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Introduction

Alasdair MacIntyre has defined truth as the balancing of 'the mind's judgment of a thing to the reality of that thing' (MacIntyre in Lutz 2004, p.9). In today's western political climate, there seems to be no shortage of judgments in regards to how we realize justice and promote the common good. However, our judgments—as MacIntyre's definition suggests—do not constitute 'truth' unless they are appropriately balanced with reality.

This article aims to explore reality and illusion as it relates to justice and the common good. Specifically, attention will be given to the liberal paradigm and its modern expression. Under this paradigm, it is suggested that the presence of self-interest, choice, and the freedom to exercise preference are sufficient and necessary to produce the common good—a belief invoked so often since Adam Smith's *Wealth of Nations* that it 'has almost the status of a metaphysical principle'(Gorringe 1994, p.34). The notion of a common good, however, presupposes social awareness and collective mindfulness. This paper argues that the pursuit of communal goods or any general notion of the common good requires attributes beyond what can be found in our current liberal arrangement, making such a pursuit illusory under this paradigm. In the sections below, it is argued that the liberal

endowments of equality, fairness, and rights are insufficient to engender communal considerations. The paper ends with the suggestion that liberty and the pursuit of the common good does not produce—so much as it requires—a socially-conceived identity. This assertion, it is argued, better aligns with the *reality* of justice and the common good.

The Liberal Society: Equality, Fairness and Rights

The idea of justice, a ubiquitous and multi-faceted term, is generally understood to mean 'rendering unto each their due.' The origination of justice as 'each their due' hails back to ancient Greek philosophers and finds its greatest development in Aristotle.[1] It was Plato who credited Simonides, as quoted by Polemarchus, as defining justice in this way: 'it is to give each what is owed' (Plato in Bloom 1991, Section 1.331e; p.7).

While contemporary society has not departed from the formal understanding of justice ('each their due')—modernity and its philosophical attributes, often unique to the traditions before it, have led to a fundamental departure from Aristotelian proportion in favor of liberal notions of equality relative to individuals and their rights. This is a major assertion of MacIntyre's 1988 work: *Whose Justice? Which Rationality?* Here, MacIntyre traces western conceptions of justice from Aristotle to Thomas Aquinas (13th Century) and onto David Hume (18th Century), making the case that they each appeal to a particular tradition by which to engage moral theory. Following Hume and the Scottish Enlightenment, liberal thinking emerged under the belief that practical reasoning can occur outside the boundary of tradition and requires only the presence of facts in order to apprehend the correct

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[1] It is important to note here that this description of justice is used in the context of distributive justice, which is often defined as fairly distributing benefits and burdens in society. However, the dictum 'each their due' is also present in forms of retributive justice (punishments and penalties) and compensatory justice (compensation for being wronged by others).

principles of justice (MacIntyre 1988, p.332). While MacIntyre asserts that such a tradition-independent project is illusory, he notes 'central features' that have emerged from this movement. Michael Sandel (2005, p.161) explains the first feature as the idea that 'society is best arranged when it is governed by principles that do not presuppose any particular conception of the good,' or what MacIntyre describes as a commitment 'to there being no overriding good' (MacIntyre 1988, p.377). Furthermore, this idea makes the pursuit of the common good difficult, if not impossible, as liberalism asserts that 'individuals are free to pursue private goods, and this is possible only by restricting the pursuit of the common good' (MacIntyre in Lutz 2004, p.14).

John Rawls, described as providing American liberalism with its fullest philosophical expression (Sandel 2009, p.20), gives the justification for this anti-Aristotelian shift: 'Human good is heterogeneous because the aims of the self are heterogeneous' (Rawls in MacIntyre 1988, p.337). Society is now understood as a collection of rational subjects defined by their choices and preferences—a 'central' value of liberal modernity (MacIntyre 1988, p.337). This has implications for the liberal rendering of justice. Formal justice as 'each their due' must be expressed, in substantive terms, among the competing claims of individuals, bereft of any antecedent notions of what is 'good' for man or society, and this gives way to a form of egalitarian justice. Individuals are understood as possessors of their own schedule of preferences which deserves equal respect. Sandel (2005) defines the tenets of justice under the roof of liberal principles:

> This liberalism says, in other words, that what makes the just society just is not the *telos* or purpose or end at which it aims, but precisely its refusal to choose in advance among competing purposes and ends. In its constitution and its laws, the just society seeks to provide a framework within which its citizens can pursue their own values and ends, consistent with a similar liberty for others (Sandel 2005, p.157).

