

8. LIBERALISM, EGALITÉ, FRATERNITÉ?

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ABSTRACT. This essay attempts to assess recent communitarian charges that liberalism cannot provide for genuine bonds of community or fraternity. Along with providing an analysis of fraternity, I argue that there is more common ground here than supposed by communitarians and liberals alike. Communitarians often fail to see that liberal concerns for liberty and equality function as substantive constraints on the moral worth of fraternal bonds. On the other hand, insofar as liberals ignore fraternity, or see it as a purely derivative ideal, they too make an important error.

Lately liberalism has faced some serious attacks from critics who contend that it cannot provide for social bonds that manifest a genuine sense of community.¹ These critics charge that liberalism is all liberty and equality, but no fraternity. Their implicit message is that liberalism should be amended or rejected outright if its "atomized individualism" prohibits a truly shared social life.

Even though communitarian critics of liberalism have been short on their constructive accounts of community, their attacks merit close inspection. Most of us would like to believe that social life can be more than just a necessary and inevitable inconvenience—that citizenship and other social roles can play an intrinsically important part in human flourishing. Thus, we need to see if a fraternal social life is possible and whether or not it has any drawbacks. Only then can we decide whether liberalism stands guilty as accused, and whether such a failure would constitute a serious crime.

1. The Sense of Community: Fraternity

Perhaps the best way to flesh out the notion of fraternity is to start with a more familiar, intimate fraternal bond and work towards a more abstract conception of fraternity. This calls for caution since there are important

differences between various fraternal ties. Nevertheless, the bonds described here as fraternal all share a common core that allows us to say something significant about them as a class.

In this light, consider friendship as we know it in everyday life—as a mutual, intimate commitment of care and concern. At times, friendship seems to resist philosophical analysis since it appears to depend so heavily on emotional reactions and attitudes. Individuals can find themselves at a loss to explain why they like one another. Even if they can point to admirable or endearing qualities in their friend, this may only provide a partial explanation for the attachment since those who display these same qualities to an even greater degree may fail to capture their love. At other times, friendship can seem more intelligible and even predictable. Shared mutual interests can forge people together since those who struggle hand-in-hand often come to identify deeply with each other. In this case, mutual interests engender an interest in each other.

Regardless of how friendships are born, every fully developed friendship is marked by certain essential shared interests. Friends must share an intrinsic concern for the well-being of each other, for the well-being of their relationship, and for being the sort of person who can remain a faithful friend.² Of course, these three commitments are rarely articulated by friends, and under favorable conditions, there is usually no need to do so. Nonetheless, the very sharing of these commitments is what assumes pride of place in bonds of friendship. Staying true to these commitments constitutes an “indivisible” end for each friend. An indivisible end is distinguished by the fact that the sharing of the end itself is regarded as an essential and preeminent good by those who share it.³

This emphasis on sharing itself is nicely underscored in the minor but revealing insight that friends often care far less about *what* they do together than they do about doing something *together*. The interests or circumstances that brought them together in the first place (a cause, school, physical appearances, etc.) may change completely without altering the relationship. When this is so, it is because their love for each other and their relationship prevails above other shared interests. Even when changes in circumstances or character threaten the bond (e.g., a good and loyal friend goes morally bad), there is usually a profound struggle in the person who must break off the relationship. We find a good friend gone bad so tragic because we care deeply for him and the shared relationship.

Thus, where the intimate bond of friendship is concerned, we can identify the shared nature of the intrinsic concern for each other and for the life of the relationship as the foundation of the fraternal bond. Yet, since friendship is such an intimate tie, this may lead one to question whether friendship has much in common with less intimate bonds, and thus, whether one is likely to discover a common core to fraternal ties by starting with friendship. For example, consider the Vietnam veteran who identifies with those

who served and suffered in the war, and who has deep feelings of loyalty and devotion to these “brothers.” Unlike friendship, which is extended to a few intimates, the Vietnam vet’s loyalty can extend to all those who fall under a fairly abstract description (even if some who fit the description also qualify as personal friends). Moreover, if asked why he identifies with fellow vets, he will more likely cite shared experiences rather than the intimate love that friends are likely to invoke as an explanation.

Despite these differences, bonds of friendship and the less intimate bonds shared by veterans have enough in common to both qualify as fraternal bonds. Vietnam veterans who experience a sense of community with fellow vets assume a particular attitude towards their shared history. During their ordeal, they came to prize the shared nature of their struggles and experiences for more than purely instrumental reasons. Instead, they came to cherish being a sort of extended family with commitments to the well-being of individual members and the well-being of their relationship.

Just as with the more intimate bond of friendship, the importance of the shared nature of these commitments must not be overlooked or underestimated. A group of American soldiers who saw their cooperation in Vietnam as nothing more than their best chance of getting out alive would be unlikely to identify with each other. For that matter, neither would they be likely to identify with each other if they saw good-faith cooperation in strictly impersonal terms like “what fair play demands.” In these cases, the sense in which the struggle is shared is too shallow and coincidental to give rise to a fraternal bond. Fraternal bonds require a sense of sharing that can lead to a transcendence or expansion of the self to include others in a personal, even if non-intimate way. The emotional reactions of those joined in fraternity reveal the depth of this personal identification. Profound emotions of self-assessment like pride and shame can be engendered by the deeds of those known only as brothers in the common cause. The death or suffering of these same people can occasion the sort of mourning that testifies to a serious loss to the self.

Hence, friendship and the bonds experienced by Vietnam veterans both involve a deep identification with others in light of shared indivisible attachments. In both cases, we witness a receptivity to sharing one’s life in a way that gives rise to a shared care and concern for others. Those who are incapable or uninterested in sharing their life in this fashion, like the misanthrope or the narcissist, are therefore incapable of experiencing these fraternal bonds.

