

0001 MICHAEL SANDEL: Today, I'd like to consider the strongest objections to
0002 the idea that there are obligations of solidarity or membership.
0003 Then, I want to see if those objections can be met successfully.
0004 One objection emerged in the discussion last time.
0005 Patrick said, well, if obligations flow from community membership and
0006 identity, we inhabit multiple communities.
0007 Doesn't that mean that our obligations will sometimes conflict?
0008 So that's one possible objection.
0009 And then Rena said, these examples meant to bring out the moral force of
0010 solidarity and membership--
0011 examples about parents and children, about the French resistance fighter
0012 asked to bomb his own village and drawing back, about the airlift by
0013 Israel of Ethiopian Jews-- these examples, they may be intuitively
0014 evocative, Rena said, but really they're pointing to matters of
0015 emotion, matters of sentiment, not true moral obligations.
0016 And then there were a number of objections, not necessarily to
0017 patriotism as such, but to patriotism understood as an obligation of
0018 solidarity and membership beyond consent.
0019 This objection allowed that there can be obligations to the communities we
0020 inhabit, including obligations to patriotism, but this objection argued
0021 that all of the obligations of patriotism or of community or
0022 membership are actually based on liberal ideas and perfectly compatible
0023 with them--
0024 consent, either implicit or explicit, or reciprocity.
0025 Julia Rotow, for example, on the website, said that liberalism can
0026 endorse patriotism as a voluntary moral obligation.
0027 Patriotism and familial love both fall under this category, because after
0028 all, Julia points out, the Kantian framework allows people free reign to
0029 choose to express virtues such as these if they want to.
0030 So you don't need the idea of a non-voluntary particular moral
0031 obligation to capture the moral force of community values.
0032 Where's Julia?
0033 OK.
0034 So did I summarize that fairly?
0035 Julia, actually, is in line with what Rawls says about this very topic.

0036 You weren't aware of that?

0037 You came up with it on your own.

0038 That's pretty good.

0039 Rawls says, when he's discussing political obligation, it's one thing

0040 if someone runs for office or enlists in the military.

0041 They're making a voluntary choice.

0042 But Rawls says, there is, I believe, no political obligation, strictly

0043 speaking, for citizens generally because it's not clear what is the

0044 requisite binding action and who has performed it.

0045 So Rawls acknowledges that for ordinary citizens, there is no

0046 political obligation except insofar as some particular citizen willingly,

0047 through an act of consent, undertakes or chooses such an obligation.

0048 That's in line with Julia's point.

0049 It's related to another objection that people have raised, which is it's

0050 perfectly possible to recognize particular obligations to one's family

0051 or to one's country provided honoring those obligations doesn't require you

0052 to violate any of the natural duties or requirements of universal respect

0053 for persons qua persons.

0054 So that's consistent with the idea that we can choose, if we want to, to

0055 express a loyalty to our country or to our people or to our family, provided

0056 we don't do any injustice within the framework--

0057 acknowledging the priority, that is, of the universal duties.

0058 The one objection that I didn't mention is the view of those who say

0059 that obligations of membership really are kind of collective selfishness.

0060 Why should we honor them?

0061 Isn't it just a kind of prejudice?

0062 So what I'd like to do, perhaps if those of you who wrote and who have

0063 agreed to press these objections, perhaps if you could

0064 gather down all together.

0065 We'll form a team as we did once before.

0066 And we'll see if you can respond to those who want to defend patriotism

0067 conceived as a communal obligation.

0068 Now, there were a number of people who argued in defense of patriotism as the

0069 communitarian view conceives it.

0070 So let me go down now and join the critics communitarianism if there's a

0071 microphone that we could use somewhere.

0072 OK, thanks Kate.

0073 Who-- as the critics of patriotism, communal patriotism, gather their
0074 forces here.

0075 Patrick, if you want to, you can join as well, or Rena.

0076 Others who have spoken or addressed this question are free to join in.

0077 But I would like to hear now from those of you who defend patriotism and
0078 defend it as a moral obligation that can't be translated back into purely
0079 consent-based terms, can't be translated into liberal terms.

0080 Where is A.J. Kumar?

0081 [CHEERS]

0082 A.J., everybody seems to know you.

0083 [LAUGHTER]

0084 All right, let's hear from A.J. You said, "in the same way I feel I owe
0085 more to my family than to the general community, I owe more to my country
0086 than to humanity in general because my country holds a
0087 great stake in my identity.

0088 It is not prejudiced for me to love my country unless it is prejudiced for me
0089 to love my parents more than somebody else's."