The aforementioned framework of equality and rights necessary for the individual to conceive of his or her own ends is the liberal design promoted to apprehend freedom. In other words, a stable democracy that promotes the ingredients of equality and rights stands as the appropriate fertilizer for individual liberty since one may pursue their ends accordingly under this ideal.

However, we may appropriately ask, while this formula for 'freedom' may indeed be sufficient to unencumber persons in society from seemingly prohibitive interventions (including other persons), is it sufficient to advance freedom *unto* other individuals in society? Would this develop what political philosopher Jonathan Wolff has called the 'human society'—where 'A proper human life is one which is lived, at least in part, for the sake of others'? (Wolff 2002, p.44) In other words, it is one thing to be free of others (where they threaten to preclude my pursuit of the good), but it is another to allow my identity to be bound up in the people, places, and things that constitute my social setting. Thus, in reality, can a framework that understands individuals as the basic unit of society—unencumbered and dis-attached from others—choose what might be understood as communal goods?

Relative to the above questions, there are three points of skepticism worth consideration. First, liberalism's overture to impartiality does not necessarily advance communal ends. The idea of total equality promotes a vision of each person as an island in themselves, unrestrained and unencumbered by others. Second, impartiality—a primary means of achieving fairness—will do little to shore up competing claims of justice, offering social resolutions ranging from the difficult to unrealizable. Finally, the rights necessary to buttress the individual as the basic unit of society presuppose, and perhaps reinforce, a 'conflict' society where societal members must seek

freedom *from*, not freedom *unto*, other members. At this point, greater attention will be given to each point of skepticism.

Equality and Community

The substance of justice, in its more liberal understanding, is undergirded by the idea of individual equality, a departure from Aristotelian proportion. Because principles of justice must assess and weigh the various preferences put forth by individuals in society, a standard for the 'tallying and weighing' of preferences and choices must be presented and justified. This, says MacIntyre, is the role of egalitarianism in modern justice. He writes:

> The goods about which it is egalitarian in this way are those which, it is presumed, everyone values: freedom to express and to implement preferences and a share in the means required to make that implementation effective. It is in these two respects that *prima facie* equality is required (MacIntyre 1988, p.344).

In contemporary ethical parlance, then, what is 'fair' is no longer what is proportional, it is what is equal. Further, this understanding is pervasive. Modern western society has witnessed, most notably, the competing traditions of utilitarianism, welfare egalitarianism, and libertarianism. While these traditions differ in their articulation of what makes for a just society, they each presuppose an idea of fairness as strict equality within a modern liberal understanding, in contrast to Aristotelian proportion. Karen Lebacqz (1986) writes: 'For all their differences, these three philosophical theories operate within a common "liberal" tradition. They share significant assumptions regarding the role and place of the individual as the bearer of moral value and the use of reason as the grounds for any theory of justice' (Lebacqz 1986, p.12).

In modern terms, then, justice in a liberal society means 'ensuring equal opportunity, giving equal pay for equal work, guaranteeing equal protection under the law, or avoiding favoritism and scapegoating among one's children or students' (Hochschild 1981,

p.46). In a word—it promotes *impartiality*. What, we might ask, is illusive about this idea of equality? What is lost in equating justice and equality?

