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Loose Connections in the Just Society

Benjamin Parviz
parvizbd@gmail.com

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Benjamin D. H. Parviz

B.A. Theology, Concordia University Chicago, 2010
M.A. Theological Studies, Saint Louis University, 2013

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Advisory Committee

William Dunaway, Ph.D.
Chairperson

Jon McGinnis, Ph.D.

Eric Wiland, Ph.D.

What sort of attachment to one's communities is rationally desired, and what ought to be the relationship between the individual and his communities in the well-ordered and just society? Generally, liberalism aims to be neutral on questions related to what individuals ought to do with their lives, and instead aims to provide individuals with the most possible freedom to sort this out for themselves. There is a strand of thought that argues that the individual cannot be isolated and removed from the communities within which he came into being and that to try to conceive of the individual apart from his community is either to misunderstand human nature or to do moral or psychological harm to the individual. Such arguments have been made by Charles Taylor,[1] Michael Sandel,[2] Michael Walzer,[3] and Alasdair MacIntyre,[4] as well as by those supportive of the communitarian political philosophy[5] such as Amitai Etzioni,[6] Wilson Carey McWilliams,[7] and Patrick Deneen.[8] Though each differently describes the nature of the relationship between the individual and his community, each argues that a well-ordered and just society must respect or foster strong connections between the individual and his most important communities. Contemporary iterations of liberalism largely derive from John Rawls's theory of justice as fairness as outlined in *A Theory of Justice*.[9] Many of those who are

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[1] Charles Taylor, *Sources of the Self* (Cambridge, MA: Harvard, 1989).

[2] Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge, 1982).

[3] Michael Walzer, *Spheres of Justice* (New York: Basic Books, 1983).

[4] Alasdair MacIntyre, *After Virtue*, third edition (Notre Dame, IN: Notre Dame, 2007).

[5] Amitai Etzioni, "Communitarianism," *The Encyclopedia of Political Thought*, ed. Michael T. Gibbons (2015), doi: https://doi.org/10.1002/9781118474396.wbept0184.

[6] Amitai Etzioni, *The New Golden Rule* (New York: Basic Books, 1996) and *The Spirit of Community* (New York: Crown, 1993).

[7] Wilson Carey McWilliams, *The Idea of Fraternity in America* (Berkeley: Univ of California, 1973).

[8] Patrick Deneen, *Why Liberalism Failed* (New Haven: Yale, 2018).

[9] John Rawls, *A Theory of Justice*, revised edition (Cambridge, MA: Harvard, 1999).

concerned with community have criticized Rawls's theory of justice as inadequately accounting for the nature of community and its place in the life of the individual or its place in the just society.

In this essay, I argue that Rawls's *A Theory of Justice* describes a society that disfavors and discourages the kind of strong connections to community that is desired by those who believe that concern for such community is a necessary feature of an adequate political philosophy. I do not intend to argue that such concern for community is correct, but instead will remain silent on that question. Rather, I will argue that, though on his own terms Rawls's theory ought to be neutral toward the worthiness of a strong connection to community and ought to permit such a desire indifferently, his theory in fact involves an implicit moral preference that subordinates the goods of community to other goods, a deficient preference for any who so highly regards community.

Rawls defines society as an association of individuals in a cooperative scheme for mutual advantage within which individuals are bound to act according to recognized and agreed upon rules of conduct. The principles of justice are the foundational rules that structure this society and its institutions.[10] The first principle of justice says, "Each person is to have an equal right to the most extensive system of equal basic liberties compatible with a similar system of liberty for all."[11] Rawls is clear that this principle asserts the priority of individual rights and liberties and requires the maximization of such individual rights and liberties across society. The only reason to restrict liberty is for the sake of liberty.[12] The second principle of justice is the rule that structures the limitations of liberty

[10] Rawls, *A Theory of Justice*, 4.
[11] Rawls, *A Theory of Justice*, 266.
[12] Rawls, *A Theory of Justice*, 214.

for the sake of liberty, stating that social and economic inequalities are only justified when they maximize the advantages of the disadvantaged (the difference principle) and when those inequalities are attached to offices and positions open to all under conditions of fair equality of opportunity.[13] These two principles permit the individual in the just society the liberty to pursue and maintain whatever connection to his communities that he desires to pursue and maintain as long as it does not result in unjustified inequalities. Because society can only interfere in an individual's liberty for the sake of justice, the just society will be indifferent toward those individual interests and life plans that are not unjust. I argue that, though Rawls's just society ought to be indifferent toward the desirability of strong connections to community or the worthiness of strong connections in any individual's life plans, in fact Rawls's just society disfavors such strong connections, instead encouraging its citizens to prefer loose connections.

A loose connection to community is when one's membership in a community is of low value and priority, and as such he conditions that membership upon the satisfaction of other individual needs, or upon the benefit that such membership can offer to other interests and life plans of higher priority. I borrow the term from Deneen, who argues that this as an inherent aspect of the liberal political tradition resulting from liberalism's prioritization of consent and free choice in its conception of the good. He writes "…liberalism teaches a people to hedge commitments and adopt flexible relationships and bonds. Not only are all political and economic relationships seen as fungible and subject to constant redefinition, so are *all* relationships—to place, to neighborhood, to nation, to family, and to religion. Liberalism encourages loose connections."[14] Robert Wuthnow previously recognized such

[13] Rawls, *A Theory of Justice*, 266.
[14] Deneen, *Why Liberalism Failed*, 34.

loose connections as phenomenon of contemporary American society, though without consideration of whether this results from any particular political philosophy. He describes what he calls "the climate of unsettledness" saying "For many, it means spending longer years gaining a specialized education to meet an increasingly demanding labor market, postponing family and community responsibilities….moving farther away from parents and kin, sinking shallower roots into particular communities…"[15] This idea of deracination is particularly concerning to Deneen, who contends that human flourishing requires "…a thick set of constitutive bonds in order to function as fully formed human beings…[with] deep ties to family (nuclear as well as extended), place, community, region, religion, and culture."[16] Wuthnow describes a *loose connection* as a multi-faceted phenomena that can be considered from a number of angles, for example: brevity of interaction, infrequency of interaction, interaction that is limited to specific roles or tasks, or the ease with which a relationship can be initiated or terminated.[17] My account of an individual's relationship to community focuses primarily on two characteristics: the priority of that community among the individual's other values, interests, and life plans; and the conditions upon which an individual participates in a community. Thus, a strong connection to community is when an individual values his community and his membership in that community highly, such that it takes priority over other values and interests and that his participation in the community is not conditional. A loose connection, then, is when an individual prioritizes other values or interests over his community or his participation in his community, and

[15] Robert Wuthnow, *Loose Connections* (Cambridge, MA: Harvard, 1998), 5.
[16] Deneen, *Why Liberalism Failed*, 60.
[17] Wuthnow, *Loose Connections*, 240n13.

thus conditions participation in such community upon the benefit that it brings to those higher priority values and interests.