0090 So A.J., what would you say to this group.

0091 Stand up.

0092 A.J.: I think that there's some fundamental moral obligation that
0093 comes from a communitarian responsibility to people in groups
0094 that form your identity.

0095 I'll give the example that there are a lot of things about our government
0096 right now that I'm not in favor of, but part of my identity is that
0097 America values a free society where we can object to certain things.

0098 And I think that's an expression of patriotism as well.

0099 And I go back to the parent example, or even at Harvard, I think I owe more
0100 to my roommates because they make up my identity than I do to the Harvard
0101 community as a whole.

0102 And I think that applies to our country, because there are certain
0103 things that growing up here, yes, we can't choose it.

0104 We can't choose our parents, things like that.

0105 But it makes up part of our identity.

0106 MICHAEL SANDEL: OK, who would like to take that on?

0107 IKE: Yeah, about the obligation to others simply by virtue of being
0108 influenced by them, I am a German citizen.

0109 And if I had been born 80 years earlier, then I would have been a

0110 citizen of Nazi Germany.

0111 And for some reason, I just don't think that I would have to feel

0112 obligated towards Germany because I benefited from actions of Nazis.

0113 A.J.: I mean, I guess my response to that would be you have hundreds of

0114 thousands of protesters in the United States right now who hold up signs

0115 that say peace is patriotic.

0116 And I'm sure there are people in this room who don't agree with that.

0117 I personally do.

0118 And I would say that they are strongly objecting to, basically, everything

0119 the Bush administration is doing right now, but they still consider

0120 themselves loving their country because they're furthering the cause

0121 of what they see is best for the country.

0122 And I tend to agree with that as a patriotic movement.

0123 IKE: Well, how do you still favor your country?

0124 How is that still patriotic?

0125 I mean, isn't that more a sentimental attachment?

0126 Where's the obligation there?

0127 MICHAEL SANDEL: Rena.

0128 RENA: Not to bring this back to John Locke, but I would like to bring this

0129 back to John Locke.

0130 [LAUGHTER]

0131 RENA: So in his conception of when people join society, there's still

0132 some out, that if you're not satisfied with your society, you do

0133 have a means of exit.

0134 Even though we had a lot of concerns about how you're born in it and it's

0135 not very feasible, he still provides that option.

0136 If we want to say that your obligation to society is a moral one, that means

0137 that prior to knowing exactly what that society is going to be like or

0138 what your position is going to be in that society, it means that you have a

0139 binding obligation to a completely unknown body that could be completely

0140 foreign to all of your personal beliefs or what you

0141 would hold to be correct.

0142 MICHAEL SANDEL: Do you think that that kind of communal obligation or

0143 patriotism means writing the community a blank moral check?

0144 RENA: Basically, yeah.

0145 I think it's reasonable to say that as you grow and as you develop within

0146 that community, that you acquire some type of obligation based on

0147 reciprocity.

0148 But to say that you have a moral obligation I think requires a stronger
0149 justification.

0150 MICHAEL SANDEL: Good.

0151 Who else?

0152 Anyone else like to address that?

0153 Elizabeth.

0154 ELIZABETH: I guess we could say that you could argue that you're morally
0155 obliged to society by the fact that there is this reciprocity.

0156 I think it's the idea that we participate in society, we pay our
0157 taxes, we vote.

0158 This is why, we could say, that we owe something to society.

0159 But beyond that, I don't think there's anything inherent in the fact that we
0160 are members of the society itself that we owe it anything.

0161 I think insofar as the society gives us something, gives us protection,
0162 safety, security, then we owe the society something, but nothing beyond
0163 what we give the society.

0164 MICHAEL SANDEL: Who wants to take that on?

0165 Rahul?

0166 RAHUL: I don't think we give the community a blank moral
0167 check in that sense.

0168 I think we only give it a blank moral check when we abdicate our sense of
0169 civic responsibility and when we say that the debate doesn't matter because
0170 patriotism is a vice.

0171 I think that patriotism is important because it gives us a sense of
0172 community, a sense of common civic virtue that we can
0173 engage in the issues.

0174 Even if you don't agree with the way the government is acting, you can
0175 still love your country and hate the way it's acting.

0176 And I think because out of that love of country you can debate with other
0177 people and have respect for their views but still engage in the debate.

0178 If you just say that patriotism is a vice, you drop out of that debate and
0179 you cede the ground to people who are more fundamental, who have a stronger
0180 view, and who may coerce the community.

0181 Instead, we should engage the other members of the community on that same
0182 moral ground.

0183 MICHAEL SANDEL: Well now, what we hear from A.J. and Rahul is a very

0184 pluralistic, argumentative, critically-minded patriotism.