Everyday life abounds with examples of intimate and less intimate fraternal bonds. With little difficulty, we could draw examples from science, the arts, sports, and social movements where individuals experience genuine community in light of shared indivisible ends. Of course, a self-conscious awareness of a *feeling* of community is not something that is experienced or at least dwelled on every day by those who share these

bonds. This is why the distinction between fraternal bonds and a psychological feeling of fraternity is so crucial. Any account of fraternity that ignores the psychological sense of community leaves out an essential element of these bonds. Friendship and all fraternal bonds *necessarily* involve certain emotions and feelings. However, the bond itself is not reducible to these feelings. An analysis of fraternal bonds that depends upon those joined in fraternity experiencing omnipresent feelings of community should be relegated to the stockpile of philosophical fantasy. Even best friends don't live life imbued with constant feelings of love and togetherness.⁴

The failure to adequately distinguish between psychological feelings of fraternity and the fraternal bond itself often accounts for the tendency to dismiss fraternity as a relevant or significant social ideal for large-scale communities. The standard argument insists that fraternity can flourish only within small-scale relations with face-to-face contact. The usual exceptions are said to only lend greater support to the claim. The fact that extraordinary events like the assassination of President Kennedy or the Challenger explosion are required to pull us together for some short-lived solidarity is said to show just how unrealistic large-scale fraternal bonds really are. Likewise, grand social movements like the American civil rights struggle (or the French Revolution) are depicted as little more than momentary aberrations from the norm.

However, this argument moves too fast to be accepted as it stands. If fraternity's relevance as a social/political ideal depended upon our living life in feverish solidarity, constantly embroiled in social movements and causes, there would be no need for further discussion. The vast majority of us are employed full-time with careers, families, friends and hobbies, with little time or disposition to dwell on citizenship and social causes. Despite this fact, our social/political life is best understood as aspiring to an ideal of *political* fraternity, and our political practices, laws, and institutions are guided by an ideal of this sort. Furthermore, even though the psychological force of our bonds of political fraternity may go unnoticed amidst the shuffle of everyday life and politics, reports of the death of a sense of political fraternity are premature.

The notion of political fraternity attempts to make sense of the idea of a community as a distinct "people" with special obligations and loyalties that aren't universally shared, and can only be fully understood as arising out of a certain kind of association. A fraternal conception of society is best appreciated by contrast with alternative conceptions. A Hobbesian "de facto" political community depicts a "people" as those bound by a social contract born primarily from geographical proximity and prudence. Rights and obligations are generated by prudential bargains struck with one's impotence and precarious situation foremost in mind. Even a more generous reading of the social contract, one that entails an intrinsic concern for fair political decision-making processes, falls far afield from the fraternal conception. So

long as the dictates of the social contract are taken to necessarily exhaust the rights, duties, and relationship that citizens have as members of the community, there is nothing to be said against the ruthless manipulation of political processes for self-aggrandizement. This picture casts citizens as participants in a perpetual power struggle, even if one with accepted rules of fair play. A fraternal conception, on the other hand, rejects this picture in favor of one that depicts us as collaborators in the shared pursuit of practices, laws, and institutions which best express the spirit of principles of political morality embraced as indivisible ends.

This fraternal collaboration must be more than a purely impersonal adoration of various principles which are only coincidentally shared. The sense in which those joined in political fraternity agree to share their fates must be deeper and more personal. Political fraternity paints us as bound together as a people with a pervasive care and concern for the equal worth of each citizen, and committed to political principles that manifest this relationship. It is in this sense that the concern for ourselves as a distinct community and the concern for particular political principles are inseparable: the pervasive concern for the well-being of each member of our community moves us to embrace certain political principles (e.g., justice, fairness), and in turn, these shared political principles corroborate our sense of ourselves as a distinct people.

What is so special or different about this conception of political association? Instead of grounding political obligations in abstract natural rights or a social contract, this picture presents political obligations as arising out of a particular sort of fraternal association. Despite important differences, it models the picture of obligations that arises out of other social associations like families and friendships. Herein lies one of the attractions of this conception. This view depicts political association as more than an inevitable burden, just as we see familial and friendship obligations as more than yokes we cannot avoid (even if these obligations are sometimes quite burdensome). Instead, it suggests that political fraternity takes its place alongside the other fraternal bonds that to a large extent, make life worth living for most of us. Of course, there is no denying that more intimate fraternal bonds tend to occupy a larger role in everyday affairs. Nonetheless, this picture insists that fidelity to our ideals matters precisely because we care about each other as a people.

Moreover, a fraternal conception of community manifests some of our deepest aspirations embodied in our political practices since it views politics as more than a contest decided by compromises along the lines of power. On the fraternal conception of legislation and constitutional adjudication, the evolution from the 1896 "Plessy v. Ferguson" decision and its "separate but equal" provision, to the 1954 "Brown v. Board of Education" decision condemning segregation in public schools represents progress towards the ideal of equality central to our shared constitution. A fraternal

community (a genuine *community*) must embrace this commitment to equality since without it, the assertion that we are brothers and sisters rings hollow, and our "fidelity" to social obligations degrades into little more than prudence, pure and simple.

This example demonstrates that a community joined in political fraternity must scrutinize its principles, and that so doing may reveal a superficial fidelity or flawed principles. What was perhaps most dramatic and disturbing about the civil rights struggle was that progress towards a fraternal society required overturning long-standing traditions which supported genuine, though parochial fraternal bonds. It was no accident that southern leaders so often excoriated civil rights leaders as "outside agitators" destroying a cherished "way of life."

