

**MICHAEL SANDEL'S CONCEPTION OF COMMUNITY**

**ABSTRACT**

Community is the basis for the reasonings of Western communitarianism, without the community, there is no communitarianism. As representative of contemporary Western communitarianism, Michael Sandel is the first to introduce his unique concept of community, and on such foundation, built a theory about political community. So, what does "community" in Sandel's notion mean? Such concept not only undergoes constant changes, but also is virtually ambiguous. In "Democracy's Discontent", Sandel argues that the discontents of contemporary American people are expressed in two points: First, either individually or collectively, they are losing their control on their lives. Second, all the moral constructs of the community surrounds them like family, neighborhood or nation are virtually dissolved. Sandel summarized these two ideas as "the loss of self-government" and "the erosion of community", and those are becoming the common concerns of our time.

*Keywords: Communitarianism, Michael J. Sandel, political community, constituent community*

**1. Background**

Communitarianism is one of the relatively minor political philosophical movements (schools) in the Western philosophical system, as indicated by the very small number of scholars who consider themselves communitarians. In addition, research papers and books published using the term "communitarianism" or "community" each year have a relatively small number of citations. However, the idea of community society has a long history, it is found in different civilizations, different religions and is pretty widespread. The element of community has been found strongly in many political belief systems and in the history of modern religion. It appears in both the Old Testament and the Christian New Testament. The ideas of community are also found in the early concepts of Islam by Shura (consultation), in Confucianism with the concept of "universal society", and also in public social thought in Roman Catholicism, etc.

The core theoretical problem of communitarianism is "community", without community, there is no communitarianism. With that important role, communitarians

such as Michael J. Sandel, Michael Walzer, MacIntyre, etc. have tried to build a theoretical system of community. On the one hand, in order to counter the neutral view of liberalism, on the other hand it becomes the theoretical foundation for solving difficult social problems such as morality, justice, the common good and social capital, ... In the uncompromising struggle with liberalism, Michael J. Sandel proposed his own concept of "community" and received a high consensus among communitarians. However, Michael J. Sandel's concept of community is still unclear, if not full of contradictions and constant changes in content. The concept of community by Michael J. Sandel can be understood as a state, a nation, it also can be understood as small social groups, specific social organizations or villages, towns, associations, school union, etc., without a clear distinction between them. In some studies, Michael J. Sandel considers the state and society as a community, which shows that Michael J. Sandel's concept of community is still quite vague. Therefore, the research dissecting the concept of community by Michael J. Sandel partly helps us to better understand the conceptual role in the theoretical knowledge system of communitarianism, initially opening the door to enter and explore this philosophical movement, which is the key to expanding research into issues of justice and the common good, social ethics, etc.

## **2. The conception of M.Sandel about community**

Sandel's political philosophy began with a critique on liberalism. Based on the issue of community, Sandel's critiques on liberalism contain three main points: (1) libertarianism to Sandel is intrinsically individualism, because the political theory and moral theory it puts out depend on the notion of self and the individual subject, with little concerns to the collective issue; (2) even some liberals (like Rawls) once acknowledged and discussed about community, could not establish a precise concept about community; (3) if libertarianism's notion of community is correct, then it must be established on those premises based on particular communities, and realistically, liberalism does not provide such premises. Of these three critiques, the last one is the most crucial. Sandel took "the principle of difference" of Rawls as an example, and he proposed that liberalism needs to be based on the principles of the basis of the notion of community.

According to Rawls' "principle of difference", if the socio-economic agreements is unfair, then they could only be justified in such criteria, meaning they could maximize the conditions of the worse-off groups in the society. The principle of difference requires those with higher incomes in the society to support those with lower incomes, and those with higher incomes are usually people with greater talents and merits. Rawls provides a moral reasoning for the principle of difference, that is, the gifted talents are not individual assets but that of the community, thereby, those with greater gifts must support others.

Sandel believes, that Rawls' reasoning about the principle of difference conflicts with the liberal premise of individualism, and that "If individual's giftedness is common asset as Rawls said, then this notion must be based on the notion of community." ([Sandel, 1982, pp. 103](#))

If contemporary political philosophy (including libertarianism) requires a conception of community, then what kinds of conception it is? Sandel believes we could consider these following three conceptions of community:

*(1) Individualistic community or "private society":*

*First*, this community includes people who build the society according to their individual interests, and those interests usually conflict each other. *Second*, the social system itself is considered to be valueless. Partaking on any social activities is not considered not a good deed but a burden. According to that, everyone considered social contracts as vehicles to attain their goals. This notion of private society understands the society as a tool, and people cooperate in pursuit of their personal gains.