I argue that Rawls's just society encourages its citizens to prefer such loose connections. I will begin by providing a positive account of the strong connection to community that is highly valued by those critics of Rawlsian liberalism who are concerned with community. Then I will track the concept of rationality in Rawls's theory, beginning in the original position and carrying through the process of individual life planning in the just society. Finally, I will show how Rawls's concept of rationality favors loose connections. In this final section I will illustrate my argument with an analysis of marriage in order to show a particular example of what a strong connection to community looks like and how Rawls's concept of rationality leads to something different.

Strong Connections to Community

To begin I will provide a fuller account of the sort of strong connection to community that some desire. An individual has a strong connection to his community when he maintains as goods and finals ends the preservation of his community and the continuation of his membership in that community, goods of such a high degree of personal value that he regards his membership in the community to be long-term, if not lifelong. He does not condition his participation in the community upon the advantages that the community offers to his other life plans, including to his accumulation of income or wealth. Rather, he shapes his other life plans around the preservation of his community and the continuation of his participation in that community, without concern for other interests, ends, or objectives. Though his circumstances, endowments, and interests may change, his regard for his place in the community does not. He becomes so irremovably involved in the life and activity of his community that his success in his life plans become dependent

upon other members of the community, as their success becomes dependent upon him. Thus, his removal from the community would harm his own life plans and those of the other community members. For these reasons, he only rarely considers departure from the community to be a serious possibility, and if he does depart then he does so regretfully.

The critics already mentioned have a variety of reasons for regarding such strong connections as goods worthy of pursuing as ends in themselves. For example, Sandel argues that some communities in which individuals participate are what he calls constitutive communities, which are communities within which an individual's identity is so encumbered that it is impossible to individuate oneself from the community in order to objectively reflect upon it.[18] To deny individuals strong attachment to such communities would deeply unsettle their self-knowledge. MacIntyre argues that individuals understand the stories of their own lives within the context of the broader narratives of their communities.[19] By this view, individuals understand the meaning, purpose, and direction of their lives by placing that story within the meaning, purpose, and direction of their communities, and that it is impossible to do otherwise. To deny strong connections to an individual with such an understanding of their community is to deny them understanding of the meaning of their own life. The communitarians argue that individuals receive their identity from their community, and as such they have a moral obligation to ensure the preservation of their community for the benefit of other members, even future generations.[20] For a communitarian, it would be immoral to maintain anything but a strong connection to one's most formative communities. From perspectives such as these, a

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[18] Sandel, *Liberalism and the Limits of Justice*, 64 and 181.

[19] MacIntyre, *After Virtue*, 217-222.

[20] Amitai Etzioni, "The Common Good" in *Law and Society in a Populist Age* (Bristol, UK: Bristol Univ, 2018), 97.

political philosophy that diminishes the importance of strong connections to one's communities is wholly inadequate.

One might argue that Rawls's sense of justice does provide for a strong connection. The sense of justice is an individual's commitment to the principles of justice, and his willingness to contribute justly to social institutions established on the principles of justice.[21] According to Rawls's theory, an individual agrees to the principles of justice because he recognizes them as for his own good. If an individual recognizes the principles of justice as for his own good, then he will similarly recognize a society structured by those principles as for his own good, as well as the institutions of that just society. Recognizing that the principles of justice, the just society, and it's just institutions are all for his own good, he becomes committed to his own just participation in this society and these institutions as finals ends that are worthy to pursue as goods in themselves. It seems correct to describe the sense of justice as a strong connection to the just society.

However, the object of the desired strong connection is community, and not the whole of society. Rawls's principles of justice provide the basic structure of a just society. They are contractarian in that these principles aim to be the object of agreement between individuals, but the society that such principles will structure is vast and brings together a large number of people. The principles of justice will structure political constitutions as well as social and economic systems, and they will direct the formation of governments tasked with tax collection and the distribution of income and wealth. The principles of justice as fairness in some way even reach the community of humankind spreading across generations and throughout time.[22] Community exists somewhere beyond the individual,

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[21] Rawls, *A Theory of Justice*, 41 and 274-75.
[22] Rawls, *A Theory of Justice*, 459.

but encompasses something less than the whole of society, and certainly less than all of humanity across generations and throughout time.

We must, then, consider some key features of community that distinguish it from society. In what follows I do not intend to offer a complete account of community, but only to indicate some relevant features in contrast with the society structured by the principles of justice. First, a community is differentiating, meaning that it only encompasses a segment of a population, and that it does so within boundaries that indicate where community begins and where community ends. These boundaries may encompass larger or smaller segments of the population, though as Etzioni writes many communitarians prefer small communities in which people know one another.[23] A community's boundaries may be relevant to either or both of two aspects of a community's constitution, what I will call its uniting feature and the accidental conditions required for membership. A community's uniting feature is whatever it is that draws individuals together. The uniting feature is the cause of the community, as well as of any individual member's participation in it. Consider, for example, a community of environmental activists. Such a community comes into being because various individuals share in some common beliefs regarding humanity's relationship with the natural world. Absent these shared beliefs, no such community of environmental activists would come into being, and no individuals would desire such a community. Further, these shared beliefs indicate the boundary of the community in so far as others who do not share these beliefs will not be drawn into the community, and members whose beliefs move away from those of the community will no longer be so united to the others. Communities also often have some accidental conditions

[23] Amitai Etzioni, Introduction to *The Essential Communitarian Reader* (Lanham, MD: Rowman and Littlefield, 1998), xiv.

required for membership, by which I mean that the community maintains some expectations irrelevant to the uniting feature that similarly indicate the beginning or end of community. For example, members of a bridge club are united by their shared interest in the game of bridge, but there may also be an expectation that the members provide snacks during game nights on a rotating basis. One's ability to provide snacks is irrelevant to one's interest in the game of bridge, but someone who refuses to bring snacks when it is his turn to do so might find himself unwelcome. So, a community differentiates individuals within a population on the basis of these two features, whether they are drawn together by the uniting feature and abide by the accidental conditions for membership.