0185 Whereas what we hear from Ike and the critics of patriotism here is the

0186 worry that to take patriotic obligation in a communal way seriously

0187 involves a kind of loyalty that doesn't let us just pick and choose

0188 among the beliefs or actions or practices of our country.

0189 What's left of loyalty if, A.J. And Rahul, all we're talking about is

0190 loyalty to principles of justice that may happen to be embodied in our

0191 community or not, as the case may be?

0192 And if not, then we can reject its course.

0193 I don't know.

0194 I've sort of given a reply.

0195 I got carried away.

0196 I'm sorry.

0197 Who would like--

0198 [LAUGHTER]

0199 MICHAEL SANDEL: Go ahead, Julia.

0200 JULIA: Yeah, I think that patriotism, you need to define what that is.

0201 It sounds like you would normally think that we were given a more weak

0202 definition of patriotism amongst us.

0203 But it almost sounds like your definition is merely to have some sort

0204 of civic involvement in debating within your society.

0205 And I think that undermines, maybe, some of the moral worth of patriotism

0206 as a virtue as well.

0207 I think if you can consent to a stronger form of patriotism if you

0208 want, that's a stronger, I guess, moral obligation than even what you're

0209 suggesting.

0210 MICHAEL SANDEL: What we really need to sharpen the issue is an example from

0211 the defenders of communitarianism, of a case where loyalty can actually

0212 compete with and possibly outweigh universal principles of justice.

0213 That's the test they really need to meet, isn't it?

0214 All right, so that's the test you need to meet--

0215 or any among you who would like to defend obligations of membership or

0216 solidarity independent of ones that happen to embody just principals.

0217 Who has an example of a kind of loyalty that can and should compete

0218 with universal moral claims, respect for persons?

0219 Go ahead.

0220 DAN: Yeah, if I were working on and Ec [Economics] 10 problem set, for example, and I saw

0221 that my roommate was cheating, that might be a bad thing for him to do.

0222 But I wouldn't turn him in.

0223 MICHAEL SANDEL: You wouldn't turn him in?

0224 DAN: I wouldn't turn him in.

0225 I would argue that's the right thing to do because of my obligation to him.

0226 It may be wrong, but that's what I would do.

0227 And I think that's what most people would do as well.

0228 MICHAEL SANDEL: All right, now there's a fair test.

0229 He's not slipping out by saying he's invoking in the name of community some

0230 universal principles of justice.

0231 What's your name?

0232 Stay there.

0233 What's your name?

0234 DAN: It's Dan.

0235 MICHAEL SANDEL: Dan.

0236 So what do people think about Dan's case?

0237 That's a harder case for the ethic of loyalty, isn't it?

0238 But a truer test?

0239 How many agree with Dan?

0240 So loyalty, Dan, loyalty has its prior defense.

0241 How many disagree with Dan?

0242 Peggy.

0243 PEGGY: Well, I agree with Dan.

0244 But I agree that its a choice that we make, but it's not

0245 necessarily right or wrong.

0246 I mean, I'm agreeing that I'm going to make the wrong choice because I'm

0247 going to choose my roommate.

0248 But I also recognize that that choice isn't morally right.

0249 MICHAEL SANDEL: So even Dan's loyalty, you're saying, well,

0250 that's a matter of choice.

0251 But what's the right thing to do?

0252 Most people put up their hands saying Dan would be right to stand by his

0253 roommate and not turn him in.

0254 Yes, go ahead.

0255 WOJTEK: Also, I think as a roommate, you have insider information, and that

0256 might not be something you want to use.

0257 That's might be something unfair to hold against.

0258 You're spending that much time with a roommate.

0259 Obviously, you're going to learn things about him.

0260 And I don't think it's fair to reveal that to a greater community.

0261 MICHAEL SANDEL: But it's loyalty, Wojtek.

0262 You agree with Dan that loyalty is the ethic at stake here.

0263 WOJTEK: Absolutely.

0264 MICHAEL SANDEL: You don't have a duty to tell the truth, to report someone

0265 who cheated?

0266 WOJTEK: Not if you've been advantaged into getting that kind of information.

0267 MICHAEL SANDEL: Before our critics of patriotism leave, I want to give you

0268 another version, a more public example of, I guess we should call it, Dan's

0269 dilemma, Dan's dilemma of loyalty.

0270 And I want to get the reaction of people to this.

0271 This came up a few years ago in Massachusetts.

0272 Does anyone know who this man is?

0273 Billy Bulger, that's right.

0274 Who is Billy Bulger?

0275 He was president of the Massachusetts State Senate for many years, one of

0276 the most powerful politicians in Massachusetts.

