



## Reassessing the Self: Defending Rawls' Unencumbered Self against Sandel's Critique

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### Abstract

In modern political philosophy, there is a fundamental disagreement regarding the nature of the *self* or person. This disagreement centered on whether the self is an independent, rational agent capable of determining its ends or is a social, cultural, and historical construct. This debate lies at the heart of the philosophical engagement between Rawls and communitarians, particularly Michael Sandel. Sandel, in his book *Liberalism and the Limits of Justice*, argues that Rawls in *A Theory of Justice* develops a conception of the 'self' that presupposes an 'ontological emptiness'—a view of the self that is an abstract, disembodied, and exists prior to its ends, relationships, and community. In contrast, Sandel proposes a conception of *situated self* that is enmeshed in social and moral networks. He argued that our values, identity, and sense of justice are shaped by the communities and traditions in which we live. As a result, we cannot think about justice independently without considering the self's embeddedness in its context. This essay will argue that Sandel misinterprets Rawls' exposition by conflating Rawls' actual account of moral personhood with the hypothetical nature of the original position, so undermining

Rawls' conception of the self. We argue that Rawls offers a framework for justice that accommodates diverse conceptions of the good, rather than downplaying the importance of social relationships. By clarifying this misconception, we demonstrate why Rawls' theory remains resilient to communitarian criticism and why this argument is crucial to contemporary debates about liberalism, pluralism, and the principle of a just society.

**Keywords:** Original Position, Veil of Ignorance, Concept of Self, Unencumbered Self, Encumbered Self, Justice

## Introduction

Rawls' *A Theory of Justice* is regarded as a revival of political philosophy, particularly liberalism. However, since its publication, Rawls has faced numerous criticisms from different philosophical and ideological perspectives. A group of philosophers who made the strongest and most organized criticism against Rawls is commonly known as communitarians. In contemporary political philosophy, communitarianism has emerged primarily as a critique of liberalism, particularly of Rawls' liberalism. As Will Kymlicka states, "a dominant theme of communitarian writings is the insensitivity of liberalism to the virtues and importance of our membership in a community and culture."<sup>1</sup> Arguing against liberalism, communitarians state that liberal principles are inconsistent with human practice and therefore unrealistic. For them, "moral and political discussion can flourish only if more attention is paid to the shared understanding and standard of the various communities in which we participate, that is, traditions of meaning."<sup>2</sup>

However, among the influential thinkers of communitarianism, Michael Sandel is regarded as the key figure representing the fundamental principles of communitarianism and the communitarian critique of liberalism. Although Sandel offers broad criticism of liberalism, his principal target is Rawlsian liberalism. In his criticism, Sandel challenges two central tenets of Rawlsian liberalism—the idea

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<sup>1</sup> Will Kymlicka, *Liberalism, Community and Culture*, (Oxford: Oxford University Press, 1989), 1.

<sup>2</sup> John, R Wallach, "Liberals, Communitarians and the Task of Political Theory" *Political Theory*, 15, 4 (November 1987), 592.

of the *unencumbered self* and the primacy of *rights* over the *good*. In contrast, Sandel advances the conceptions of an encumbered self and the primacy of the *good* over *rights*. According to Sandel, Rawls, in his *A Theory of Justice*, articulated the idea of the *self* or person, which is overly abstract and confused by individualism. In Sandel's view, by positing the conception of self which is prior to its ends and detached from moral obligations and social bonds, Rawls ignores the social, moral, and political nature of the individuals and turns the individual into a selfish and antisocial person. Sandel contends that such a thin conception of the self cannot provide the foundation of a meaningful theory of justice and the good life. He argued that for liberalism to be successful to offer a robust theory of justice, it must adopt a more substantive conception of self and good, which would recognize individuals' embeddedness in communities and their shared values, commitments, and relationships.

This present paper primarily focuses on Michael Sandel's criticism of Rawls' conception of self, particularly articulated in the original position under the veil of ignorance. We shall examine how far Sandel is justified in accusing and rejecting the Rawlsian conception of self as *unencumbered* and proposing an alternative conception of the *encumbered self*. Essentially, we will argue that Sandel's criticism of Rawls' self as metaphysical is ultimately misplaced. Rawls' conception of the self, as he developed in his theory of justice, particularly in the original position, is fundamentally a political self. Drawing on Rawls' self-clarification in *Political Liberalism*, we contend that Rawls doesn't entail any metaphysical commitment about the self. The original position and unencumbered self are necessary methodological tools for his theory of justice, but Sandel misconstrues Rawls' project by interpreting those as metaphysical. To contextualize this paper and introduce the communitarian objections against liberalism, we shall begin with a brief overview of the debate between liberalism and communitarianism. This sets the stage for a focused analysis of Rawls' conception of the original position and self. Followingly, we examine Sandel's criticism of Rawls, particularly his rejection of Rawls' idea of unencumbered self. We then turn to Rawls' own responses, along with the arguments advanced by Rawlsian scholars in defense of Rawls against communitarian objections. We concluded by saying that even though Sandel ultimately misinterprets Rawls' project, his criticism nonetheless raises important and thought-provoking