*(2) John Rawls' community:*

Rawls believes, unlike the individual interests of a "private society", people really have common goals together. Private society contains notions differing to social systems, in it, people consider the social system and their co-existence as something good for themselves. According to Rawls, we should not only cooperate with each other, but others' successes and merits could have value to ours. In such notion, although each member of the society have their personal interests, their interests do not always conflict but in some cases, interweave and complement each other ([Rawls, 1971, pp. 521-522](#)).

Sandel suggests that the two abovementioned conceptions are intrinsically individualism, even though the reasonings of the two are inconsistent. The first notion of community is individualistic community because the formation of the community is governed by self-interested motivations of cooperation. Rawls' community is also individualistic in that it presumes individuals' nature to be subjects of cooperation, even though there are some ties of sentiment between these subjects. Sandel calls the first notion of community as "instrument" and the second as "sentiment". He suggests, that the "instrumental" explanation is totally about the self-interested motivations of the subjects, and the "sentimental" explanation relates partly to the subjects that cooperate. However, neither the "instrumental" nor "sentimental" account are capable of generating a strong theory of community which the different principle seems to require ([Sandel, 1982, pp. 148-149](#)).

In this way, Sandel suggests a third notion to be his own conception of community. In common sense, community is the sentimental tie between its members, similar to Rawls' conception. But what portrayed in community is not only sentiment, but self-consciousness. Therefore, Sandel's conception of community differs from that of Rawls. According to Sandel's conception of community, people believe that each member of a society would be bound by a kind of collective consciousness; such consciousness goes in tune with the majority of the community's members, pushing them to strive for the community's common goals, because they realize that between them exists a unity, and such unity is defined by them being indispensable to the community. To every members of the community, "community describes not only what they have as fellow citizens, but also what they are, not a relationship they choose, but an attachment they discover, not merely an attribute, but a constituent of their identity." ([Sandel, 1982, pp. 150](#)) Sandel calls his (conception of) community "constitutive", and researchers of political philosophy call Sandel's community "constitutive community".

According to Sandel's opinion, Rawls was flawed in establishing community from sentimental ties of subjects. For any kind of society, we could put up two questions: (1) to which sense is it justice? (2) to which sense is it a community? Sandel reasons, for whatever answers to them, there should not be any mentioning of the subjects' sentiments and desires. To query whether a definite society is just or not does not mean to ask whether the majority of the population in the society is willing to behave in accordance to justice, or their different wants; but instead to question whether that society contains a definite order, whether such justice is a fundamental element constituting the society. Similarly, to query whether a (definite) society is a community does not mean to question whether every members of the so society are willing to cooperate with others whose interests different from them; but to question whether the society is one with order, meaning the community must portrays element constituting a society. Sandel asserts that Rawls was right about the justice issue, but was wrong about the community issue. Presuming utilitarianism is flawed in that it does not acknowledge people's difference in relationships, then liberalism is flawed in that it does not acknowledge social consciousness ([Sandel, 1982, 173-174](#)).

### **3. The comprehension of the concept of community**

The core notion of Sandel's communitarianism is autonomy, autonomy requires community, citizens are self-disciplined members of the community. In this sense, whether communitarianism appeals to people, whether it could suffice probability or people's wills depends heavily on the meaning of community. However, not only does Sandel's conception of community ambiguous, but also susceptible to constant changes.

In “Liberalism and the Limit of Justice”, Sandel suggests his conception of community to critique liberalism. Sandel critiques, the principle of difference, justified by John Rawls’ liberalism, requires a conception of constitutive community, because only it can suffice the cooperation responsibility of the member citizens. Nevertheless, the liberalism’s conception of community is either instrument or sentiment, and the concept of constitutive community only exists in communitarianism. To illustrate for constitutive community, Sandel gives the examples of family, tribes, neighborhood, social classes, nations,... This proves, at such point, Sandel did not differentiate between country and community, community could be understood as large-scale community (nation), or small-scale (family, neighborhood, village,...) ([Waldron, 1998, pp.172](#)). During this time, Sandel’s idea of community not only depicts country, nation, but the whole society. Sandel argues, whether a society a community is not whether most of its member want to connect with others for their personal ends, those ends that motivate social goals; but whether the society is structured according to the way we use community to depict its fundamental construct. It is because the society is structured so that we say it is constituted like a community ([Sandel, 1982, pp.173](#)).