Rawls's just society is not differentiating but is indifferent, and for this reason it cannot be the sole locus of concern. The principles of justice regard differentiating features as arbitrary and irrelevant to justice. The first principle of justice grants that all individuals regardless of differentiations are equal in rights and liberties, and the second principle limits the effect of differentiations on liberty. The just society has no regard for differentiations, but is only concerned with equalities of liberties, rights, and goods for all. It is the nature of the uniting feature of the environmental activist community to differentiate itself from other communities with contrary or antithetical beliefs about the environment. If the activists were indifferent toward the beliefs that the members share, then they would not be drawn into a community constituted around those beliefs. For Sandel, the differentiations that distinguish communities are important because it is through participation in such differentiated communities that individuals gain access to knowledge of their own identities. He describes a kind of community that describes its subjects, subjects who are attached to the community in a way that reaches beyond values

and sentiments to engage with identity itself,[24] meaning that individuals do not participate in these communities because of pre-existent values and sentiments, but that their participation in the community shapes who they are, defining their values and sentiments. By this view, it may be the case that the environmental activists are not drawn together merely by the fact that they *have* a shared belief or desire, but rather that they *are* people of the same sort. The community of like individuals then informs or even provides the individuals with the beliefs that they share. Their beliefs are explained by their membership in the community, and not the other way around. Drawing together into a community provides the individuals with knowledge of themselves. The uniqueness of individuals is found in the unique combination of differentiating communities in which each participates. For this reason, by Sandel's reckoning, a proper political philosophy must account for attachment to differentiated communities, because undifferentiated societal participation cannot provide one with the same knowledge of the self.

Another feature of community is that it maintains some substantive conception of the good, and that conception of the good makes demands on how individual members use their goods or design their own life plans. A community might maintain a substantive conception of the good as its uniting feature, as for example is the case for the environmental activists who are drawn together by common beliefs about a good environment and good human interactions with the environment. A community might also maintain a conception of the good that is not related to its uniting feature, but that is related to its members' beliefs about what it means to be a good version of that kind of community. Returning to the example of the bridge club, bridge club A might maintain that a good

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

bridge club is one that is social in nature and that permits its members to enjoy lively conversation during play. On the other hand, bridge club B might maintain that a good bridge club is one in which the members are seriously focused on the game at hand, in which conversation is minimal and strictly related to game play. When a community maintains a substantive conception of the good, it makes demands on its members' goods and on their life plans. Members of the environmental activist community might be expected to drive certain kinds of cars or to avoid certain kinds of products. Being a member of this community means that you use your goods in this way. Members of the bridge club are expected to engage in the experience of game play in light of what the community believes about being a good bridge club. Being a member of this community means that you go about your life in this way. For MacIntyre, pursuit of the good life is only possible within a community that preserves and transmits a tradition of the good,[25] and within individual and particular social contexts and roles.[26] No one simply "pursues the good." Individuals do so by being good bridge club members who play a good game of bridge, or by being good environmental activists who live well according to the environmental activist community's tradition of activism. Individuals are thus dependent upon their differentiated communities to supply knowledge and opportunity to pursue the good by supplying an individual with a particular social role to fulfil according to the community's beliefs, needs, and expectations.

Rawls's just society does maintain a conception of the good, but it is by design not substantive in order to allow individuals opportunity to maintain a unique conception of the good that extends beyond what justice requires. To maximize liberty across society, the

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[25] MacIntyre, *After Virtue*, 127.
[26] MacIntrye, *After Virtue*, 220.

just society can only dictate how individuals must use their goods or plan their lives when this is necessary for the sake of liberty. In order to secure the principles of justice, Rawls must rely on what he calls the "thin theory of the good," and a fuller theory of the good then follows from the principles of justice.[27] The fuller theory, though, only aims to describe the limits to how one may use one's goods and plan one's life required by justice, which aims to maximize liberty. Of course, this means that in Rawls's just society any individual's or community's substantial conception of the good must not contradict the principles of justice, though it may exceed what justice requires. For example, MacIntyre's particular concern is with the tradition of virtue. Benevolence is one example of a more substantial conception of the good that is permitted by and that exceeds justice. The sense of justice requires that individuals must be willing to comply with the principles of justice and to participate in just social institutions, but Rawls is clear that the sense of justice does not require benevolence, and he does not expect individuals in the just society to act benevolently. Rather, he presumes that individuals are primarily concerned with the objectives that they desire to advance for their own purposes. A community might maintain that it is good for its members to act benevolently by putting the interests of others before themselves. Such a conception of the good, though, would be a differentiating feature that identifies the members of a particular community as distinct from other segments of the population that do not share in this conception of the good. The just society is not capable of supplying an individual with knowledge of the good in excess of what justice requires.

Differentiated communities maintain unique goods that are exclusively available to its members. Walzer argues that goods are identified and evaluated socially, and thus

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[27] Rawls, *A Theory of Justice*, 348-49.

communities will distribute goods differently according to the value of a good to the community.[28] An opportunity to play a game of bridge is a good to the members of the bridge club, but it is not a good to the environmental activists. Because the bridge club draws in individuals who share the interest in playing bridge (or, for Sandel, who *are* bridge players), then the opportunity to play a game of bridge has currency in that community. However, because a game of bridge is irrelevant to the concerns of the activists, the opportunity to play a game of bridge has no currency in that community. Thus, the opportunity to play bridge is a good that the bridge club distributes to its members, and not also to the environmental activists. The exclusion of the environmentalists from the game of bridge may be formal in that one must be a member of the bridge club in order to play, or it may informally result from the environmentalists' lack of interest. Walzer argues against Rawls that there is no list of goods that is universally recognized and valued as goods, and therefore no list of primary goods could be useful in securing universal principles of justice useful for structuring a diverse society. Though they disagree on the matter of primary goods, both Rawls and Walzer agree that there are some goods that not all people value or value equally. Such goods are the concern of differentiated communities.