questions about the role of community, identity and moral commitments of individuals for establishing a just society.

### **An Overview of Liberalism and Communitarian Debate**

In contemporary political philosophy, over the last twenty years, a conflict has emerged between liberalism and communitarianism regarding the fundamental principles of society, commonly referred to as '*The debate between liberalism and communitarianism.*' In this context, the notable communitarians are Alasdair MacIntyre, Charles Taylor, Michael Walzer and Michael Sandel. Before entering into Sandel's criticism of Rawls' conception of self or person, it is necessary to briefly mention the main line of debates between liberalism and communitarianism. A brief introduction to the debates between them is intended to provide the readers with a coherent background of their controversy. It would also be fair to outline the origin of Sandel's political ideology, as this will help us better understand the subsequent discussion.

Communitarianism is a doctrine that arose mainly as a reaction against contemporary liberalism, particularly Rawls'. It is a tradition of thought that opposes the principles liberal advocates for the well-being of society. According to communitarianism, liberalism is an atomistic individualistic approach that devalues community values and the common good. For them, political philosophy should focus more on shared values and a common understanding across all communities. However, the debate between these two ideologies is centered mainly around three issues—self or person, society or community and shared values. They have contradictory views on these three issues. Their central point of debate can be put as follows: Liberalism seeks to establish the general welfare of the people, i.e., justice, through protecting individual rights and self-interests. In contrast, communitarians sought to link justice to community from the context of social practice; that is, they tried to give a sociological foundation to the concept of justice. Communitarianism centrally aims to criticize the fundamental principles of liberalism. Henry Tam states that "the ultimate goal of all communitarian movements is to transform social and political aspects of community life so that everyone can participate responsibly as equal citizens in shaping

decisions that affect them”<sup>3</sup> and “to the pursuit of common values through cooperative enquiries, communitarian movement pose a challenge to all power structures which deny citizens a real role in shaping their communities.”<sup>4</sup> The basic tenets of liberalism that communitarians criticize are—the neutrality of the state or society, the superiority of justice above all values, the priority of individual rights over the good, and the preservation of the autonomy of the individual.

Arguing against liberalism, MacIntyre states that liberalism is devoted to a certain idea of what is good for human beings and supports state neutrality in disputes between conflicting ideas of what is good. For MacIntyre, liberalism advocates “a kind of institutional order that is inimical to the construction and sustaining of types of communal relationship required for the best kind of human life.”<sup>5</sup> According to Walzer, “Society was conceived as an organic and integrated whole.”<sup>6</sup> But from its very beginning, liberalism, by mapping out the socioeconomic structure of society and delineating the borders between various regions, promoted an art of isolation against tradition. Walzer views this liberal endeavor as the Art of Separation and outlines its effects: “It gives rise to a world in which every single man and woman is separated from every other.”<sup>7</sup> Let us briefly point out the debate between liberalism and communitarianism.

1. According to liberalism, individuals or persons are intrinsically valuable, and the values they believe in are distinct from what they are and free to make or alter their choices. Therefore, individuals are valuable independently, apart from society. In contrast to the liberal view, communitarians argue that the individual is a social organism. For communitarians, the emphasis on the individual makes the liberal self an anti-social being. They

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<sup>3</sup> Henry Tam, *Communitarianism: A New Agenda for Politics and Citizenship* (New York: New York University Press, 1998), 26.

<sup>4</sup> *Ibid.*, 26-27.

<sup>5</sup> Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, 3<sup>rd</sup> ed. (Notre Dame, IN: University of Notre Dame Press, 2007), xv.

<sup>6</sup> Michael Walzer, “Liberalism and the Art of Separation,” *Political Theory* 12, no. 3 (1984), 315.

