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

You weren't aware of that?
You came up with it on your own.
That's pretty good.
Rawls says, when he's discussing political obligation, it's one thing
if someone runs for office or enlists in the military.
They're making a voluntary choice.
But Rawls says, there is, I believe, no political obligation, strictly
speaking, for citizens generally because it's not clear what is the
requisite binding action and who has performed it.
So Rawls acknowledges that for ordinary citizens, there is no
political obligation except insofar as some particular citizen willingly,
through an act of consent, undertakes or chooses such an obligation.
That's in line with Julia's point.
It's related to another objection that people have raised, which is it's
perfectly possible to recognize particular obligations to one's family
or to one's country provided honoring those obligations doesn't require you
to violate any of the natural duties or requirements of universal respect
for persons qua persons.
So that's consistent with the idea that we can choose, if we want to, to
express a loyalty to our country or to our people or to our family, provided
we don't do any injustice within the framework--
acknowledging the priority, that is, of the universal duties.
The one objection that I didn't mention is the view of those who say
that obligations of membership really are kind of collective selfishness.
Why should we honor them?
Isn't it just a kind of prejudice?
So what I'd like to do, perhaps if those of you who wrote and who have
agreed to press these objections, perhaps if you could
gather down all together.
We'll form a team as we did once before.
And we'll see if you can respond to those who want to defend patriotism
conceived as a communal obligation.
Now, there were a number of people who argued in defense of patriotism as the
communitarian view conceives it.
So let me go down now and join the critics communitarianism if there's a
microphone that we could use somewhere.
OK, thanks Kate.

Who-- as the critics of patriotism, communal patriotism, gather their forces here.
Patrick, if you want to, you can join as well, or Rena.
Others who have spoken or addressed this question are free to join in.
But I would like to hear now from those of you who defend patriotism and defend it as a moral obligation that can't be translated back into purely consent-based terms, can't be translated into liberal terms.
Where is A.J. Kumar?
[CHEERS]
A.J., everybody seems to know you.
[LAUGHTER]
All right, let's hear from A.J. You said, "in the same way I feel I owe more to my family than to the general community, I owe more to my country than to humanity in general because my country holds a great stake in my identity.
It is not prejudiced for me to love my country unless it is prejudiced for me to love my parents more than somebody else's."
So A.J., what would you say to this group.
Stand up.
A.J.: I think that there's some fundamental moral obligation that comes from a communitarian responsibility to people in groups that form your identity.
I'll give the example that there are a lot of things about our government right now that I'm not in favor of, but part of my identity is that America values a free society where we can object to certain things.
And I think that's an expression of patriotism as well.
And I go back to the parent example, or even at Harvard, I think I owe more to my roommates because they make up my identity than I do to the Harvard community as a whole.
And I think that applies to our country, because there are certain things that growing up here, yes, we can't choose it.
We can't choose our parents, things like that.
But it makes up part of our identity.
MICHAEL SANDEL: OK, who would like to take that on?
IKE: Yeah, about the obligation to others simply by virtue of being influenced by them, I am a German citizen.
And if I had been born 80 years earlier, then I would have been a

citizen of Nazi Germany.
And for some reason, I just don't think that I would have to feel
obligated towards Germany because I benefited from actions of Nazis.
A.J.: I mean, I guess my response to that would be you have hundreds of
thousands of protesters in the United States right now who hold up signs
that say peace is patriotic.
And I'm sure there are people in this room who don't agree with that.
I personally do.
And I would say that they are strongly objecting to, basically, everything
the Bush administration is doing right now, but they still consider
themselves loving their country because they're furthering the cause
of what they see is best for the country.
And I tend to agree with that as a patriotic movement.
IKE: Well, how do you still favor your country?
How is that still patriotic?
I mean, isn't that more a sentimental attachment?
Where's the obligation there?
MICHAEL SANDEL: Rena.
RENA: Not to bring this back to John Locke, but I would like to bring this
back to John Locke.
[LAUGHTER]
RENA: So in his conception of when people join society, there's still
some out, that if you're not satisfied with your society, you do
have a means of exit.
Even though we had a lot of concerns about how you're born in it and it's
not very feasible, he still provides that option.
If we want to say that your obligation to society is a moral one, that means
that prior to knowing exactly what that society is going to be like or
what your position is going to be in that society, it means that you have a
binding obligation to a completely unknown body that could be completely
foreign to all of your personal beliefs or what you
would hold to be correct.
MICHAEL SANDEL: Do you think that that kind of communal obligation or
patriotism means writing the community a blank moral check?
RENA: Basically, yeah.
I think it's reasonable to say that as you grow and as you develop within
that community, that you acquire some type of obligation based on