Sandel see country as a community; this proves his conception of community is ambiguous. In “Democracy’s Discontent”, he started to differentiate between nation and community, but such differentiation is not enough to be coherent, because it behaves as a kind of distinction between the two types of community. Upon researching the constitutional history of the USA and the idea of communitarianism, Sandel discovered that although the two parties in America, Democracy and Republic, used to mention the idea of community, yet the two parties’ standpoint is incoherent. The Democratic party (like President Johnson) views the nation as a community, employs moral ideals of national community, and compares the nation to family and neighborhood. The Republican party (like President Reagan) promotes values of small-scale communities like family, neighborhood, church, school, town,... while at the same time, views the nation as a big government, a threat to the small-scale communities. Apparently in this issue, Sandel conflicts himself: he agrees with the ideas of the Democratic party, while claiming the Republican party’s notion is correct. In other words, “the nation proves too vast to sustain more than a minimal commonality, too distant to summon the enlarged social empathies a more generous welfare state requires.” ([Sandel, 1998, pp. 312-314](#))

Michael Sandel asserts that the Democratic party views a nation a community in order to provide a moral reason for a welfare state, while the Republican party cites small-scale communities to form the ideal of empowering citizen morality and thus making them capable of self-government. According to Sandel, Republicans, represented

by Reagan, have expressed ideals of communitarianism: the state is merely a form of construct wherein there exists different kinds of community; and that authentic values (both moral and political) could only be produced in these different communities. However, in this point, Sandel misunderstood the standpoint of the Republicans, because the political ideal represented by Reagan is totally similar to extreme libertarianism of Nozick. In other words, Reagan's standpoint does not depict the reasoning of communitarianism, but the political ideals of Nozick's libertarianism. According to Sandel's account on the Constitutional history of the USA, theory and practice unites with one another. Sandel argues, when procedural liberalism is gaining ground in the USA in terms of reasons, along with that comes the erosion of different communities in reality, and their moral construct gradually decays. From family, neighborhood, institutions, to towns, councils and unions, communities provided by tradition and promotes the morality and consciousness of connection, bonds between people in time of chaos. According to Sandel, information from the US's Constitutional history proved that the scale of a nation is too big that it could not function to maintain the common codes necessary for a constitutive community. This leads to practical and institutional changes in the USA, the shift from good communitarian ideals to procedural public equity ideals, from national republic to procedural republic ([Sandel, 2005, pp. 170-171](#)).

Abovementioned analyses show that Sandel's conception of community has undergone a change, shifting its focus from large-scale communities (nations), to small-scale (families, neighborhoods, towns...). Such change shows that communitarianism could only thrive on small-scale communities, but that does not mean Sandel's concept of communitarianism has become coherent; all because his concept of communities concerns other issues.

*First*, according to Sandel's notion, nations are too large to become constitutive communities. Thus, communitarianism could only rely on small communities. Nevertheless, according to Sandel's analysis, due to community-eroding factors from the market economy, traditional small-scale communities (from family, neighborhood, schools, to councils and unions) are becoming blurred. In contemporary US society, those community-conscious individuals usually belong to racial or religious communities. In Sandel's example about the critique of procedural liberalism, those community-conscious individuals are the Amish or the Orthodox Jews,... According to Walzer's belief, membership of these zealous communities could not grant their members civic virtues, or making them good citizens, because their consciousness lies in their religious beliefs ([Walzer, 1998, pp.176](#)).

*Second*, if community is constituted and constructed on the foundation of religion and ethnicity, then the relationship between these communities and the state is a challenging issue. Based on their communities' notions, the Amish could break the laws by not taking their children to school, or the orthodox Jews could have their rights to follow religious rules and not go to work on the Sabbath day... From the notion of modern democracies, such communities are hotbed of oppression, prejudice, and ignorance, and the government must assume the responsibility to protect their citizens from the oppression and deceit within their communities. In the clash between two ideas, it is hard to believe in the rationale of these "zealous communities".