<sup>7</sup> *Ibid.*, 323.

contend that individuals are not separated from the values they hold; rather, individuals are formed by those values—in fact, they are defined by them. The behaviors of an individual are influenced, values are formed, and the individual develops. An individual's life becomes meaningful with solidarity with society. For communitarians, the individualism of liberals has transformed the individual into a kind of 'anti-social individual.' They contend that a person's beliefs and values cannot be separated from them; rather, they are constituted and defined by them. Without recognizing those values, their identity or existence cannot be explained. So, they cannot modify the values as they wish. We are inextricably linked with society. Every individual is inevitably linked to society, and the values they believe in are enshrined in society or community. Despite our consent, society instills these values in us and gives us an identity.

2. Liberalism advocates limited state and free market economic policy to protect individual rights, liberties, and self-interest. For liberals, individuals participate in a community through the contract for the pursuit of self-interest. Communitarians also criticized this idea of society advocated by liberalism. They always talk about social values. For them, society cannot be the result of any agreement. Society always exists for some concrete goods, i.e., collective goods or interests. Communitarians argue that individualism is always harmful to social life and cohesion. They emphasize social collective interest over individual self-interest and raise voices about responsibility for the society or state in protecting this collective good.
3. Liberalism justifies the universal applicability of state principles. Communitarians justify political policies in terms of social values. For them, we need to clarify those principles in terms of value and the meaning of distribution, rather than establishing non-existent universal principles as valid.

### **Rawls' *Original Position* and the Idea of *Self***

There are two central aspects in Rawls' theory of justice, namely the *original position* and the *veil of ignorance*. In the original position, Rawls developed his conception of the self, often referred to as the unencumbered self, which plays a significant role in his philosophical framework, particularly in his theory of justice as fairness. While discussing his theory of justice through these two aspects, Rawls's idea of the *self* or person has emerged. The original position is a hypothetical thought experiment designed to adopt the fair and impartial fundamental principles of justice. In the *original position* under the *veil of ignorance*, Rawls assumes that individuals are completely ignorant of their original standing and self-interest in society. They aren't even aware of what is valuable to them and what is not. In this original position, people are imagined as free and equal beings whose responsibility is to formulate abstract principles of justice that will determine the fundamental structure of society, and they must do so under the veil of ignorance. The veil of ignorance is a hypothetical condition in which individuals remain ignorant about all their particular circumstances, such as race, self-interest, and social status. According to Rawls, this ignorance ensures impartiality. Being aware of these factors could make the individual biased when deciding on universal principles, as they might shape the principles to serve their self-interest. Therefore, in the original position, individuals adopt principles under the veil of ignorance. According to Rawls, the universal principles can only be chosen under the veil of ignorance, ensuring fairness and impartiality. This is the idea of *self* or person fiercely criticized by communitarians.

According to Rawls, parties in the original position will be provided a cluster of principles of justice obtained from social and cultural traditions, and their task will be to select the best principle that enables them to pursue their common ends. For Rawls, the persons in the original position may come into a mutual agreement if they are satisfied with the definition of justice introduced by a member. In Rawls' language, "If anyone after due reflection prefers a conception of justice to another, then they all do, and a unanimous agreement can be reached."<sup>8</sup> According to Rawls, individuals who

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<sup>8</sup> John Rawls, *A Theory of Justice*, rev. ed. (Cambridge, MA: Harvard University Press, 1999), 120.

come together will be completely unaware of their actual social position i.e., in establishing a universal conception of justice individuals don't possess any knowledge of their current position in society and what they become in the future; that is, they don't know what position they are going to acquire in future in the society. In the original position, people also don't have any conception of good, nor will they know what is valuable and what is not. In other words, in the original position, people constructing a universal principle of justice will begin from an empty state. The reason behind starting from an empty state is to be free from discrimination and biases, i.e., there would not be any discrimination from the self-desire and be free from partiality. According to Rawls, "For given the circumstances of the original position, the symmetry of everyone's relations to each other, this initial situation is fair between individuals as moral persons, that is, as rational beings with their own ends and capable, I shall assume, of a sense of justice. The original position is, one might say, the appropriate initial status quo, and thus the fundamental agreements reached in it are fair."<sup>9</sup> On the one hand, their ignorance in all matters will keep them transparent in formulating general principles; on the other hand, it will prevent them from favoring any particular group in distributing social resources. Thus, from the ignorance of all things—what Rawls refers to as the *veil of ignorance*—individuals will come together and collectively, with mutual consent, formulate general principles of justice, and consequently establish a well-integrated society.