0277 And then he became president of the University of Massachusetts.

0278 Now Billy Bulger--

0279 did you hear this story about him that bears on Dan's dilemma?

0280 Billy Bulger has a brother named Whitey Bulger.

0281 And this is Whitey Bulger.

0282 His brother, Whitey, is on the FBI's Most Wanted List, alleged to be a

0283 notorious gang leader in Boston, responsible for many murders and now a

0284 fugitive from justice.

0285 But when the US Attorney, they called Billy Bulger, then the president of

0286 the University of Massachusetts, before the grand jury and wanted

0287 information on the whereabouts of his brother, this fugitive, and he refused

0288 to give it.

0289 The US Attorney said, just to be clear, Mr. Bulger, you feel more

0290 loyalty to your brother than to the people of the Commonwealth of

0291 Massachusetts?

0292 And here's what Billy Bulger said.

0293 "I never thought of it that way, but I do have a loyalty to my brother.

0294 I care about him.

0295 I hope that I'm never helpful to anyone against him.

0296 I don't have an obligation to help anyone catch my brother."

0297 Dan, you would agree?

0298 How many would agree with the position of Billy Bulger?

0299 Let me give one other example, and then we'll let the critics reply, the

0300 critics of loyalty, as we'll describe this.

0301 Here's an even more fateful example from a figure in America history,

0302 Robert E. Lee.

0303 Now Robert E. Lee, on the eve of the Civil War, was an officer

0304 of the Union Army.

0305 He opposed secession, in fact regarded it as treason.

0306 When war loomed, Lincoln offered Lee to be the commanding general of the

0307 Union Army, and Lee refused.

0308 And he described in a letter to his sons why he refused.

0309 "With all my devotion to the Union," he wrote, "I have not been able to

0310 make up my mind to raise my hand against my relatives, my children, my

0311 home," by which he meant Virginia.

0312 "The Union is dissolved.

0313 I shall return to my native state and share the miseries of my people.

0314 Save in her defense, I will draw my sword no more." Now, here's a real

0315 test, Dan, for your principle of loyalty, because here is the cause of

0316 the war not only to save the Union, but against slavery.

0317 And Lee is going to fight for Virginia even though he doesn't share the

0318 desire of the Southern states to secede.

0319 Now the communitarian would say there is something admirable in that.

0320 Whether or not the decision was ultimately right, there

0321 is something admirable.

0322 And the communitarian would say, we can't even make sense, Rena, we can't

0323 make sense of Lee's dilemma as a moral dilemma unless we acknowledge that the

0324 claim of loyalty arising from his sense of narrative of who he is is a

0325 moral, not just sentimental, emotional, tug.

0326 All right, who would like to respond to Dan's loyalty, to Billy Bulger's

0327 loyalty, or to Robert E. Lee's loyalty to Virginia.

0328 What do you say, Julia?

0329 JULIA: OK well, I think these are some classic examples of multiple spheres

0330 of influence and that you have conflicting communities--

0331 your family and your country.

0332 I think that's one reason why the idea of choice in your obligation is so
0333 important, because how else can you resolve this?
0334 If you're morally obligated and there's no way out of this need for
0335 loyalty to both communities, you're trapped.
0336 There's nothing you can do.
0337 You have to make a choice.
0338 And I think that being able to choose based on other characteristics than
0339 merely the arbitrary fact that you're a member of this
0340 community is important.
0341 Otherwise, it's left to, I guess, randomness.
0342 MICHAEL SANDEL: Well Julia, the issue isn't whether Dan makes a choice, or
0343 Billy Bulger or Robert E. Lee.
0344 Of course they make a choice.
0345 The question is on what grounds, on what principle should they choose?
0346 The communitarian doesn't deny that there's a choice to be made.
0347 The question is which choice on what grounds and should
0348 loyalty as such weigh?
0349 Andre, now you want to--
0350 all right, go ahead.
0351 What do you say?
0352 ANDRE: Well, one of the things we've noticed in the three examples is that
0353 the people have all chosen the most immediate community of which they are
0354 a part, the more local one.
0355 And I think there's something to be said for that.
0356 It's not just random.
0357 I mean, there doesn't seem to be conflict, because they know which one
0358 is more important.
0359 And it's their family over the Ec 10 class, their state over their country,
0360 and their family over the Commonwealth of Massachusetts.
0361 So I think that's the answer to which is more important.
0362 MICHAEL SANDEL: You think that the local, the more particular is always
0363 the weightier, morally, Andre?
0364 ANDRE: Well I mean, there seems to be a trend in the three cases.
0365 I would agree with that.
0366 And I think most of us would agree that your family takes precedence over
0367 the United States, perhaps.
0368 MICHAEL SANDEL: Which is why you go with Dan, loyalty to the roommate over