This example underscores the fact that whether one is talking about fraternity in the more abstract sense of political fraternity (i.e., as a commitment to share our fates as a people guided by shared principles of political morality), or about more intimate fraternal bonds, the sheer existence of fraternity cannot be morally decisive on its own. Even a community with a rich sense of political fraternity can embrace morally flawed principles (e.g., patriarchal or caste societies) or ravage other societies. In the same way, friendship can tempt friends to overlook their obligations to others. This is not to deny the moral importance of fraternity or to imply that it is a purely derivative moral value. As I shall argue below, fraternity is best seen as an independent moral value of greatest importance. My point is to draw attention to the danger of focusing on one moral value in isolation from others. So doing invites one to cast a part of the moral realm as a complete picture of that realm, thereby deforming it.⁵

Hopefully, this quick sketch of political fraternity provides some sound *prima facie* reasons for refraining from dismissing it as overly romantic or inherently dangerous. Like other fraternal bonds, political fraternity revolves around the sharing of indivisible ends and attachments in such a way as to generate concern for those who share these attachments. The notion of political fraternity is not meant to imply or demand that feelings of solidarity must assume the role of a dominant end for citizens. Neither is it meant to suggest that those joined in political fraternity must love their fellow citizens the way they love their friends and family. Any such ill-fated attempt would lead to the destruction of love as we know it and not to its expansion. Instead, the notion of political fraternity appeals to the idea that we, as citizens of a genuine community, must have a personal concern for the life and well-being of our fellow citizens and shared ideals.

Is this an unrealistic ideal for large communities, made perhaps even more unrealistic by the fact that more intimate forms of fraternity demand so much time and energy, thus leaving little behind for citizenship? It is a serious mistake to view this situation in competitive terms. The truth is that our lives are more complex but also *richer* for integrating (however imper-

fectly) disparate fraternal bonds. We are sons and daughters, siblings, parents, friends, neighbors, colleagues, comrades in the common cause, and citizens. The mature moral agent struggles to integrate these bonds within a single life. Furthermore, there is a sense in which political fraternity undergirds this entire fraternal framework. Assuming that citizens prize all sorts of fraternal ties, we should expect a community bound in political fraternity to (1) protect the ability of its citizens to freely form these fraternal ties (subject to suitable constraints by other ideals), and (2) perhaps even encourage the development of multifarious fraternal ties (again, subject to pertinent constraints).

My guess is that more citizens than not have the sort of regard for fellow citizens and our shared political ideals that I am describing here, even if a psychological feeling of fraternity does not make its presence felt all so often. Those who are skeptical about this claim might ask themselves whether the secession of a number of American states would be found disturbing by Americans only for prudential reasons (e.g., economics, travel, etc.), or, as I believe, as something like the breakup of a friendship. If not, this is lamentable since a community which merits the description as fraternal is also honored by it.

2. Communitarian Charges Against Liberalism

Before we turn to communitarian criticisms of liberalism, we need a rough sketch of it as a political theory. Liberalism demands that the community assume a "neutral" attitude towards individual "conceptions of the good life." The idea here is that all individuals frame some conception of a worthwhile life, and then proceed to structure their plans in light of this conception. A commitment to neutrality demands that the community refrain from unfairly forcing a preferred conception of the good life on individuals.

However, since any social life involves conflicts of interests, some of which include powerful moral claims, liberalism must address such conflicts. It does so by invoking a "thin" conception of the good; i.e., what *any* person is likely to need in order to pursue a life-plan, regardless of the details of this plan. This thin conception is used to establish a moral "force field" of rights around each individual by dictating what every citizen is owed in terms of respect from others. For instance, if the thin theory of the good specifies that every person needs to be left alone in various ways in order to pursue any life-plan, basic rights and duties are then assigned accordingly. Of course, this force field places constraints on the content of conceptions of the good life: agents are not allowed to interfere with the rights of others, even if interfering with others is essential to one's life-plan. Thus, liberal "neutrality" cannot entail literal neutrality toward life-plans. Instead, liberalism attempts to predicate our social life on something other

than power, and to insure that the weak, the unpopular, and the unorthodox receive an equal opportunity to pursue their life-plans. This serious commitment to individual rights manifests the conviction that each person has an equal moral claim to pursue a life-plan that respects others.

How much liberalism can demand of individuals in terms of contributions to the common good depends upon how liberty is seen as a political ideal. If liberty *per se* (save for exercises of liberty that invade the rights of others) is seen as the ideal, then non-voluntary contributions to the common good become increasingly difficult to justify. In this case, every mandatory contribution to the common good requires a tradeoff where the ideal of individual liberty is concerned. On the other hand, if the emphasis is placed upon fundamental liberties designated as rights, then the common good can carry far greater weight. In this case, impositions on individual liberty for the common good do not require a compromise of the ideal of liberty since this ideal involves a commitment to *particular* liberties rather than to liberty *per se* (i.e., "all rights are liberties, but not all liberties are rights").⁶ However, both versions of liberalism share a common attitude towards utilitarian demands: the burden of proof rests with the community to show that demands for the common good are consistent with an equal regard for the dignity of each person.

With this sketch of liberalism in hand, consider some communitarian charges against it. One attack has focused upon empirical observations regarding the effects of so-called liberal policies. Liberal policies are said to fracture traditional havens of fraternity: pornography, planned parenthood, and abortion tear against family life; the exclusion of school prayer and religious symbols from public places pulls against shared religious values; ethical relativism in the guise of toleration encourages a "valueless" community; innocent social clubs are villified as bastions of elitism, racism, and sexism.

There is a deeper conceptual criticism that transcends these observations. Communitarians contend that even *if* individual conceptions of the good life did not happen to diverge so widely (i.e., even if everyone agreed on all the issues), a community founded on liberal principles of political morality would still lack a genuine sense of community. This is because liberal principles are said to lack a commitment to a truly shared social life.