Rawls' idea of the original position doesn't refer to any actual situation; rather, it is a purely hypothetical condition. According to Rawls, "The original position is not to be thought of as a general assembly which includes at one moment everyone who will live at some time; or, much less, as an assembly of everyone who could live at some time. It is not a gathering of all actual or possible persons. If we conceived of the original position in either of these ways, the conception would cease to be a natural guide to intuition and would lack a clear sense. In any case, the original position must be interpreted so that one can at any time adopt its perspective."<sup>10</sup>

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<sup>9</sup> John Rawls, *A Theory of Justice*, rev. ed. (Cambridge, MA: Harvard University Press, 1999), 11.

<sup>10</sup> *Ibid.*, 120.

### Sandel's Criticism of Rawls's Idea of the *Self* or Person

Sandel is regarded as the first and best constitutive representative of communitarian critique of liberalism, particularly of Rawls. However, in this context, it is important to note that while Sandel is often included in the group of communitarian critics of liberalism, in the second edition of his *Liberalism and the Limits of Justice* (LLJ), he denied labelling himself as a communitarian critic. In the preface of the 2<sup>nd</sup> edition of LLJ, Sandel explicitly wrote that "LLJ is not a communitarian critique but a critique of the unencumbered self that liberalism presupposes."<sup>11</sup> He states that his aim is not to offer a communitarian essentialist alternative; Sandel questions the theoretical soundness of Rawls' unencumbered self as the moral basis of justice. However, at the very outset of his criticism, Sandel begins by attacking liberalism in general. According to him, the liberal "vision is flawed, the aspiration is incomplete."<sup>12</sup> In his famous article, "The Procedural Republic and the Unencumbered Self," explaining the core thesis of liberalism, Sandel states that, in liberalism, a just society doesn't prioritize any particular idea of what is good, instead it enables everyone to choose their own good, as long as they respect the same liberty for all. The society isn't based on what makes people happy, fosters virtue, or promotes any particular vision of the good life. Rather, they are found on what is right, a fundamental moral perception that precedes and separates any individual or societal notion of what is good.<sup>13</sup> He further states that, according to liberalism, the justice of a society doesn't stem from the particular objectives or purposes it aspires to achieve, but from the principled abstention from endorsing any specific idea of what is good. A just society seeks to establish a neutral framework through its legal and constitutional arrangements that enables people to pursue their own diverse values and life goals, provided that such pursuits respect the equal liberty of others to do the same.<sup>14</sup> Further, arguing against the

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<sup>11</sup> Michael Sandel, *Liberalism and the Limits of Justice*, 2<sup>nd</sup> edition (Harvard University Press, 1982), x.

<sup>12</sup> *Ibid.*, 1.

<sup>13</sup> Michel J. Sandel, "The Procedural Republic and the Unencumbered Self," *Political Theory* 12, no. 1 (1984), 82.

<sup>14</sup> Michel J. Sandel, "The Procedural Republic and the Unencumbered Self," *Political Theory* 12, no. 1 (1984), 82.

deontological liberalism of Rawls, Sandel states that deontological liberalism “fails because of the inadequacy and extreme individualism of this notion of person. This individualism does not allow for the role of community in constituting the person, nor does it allow for the possibility that a person’s meaningful identity is more a matter of cognition than choice.”<sup>15</sup> However, for the sake of this paper, we shall only focus on Sandel’s criticism of self or person, as Rawls explains in the original position and veil of ignorance.

According to Sandel, Rawls misinterpreted the nature of the *self* or person. He argues that Rawls misconstrue the ontology of the self by presenting a purely autonomous agent abstracted from their particular ends, traits, talents, values, character, and social affiliations. While the individual may bear these attributes, within Rawls’s framework, they are regarded as contingent attachments rather than constitutive elements of the self.<sup>16</sup> Therefore, Baker argues, “Rawls is committed to a thin, denuded notion of the person—a person separated from all ends, commitments, and capacities. This self is so sparse that it cannot constitute an object for self-reflection.”<sup>17</sup> According to Sandel, this conception of a person in Rawls reflects two things. First, Rawls’ distinct individual is fatuous of all aggregative properties, and therefore, in any way cannot be constituted by a community. Second, the person in Rawls is incapable of acquiring knowledge and self-reflection. This inability reflects the basic nature of the person in Rawls. Being aware of one’s identity or discovering oneself is the foundation of a person’s identity; so, the capacities of knowledge acquisition and self-reflection are inconsistent with Rawls’ conception of a person. Also, since Rawls regards the individual as separate from all his attributes, there can be no self-reflecting substance in Rawls’ idea of the person.