Finally, Sandel believes we should understand humans in the relationship between individual and community. Liberalism understand humans in their independence from the community, thus Sandel calls them "innocent selves" of liberalism. On the contrary, Sandel believes the self always have the constraints, which is the attachment to the community they belong. Perhaps there is a presumption in Sandel's notion about "self-constraint", regardless of whether that is a member of a zealous community or a traditional community, the constraints, the ties between himself and his community could not be broken. However, this notion seems to be wrong, because not only people could change their beliefs and connection within the current legal framework, but a lot of them are changing their beliefs and social connections; and Sandel's statements about the issue of corruption are also proofs of this.

#### **4. Sandel's political community**

Even though Sandel has shown his constitutive community is superior after analyzing the three conceptions of community, itself (constitutive community) is still an abstract notion of community, and could not make coherent of anything. If communitarians want to prove Sandel's conception of community is superior, they must necessarily implement its content. Hence, Sandel has constructed a form of politics based on constitutive community, and it is the political science of communitarianism.

We could discover the ideals of Sandel's political philosophy by comparing the political science of communitarianism and the political science of liberalism. Liberalism promotes a kind of "political right", the notion of right is the foundation, political and legal goal is to protect human rights; under the constraints between rights and justice, every individuals have the right to choose their own life. ON the contrary, communitarianism like Sandel promotes a kind of "political duty", duty is the foundation, every citizens must prioritize their duty, and to perform civic duty, everyone must have the common awareness of their citizens' rights and have according civic virtues. Any

nation, regardless of any social system, requires their citizens to fulfill their political duty. Unless they do, the nation will not be stable. At the level of political philosophy, the core issue of political duty is the origin of duty. Liberalism argues that the origin of duty lies in agreement, it is only when I agree to the rule of this nation, I would have the duty to adhere to the political and legal orders of the government. Sandel believes, such conception of political duty of liberalism is failure, it could not explain the unique responsibility of us to our fellows, and it also could not explain the responsibility and loyalty of ours. As member of our family, nation, as history-makers, and citizen of a republic, our loyalty and responsibility could not detach from our knowledge ([Sandel, 2009, pp. 224](#)).

If what liberalism promotes is a kind of duty of agreement, communitarianism on the other hand, promotes a kind of duty of cooperation. The duty of agreement requires the acceptance of each citizen; this is required by political discourses of contractarianism. On the contrary, the duty of cooperation does not require the acceptance of every citizens, it stems from ethics, values, common life and tradition of citizens. Sandel cited many examples on the duty of cooperation: French resistance during World War 2, Israel's rescue of Jewish people in Ethiopia during the 1980s, patriotism... ([Sandel, 2009, pp. 225-241](#)) From these examples, Sandel tried to prove that people has some special responsibility to members of their family, to their fellow others, and they also have special loyalty to family, community, town, and nation. Sandel especially notes that this duty of cooperation bears no relation to whether the individual agree or not, and liberalism based on agreement could not explain this duty of cooperation. Political duty (political community) of Sandel has three main points, and they all contrast with liberalism. (1) The first idea supports a good life, and that contrast with the neutrality of liberalism; (2) the idea of liberty being autonomy has opposed to the negative notion of liberalism (2) the idea of focusing on civic virtues contrasted liberalism where the focus is on the issue of justice. To have a more in-depth understanding, we must make clear of those three ideas:

*(1) Political duty is the pursuit of good life.*

Concerning virtuous life, contemporary political philosophy contains three ideologies: Utilitarianism, Liberalism, and Communitarianism. Utilitarianism believes, a good life is one that maximizes happiness, which Sandel believes is wrong. As with Liberalism, a good life needs to maintain neutrality, it (liberalism) promotes prioritizing justice, and its being independent to good deeds; the neutrality of which to Sandel is impossible and unwanted. Sandel asserts that, to have an egalitarian society, a good life, we need to discuss together about the meaning of a good life, at the same time we need to

create a kind of accepted public culture from these discussions ([Sandel, 2009, pp. 242-243](#)). In this sense, Sandel promotes a political state for the common interest.