Of particular importance for those concerned with community are those goods that provide an individual with knowledge and understanding of his own interests, values, objectives, ends, and even of himself. Participation in a community offers experiences through which an individual learns what activities he enjoys or not, opportunities to develop his unique capacities in order to better understand his strengths and weaknesses.

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[28] Walzer, *Spheres of Justice*, 7-10.

Communities provide its members with values, morals, and beliefs about the good, all of which shape his life plans.[29] For example, consider how individuals who reside in rural communities will have greater access to and opportunity for activities such as hunting or farming. Rural communities will provide one with interactions with other members who bring knowledge of such activities and who can guide and direct the experience of novices. Through such experiences and interactions, an individual will learn whether he has an interest in and acumen for hunting or farming. This knowledge will supply him with an increased ability to establish life plans in which he will be more likely to succeed. Apart from participation in the activities of his rural community and interaction with the members of his community, the individual would not have received the goods that the community offers.

Rawls's just society is concerned with distribution of goods to its citizens, but the goods in question are strictly limited to the primary goods, including liberties, rights, wealth, and income.[30] These primary goods are instrumentally valuable for providing one with the ability to pursue and succeed in his own life plans. Rawls identifies these goods as primary goods because he argues that they are rationally desired by anyone regardless of what their life plans might be. To put it another way, the goods that the just society is concerned with distributing are those goods that help an individual to succeed in his life plans. The sort of goods that a community provides, on the other hand, are the goods that help an individual to discern what life plans are good for him.

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[29] Charles Taylor, "Atomism" in *Powers, Possessions and Freedom*, ed. Alkis Kontos (Toronto: Univ of Toronto, 1979), 42.

[30] Rawls, *A Theory of Justice*, 54-55 and 79-80.

Finally, the experience with community is primarily one of interpersonal interaction with fellow members in their personal capacity, the result of which is the intertwining of life plans. The community represents an overlapping of the life plans of individuals. As members of the same differentiated community, members share in the goods that the community offers, and members' life plans are governed by the same substantial conception of the good that the community maintains. Fellow members of a community do have mutual interest in each other's interests, ends, and plans. This mutual interest might cause an individual to shape his plans in light of the interests or plans of the other members of the community. Communities will differently encourage or require the degree to which members' plans intertwine. For example, a bridge club is the sort of community that is likely to lead to little intertwining of life plans, perhaps nothing more than scheduling a meeting time that is mutually agreeable. A marriage, though, is the sort of community that requires a high degree of intertwining of life plans. Spouses very much consider their own interests and plans in light of the other's interests and plans, often to such a degree that the interests of the other and the interests of the marriage take priority over the individual's interests.

The significance of this is that individuals have stronger connections to communities that involve increased intertwining of life plans. The more that one's life plans are bound up in one's community and dependent upon the other members of that community, the more interested one will be in preserving the community and his participation in it; the more interested one is in preserving one's community, the more his life plans will involve and depend upon the community and its other members. A bridge club requires minimal intertwining of life plans. Marriage requires extensive intertwining of life plans, which results in an increase of the individual's interest in the preservation of

the marriage and the increased dependence of those life plans on the marriage. The process of detaching from such a marriage will be costly, complicated, and difficult, whereas detaching from a bridge club will be simple. In light of changing circumstances, endowments, or interests, the pull to remain in a marriage is much stronger than the pull to remain in a bridge club.

The principles of justice do intertwine the individual's life plans with the just society and its institutions, but not in the same way that community involves the intertwining of life plans. The point of a strong connection is that it is a weighty reason to preserve one's membership in a community despite the fact that one has liberty to choose otherwise and despite the fact that there may be other reasons to choose otherwise. One might have the opportunity to depart from a community in order to pursue some other benefit or advantage but will choose not to do so on account of the strong connection that keeps one rooted within a community. The principles of justice do result in some amount of intertwining of one's life plans with the just society. They require that an individual in the just society ensure that his individual life plans align with the principles of justice, and he must willingly comply with the just society's institutions. However, the individual in the just society does not have the ability to choose to do something different. One reason for this is Rawls's heavy emphasis on the rationality of the individuals in his just society.[31] They would not choose to do something different than what justice requires because to do so would be irrational. Further, the just society is so vast and all-encompassing that it is impractical or impossible to remove oneself from society. One cannot readily depart from the society of humankind. A community is a voluntary association that makes demands of

[31] Rawls, *A Theory of Justice*, 367.

its members that exceed the demands of justice and that further limit an individual's ability to pursue other life plans. Individuals can choose to satisfy these demands because they value the community and their membership in it, or they can reject the community and its demands if they are perceived to be overly burdensome.

We now have an account of community that distinguishes it from society. Community is a voluntary differentiating association of individuals that maintains some substantive conception of the good that exceeds what justice requires, that distributes goods to its members exclusively, and which is experienced through interpersonal interactions between members leading to intertwining life plans. Rawls's conception of the just society assumes the inclusion of communities such as families, marriages, neighborhoods, religious communities, bridge clubs, etc. However, Rawls's theory maintains that the just society will be neutral regarding whether any individual ought to include such communities, or any particular level of involvement or participation in such communities, among his own life plans. That is to say that Rawls's theory intends to avoid taking a position as to whether or not such things are good in themselves or good for any individual. I argue that Rawls's theory is not in fact neutral but that it disfavors and discourages individuals from maintaining strong connections to community, instead preferring loose connections that are easily severable when more personally advantageous opportunities arise.