Sandel argues that the idea of self or person Rawls explains in the original position is largely disengaged, i.e., asocial and immutable. He contends that the conception of the self or person Rawls outlines is an “unrealistic” and “unencumbered self” — a self devoid of constitutive attachments (community, history, and moral commitments) to ensure impartiality in justice. According to Sandel,

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<sup>15</sup> C. Edwin Baker, “Sandel on Rawls,” *University of Pennsylvania Law Review* 133, no. 4 (1985), 895.

<sup>16</sup> *Ibid.*, 887-898.

<sup>17</sup> *Ibid.*, 896.

the original position mostly emphasized “a foundation for the right that is, prior to the good.”<sup>18</sup> Defining the original position Sandel said “It invites us to imagine the principles we would choose to govern our society if we were to choose them in advance before we knew the particular persons we would be—whether rich or poor, strong or weak, lucky or unlucky—before we knew even our interests or aims or conceptions of the good. The principles we would choose in that imaginary situation are the principles of justice.”<sup>19</sup>

Sandel calls this type of self the ‘*Unencumbered Self*.’ According to Sandel, the exposition of the self as ‘unencumbered’ undermines the normative role of community in forming our “personal identity, moral and political thinking, and judgements about our well-being.”<sup>20</sup> An unencumbered self cannot value the normative role of a community. Our identity is formed through our attachment to the constituent communities in the society in which we are born. A self is always encumbered because of its constant attachment to the community. Since the unencumbered self is not a part of constitutive communities, it lacks intrinsic value because it does not possess any feature of communal attachment. This conception of self denies the constructive nature, as an essential character of a community and therefore precludes people from admitting community as a component of their identities.

For Sandel, a true community is one where people see themselves as part of something larger than just their identity, whether that shared identity comes from being part of a family, tribe, city, social class, nation, or broader cultural group. This community is distinguished by “a common vocabulary of discourse and a background of implicit practices and understandings...[a] community must be constitutive of the shared self-understanding of the participants and embodied in their institutional arrangement. [It] describes a framework of self-understanding that is distinguishable

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<sup>18</sup> Michel J. Sandel, “The Procedural Republic and the Unencumbered Self,” *Political Theory* 12, no. 1 (1984), 84-85.

<sup>19</sup> *Ibid.*, 86.

<sup>20</sup> Daniel A. Bell, *Communitarianism and Its Critics* (Oxford: Clarendon Press, 1993), 4.

from and in some sense prior to the sentiments and dispositions of individuals with the framework."<sup>21</sup>

Sandel further argues that Rawls' conception of self or person is detached from any substantive values—they are abstracted from all constitutive ends, moral obligations, and community commitments. In Rawls' view, the individuality of individuals can only be preserved if the rights of the individuals are prioritized over any conception of the good. According to Sandel, this interpretation implies that individuals must be understood as entirely free from all discursive and emotional embrace. Rawls' individual, therefore, is not bound by any social values, cultural traditions or any moral framework. For Sandel, such a socially 'unencumbered self' is being prior to all the conceptions of the good and being self-constitutive, acts solely according to the universal principle of justice. The only relevant thing to the unencumbered self is the ability to choose, not the pursuit of any ends. Sandel contends that this interpretation of the individual alienates the individual from all his constructive potential and preserves individual identity as a particular human being. In Sandel's language, "It rules out the possibility of what we might call constitutive ends. No role or commitment could define me so completely that I could not understand myself without it. No project could be so essential that turning away from it would call into question the person I am."<sup>22</sup> Sandel's arguments against Rawls' articulation of self or person can be presented as follows:

- (A) Sandel argues that Rawls' understanding of self or person is incompatible with his difference principle. Rawls' principle of difference states that the function of social institutions is to strengthen the condition of the weak. But, while the moral subject is an individual, it will use the talents of others to modify the positions of the weaker. Consequently, the difference principle will treat those persons as a means. Within the community, only a principle of difference can be used. Only within wider communities can each person's

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<sup>21</sup> John, R Wallach, "Liberals, Communitarians and the Task of Political Theory" *Political Theory*, 15, 4 (November 1987), 593. Also see, Michael J. Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), 172-174.

<sup>22</sup> Michel J. Sandel, "The Procedural Republic and the Unencumbered Self," *Political Theory* 12, no. 1 (1984), 86.

talents be fully included and the prevention of using them merely as means be protected.