reciprocity.
But to say that you have a moral obligation I think requires a stronger justification.
MICHAEL SANDEL: Good.
Who else?
Anyone else like to address that?
Elizabeth.
ELIZABETH: I guess we could say that you could argue that you're morally obliged to society by the fact that there is this reciprocity.
I think it's the idea that we participate in society, we pay our taxes, we vote.
This is why, we could say, that we owe something to society.
But beyond that, I don't think there's anything inherent in the fact that we are members of the society itself that we owe it anything.
I think insofar as the society gives us something, gives us protection, safety, security, then we owe the society something, but nothing beyond what we give the society.
MICHAEL SANDEL: Who wants to take that on?
Rahul?
RAHUL: I don't think we give the community a blank moral check in that sense.
I think we only give it a blank moral check when we abdicate our sense of civic responsibility and when we say that the debate doesn't matter because patriotism is a vice.
I think that patriotism is important because it gives us a sense of community, a sense of common civic virtue that we can engage in the issues.
Even if you don't agree with the way the government is acting, you can still love your country and hate the way it's acting.
And I think because out of that love of country you can debate with other people and have respect for their views but still engage in the debate.
If you just say that patriotism is a vice, you drop out of that debate and you cede the ground to people who are more fundamental, who have a stronger view, and who may coerce the community.
Instead, we should engage the other members of the community on that same moral ground.
MICHAEL SANDEL: Well now, what we hear from A.J. and Rahul is a very

pluralistic, argumentative, critically-minded patriotism.
Whereas what we hear from Ike and the critics of patriotism here is the
worry that to take patriotic obligation in a communal way seriously
involves a kind of loyalty that doesn't let us just pick and choose
among the beliefs or actions or practices of our country.
What's left of loyalty if, A.J. And Rahul, all we're talking about is
loyalty to principles of justice that may happen to be embodied in our
community or not, as the case may be?
And if not, then we can reject its course.
I don't know.
I've sort of given a reply.
I got carried away.
I'm sorry.
Who would like--
[LAUGHTER]
MICHAEL SANDEL: Go ahead, Julia.
JULIA: Yeah, I think that patriotism, you need to define what that is.
It sounds like you would normally think that we were given a more weak
definition of patriotism amongst us.
But it almost sounds like your definition is merely to have some sort
of civic involvement in debating within your society.
And I think that undermines, maybe, some of the moral worth of patriotism
as a virtue as well.
I think if you can consent to a stronger form of patriotism if you
want, that's a stronger, I guess, moral obligation than even what you're
suggesting.
MICHAEL SANDEL: What we really need to sharpen the issue is an example from
the defenders of communitarianism, of a case where loyalty can actually
compete with and possibly outweigh universal principles of justice.
That's the test they really need to meet, isn't it?
All right, so that's the test you need to meet--
or any among you who would like to defend obligations of membership or
solidarity independent of ones that happen to embody just principals.
Who has an example of a kind of loyalty that can and should compete
with universal moral claims, respect for persons?
Go ahead.
DAN: Yeah, if I were working on and Ec [Economics] 10 problem set, for example, and I saw