0369 Ec 10 and the truth?

0370 ANDRE: Yeah, exactly.

0371 I would.

0372 MICHAEL SANDEL: I mean truth telling, not the truth of Ec 10.

0373 [LAUGHTER]

0374 ANDRE: Yes.

0375 MICHAEL SANDEL: All right, so we understand.

0376 Yes?

0377 SAMANTHA: But on the same example, in terms of family, you had cases in the

0378 Civil War where brother was pitted against brother on both sides of the

0379 war, where they chose country instead of family.

0380 So I think the exact same more shows that different people have different

0381 means of making these choices, and that there is no one set of values or

0382 one set of morality that communitarians can stick to.

0383 And personally, I think that's the biggest problem with communitarians,

0384 that we don't have one set of standard moral obligations.

0385 MICHAEL SANDEL: And tell me your name.

0386 SAMANTHA: Samantha.

0387 MICHAEL SANDEL: So Samantha, you agree with Patrick's point the other day,

0388 that if we allow obligations to be defined by community identification or

0389 membership, they may conflict.

0390 There may overlap.

0391 They may compete, and there is no clear principle.

0392 Andre says there's a clear principle--

0393 the most particular.

0394 The other day, Nicolas, who was sitting over here-- where's Nicolas?--

0395 said the most universal.

0396 You're saying, Samantha, the scale of the community as such can't be the

0397 decisive moral factor.

0398 So there has to be some other moral judgment.

0399 All right, our critics of communal patriotism, let's express our

0400 appreciation and thank them for their having stood up and responded to these

0401 arguments, refined the issue.

0402 [APPLAUSE]

0403 MICHAEL SANDEL: Let's turn to the implications for justice of the

0404 positions that we've heard discussed here.

0405 One of the worries underlying these multiple objections to the idea of

0406 loyalty or membership as having independent moralweight is that it
0407 seems to argue that there is no way of finding principles of justice that are
0408 detached from conceptions of the good life as they may be lived in any
0409 particular community.

0410 Suppose the communitarian argument is right, suppose the priority of the
0411 right over the good can't be sustained.

0412 Suppose instead that justice and right unavoidably are bound up with
0413 conceptions of the good.

0414 Does that means that justice is simply a creature of convention, of the
0415 values that happened to prevail in any given community at any given time?

0416 One of the writings we have among the communitarian critics
0417 is by Michael Walzer.

0418 He draws the implications of justice this way.

0419 "Justice is relative to social meanings.

0420 A given society is just if it's substantive life is lived in a certain
0421 way, in a way that is faithful to the shared understandings of the members."

0422 So Walzer's account seems to bear out the worry that if we can't find
0423 independent principles of justice--

0424 independent, that is, from conceptions of the good that prevail in any given
0425 community--

0426 that we're simply left with justice being a matter of fidelity or
0427 faithfulness to the shared understandings or values or
0428 conventions that prevail in any given society at any given time.

0429 But is that an adequate way of thinking about justice?

0430 Well, let's take a look at a short clip from the
0431 documentary Eyes on the Prize.

0432 Goes back in the 1950s in the South.

0433 Here are some situated American Southerners who believe in the
0434 tradition, in the shared understandings, of segregation.

0435 Listen to the arguments they make about loyalty and tradition, and see
0436 if they don't make you uneasy about tying arguments about justice to the
0437 shared understandings or traditions that prevail in any given society at
0438 the moment.

0439 Let's run the clip.

0440 [VIDEO PLAYBACK]

0441 -This land is composed of two different countries, a white country
0442 and a colored country.

0443 And I have lived close to them all my life.

0444 But I'm told now that we've mistreated them and that we must change.

0445 And these changes are coming faster than I expected.

0446 And I'm required to make decisions on a basis of a new way of thinking, and

0447 it's difficult.

0448 It's difficult for me.

0449 It's difficult for all Southerners.

0450 [END VIDEO PLAYBACK]

0451 MICHAEL SANDEL: Well, there you have it.

0452 Narrative selves, situated selves, invoking tradition, doesn't that show

0453 us that justice can't be tied to the shared understandings of goods that

0454 prevail in any given community at any given time?

0455 Or is there a way of rescuing that claim from this example?

0456 Think about that question, and we'll return to it next time.

0457 [APPLAUSE]