Communitarians see the liberal community as little more than an aggregation of atomized individuals. Since the fundamental concern is the individual, critics see little room for an appreciation of a true *common* good. Any concern for the collective good is essentially individualistic in character: contributions to the collective good are required if they play a role in the pursuit of individual life-plans. This emphasis on the individual is manifested in the liberal dichotomy between public and private life, and the eviscerated conception of the former.

Communitarians like to advert to the liberal conception of the self to

explain these concerns. The liberal self is depicted as "radically free," divorced in theory from any social context. As Alisdair MacIntyre puts it,

From the standpoint of individualism 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.⁷

MacIntyre and other communitarians insist that such a view of the self is empty, artificial and ultimately destructive. This view of the self ignores the fact that,

...we all approach our own circumstances as bearers of a particular social identity. I am someone's son or daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. Hence what is good for me has to be the good for one who inhabits these roles.⁸

Communitarians can admit that liberals usually choose to include these relationships in their life-plans. However, communitarians believe that the liberal conception of the self works against experiencing real community with others—even for those liberals who desperately desire these bonds.

In effect, communitarians argue that insofar as the fundamental unit of social concern is the autonomy of the individual, liberalism lacks an indivisible end that might provide a foundation for fraternal bonds. They see the autonomy of the individual as a "self-regarding" good, and as such, one that provides little ground for individuals to identify with each other. The acquisition of a purely self-regarding good is unlikely to occasion any identification with others unless we *already* identify with them. Since communitarians see nothing in liberal principles of political morality besides the demand for mutual toleration and respect, they see nothing on which fraternal bonds might grow. As they see it, mutual respect and toleration can provide for civil relations, but hardly civic friendship.

Ultimately, communitarians see this liberal threat to bonds of political fraternity as a part of a larger danger. Liberal individualism is thought to threaten life's non-political fraternal ties since flourishing friendships, romances, and familial relations are incompatible with the liberal preoccupation with the self. Friends, lovers, parents, and siblings must transcend the self to experience these bonds. Communitarians believe that most liberals prize these relations as much as the next person. But they also believe these bonds are not to be had unless the liberal conception of the self is abandoned.

3. The Liberal Response

In this section, I present a liberal response to these communitarian criticisms. I should make it clear from the outset that some depictions of liber-

alism may fit poorly with my interpretation. Even so, I contend that liberals would do best to assume the stance I describe here because it casts their concerns in the most attractive light.

First of all, consider the charge that the liberal conception of the self is artificial and unattractive because it depicts the individual as removed from any social context, free to form ends in a social vacuum. Though some liberals help create an image of the liberal self as one devoid of any rootedness in social relationships and traditions, this conception of the liberal self is misleading. Even liberals must admit that we have genuine moral obligations to others which are not "chosen" in any sense. Familial obligations are perhaps the clearest example. These obligations are generated by virtue of our unchosen membership in this natural association. The real core of the liberal appeal for periodic detachment is an appeal for reflective moral agency: moral agents must possess and exercise the capacity to critically evaluate both self and community. When liberals criticize the blind acceptance of traditions or social solidarity predicated on injustice, it is a mistake to conclude that liberalism adopts an inimical or indifferent attitude towards traditions or social solidarity. Liberalism merely insists that traditions and social bonds can be morally pernicious or imperfect, and so cannot be *blindly* accepted.

Of course, communitarians may insist that certain social roles should be fixed in a way that is immune to moral questioning (i.e., the self is "radically situated" in a particular social context). Yet, even communitarians should realize that deliberation is often required to figure out just what is demanded of us as parents, siblings, spouses, friends, or citizens. These social roles require constant interpretation and reinterpretation if we are to live true to them. Moreover, we need to figure out how these and other social roles are to be integrated since they can pull us in opposing directions. Without this capacity for deliberation, we are stuck with whatever *de facto* conception of social roles happens to rule in a community at a given time. In this case, any notion of moral progress or vision is lost and moral legitimacy devolves into a glorification of the status quo. Liberalism's call to scrutinize social traditions and roles can be rejected only at the price of embracing some version of moral relativism.

In the face of this kind of response, communitarians may retort that the real problem rests not so much with the questions liberalism encourages, but with the answers it generates. By concentrating on the autonomy and freedom of the individual, liberalism reveals its indifference to genuine community in favor of the ideal of the "autonomous chooser" who is free to realize his choices, whatever they may be. This predominating individualistic ideal ignores or trivializes the sense in which we are social beings.

Given the way liberal rhetoric so often waxes poetic about individual liberty and has so little to say about fraternity, it is easy to understand why one might conclude that liberalism cares only for the former. However, this conclusion should be questioned. Liberalism's commitment to individual

liberty is best understood through, or at least in conjunction with the ideal of equality. Liberalism should be viewed as embracing, first and foremost, a commitment to the equal well-being and dignity of every citizen. Each citizen should be seen as an equally important member of the association, just as each member of a good family or friendship is seen as an equal member.⁹

Liberalism views the capacity for autonomous choice and the freedom to realize such choices as constitutive elements of a well-lived life, and therefore strives to protect these capacities in citizens when assigning rights and duties. Liberalism need not paint the exercise of these rights as unconditionally or supremely valuable. Quite the contrary, liberalism can recognize tragic clashes between the exercise of liberty and other goods. No doubt we have all been tempted to manipulate or override the choices of a friend for her own good. Liberalism interprets our hesitancy to do so (or our resentment at having it done to us) as a recognition of the intrinsic importance of exercising autonomous control over our life. This does not mean that autonomous choice is seen as the *only* thing that matters; we wish to make wise choices and not merely choices. Nevertheless, liberalism insists that we care about our choices being our own, and about being free to realize them.