that my roommate was cheating, that might be a bad thing for him to do.
But I wouldn't turn him in.
MICHAEL SANDEL: You wouldn't turn him in?
DAN: I wouldn't turn him in.
I would argue that's the right thing to do because of my obligation to him.
It may be wrong, but that's what I would do.
And I think that's what most people would do as well.
MICHAEL SANDEL: All right, now there's a fair test.
He's not slipping out by saying he's invoking in the name of community some
universal principles of justice.
What's your name?
Stay there.
What's your name?
DAN: It's Dan.
MICHAEL SANDEL: Dan.
So what do people think about Dan's case?
That's a harder case for the ethic of loyalty, isn't it?
But a truer test?
How many agree with Dan?
So loyalty, Dan, loyalty has its prior defense.
How many disagree with Dan?
Peggy.
PEGGY: Well, I agree with Dan.
But I agree that its a choice that we make, but it's not
necessarily right or wrong.
I mean, I'm agreeing that I'm going to make the wrong choice because I'm
going to choose my roommate.
But I also recognize that that choice isn't morally right.
MICHAEL SANDEL: So even Dan's loyalty, you're saying, well,
that's a matter of choice.
But what's the right thing to do?
Most people put up their hands saying Dan would be right to stand by his
roommate and not turn him in.
Yes, go ahead.
WOJTEK: Also, I think as a roommate, you have insider information, and that
might not be something you want to use.
That's might be something unfair to hold against.

You're spending that much time with a roommate.
Obviously, you're going to learn things about him.
And I don't think it's fair to reveal that to a greater community.
MICHAEL SANDEL: But it's loyalty, Wojtek.
You agree with Dan that loyalty is the ethic as stake here.
WOJTEK: Absoutely.
MICHAEL SANDEL: You don't have a duty to tell the truth, to report someone
who cheated?
WOJTEK: Not if you've been advantaged into getting that kind of information.
MICHAEL SANDEL: Before our critics of patriotism leave, I want to give you
another version, a more public example of, I guess we should call it, Dan's
dilemma, Dan's dilemma of loyalty.
And I want to get the reaction of people to this.
This came up a few years ago in Massachusetts.
Does anyone know who this man is?
Billy Bulger, that's right.
Who is Billy Bulger?
He was president the Massachusetts State Senate for many years, one of
the most powerful politicians in Massachusetts.
And then he became president of the University of Massachusetts.
Now Billy Bulger--
did you hear this story about him that bears on Dan's dilemma?
Billy Bulger has a brother named Whitey Bulger.
And this is Whitey Bulger.
His brother, Whitey, is on the FBI's Most Wanted List, alleged to be a
notorious gang leader in Boston, responsible for many murders and now a
fugitive from justice.
But when the US Attorney, they called Billy Bulger, then the president of
the University of Massachusetts, before the grand jury and wanted
information on the whereabouts of his brother, this fugitive, and he refused
to give it.
The US Attorney said, just to be clear, Mr. Bulger, you feel more
loyalty to your brother than to the people of the Commonwealth of
Massachusetts?
And here's what Billy Bulger said.
"I never thought of it that way, but I do have a loyalty to my brother.
I care about him.

I hope that I'm never helpful to anyone against him.
I don't have an obligation to help anyone catch my brother."
Dan, you would agree?
How many would agree with the position of Billy Bulger?
Let me give one other example, and then we'll let the critics reply, the
critics of loyalty, as we'll describe this.
Here's an even more fateful example from a figure in America history,
Robert E. Lee.
Now Robert E. Lee, on the eve of the Civil War, was an officer
of the Union Army.
He opposed secession, in fact regarded it as treason.
When war loomed, Lincoln offered Lee to be the commanding general of the
Union Army, and Lee refused.
And he described in a letter to his sons why he refused.
"With all my devotion to the Union," he wrote, "I have not been able to
make up my mind to raise my hand against my relatives, my children, my
home," by which he meant Virginia.
"The Union is dissolved.
I shall return to my native state and share the miseries of my people.
Save in her defense, I will draw my sword no more." Now, here's a real
test, Dan, for your principle of loyalty, because here is the cause of
the war not only to save the Union, but against slavery.
And Lee is going to fight for Virginia even though he doesn't share the
desire of the Southern states to secede.
Now the communitarian would say there is something admirable in that.
Whether or not the decision was ultimately right, there
is something admirable.
And the communitarian would say, we can't even make sense, Rena, we can't
make sense of Lee's dilemma as a moral dilemma unless we acknowledge that the
claim of loyalty arising from his sense of narrative of who he is is a
moral, not just sentimental, emotional, tug.
All right, who would like to respond to Dan's loyalty, to Billy Bulger's
loyalty, or to Robert E. Lee's loyalty to Virginia.
What do you say, Julia?
JULIA: OK well, I think these are some classic examples of multiple spheres
of influence and that you have conflicting communities--
your family and your country.