- (B) Sandel's second argument is that Rawls put forward an incomplete conception of a person in which an individual is regarded as isolated from all his aims, desires, capacities, and responsibilities. The person is explained as if his characteristic is that he is capable of arbitrary and meaningless choices, which, according to Sandel, is an inadequate explanation of the conception of 'good.'
- (C) Sandel's third argument against Rawls is that Rawls' interpretation of the individual as an asocial animal ignores the characteristics of the individual, such as social values, commitments, and practices that are formed through participation in a group or community.

### **Is Sandel's Criticism of Rawls Justified?**

Now the question is: How far is Sandel justified in accusing Rawls of advocating an overly abstract conception of the self? Rawls' *Political Liberalism*, published almost twenty-two years after his masterpiece *A Theory of Justice*, can be regarded as the explanatory text of his earlier doctrines. At the beginning of this book, Rawls states that what he fails to emphasize in *A Theory of Justice* is what he intended to mean by justice. Rawls said that by justice he intended to mean political justice—"I have used the idea of a political conception of justice without explaining its meaning."<sup>23</sup> He also states that it is true that justice is a moral concept, but designed to serve a particular purpose—for political, social, and economic institutions—"In particular, it applies to what I shall call the "basic structure" of society."<sup>24</sup> That is, Rawls' conception of justice does not apply to any metaphysical subject; rather, it applies to the nature of the structure of society.

In response to communitarian critics, particularly advanced by Sandel, Rawls clarifies that the conception of the self or person in the

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<sup>23</sup> John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996), 11.

<sup>24</sup> *Ibid.*, 11.

original position is not metaphysical; rather, it is strongly a political conception of a person. Rawls never intended the original position to explain the fundamental nature of human beings. Rawls, in his book *A Theory of Justice*, clearly states that the "original position" and the "veil of ignorance" are methodological tools, not ontological claims about the self. His initial viewpoint serves as a hypothetical tool to ensure fairness in the selection of principles of justice. In this context, he writes, "The original position is not thought of as a state of nature, but as a purely hypothetical situation."<sup>25</sup> For Rawls, the individual in the original position is political in three important ways:

- (A) According to Rawls, in the original position, individuals are free insofar as they possess the moral capacity of forming a conception of good. It doesn't mean they are irrevocably tied to any particular conception of the good. They are rationally capable of changing and reforming a concept of the good.
- (B) In the original position, individuals are recognized as free because they are the self-validating source of legitimate claims. It implies they are entitled to make legitimate demands on social institutions to support their conceptions of the good, provided these claims align with the political conception of justice. This reflects how they see themselves when the question of justice arises in society.
- (C) Political freedom encompasses the ability of individuals to take responsibility for their actions. This means they can rationally adjust between their aims and desires, which they reasonably can expect. Limiting their claims, following the principles of justice, is itself an expression of individual freedom.

Sandel misunderstands Rawls' idea of self by thinking of it as a metaphysical being—a kind of self which is empty and exists prior to any ends or social bonds. Sandel interprets Rawls' 'unencumbered self'

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<sup>25</sup> John Rawls, *A Theory of Justice*, (Harvard University Press, 1972), 3.

as subtly anthropological, implying that Rawls smuggles in a slender idea of the human. However, Rawls doesn't advocate self in this way. Rawls's conception of self is a theoretical construct rather than an ontological assertion. As Baker argues, Rawls does not intend his theory to provide an exhaustive or all-encompassing account of self or person; rather, it is a limited construct, appropriate for a specific theoretical purpose. As Baker puts it, "Rawls constructs his limited conception of the person for a limited but appropriate purpose," and it "does not commit him to any general account or theory of the person."<sup>26</sup> In our everyday experience, we understand individuals as complex beings whose actions, choices, and self-reflection reveal their full moral character, including their moral values and virtues. However, this richly textured notion of personhood doesn't apply to the hypothetical selves in the original position of Rawls. For Baker, "a major purpose of the original position is to emphasize that many aspects of who we are ought to be irrelevant to certain issues—specifically, the derivation of Rawls' principles of justice."<sup>27</sup> Thus, Rawls' model of the person is not a comprehensive anthropological claim, but a methodological device designed for a particular theoretical purpose.

Rawls identifies persons with limited qualities that are only relevant to the search for fundamental principles of society. These qualities should never be seen as a reflection of a person's complete personality; they can only be taken in the sense of priority. In this respect, Rawls can ignore any feature of the person for his theory of justice and can refuse to rely on any general theory of the person. Hence, "Rawls' claims are relevant for the limited enterprise of deriving general principles of justice."<sup>28</sup> The general features that underpin Rawls' principles of justice can constitute only a partial theory of the person. Rawls confines himself to formulating such principles that will represent persons as equals. It clearly emphasizes the interpersonal relationships of persons. Further, Rawls never claims that his conception of the person is empirically or historically accurate, nor does he say that his idea of the person is relevant for any other purpose. Thus, Rawls' view is a relative assumption about the

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<sup>26</sup> C. Edwin Baker, "Sandel on Rawls," *University of Pennsylvania Law Review* 133, no. 4 (1985), 898.

