relationship as we already are citizens, or we have already done something. We cannot even decide about the character of our demand. For Royce, the idea of free choice demands would be probably absurd. Therefore, we cannot even decide about the way how to comply with the demand. Our role as a daughter or a son, as a citizen or a role based on some behavior or act, always implies duty. Our demands reflect our special situation in the world. When we realize what our situation is, we can find out what kind of action and demand could such a situation imply.

We may ask how much we participate on awaking of duty. Is it society who tells us what our duty is, are we just obeying? Royce says that there is a huge influence of society on morality, but he also refuses the idea that our term of duty comes from authorities. In the first period of life, we believe in what the authority tells us, but later we ask for our definition of duty, which relates to our specific situation. The specific action is a result of the understand-

³² ROYCE, J.: *Philosophy of Loyalty*, p. 180.

ding of our place in the world, our situation and relationship to others.³³ And if our action is in agreement with loyalty to loyalty, and if it could be shared by others, then it is a moral action.

We should read Sandel's work *Liberalism and the Limits of Justice* as critics of Rawls's *Theory of Justice*. Nevertheless, Sandel expresses here his opinion about the concept of self that can act morally, that means to live in the society, to have friends etc. The essence of Sandel's critics is the assertion that the liberal theory of self cannot comply with its statements. Consequently, the liberal self cannot fulfil social demands. Rawls's theory of justice thus fails in its goals, but it also fails in the moral level: „If the deontological ethic fails to redeem its own liberating promise, it also fails plausibly to account for certain indispensable aspects of our moral experience.“³⁴ According to Sandel, we just cannot think about the relationship between personal identity and moral action so unproblematically. Our self-understanding and our definition of ourselves relate to our goals and attachments, which we often cannot choose. Unless we consider ourselves as socially interconnected, or even defined by our demands and relationships, we will never be able to identify the demands as our own, and will not be able to comply with them. We need to be identified with obligations and commitments: „for no such allegiance, however deeply held, could possibly engage my identity to begin with.“³⁵ Without those connections, we cannot understand ourselves as particular human beings: „But we cannot regard ourselves as independent in this way without great cost to loyalties and convictions whose moral force consists partly in the fact that living by them is inseparable from understanding ourselves as the particular persons we are – as members of this family or community or nations or people, as bearers of this history, as sons and daughters of this history, as citizens of this republic.“³⁶ These relationships are typically not chosen, and they are based on loyalty or affectionateness.³⁷

Sandel also mentions that when we consider the relationship to others in the cooperative sense, not in the constitutive sense, it has an impact on their nature or even on their possibility to exist. He gives us friendship as an example. Friendship hardly could exist just in a cooperative sense without affection and mutuality. Sandel sees relationship as what he calls even “parasitic”, it just cannot be a real friendship.³⁸ In contrast, the real human relationship looks different, so the liberal notion is not suitable for real interactions in human societies: „To imagine a person incapable of constitutive attachments such

33 ROYCE, J.: *Philosophy of Loyalty*, pp. 24 – 27.

34 SANDEL, M.: *Liberalism and the Limits of Justice*, pp. 178 – 179.

35 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 179.

36 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 179.

37 Sandel uses the word “affections” in the sense of affection of friends, for example, or members of a family and community. That means in the same sense in which Royce uses this word when he says that loyalty is a “willing devotion”. (See: ROYCE, J.: *Philosophy of Loyalty*, p. 194 a SANDEL, M.: *Liberalism and the Limits of Justice*, p. 180.)

38 SANDEL, M.: *Liberalism and the Limits of Justice*, pp. 180 – 181.

as these is not to conceive an ideally free and rational agent, but to imagine a person wholly without character, without moral depth."³⁹ If we want to know how moral subject looks like we need to consider also its relationship to other people, to society it lives in, and goals it tries to reach, because all these demands create its identity or nature. And for establishing and living in them we need to base these commitments on deeper and stronger grounds than cooperation can offer.

3.2 Choice of Ends and Purposes in Royce's and Sandel's Philosophy

Royce directly ties the choice of our end with an identity, which ensues from demands and unique situation in the world. The process of individualization is thus a way to realization or awaking and understanding an individual's place in the chain of relationship with other individuals and social structures (family, nation, humankind...). It is not a free choice of ends based on personal preferences, which could be arbitrary. It is so for this arbitrariness that Sandel accuses Rawls's liberal self of. If the ends of the liberal self, do not arise from self-reflection, and life circumstances of the individual, then they are arbitrary: „deliberation about ends can only be an exercise in arbitrariness."⁴⁰ This arbitrary choice is based just on desires and inclinations.

If the choice was not arbitrary, it would be also based on our personality, it would be related to our identity. The choice is based on the question of who we are, and answering this question is needed for finding out which ends fit for us: „I ask, as I deliberate, not only what I really want but who I really am, and this last question takes me beyond an attention to my desires alone to reflect on my identity itself."⁴¹ At the point, Sandel raises the same question as Royce when he wanted to untie the individual from its dependence on the authority. Only when we begin to ask who we as individuals are, we discover our relationship to commitments and our life circumstances, in which we are situated. Without self-reflection we can hardly recognize which ends fit specifically to us. Sandel also points out that without self-reflection we would be unable to choose between competing desires: „...some now appear essential, others merely incidental to my defining projects and commitments."⁴²

If we cannot base our ends on desires, what can we base on? Royce relates the choice of ends to loyalty and social commitments. Sandel calls these commitments "constitutive attachments", and they are the commitments we did not choose, or the commitments based on something else than choice – for

39 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 179.

40 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 180.

41 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 180.

42 SANDEL, M.: *Liberalism and the Limits of Justice*, p. 180.

example, friendship is based on sentiment and mutual insight. A self that is in these commitments, and that is *aware of them, is not encumbered. Thanks to these relationships the individuals understand some of their characters as essential: „...the self, now encumbered, is no longer strictly prior – some relative fixity of character appears essential to prevent the lapse into arbitrariness which the deontological self is unable to avoid.*“⁴³

Conclusion

The paper discusses two concepts of subjectivity that both attempt to constitute a moral subject. Both of them conclude that human ability to act morally is linked to individual identity and social attachment. Each individual situation in the world, which connects individuals into social relations, such as nation or family, generates responsibilities and commitments, which tie a person into the community and world. Sandel considers this idea of subjectivity as conflicting with liberal understanding of a self, as found in Rawls *Theory of Justice*. Sandel sees such a so-called unencumbered self as unable of self-reflection through social life and relations to others. As a result of that, such a self is not able to understand any values, and therefore cannot identify with them.

The goals of an encumbered self, or a self that went through individualization, are dependent on its life situation responsibilities. Nevertheless, the unencumbered self opts its goals on its own, based on its desires. According to Sandel, this fact makes the unencumbered self decisions a mere random choice. Therefore, both authors imply that the random decisions are based on individual situation, powered by affection and loyalty and are independent of choice. Therefore, the above-mentioned commitments, which self does not choose, are actually the defining and constitutive features of an individual.

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