These considerations shed light on the "public/private" distinction associated with liberalism and so often criticized by communitarians. The realm of "private morality" should not be seen as less important than that of "public morality" for liberals. Indeed, liberals can recognize that in everyday life, concerns of private morality may play a far greater role in the well-being of citizens. Liberals can recognize that citizens would live far better lives by forging all sorts of fraternal ties. However, liberalism refrains from attempting to force citizens to forge these sorts of bonds (or pursue other goods) because (1) such coercion wouldn't work—you can't *make* someone be a good friend or spouse, and (2) such coercion would militate against the very nature of these relationships—these attachments are prized as expressions of *freely* given love and affection. Thus, liberalism eschews enforcement in the so-called private realm, but not because this realm is seen as less important.

Of course, in a less-than-ideal liberal community, the well-being of all requires enforcement where public morality is concerned. However, under optimal conditions, citizens would freely embrace the political ideals of liberty and equality as indivisible ends, and see fellow citizens as members of an extended political family who have agreed to share their fates by subjecting themselves to self-government guided by these ideals. In real life, some citizens will always see their fidelity to laws and institutions as nothing more than a strategy to enhance self-interest. For such citizens, the idea of a "common good" must be shallow and coincidental since the good of fellow citizens is linked to theirs in a purely instrumental fashion, and political association is little more than an unavoidable nuisance. Indeed,

much the same can even be said for those who might have an intrinsic, but purely impersonal concern for liberty and equality. In this case, the appreciation of the shared nature of these ideals would be missing, and without it, one is left with little more than a coincidental aggregation of individuals who only happen to have certain ideals in common. In contrast, in the ideal liberal community, the commitment to liberty and equality manifests a pervasive concern for fellow citizens.

Hence, my suggestion is that the liberal commitment to equality and liberty is best seen as located within an account of political fraternity. This interpretation allows us to make the best sense of phenomena like the American civil rights movement with its sentiments like "None of us is free until all of us are free." The liberal outcry against injustice to black Americans was more than prudence or a purely impersonal, individualistic regard for justice. Though black Americans bore the burdens of injustice, liberals saw the struggle as one for all Americans. The exposure of racial injustice shook our self-conception as a people described as "indivisible, with liberty and justice for all." Just as families mourn the death of a child or the breakup of divorce, Americans mourned the suffering of fellow Americans and our infidelity to our own ideals.

My guess is that communitarians may be sympathetic to this fraternal "twist" on liberalism, but insist that the foregoing constitutes nothing less than a substantive revision of liberal political thought. However, I believe that the seeds of this interpretation are to be found in some prominent, mainstream liberal accounts.

Consider John Rawls' important work, *A Theory of Justice*. Much of the attention to this work has focused on Rawls' account of the "original position" and whether his two principles of justice follow from the formal constraints imposed by the "veil of ignorance." On the one hand, some critics have expressed doubts about whether any substantive constraints on social choice can be derived from these formal constraints. On the other hand, others have asked whether such substantive constraints (assuming they can be derived) should have any force since Rawls' social contract is forged under artificial and purely hypothetical conditions. These critics openly wonder whether the original position is rigged in such a way as to produce the desired result—Rawls' two principles of justice.

However, these criticisms miss the real point of the original position. The original position with its veil of ignorance is used to generate a conception of justice that fits and honors what Rawls sees as our most fundamental right—the right of every citizen to equal concern and respect from the community.¹⁰ The conditions of the original position are not the product of any social contract, but rather, a manifestation of the principle of equal concern. These conditions place constraints on the content of any contract by reducing or eliminating opportunities for favoring individuals, groups, or classes in a way that would offend against the ideal of

equality. Notice that Rawls offers no direct argument for this ideal. His is less an account of why we should embrace this ideal (one he sees as central to a democratic republic) than it is an articulation of this ideal given the fact that we *already* share it.

Of course, communitarians may insist that even if Rawls' social contract is inspired by shared ideals, the very notion of a "contract" hardly brings fraternity to mind. This idea of a contract seems most at home where strangers and business associates struggle to insure their own rights "in writing." The very mention of contracts and rights suggests that something has gone awry where friends and family are concerned since the assumption is that one should never *have* to invoke one's rights within fraternal bonds. Perhaps Rawls' preoccupation with contracts and rights reveals the absence of fraternity in his account.

Yet, those who persevere through Rawls' dense work to his conception of a "social union" find a deeper conception of community. Rawls rejects the "private society,"

Now the sociability of human beings must not be understood in a trivial fashion. It does not imply merely that society is necessary for human life, or that by living in a community men acquire needs and interests that prompt them to work together for mutual advantage ... The social nature of mankind is best seen by contrast with [this] conception of private society. Thus human beings have in fact shared final ends and they value their common institutions and activities as good in themselves. We need one another as partners in ways of life that are engaged in for their own sake...¹¹

Rawls insists that a "well-ordered society" is itself a form of social union, an association characterized by "shared final ends" that are prized at least in part *because* they are shared. Rawls even invokes fraternity in his defense of his second principle of justice, the "difference principle,"

The difference principle...seems to correspond to a natural meaning of fraternity: namely, to the idea of not wanting to have greater advantages unless this is to the benefit of others who are less well off. The family, in its ideal conception and often in practice, is one place where the principle of maximizing the sum of advantages is rejected. Members of a family commonly do not wish to gain unless they can do so in ways that further the interests of the rest.¹²

Despite the "individualistic" overtones of *A Theory of Justice*, Rawls' work is best understood as an attempt to construct a blueprint for institutions that might honor a community conceived as a political family—an extended family with a pervasive concern for the well-being of its constituent members.¹³