<sup>27</sup> *Ibid.*, 900.

<sup>28</sup> *Ibid.*, 900.

person's nature; rather, it is an assumption about how a person should be viewed in the social order.

Richard Rorty, in "The Priority of Democracy to Philosophy", defends Rawls' idea of self against communitarian critique. Rorty challenges Sandel's interpretation of Rawls' self as metaphysical and argues that the self in the Rawlsian project is pragmatic and political. He contends that Rawls' conception of self should not be understood as a metaphysical self but as a political self. For him, Rawls' idea of self serves a liberal-democratic purpose, rather than a fundamental philosophical assertion about human nature. In this context, consider the following remarks of Rorty: "Rawls is not trying to get behind or beneath the self described by moral phenomenology. He is just redescribing that self in the interests of liberal politics."<sup>29</sup> By redefining Rawls' "veil of ignorance" and "unencumbered self" as instruments for political neutrality, Rorty thereby defends Rawls against Sandel's accusation. Rorty further states that the debate between liberalism and communitarianism is often misinterpreted as a dispute about the actual existence of the self. Therefore, Rawls's 'thin' self is supported by its ability to advance liberal justice rather than by its metaphysical veracity.

Will Kymlicka also provides a strong defense of Rawls' idea of self against Sandel's accusation. According to Kymlicka, Rawls intended to adopt a moral and political stance appropriate for defending principles of justice rather than to describe a metaphysical self. Kymlicka highlights that Rawls' self is regarded as hypothetically prior for moral reasoning concerning justice, rather than metaphysically prior to its ends. Consider the following remarks of Kymlicka in this context: "Rawls is not claiming that people are, in fact, unencumbered selves. Rather, he claims that, when we ask what principles should govern the basic structure of society, we must abstract from the particular aims and attachments people have."<sup>30</sup> Kymlicka emphasized that the original position is a representational tool designed to bracket off contingent community identities so that justice could be evaluated objectively, not to minimize the moral

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<sup>29</sup> Richard Rorty, "The Priority of Democracy to Philosophy, in *Objectivity, Relativism, and Truth: Philosophical Paper*, Volume 1, (Cambridge University Press, 1991), 186.

<sup>30</sup> Will Kymlicka, *Contemporary Political Philosophy: An Introduction*, 2<sup>nd</sup> Edition (Oxford University Press, 2002), 61.

significance of identity or community. Kymlicka also criticizes the communitarian interpretation for conflating ontological individualism with methodological abstraction. By considering people to be free and equal, Rawls seeks to ensure fairness in selecting principles, not to imply that people are devoid of any social bonds. Consider the following statement of Kymlicka: "Rawls's theory does not deny that individuals are shaped by their community, but it insists that principles of justice must not be derived from any particular conception of the good life."<sup>31</sup>

### **Concluding Remarks**

The main focus of Sandel's criticism of Rawls is the purported detachment of the self from its social and moral contexts. Sandel believes that Rawls' concept of the unencumbered self assumes that the capacity of choosing any particular ends independently of constitutive attachments is an unrealistic assumption. We have argued that this kind of interpretation of Rawls' self is oversimplified. While Rawls does stress autonomy and rights over the good, he also recognizes the importance of social institutions and primary goods in individual lives. Thus, Rawlsian self is not an idea out of context; rather, it is a construct to make the original position fair.

Despite everything, Sandel's criticism cannot be called invalid. By emphasizing the formative role of community in forming personal identity, he has challenged one of the most fundamental assumptions upon which liberal political theory rests. Sandel claims that Rawls' depiction of the self as an abstract and unencumbered agent leads to a conception of justice that is overly procedural and lacking moral substance. Sandel rightly points out that humans form their identities through relationships and traditions such as family, religion, and culture. Their obligations often arise not from voluntary choice but embeddedness. Hence, by stressing narrative selves and the social good, Sandel offers a richer account of self. Even if his criticism doesn't apply to Rawls, he rightly outlined a constitutive, situated, and encumbered conception of the self. However, there is also an alternative viewpoint of Rawls. How does one explain individual moral autonomy, dissent, or the capacity to critically reflect against

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<sup>31</sup> Ibid., 62.

dominant communal norms if the self is wholly composed of its social attachments?