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

Ec 10 and the truth?
ANDRE: Yeah, exactly.
I would.
MICHAEL SANDEL: I mean truth telling, not the truth of Ec 10.
[LAUGHTER]
ANDRE: Yes.
MICHAEL SANDEL: All right, so we understand.
Yes?
SAMANTHA: But on the same example, in terms of family, you had cases in the Civil War where brother was pitted against brother on both sides of the war, where they chose country instead of family.
So I think the exact same more shows that different people have different means of making these choices, and that there is no one set of values or one set of morality that communitarians can stick to.
And personally, I think that's the biggest problem with communitarians, that we don't have one set of standard moral obligations.
MICHAEL SANDEL: And tell me your name.
SAMANTHA: Samantha.
MICHAEL SANDEL: So Samantha, you agree with Patrick's point the other day, that if we allow obligations to be defined by community identification or membership, they may conflict.
There may overlap.
They may compete, and there is no clear principle.
Andre says there's a clear principle--
the most particular.
The other day, Nicolas, who was sitting over here-- where's Nicolas?--
said the most universal.
You're saying, Samantha, the scale of the community as such can't be the decisive moral factor.
So there has to be some other moral judgment.
All right, our critics of communal patriotism, let's express our appreciation and thank them for their having stood up and responded to these arguments, refined the issue.
[APPLAUSE]
MICHAEL SANDEL: Let's turn to the implications for justice of the positions that we've heard discussed here.
One of the worries underlying these multiple objections to the idea of

loyalty or membership as having independent moral weight is that it
seems to argue that there is no way of finding principles of justice that are
detached from conceptions of the good life as they may be lived in any
particular community.
Suppose the communitarian argument is right, suppose the priority of the
right over the good can't be sustained.
Suppose instead that justice and right unavoidably are bound up with
conceptions of the good.
Does that means that justice is simply a creature of convention, of the
values that happened to prevail in any given community at any given time?
One of the writings we have among the communitarian critics
is by Michael Walzer.
He draws the implications of justice this way.
"Justice is relative to social meanings.
A given society is just if it's substantive life is lived in a certain
way, in a way that is faithful to the shared understandings of the members."
So Walzer's account seems to bear out the worry that if we can't find
independent principles of justice--
independent, that is, from conceptions of the good that prevail in any given
community--
that we're simply left with justice being a matter of fidelity or
faithfulness to the shared understandings or values or
conventions that prevail in any given society at any given time.
But is that an adequate way of thinking about justice?
Well, let's take a look at a short clip from the
documentary Eyes on the Prize.
Goes back in the 1950s in the South.
Here are some situated American Southerners who believe in the
tradition, in the shared understandings, of segregation.
Listen to the arguments they make about loyalty and tradition, and see
if they don't make you uneasy about tying arguments about justice to the
shared understandings or traditions that prevail in any given society at
the moment.
Let's run the clip.
[VIDEO PLAYBACK]
-This land is composed of two different countries, a white country
and a colored country.

And I have lived close to them all my life.
But I'm told now that we've mistreated them and that we must change.
And these changes are coming faster than I expected.
And I'm required to make decisions on a basis of a new way of thinking, and it's difficult.
It's difficult for me.
It's difficult for all Southerners.
[END VIDEO PLAYBACK]
MICHAEL SANDEL: Well, there you have it.
Narrative selves, situated selves, invoking tradition, doesn't that show us that justice can't be tied to the shared understandings of goods that prevail in any given community at any given time?
Or is there a way of rescuing that claim from this example?
Think about that question, and we'll return to it next time.
[APPLAUSE]