In his most recent work, *Law's Empire*, Ronald Dworkin has been far

more explicit about the central role he sees for the notion of fraternity in liberal political theory,

...the best defense of political legitimacy—the right of a political community to treat its members as having obligations in virtue of collective community decisions—is to be found not in the hard terrain of contracts or duties of justice or obligations of fair play that might hold among strangers, where philosophers have hoped to find it, but in the more fertile ground of fraternity, community, and their attendant obligations.¹⁴

These two examples are not meant to convince anyone that fraternity has played or currently plays a prominent role in liberal political thought. Indeed, in the final section of this essay I shall consider why fraternity has been absent from liberal accounts (in theory *and* practice) and why communitarians have done liberalism a service. Nevertheless, the fact that liberals have often ignored fraternity doesn't mean that fraternity has no place in liberalism (anymore than the fact that Christians may often be unkind means that benevolence plays no role in Christianity). Quite the contrary, as I have suggested, liberalism is best understood by appeal to the ideal of political fraternity. Liberal concerns for liberty and equality should be viewed against the backdrop of a people whose pervasive concern for each other is both manifested and sustained by their fidelity to these ideals.

4. Liberalism & Fraternity: Theory & Practice

When people are friends, they have no need of justice, but when they are just, they need friendship in addition. In fact, the just in the fullest sense is regarded as constituting an element of friendship. (Aristotle, *Nicomachean Ethics*, 1155a25)

If I am correct in claiming that liberalism is best understood against the backdrop of political fraternity, why should this claim seem like news to us? My guess is that most people do not associate liberalism with fraternity, and if this is so, why is this the case?

One part of the answer has to do with the simple fact that bonds of fraternity of any sort or scale can be strained if the participants' conceptions of the good diverge too radically. Consider good friends who want only what is best for each other and see respect for their autonomy as intrinsically important. If they exercise their autonomy in ways that seem base and unworthy to each other, it may prove difficult to maintain the bond. In fact, at some point they may even consider themselves morally obliged to sever the tie if the perceived flaws are so serious.

It should be unsurprising if less intimate bonds of political fraternity can be strained by divergent conceptions of the good. Such differences can often be put aside and solidarity maintained with an attitude of "We're all in this

together." But as with personal friendship, there are definite, even if imprecise limits here. Insofar as liberalism encourages and supports debate and diversity with respect to conceptions of the good life, it must sometimes pay the price in diminished social solidarity.

Nonetheless, it would be a mistake to focus too much attention on this point. For one thing, there is a risk of encouraging the conclusion that social solidarity is predicated upon absolute consensus. This conviction can lead to a "love it or leave it" attitude that casts a concern for fraternity and a willingness to question shared traditions and practices as incompatible. This confuses fraternity with collectivism. Genuine fraternal bonds can exist without a consensus, and a mere consensus may be a sign of little more than the fact that people care too little to argue about something. For another thing, it would be misleading to ignore the fact that despite differences in conceptions of the good, our society is marked by a great amount of agreement over "the good life" and "the good society."

The deeper reason for the relative paucity of explicit concern for fraternity in liberal accounts and liberal communities has to do with liberalism's historical roots. Liberals have always concentrated on individual rights and have focused their energies on enacting structural changes in laws and institutions. They have taken it upon themselves to fight for the "outsiders" in society (often the majority) and against more powerful factions that would prefer to maintain a favorable inegalitarian balance of power. Under these circumstances, liberals have tended to forego appeals to fraternity in favor of eking out improvements in individual rights. One need only imagine the hopelessness of trying to convince Klu Klux Klansmen that we are all brothers and sisters. Hence, because liberals have often found themselves at war with unsympathetic "enemies," the notion of fraternity has taken a back seat in the fight for rights that are precious—rights that are no less precious even if they are granted begrudgingly and for the wrong reasons.

Even if historical circumstances have conspired against the third member of the French Revolution's famous triad of "Liberte, Egalite, Fraternite," this does not mean that liberals must continue to ignore it. A common concern for liberty and equality *may* eventually lead to fraternity amongst those who struggle together in good-faith, but not necessarily. A principled misanthrope, enamored with the sublime moral beauty of the idea of free and equal rational beings could embrace two-thirds of the triad, but reject the third member. Likewise, a society devoid of want and injustice, and imbued with a pervasive commitment to combat these evils wouldn't necessarily be fraternal since the commitment could be a purely impersonal one. To prize fraternity, one must prize the very sharing of indivisible attachments and concern that mark these bonds. Fraternity is more than a mere psychological epiphenomenon or serendipitous side-effect that occurs whenever people have a coincidental concern for the same thing.

Whether one is talking about personal or civic friendship, fraternity is

best seen as a non-derivative moral ideal that merits explicit attention. Individuals can have a common concern for liberty and equality without being friends (personal or civic), but can't be true friends without a pervasive concern for each other and their fair treatment. Of course, fraternal bonds are not morally decisive on their own since the conceptions of liberty and equality that inform the bond can be skewed (e.g., paternalism towards women in patriarchal communities), or those joined in these bonds can mistreat others. Nonetheless, it would be a grave mistake to explain fraternity's moral value by accounting for it under some more general, universal moral principle like "respect for rational beings" or "the maximization of human happiness." What we owe parents, siblings, children, friends, neighbors, and fellow citizens, and the way in which we owe them cannot be adequately explained by appeal to what we owe just anyone or what would maximize happiness (even though we *do* have moral obligations to just anyone and ought to care about maximizing happiness). Fraternity constitutes a distinct form of personal moral regard that involves an often profound transcendence of the self. These bonds account for much of the structure and meaning to be found in a human life. Hence, they have as great a claim as any more impersonal principles to a place of importance in the pantheon of moral and political values.