Wanpat Yongmevittaya, in his paper "Does Sandel Misunderstand Rawls?" defended Sandel against the criticism of liberal scholars. He discusses three main objections raised by liberal theorists against Sandel: the sociology objection, the metaphysics objection, and the private morality objection, and argues that the allegation against Sandel is based on a misunderstanding and does not accurately represent Sandel's critique. According to the sociology argument, Sandel misconstrues Rawls' understanding of the person as a sociological account, i.e., how people live in society. Yongmevittaya argues that Sandel doesn't claim Rawls is making a sociological claim. Instead, he contends that Rawls' theoretical framework, i.e., the unencumbered self in the original position, cannot account for the moral weight of constitutive attachments. Sandel's critique pertains to the normative ramification of Rawls' abstraction, rather than its empirical validity. Against the second claim, i.e., Sandel's metaphysical claim, he argues that Sandel's critique is not about metaphysics but about moral reasoning. He contends that the model of the self as chooser of ends rather than constituted by them cannot coherently justify obligations based on unchosen commitments (family, culture), which is a challenge to Rawlsian moral psychology, not to his metaphysics. The third objection against Sandel is that Sandel believes Rawls has a certain moral ideal (an idea about what the good life is like) in mind when he describes his conception of the person. Yongmevittaya rejects this objection by noting that Sandel is concerned with the practicality of Rawls' theory because the framework presupposes a voluntarist picture of moral agency that marginalizes shared traditions as constitutive of identity and obligation; he is not accusing Rawls of neglecting community but of theorizing justice in such a way that it cannot accommodate certain kinds of communal bonds.

The significance of Sandel's critique is not that it presents an alternative to liberalism but that it draws attention to the moral costs of abstraction in political theory. Whether or not one ultimately finds Rawls to be a defensible framework for justice in a pluralistic society, his communitarian challenge has shown how important it is to reattach liberal principles to the lives of citizens as they are lived. Let's point out some major contributions of Sandel in this context.

Firstly, Sandel challenges the ontology of the liberal self. According to Sandel, the unencumbered self posited in Rawls takes for granted a prior and independent identity that exists prior to and apart from its ends, commitments, and community bonds. This is what Sandel calls a metaphysical abstraction: an empty view of the self as prior to the ends it affirms.<sup>32</sup> Sandel states that this priority of the self over its ends does not characterize how people live and make moral decisions; instead, they are constitutively bound by their social and historical circumstances. Thus, one could see that a disembodied and ahistorical ontology of the liberal self is revealed in Rawls. Secondly, Sandel's criticism has important and political implications. If Rawls assumes a self with shallow connections to community and tradition, then the theory of justice that results may promote a society that focuses more on individual rights than on the common good. Sandel warns that such a model risks eroding civic virtue and shared moral discourse. His communitarian view insists that theories of justice cannot be separated from conceptions of the good, nor can political institutions be severed from social practices in which they are embedded. Thus, Sandel challenges political liberalism to rethink itself as more dialogical, situated, and morally embedded. Sandel's third contribution is reinvigorating the liberal-communitarian debate. By revitalizing this debate, he posed questions that would shape political theory for decades. His argument challenged liberalism to address its underlying anthropology and its use of abstraction. While Rawls (in particular in *Political Liberalism*) responded by clarifying that his theory is political, not metaphysical, the fact that such clarification was required illustrates the power of Sandel's critique: it forced liberals to consider whether a purely procedural account of justice could sustain the kinds of moral commitments that a democratic society needs. Redirecting the philosophical focus back toward embedded selves, traditions, and the boundaries of abstract rationalism, thereby aligning with a broader philosophical movement in response to Hegelian and Aristotelian insights that beings are not individual atoms but social beings whose identities are formed by narratives, communities, and roles can be treated as his fourth contribution in this context. Finally, even if one ultimately defends Rawls, Sandel's critique remains philosophically and politically significant because it

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<sup>32</sup> Michael Sandel, *Liberalism and the Limits of Justice*, 2<sup>nd</sup> edition. (Harvard University Press, 1982), 19.

raises fundamental questions such as: Can justice be discussed without reference to the good life? Are political principles truly neutral with respect to competing visions of the good? What is lost when the self is theorized as detachable from its contexts? These questions remain central to ongoing debates in multiculturalism, identity politics, civic education, and the state's role in mediating pluralistic societies.

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