To conclude this section, I would like to consider the argument offered by Daniel Brudney, who argues that Rawls's *A Theory of Justice* does offer an account of community

that promotes strong communal ties.[32] Brudney asserts that Sandel and the other communitarians have failed to offer a sufficient account of community. In lieu of such an account, he offers a communist account of community extracted from Marx's *Comments on James Mill*. In this account of the community of the human species, individuals want to realize their human nature through relationships in which they attain individual fulfilment by the production of objects that reflect their individuality, and which are affirmed and appreciated by the other as mediator of the human community. In the Marxian account, the ultimate benefit to be received comes from participation in a community that is neither differentiating nor exclusive: the community of the species. Individuals receive the benefit of affirmation as a member of the human species when another member of the human species produces something for her or uses her own product. This affirmation as a member of the human species is the *telos* of community interaction. The Marxian community of the species, then, is much like the Rawlsian just society in the sense that it is neither differentiating nor exclusive, all human persons participate in it on the basis of their humanity and receive from it the same benefit. If Marx's picture of community is the account of community against which one evaluates Rawls's *A Theory of Justice*, then one would expect to find complementarity. In the account of community that I have offered, the purpose of community is differentiation, to set individuals apart and to identify individuals not as members of a universal community but as an exclusive community in which not all participate and from which not all benefit. Thus, the Marxian account of community that Brudney presents will not suffice. As we have seen, the community

[32] Daniel Brudney, "Community as Completion" in *Reclaiming the History of Ethics: Essays for John Rawls* (Cambridge: Cambridge Univ, 1997), 388-415. Thank you to Eric Wiland for bringing this article to my attention.

concerned critics have various reasons for considering differentiation to be an important feature of community as distinct from society or humanity. It is this account of community as differentiating that Rawls's theory disfavors, and it is to that theory that we will now turn.

Rationality in Rawls's *A Theory of Justice*

In order to see how Rawls's theory discourages strong connections to community, we must consider Rawls's account of rationality in *A Theory of Justice*. Rawls secures the principles of justice through use of a thought experiment that places all individuals into a hypothetical scenario of an initial situation of shared equality. This hypothetical scenario intends to show that all rational individuals in such a situation who are concerned with the advancement of their interests would agree to the principles of justice. This hypothetical scenario is the original position (OP).[33] In the OP, individuals come together in order to agree on principles of justice that will be the structure of a just society that does not yet exist. The individuals are equal in rights and in participation in the process of determining the principles of justice, meaning that all must equally agree to the principles of justice in order for a just society to be possible. In the OP, the individuals are behind the veil of ignorance,[34] meaning that they are deprived of certain knowledge of the content of their lives outside of the OP. Behind the veil of ignorance, individuals lack knowledge of their circumstances, endowments, interests, beliefs, objectives, or life plans, though they do know that outside of the OP they will be subject to unique circumstances and endowments, and that they will have unique interests, beliefs, objectives, and life plans that they will desire to advance. In the OP, individuals are mutually disinterested, meaning that they are

[33] Rawls, *A Theory of Justice*, §4, 15-19.
[34] Rawls, *A Theory of Justice*, §24, 118-123.

only concerned with the advancement of their own individualistic interests and life plans, and not with the advancement of those of anyone else. While they are ignorant of the content of their lives, they do know that such content will either advantage or disadvantage their ability to succeed in their life plans, but since they are ignorant of the content of their lives, they are similarly ignorant of whether they will be advantaged or disadvantaged. The purpose of deliberation about the principles of justice is to determine a scheme of distribution of goods across society to which all rational persons in the OP would agree. Rawls identifies a class of goods of which all rational individuals desire more rather than less, regardless of their unique life plans. These goods he calls the primary goods. The primary goods are liberties, rights, income, and wealth. Rational individuals always want more rather than less of these primary goods because having more of these goods advantages an individual's likelihood of success in his life plans and having less of these goods disadvantages an individual's likelihood of success in his life plans. Individuals in the OP do know that possessing more of the primary goods is advantageous, but without knowledge of the content of their lives they do not know whether they will possess more or less of these primary goods, or thus whether they are personally advantaged or disadvantaged.

Rawls's basic definition of rationality is "taking the most effective means to given ends."[35] In the OP, the given end is the advancement of the individual's interests and plans, whatever they may be. The first principle of justice is secured on the basis that it protects the individual's right to pursue those interests. The first principle says that the just society will guarantee to its citizens the widest possible range of individual freedoms and that all

[35] Rawls, *A Theory of Justice*, 12.

citizens have an equal right to those freedoms. In the OP, individuals do not know what their interests or life plans will involve, but they do know that they will desire to advance those interests. The rational thing to do, then, is to widen their opportunities and protect their liberties, and the first principle of justice accomplishes this purpose.[36]

The second principle of justice sets the boundaries of social and economic inequalities in the just society. It guarantees citizens equal opportunities for offices and positions, and it ensures that the least advantaged segment of society maintains maximum access to the primary goods, especially income and wealth, by only permitting inequalities that most increase the advantages of the least advantaged group. In the OP, individuals desire more of the primary goods, more income and wealth, because these goods empower one to pursue one's interests and ends. If individuals in the OP are mutually disinterested, why would anyone agree to a principle that limits their ability to gain possession of primary goods, thus limiting their ability to pursue their own interests and ends, a limit set in order to protect the other's access to them? The reason is to protect oneself from the worst possible outcome and to ensure for oneself the greatest likelihood of success in life plans. To agree to a society that maintains vast inequalities of distribution of goods—in which the most advantaged amass wealth far beyond what is necessary for their success and in which the least advantaged have no access to the wealth or income necessary for their success—puts an individual in the OP at risk of agreeing to a distribution of goods that denies himself the ability to succeed in his life plans. Were it to turn out that the content of his life put him in such a position, then agreeing to this scheme would have been irrational, as such an agreement would not have been effective of accomplishing his ends. What is

[36] Rawls, *A Theory of Justice*, 123.

rational is to agree to a scheme that results in the greatest likelihood of success for those in the worst possible situation, even if it limits the ability of those who are already advantaged to amass more goods.