*(2) Political duty requires self-government of citizens.*

The core issue lies in the conception of liberty. Liberalism supports the ideal of negative liberty, meaning accepting the natural and unchangeable right of human, no one, no institution or government could infringe upon. Sandel's communitarianism promotes a notion of positive liberty, liberty going along with self-government, meaning each member of the community would discuss and work together, together building the future of their community. The biggest concern of liberals is the way government treats their citizens, and they argue that the government must maintain neutrality in ideological affairs and the lives of their citizens. Communitarianism focus their concern on how citizens could self-govern, and seek for forms of ruling and social conditions benefiting self-government ([Sandel, 1998, pp. 26-27](#)). To Sandel, self-government is a form of political intervention, citizens together discuss and contemplate upon political decisions and aim for the common goods of the society. Self-government is also a kind of moral intervention, citizens together discuss issues such as what a good life is, or together discuss ethical dilemmas that they encounter (such as abortion, same-sex marriage, peace law...) ([Sandel, 2009, pp. 268](#))

*(3) Political duty instigates issue on empowering civic virtues*

If liberty depends on self-government, then self-government would depend on citizens' virtues, meaning every members of the community are conscious of their civic rights and willing to perform civic duty. All society needs a good order and all hope everyone could co-exist in peace. Nevertheless, how society could maintain orders and everyone could live together in peace, different political theories have different notions: liberalism places a stress on justice, communitarianism promotes virtues, or in other words, ethics. Sandel believes, civic virtues is not inherent, but must be cultivated. He promotes empowering civic virtues through social consciousness (special relations, and sense of belongings) so that citizens could perform social roles in accordance to their identity, and fulfill civic duty to the society ([Sandel, 2009, pp. 363-264](#)). On the one hand, Sandel critiques discussions surrounding justice of Rawls' liberalism, on the other, he laments that civic morality in contemporary US society is in decline.

Nothing except a good life, a liberal state, and virtuous citizens are fundamental requirements of Sandel's communitarianism. The fundamental requirement of the political science and theory of communitarianism stems from people's political nature being communitarian nature (like Aristotle's notion), and superior to the political theory

of liberalism (the concept of neutrality, negative liberty and prioritization of justice). Hence, Sandel's political science is a struggle to the opposing liberalism. Nevertheless, itself lacks refutability to suggest a systemic political philosophy that is more coherent and clearly proven.

The pursuit of the idea of a utopia, a good life, liberty and civic virtues is the goal of most political theories, be it liberalism or communitarianism. Putting this idea in the framework of liberalism, although the issue of liberty is acknowledged by liberals, they view it as a minor issue. On the contrary, communitarians put this idea in the ruling position, yet they lack coherent content. Moreover, Sandel tried to make his communitarianism compatible to the ideal of both sides, yet also received critiques from both: leftists critique Sandel's communitarianism being just another version of liberalism, and thus, communitarians are intrinsically liberals trying to re-establish the new consensus; ([Frohen, 1998, pp.159](#)) rightists accuse Sandel of using classical republicanism without portraying the spirit of classical republicanism ([Pangle, 1998, pp. 20](#)).

Sandel critiques the neutrality theory of liberalism and argue the politics of communitarianism must pursue good life. The question is how should we pursue a good life? On the one hand, Sandel states that communitarianism must break free of neutrality and pursue a better life. However, he did not specify what good life we need to pursue and what the real meaning of that good life is. On the other hand, what kind of good life should be implemented, this is fiercely debated. And because there are too many discussions about this, liberalism has promoted their neutrality. If Sandel opposes neutrality, and the goal of communitarianism is the pursuit of good life, then how could he tackle people's differences in this discussion?

Sandel amends himself: the content of a good life exists in civic virtues, and it is the kind of good life that we pursue and is determined by the civic virtues that citizens own. Those issues are all transferred to the civic virtues, and the promotion of civic virtues is the fundamental ideals of a political community. To instigate the support of civic virtues is precise, yet the question is, there is no clear indication of what kind of civic virtues that Sandel supports. In "Democracy's Discontent", Sandel has enlisted many virtues, but all belong to the virtues of traditional society (agricultural society). As some critics pointed out: if those traditional virtues are implemented and developed in the conditions devoid of the society, and we are also incapable of recovering those conditions, then we could not determine what those traditional virtues are.

From the development and discussion of the concept of liberty, positive liberty is promoted by Sandel, while the liberals acknowledge and protect negative liberty. Self-government means the citizens govern by themselves, which is in tune with the original meaning of democracy. In this sense, it has reflected the meaning of contemporary democracy. The issue of modern states are high-population nations. In such a nation, it is difficult to exercise citizens' self-government, but only through representative systems. If Sandel's theory of political community mention the state, then he must tackle the issue of citizens' self-government in modern democratic states. However, Sandel has never made clear of what his form of political community is and even could not state clear what his community means. Hence, communitarians like Sandel are still dubious and do not know where it is, and even them are concerned of their own conception of community.

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