How might a liberal community evince a high regard for fraternity? First of all, liberals must forge a vision of citizenship and political life that appreciates individuality without fostering the sort of individualism Tocqueville observed and feared in American society,

Individualism is a calm and considered feeling which disposes each citizen to isolate himself from the mass of his fellows and withdraw into the circle of family and friends; with this little society formed to his taste, he gladly leaves the greater society to look after itself...Such folk owe no man anything and hardly expect anything from anybody. They form the habit of thinking of themselves in isolation and imagine that their whole destiny is in their hands.¹⁵

This attitude encourages a view that sets public and private life at odds, and casts the former as a nuisance we would all prefer to do without. This view is incompatible with the democratic ideal of self-government, where citizens yearn to participate and struggle together with the common good in mind, and see this activity itself as a good. The liberal conception of the common good must be one that treads a delicate and subtle line, incorporating the communitarian aspiration that a community be more than a mere aggregation of individuals, but also paying proper attention to liberal insights about the autonomy and equal worth of each citizen. Thus, individual rights must occupy a special place in the common good, *but* against the backdrop of our being a people who care too much for each other and our shared ideals to sacrifice some by ignoring or oppressing them. Hence, in

constructing their vision of citizenship and political life, liberals would do well to temper the dichotomy between the public and private. Liberals *should* continue to insist that many of life's greatest goods militate against public coercion and enforcement because they lose their value when not freely pursued. But they should also do their best to discourage a radical "schizophrenia" between the public and private self.

The liberal community must also develop a sensitivity to the demands and value of a *sense* of fraternity, and take this into account when assigning rights and duties. This is *not* to suggest that the preservation of fraternity should ever override the demands of justice. Quite the contrary, fraternal bonds that are based on injustice lose their moral authority and are rightly overridden. Nevertheless, we often need to appeal to fraternity in order to see what justice allows and demands. For instance, though justice requires that we treat all people alike in certain respects, it does not require that we treat people alike in all respects. Such a requirement would militate against essentially inegalitarian forms of concern like friendship. Without proper attention to fraternity, the ideal of equality might be foolishly interpreted as demanding that we be all things to all people.

In this light, consider the controversial social issue of flag-burning. To many Americans, the flag is a mere piece of cloth and flag-burning nothing more than a dramatic form of political protest that should be protected under the rubric of free speech. However odd as it may seem, other Americans see this practice as nothing short of a vicious and contemptuous repudiation of our nation and its ideals (tantamount to mocking Christ or mounting a "Hitler for Man of the Century" campaign where Christians and Jews are concerned). Under these circumstances, those who feel duty-bound to exercise their liberty to burn the flag cannot do so gleefully or capriciously if they truly care for their fellow citizens. The mere fact that burning the flag does not pain them does not change the fact that it deeply offends fellow citizens. At the very least, such action should be regretfully chosen only after other avenues of protest are exhausted. In comparison, consider what we would think of someone who burned their family portrait in protest over a minor family disagreement, or just because they felt like exercising this liberty for its own sake.

The point here is that preserving a sense of fraternity where less intimate fraternal ties are involved requires more self-conscious attention since the respect and affection of more intimate bonds cannot be taken for granted. Confronted with issues like flag-burning, a community that prizes fraternity must consider the divisive repercussions of such a practice. This is *not* to suggest that a community ought to pander to the whims or prejudices of factions in the service of social solidarity. No doubt some citizens find homosexuality, miscegenation, and atheism offensive, but to outlaw these convictions and ways of life (even *if* so doing would create more social solidarity) would compromise some of our most important liberties. It is

certainly less obvious how flag-burning constitutes an essential liberty, and thus we need to consider whether something of value might be lost by condoning such a practice.

Ultimately, careful attention to preserving and encouraging bonds of fraternity would no doubt support many policies liberals have ardently advanced. For instance, all of the following would help provide a fuller and more equal membership in society for various citizens, and therefore evince a more serious commitment to their well-being as equally important members of the community:

- a more egalitarian distribution of resources (wealth, education, opportunities) for naturally and socially disadvantaged citizens
- integration of the handicapped into the mainstream via training programs, and handicapped-access facilities and public transportation
- affirmative action programs aimed at enlivening the hopes and expectations of those with little reason for optimism

However, attention to fraternity might also call for other practices less automatically associated with liberals:

- restrictions against plant closings and business pullouts in communities
- encouraging public service through incentive programs (e.g., service in return for educational vouchers), and perhaps even a national service requirement
- loosening up the interpretation of the separation of church and state so as to allow for the display of religious symbols on public property during holiday seasons
- allowing local communities a greater say in standards of obscenity and offensiveness
- encouraging discussion of moral values and virtues in public schools and public forums
- supporting family life via publicly funded pre-school and child-care programs, and through educational programs

These suggestions may prompt the question of what all this has to do with *political* fraternity since some of these examples clearly involve more intimate fraternal ties. Since a fraternal community must evince a pervasive concern for the good of its citizens, it must do its best to encourage all the fraternal bonds that give shape and meaning to the lives of its citizens. Clearly, no community can *make* anyone into a good parent, spouse, sibling, friend, neighbor, colleague or citizen. As Rousseau noted, laws can change behavior but leave hearts untouched. Nevertheless, a community must do

its best to provide fertile soil for fraternity in all its forms if it is to lay claim to being a community joined in civic friendship.