An individual in the OP will agree with these two principles of justice because he will recognize that justice so conceived is good for him in light of his individual interests, ends, and life plans. Something is good for someone if that thing is rationally desired given that person's circumstances, abilities, and plans for life. Remember that rationality has already been defined as the most effective means toward given ends. Something is good for someone if that thing most effectively accomplishes his ends, given that person's circumstances, abilities, and life plans. The two principles of justice guarantee citizens with the most possible individual freedom, equal right to those freedoms, equal access to social positions, and a universally advantageous distribution of income and wealth. In the OP, individuals without any knowledge of their circumstances, abilities, or life plans recognize that these two principles of justice provide efficient means towards their ends whatever they may be. Because individuals recognize the principles of justice as good for them, they rationally agree to these principles.

The OP is a situation in which individuals are forced to make decisions in the face of a great deal of uncertainty. According to this account of rationality, rational choices in the face of such uncertainty satisfy two conditions. The first condition is that the choice maximizes possible opportunities. Because one doesn't know what one wants or will want, it is always best to secure or to preserve the most possible opportunities that could be available. In the face of uncertainty, it is irrational to self-impose limitations on what opportunities are available for one to be chosen because one might eliminate an opportunity that one might want to pursue given less uncertainty. The second condition is that the

choice maximally preserves one's ability to pursue the opportunities that one chooses to pursue. Having an opportunity is meaningless if one does not have the ability to pursue it. In the OP, this condition is satisfied by the second principle of justice, which ensures a fair distribution of primary goods. The primary goods increase one's ability to pursue opportunities and increase the likelihood that he will succeed in the life plans that one chooses. Rational individuals always desire more of these goods because rational individual desire the ability to pursue what they choose. Rational individuals, then, will make choices, the worst outcome of which includes the greatest ability to pursue the opportunities of one's choosing.

Once the principles of justice have been rationally agreed to by rational individuals in the OP, those principles will be used to structure society and its institutions, as well as the interactions between citizens. The result of an individual's agreement to these principles is the sense of justice, which is personal commitment to these principles as good for him, a commitment that will cause him to willingly comply with the demands of justice. This means that he will affirm the rights and liberties of others and will willingly abide by societally imposed limitations on his own ability to amass primary goods. Because they are structured by the principles of justice, he recognizes the just society and it's just institutions as good for him, and thus acts for the sake of their preservation and success. He willingly participates in society's just institutions and will comply with whatever the institutions require according to the principles of justice. Outside of the veil of ignorance, he will account for justice in his own life plans as he considers his other circumstances, endowments, interests, and objectives. The sense of justice does not require benevolence or altruism. The individual agrees to the principles of justice because he recognizes that they are good for him. Thus, the individual acknowledges that compliance with just

institutions and willing acceptance of imposed limitations on his ability to amass goods are good for him, and it is for this reason that he is rationally committed to justice outside of the OP. The sense of justice thus directs one's life plans outside of the OP. For individuals with the sense of justice, justice is an interest that he desires to advance, the just society as a good society is a minimal conception of the good that will shape his other moral beliefs and values, and justice will dictate how he must use some of his goods or the shape that his life plans must take. Beyond what justice requires individuals have substantial freedom for maintaining other beliefs and conceptions of the good, other interests that he desires to pursue, and other uses for his goods, as long as none of these contradict the principles of justice to which he has rationally agreed.

The conception of rationality that was used to secure the principles of justice now extends into the actual lives of individuals in order to determine how they construct rational life plans. A rational life plan is the one that at its completion results in the realization of the most desires and that most advances the most interests. The best plan, Rawls notes, is the one that would be rationally chosen if the individual had complete information about his life throughout its duration. Because no one can have perfect knowledge of how a plan would play out over the course of one's life, knowledge of the best rational plan is not possible. Instead, the most that anyone can have about which plan is rational or best is reasonable belief, or sometimes only conjecture.[37] Rawls suggests that anxiety about discovering the best plan is unreasonable, and that it is perfectly rational to pursue the best plan available in light of the information that one possesses.

[37] Rawls, *A Theory of Justice*, 366.

Rawls provides many principles of deliberative reasoning for the purpose of life planning. Much of part III and all of sections 63 and 64 deal with the topic of rational life planning directly and extensively. There are three principles of rational life planning that I would like to highlight for our purposes here. The first is straightforward and understandable in light of what has already been said, and it is that a rational plan always accounts for the primary goods, as no rational plan can succeed without them. The second principle is that an individual ought always to act so that he need never blame himself no matter how his plans finally work out. I will call this the "no-regrets" principle. This principle comes from the recognition that an individual is a continuous being over time,[38] which means that a rational choice is one that is going to effectively advance one's ends today without disadvantaging his ends in the future. The no-regrets principle does not assume that rational individuals will always make decisions that will have good results and that they will be able to affirm later as beneficial and advantageous. Sometimes rational individuals are forced to choose between bad options. Rather, this principle teaches one to anticipate one's future ends as far as they are possible to anticipate, and to account for those in his present life plans as much as the possible options allow. The third principle for rational life planning is the principle of postponement. This principle results from the simple observation that individuals can be less confident about their wants and needs in the future the more distant the future time period in question. That is to say that an individual knows more about what he wants or needs later today, less about what he will want or need next week, and he knows little about what he will want or need 10 years from now. The principle of postponement says that as one arranges life plans today, one ought to preserve

[38] Rawls, *A Theory of Justice*, 371.

the possibility of alternatives in the future.[39] A life plan really ought to be regarded as a system of plans, the choices made in one plan at one point in time effecting the possibility and outcomes of other plans at later points in times. These three principles tell us that a rational individual will make choices about his life after consideration of the importance of the primary goods and the impact of that choice on his primary goods, always preferring more rather than less. He will preserve for himself the ability to make a different choice in the future, and he will avoid making choices that he might conceivably regret in the future because of the way that those present choices may disadvantage his future desires and objectives.

I would like to conclude this section by observing two characteristics about the relationship between the individual and anything external to the individual. First, there is a clear order of priority. To the individual, of most importance is himself, his own interests, goods, and plans. Because the principles of justice, the just society, and it's just institutions are all together fully encompassed within the individual's interests, and because the individual is inescapably bound to them, these all together reside in the second place of priority. Other individuals, communities, or any of their interests reside in the third place of priority. The second observation is that this prioritization results in a conditioning of value. If an individual is to regard something as valuable, he regards it as such on the condition that it is good for him. The individual stands removed from the principles of justice, from society, from other communities and individuals, and he evaluates these things according to how they interact with his own interests, values, or objectives. A thing's value to the individual will be directly related to the advantage that thing offers to him.