In an age where citizens feel alienated from what they interpret as a politics of naked self-interest masquerading as something more, and where many traditional havens of fraternity have experienced hard times and even disintegration, liberalism is faced with a challenging task. Communitarians have done well to awaken (or reawaken) liberals to the importance of nurturing a genuine sense of community. Liberals, for their part, have done well to point out that traditions and social solidarity have often flourished only at the price of injustice, intolerance and exclusion. Now liberals must set to work towards a society that is at once just and fraternal. Despite the fact that liberal political accounts have often had little to say about fraternity, a sympathetic interpretation of the liberal ideals of liberty and equality reveals that these ideals are best understood only when conjoined with the ideal of fraternity.

ENDNOTES

¹For a representative sampling, see Alisdair MacIntyre, *After Virtue* (Notre Dame University Press, Notre Dame, 1981); Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge Univ. Press, New York, 1982) and "Morality and the Liberal Ideal" (*The New Republic*, May 7, 1984, p.15).

²One may question whether a concern for one's own character must play a necessary part in friendship. However, without a concern for our own character, we would never succeed as a friend since we are all occasionally assailed by inclinations which pull against friendship.

³It is tempting to refer to indivisible ends merely as "shared ends." However, such a description is ambiguous and can invite misunderstanding. Ends or attachments that are only coincidentally shared (i.e., we happen to desire the same good), shared for purely instrumental reasons (i.e., we find it more efficient to cooperate), or shared because it is literally impossible for any to have the good unless all have it (e.g., a clean environment) are not indivisible in the sense I mean to convey. In these examples, the fact that an end is shared does not enter into the specification of the end in any essential way. The sharing of these ends is a non-essential feature of the description of a relationship between an agent and a good. These agents would be perfectly happy if their ends weren't shared so long as they achieved their goals. With indivisible ends, the shared nature of the end is an essential feature. Those who share indivisible ends can draw satisfaction from the sharing of these ends even if their goals sometimes seem hopeless (e.g., South Africans united against apartheid).

⁴One notable exception is the example of those who are "falling in love" or infatuated with each other. However, this is usually only a temporary phenomenon, and if it persists for too long, we may find it comical or annoying.

⁵Notice that even a central virtue like justice ought not to be considered in isolation

from other virtues. For instance, Shakespeare's Shylock in *The Merchant of Venice* is a worse person for demanding what he is owed because he lacks mercy. The same might be said of communities or institutions that are just, but devoid of mercy.

⁶Ronald Dworkin has argued (correctly I believe) that liberalism should be interpreted as embracing liberty in the second sense described here. See his "What Rights Do We Have?" in *Taking Rights Seriously* (Harvard University Press, Cambridge, 1977, p.266).

⁷MacIntyre, *After Virtue*, p.205.

⁸MacIntyre, *After Virtue*, p.204-205.

⁹For an insightful account of why equality should be seen as central to liberalism, see Ronald Dworkin, "Why Liberals Should Care About Equality" in *A Matter of Principle* (Harvard University Press, Cambridge, 1985, p.205).

¹⁰Hence, Rawls' original position is both hypothetical and designed to generate a specific result, but Rawls would not see this as a drawback. Though purely hypothetical contracts usually carry no force, Rawls' contract is different because the contracting parties already share an interest in creating a just society (after all, this is why they embrace the admittedly unrealistic original position). Moreover, Rawls does not see the sense in which the original position is designed to generate a specific result as question-begging in any objectionable way. The original position helps to refine an ideal that may only be dimly perceived, but one that Rawls thinks can be denied only under pain of a radical revision of the starting ground for political discourse. For their part, communitarians have objected to the individualistic overtones of the original position; i.e., to the image of mutually disinterested individuals trying to maximize their self-interest. Yet, this complaint ignores the deeper social concern for equality that motivates the original position.

¹¹John Rawls, *A Theory of Justice* (Belknap Press of Harvard University Press, Cambridge, 1971, p.522-523).

¹²Rawls, *ATOJ*, p.105.

¹³For a contrasting view on Rawls, see Michael Sandel, *Liberalism*, chapter four.

¹⁴Ronald Dworkin, *Law's Empire* (The Belknap Press of Harvard University Press, Cambridge, 1986, p.206).


¹⁵Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence, ed. J.P. Mayer (Doubleday, New York, 1969, p.506).

9. A DARWINIAN APPROACH TO FUNCTIONALISM

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ABSTRACT. I argue against the claim of certain functionalists, like Jerry Fodor, that theories of psychological states ought to abstract from the physiology of the systems that exhibit such states. Taking seriously Darwin's claim that living organisms struggle to survive, and that their "mental powers" are adaptations that assist them in this struggle, I argue that not only emotions but also paradigm cognitive states like beliefs are intimately bound up with the physiology of the organism and its efforts to maintain its own well-being. I defend the definitional aspirations of functionalism but reject its attempt at ontological neutrality.

 It was once said of G.E. Moore that "neither Freud, nor Marx, nor Einstein, so far as one can judge, has affected his thinking in the least."¹

This remark suggests to me an analogous but more limited one that might be made about the work of certain functionalist philosophers of mind. One might say of them that *Darwin*, so far as one can judge, has not affected their thinking in the least.

Before giving any detailed arguments for that claim, let me say a bit about the precise aspects of functionalism that concern me. Certain functionalist accounts of psychological states are careful to make no mention of the physiological makeup of the systems in which those states are realized. One major concern of these functionalist theories has been to characterize such states by reference to their function—defined in terms of their causal relations—rather than by reference to the "stuff" of which they are composed. One of the earliest and most sweeping statements of the view appears in one of Hilary Putnam's papers:

...these examples support the idea that our substance, what we are made of, places almost no first order restrictions on our form. And ...what we are really interested in, as Aristotle saw, is form and not matter. *What is our intellectual form?* is the question, not what the matter is. And whatever our substance may be, soul-stuff, or matter or Swiss