[39] Rawls, *A Theory of Justice*, 361.

Whether an individual has regard for the needs or interests of other persons or communities is a matter of personal costliness or profitability. Because it is difficult to estimate the long-term and future personal costliness or profitability of association with other persons or communities, the most rational kind of association with other persons and communities is the kind that preserves future alternatives, and which is most easily exited without much cost to goods or opportunities.

Connections, Rationality, and Marriage

With this account of rationality in Rawls's just society, we now move to the question of whether or not such a society is neutral toward the sort of strong connections in question, or if they are in fact discouraged. I would like to do so by considering a particular kind of community in order to see what such strong connections would look like. The kind of community that I would like to examine is marriage, neither to argue in favor of a particular conception of a good marriage, nor in favor of the incorporation of marriage into one's life plans, nor in favor of a particular attitude that one ought to have about one's participation in marriage. I only intend to show that there is a conception of a good marriage and of a good attitude toward marriage that some might value and desire, but which is disfavored in the just society.

Marriage is a differentiating community. As it is typically conceived, any particular marriage is limited to membership between only two individuals, but I do not exclude from this discussion the possibility of marriages between more than two individuals. Different marriages might have various uniting features, though a common conception of marriage in western societies often finds some combination of mutual affection and sexual desire to be significant aspects of a marriage's uniting feature. Different marriages maintain different conceptions of the good. Perhaps some individuals are drawn into marriage on

account of shared moral or religious beliefs, in which marriages the good is part of the uniting feature along with mutual affection and sexual desire, or resulting in them. Different marriages will also maintain different conceptions of a good marriage, but whatever this conception includes for particular marriages establishes at least in part the boundaries of those marriage communities. Marriages distribute goods to its members exclusively, goods such as emotional and sexual intimacy. Commonly the exclusive distribution of emotional and sexual intimacy between spouses is upheld as central to a good marriage, and to share emotional or sexual intimacy with those outside of the marriage is to cross the boundary of the marriage and to terminate the community. As has already been discussed, the community of marriage often involves a significant intertwining of life plans such that individuals often do not make their own individual life plans without extensive consultation and coordination with their spouse, recognizing that in many ways their individual life plans are also the individual life plans of their spouse. This applies to major decisions related to topics such as employment, place of residence, or financial investment, but such consultation and coordination often also occurs with regard to minor decisions such as dinner plans or daily schedules. Accordingly, the community of marriage makes demands of an individual's life plans and goods, often significant demands, insisting that the individual members of marriage use their goods and live their lives in certain ways that are not required of the individuals outside of the boundaries of that community.

To have a strong connection to a marriage means to maintain as goods and final ends the preservation of the marriage and of one's participation in it, ends valued to a sufficiently high degree such that one's membership in the community of marriage is regarded as long-term or lifelong. Because these ends are so highly valued, once

membership is secured, its continuation is not conditioned upon the advantages that marriage offers to other interests or plans. Rather the individual with a strong connection to his marriage shapes his other interests and life plans around the preservation of the marriage and his continued participation in the marriage. The individual and his spouse intertwine their lives such they their individual life plans are mutually dependent, relying on the other and on the other's goods and life plans for the success of their own life plans. The intertwining of lives that occurs in a marriage between individuals with strong connections to that marriage means that either individual can only depart from the community at great personal cost and harm to his own life plans, and at great cost and harm to the life plans of his spouse. For these reasons, an individual with a strong connection to his marriage rarely considers departure from this community, and if he does depart, then does so with regret.

Rawls's just society works against an individual's efforts to secure such strong connection to marriage. The initial cause of this is the sense of justice, or more precisely, the lowered priority of differentiated communities compared to the individual's private interests and the just society, which is caused by the sense of justice. An individual's commitment to his marriage and his spouse must always be subordinated to his commitment to the principles of justice, the just society, its just institutions, and his own just participation in such society and institutions. The individual is so committed because he recognizes that these things are all personally beneficial. Justice and the just society will remain stable, constant, and for his own good, regardless of whatever other life plans he may pursue or how those life plans turn out. It will never not be rational to choose justice and to elevate its priority. The sense of justice establishes the basic moral framework within which one determines one's other values, makes one's other life plans, and participates in

communities such as marriage. Such values, life plans, and participation must be conditioned upon their satisfaction of justice. It will never be rational to choose a life plan that goes against justice. Whenever there may be conflict between a life plan and justice, justice must prevail. The two basic characteristics of a loose connection as I have previously described it are that the community or one's participation in a community are of a lower priority and are thus conditioned on advantages to other interests of higher priority. The sense of justice inserts the principles of justice and the just society between an individual's self-interest and the interest of a community or its other members, bolstering (perhaps even cementing) the division and the prioritization between the two. An individual's commitment to his marriage or to his spouse must be conditioned upon that relationship's ability to satisfy what justice requires. As time progresses and as the marriage endures various changes in circumstance or endowments, or as the individuals' interests and plans change, should it ever occur that the marriage fails to satisfy justice, then one's commitment to justice must prevail over one's commitment to the marriage or to the spouse.

The division and prioritization between an individual's interests and those of his community are further reinforced by the postponement and no-regrets principle, the result being that individuals maintain the possibility that departure from such community may turn out to be rationally desired. As has just been discussed, one's commitment to a marriage or to his spouse must be conditioned upon justice on account of the sense of justice. It is possible that over the course of time the circumstances of a marriage could change such that it might no longer satisfy justice. For example, if the changed circumstances of one spouse's life results in a change of his individual interests such that he comes to rationally desire to advance some other life plan and to depart from the

marriage, then justice would require that his departure from the marriage be permitted by the other spouse. The first principle of justice explains that in marriage both spouses are equal partners who have an equal and individual right to pursue the interests of their choosing, so long as those interests do not violate justice. If one spouse has a legitimate and rational reason for desiring to depart from the marriage, then to deny departure would be unjust. If such change in marital circumstances or individual interests is reasonably foreseeable, and if such change would make departure from the marriage possibly rationally desirable, then the postponement principle would teach the individual to make no decision in the present about the question, but to preserve the possibility of making an alternative plan—i.e. of departing from the marriage—in the future. The no-regrets principle would further teach that an individual should not make the choice to deny oneself the future possibility of departure from the marriage. The no-regrets principle teaches individuals to choose the most rational of all available options such that he cannot blame himself later for the negative impact of that choice on future interests or plans. Of course, either choice of remaining in a marriage or departing from a marriage might involve consequences that one might find undesirable or regrettable, but if the individual chooses the most rational option available then he need not blame himself for any regrettable consequences that follow from it. If an individual were to make the choice to exclude the possibility of departure from his marriage, and it were to later to come to pass that departure was the most rationally desired option, and that such change and desire for departure was reasonably foreseen in the past but is no longer available on account of the less than rational choice in the past, then the individual would have to blame himself for making a bad choice that had negative results on the possible life plans available to him. Put together, these two principles teach that if one might reasonably foresee a change in the circumstances of his

marriage or individual interests such that departure from the marriage might be rationally desired, then the possibility of departure from the marriage must be left on the table as a possibility to be considered later. The sense of justice created the original division between the interests of the individual and of the community, but these principles of rationality reinforce that division and the consequent order of priority.

The difference between a loose connection and a strong connection to a marriage has to do with the priority of the marriage for the individuals, and the conditions under which one participates in the marriage. A strong connection to a marriage is when an individual highly prioritizes the marriage and his participation in it, on par with his private individual interests, or even superseding them. Because the marriage is of such high priority, his participation in it is not conditioned upon the benefits that the marriage offers to other interests. A loose connection to a marriage is when the marriage is of a priority below other interests, and thus participation in the marriage is conditioned upon benefits conferred by the marriage to those higher priority interests. It may turn out that individuals in Rawls's just society may still enjoy long-term or lifelong marriages. The difference between a strong or loose connection in such long-term or lifelong marriage would be found in the reasoning that resulted in such long-term or lifelong participation in marriage. Why did the marriage and the individuals' commitment to it persevere? If a marriage with loose connections perseveres, it is because the marriage has not changed such that it violates justice, and because it continually conferred benefits to the interests of the spouses involved. In the just society, in which the sense of justice requires that justice have a higher priority than any other life plan, it may be the case that the marriage is of a higher priority than any other interest but justice. Even so, the marriage persevered because it continually conformed to justice, which is always good for the individual persons involved. If the

marriage had changed such that it violated justice, then the marriage would not have endured. A marriage with strong connections perseveres not because it has continually benefitted the other interests of the individual members. Rather, it perseveres because the marriage itself remained persistently a chief interest of the individual members, without regard to the changing circumstances of the marriage or the changing other interests of the individual spouses. Rawls's sense of justice and his conception of rationality work against a strong connection to marriage by disallowing that marriage can be a chief interest with no interest of higher priority, instead demanding that justice be the chief interest, subordinating other community concerns to justice and subjecting them to a rational calculation based on benefits to something else. The outcome of the calculation may resemble a marriage with a strong connection, but it is not one.

The different critics examined in section one of this essay offer different reasons for desiring a strong connection to a differentiating community such as marriage. We could consider similar accounts for any kind of community to which one might be attached: family, neighborhood, geographical place, cultural tradition, workplace, religious communities, or even bridge clubs. In all cases, the linchpin of the strong connection is the initial and unconditional high degree of value that one places on the preservation of one's community and the continuation of one's membership in the community. When these are maintained as goods worthy to pursue for their own sake, goods of greater value than other interests or objectives, then a strong connection to community results naturally and rationally. However, when one devalues these ends by giving other interests or objectives higher priority and conditions these ends upon their advantageousness to the other ends of higher priority, then a loose connection follows. A loose connection might be undesirable because it denies individuals self-knowledge, understanding of the meaning of their own

life, or because it does moral or psychological harm to the individuals who lack strong connections. Whatever the reason why someone might regard a strong connection as desirable, Rawls's sense of justice and conception of rationality work against them in a way that will be to some unacceptable for a successful political theory.

Conclusion

The interaction between concepts of justice and practical reasoning has long been recognized. MacIntyre writes that "…each particular conception of justice requires as its counterpart some particular conception of practical rationality and vice versa."[40] He posits that "…conceptions of justice and of practical rationality generally and characteristically confront us as closely related aspects of some larger, more or less well-articulated, overall view of human life and of its place in nature."[41] What I have done in this essay is to sketch out one view of human life that many share, one for which it is very important to a good human life to participate as a long-term or lifelong member in highly valued communities that set its members apart from the rest of humanity or society, which makes unique demands of those individuals' goods and life plans, and which exclusively distributes goods that are uniquely available to members of that community. If a liberal political philosophy is to be successful in its aim to be neutral on questions of the good in order that citizens in such societies may freely pursue their ends, then such a society's conceptions of justice and rationality ought not to work against such a view of human life. Of course, all liberal societies must set boundaries to such freedom, such as Rawls's intent to limit liberty for the sake of liberty. However, I have shown that Rawls's *A Theory of Justice*

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[40] Alasdair MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame: Notre Dame Univ, 1988), 389.

[41] MacIntrye, *Whose Justice? Which Rationality?*, 389.

limits liberty not only for the sake of liberty, but also for the sake of practical reasoning, thus illuminating a deficiency in the theory with which anyone concerned with strong connections to community will be unsatisfied. It is possible that this problem is addressed in later iterations of Rawls's theory. Brudney characterizes the just society in Rawls's *Political Liberalism* as a community that realizes only a very important part of the individual's human nature, rather than realizing the fundamental aspect of the self.[42] If this is correct, then perhaps the account of rationality in this later iteration of the theory opens the door to strong connections to community. On the other hand, it might be the case that this deficiency is endemic of liberal political philosophy, and Brudney might be correct that it may not be possible to reconcile strong connections to differentiating communities with societies in which citizens have strong ties to society and to one another.[43] If such reconciliation is possible, however, then it seems that the resulting theory will have to account for a view of human life for which the choice for strong connections to community is rationally desired.

[42] Brudney, "Community and Completion," 406.
[43] Brudney, "Community and Completion," 408-409.

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