Hochschild (1981) offers good reason for skepticism in the liberal hope of equality and impartiality as a means of determining what is just. Recall that under the liberal project of justice, equality is based upon the equal nature of each individual to pursue their own good and author their own moral and social meanings (Sandel 2005, p.163). This is different from an equality of human dignity recognized in persons while also recognizing their *inequality* or their unequal nature as it relates to their history, culture, background, and personal attributes. An equality of individuals, writes Hochschild, is a 'more profound danger' because it is at risk of failing to treat individuals as inherently valuable. She writes: 'Equality does not reward—and may not even recognize—individual excellence or idiosyncrasy. But scarce abilities or unconventional traits make people unique and of value to the community' (Hochschild 1981, p.56). In other words, to suggest that we are each equal in our traits and features is to falsely suggest that persons are their own islands without want or need of others. In reality, we impoverish ourselves when we view each other as equals at the expense of recognizing our differences, particularly as those differences contribute to a more unified whole within a community context. Hochschild asks: 'Can we endorse, then, a norm that authorizes society to ignore all individual characteristics in the name of respecting the individual?' (Hochschild, 1981, p.56). The answer, perhaps, depends upon an antecedent answer to the question: 'What kind of society do I desire?' Should our desire mirror Wolff's expression of the 'human society'—a society where we experience freedom through our relations with other social members—then we might remark that justice as 'respecting the individual' is insufficient as

equality without community becomes 'mindless uniformity' (Hochschild 1981, p.63). This is because, as MacIntyre states, liberal notions of justice re-imaged the self as the 'individual qua individual' (or the individual as an individual) as opposed to the Aristotelian vision of the 'individual qua citizen' or 'individual qua enquirer into his or her good and the good of his or her community' (MacIntyre 1988, p.339). Thus, in the modern liberal rendering, respect for the other is given attention only insofar as that respect does not conflict with the primacy afforded to myself. This places the prohibitive conjunction 'if' on social relationships and undermines the other as a source of fulfillment.

Impartiality

The concept of a just society requiring fairness finds its greatest expression in the work of John Rawls. Combining social contract theory with Kantian deontology, Rawls offers a picture of ideal principles of justice necessary for social institutions. Rawls encourages an exercise where reflection about justice and distribution occurs behind a *veil of ignorance*. It is behind this veil that we reflect on an ideal society without knowledge of our own natural and social contingencies we may potentially inherit once the veil is lifted. Paramount to this exercise is the presence of fairness which, as Sen remarks, 'can broadly be seen as a demand for impartiality' (Sen 2009, p.54).

However, the notion of fairness also casts an illusory shadow upon overtures toward justice and the common good. Understood within the liberal tradition, fairness is not enough to solve the problem of deciding between competing theories of justice. Sen says that this is the problem of a 'unique impartial resolution' to claims of justice (Sen 2009, p.12). Rawlsian justice suggests that rational men will aim toward a society that is fair, and fairness requires impartiality. However, the presence of impartiality alone will not solve the plurality

of views towards deciding what is just. Sen communicates this well in an illustration he calls *Three Children and a Flute*. He writes:

> Let me illustrate the problem with an example in which you have to decide which of three children—Anne, Bob and Carla—should get a flute about which they are quarrelling. Anne claims the flute on the ground that she is the only one of the three who knows how to play it (the others do not deny this), and that it would be quite unjust to deny the flute to the only one who can actually play it. If that is all you knew, the case for giving the flute to the first child would be strong. In an alternative scenario, it is Bob who speaks up, and defends his case for having the flute by pointing out that he is the only one among the three who is so poor that he has no toys of his own. The flute would give him something to play with (the other two concede that they are richer and well supplied with engaging amenities). If you had heard only Bob and none of the others, the case for giving it to him would be strong. In another alternative scenario, it is Carla who speaks up and points out that she has been working diligently for many months to make the flute with her own labour (the others confirm this), and just when she had finished her work, 'just then', she complains, 'these expropriators came along to try to grab the flute away from me'. If Carla's statement is all you had heard, you might be inclined to give the flute to her in recognition of her understandable claim to something she has made herself (Sen 2009, p. 13).

Each child makes a separate claim appealing to a particular philosophical tradition. Carla may receive the most sympathy from what Sen calls 'no-nonsense libertarians'; Bob, in the name of fairness, would be awarded the flute from the egalitarian; providing the flute to Anne, the only one who can play it, would most likely find support from the utilitarian position. This hypothetical dispute, according to Sen, represents how we arrive at principles that should govern the allocation of resources. He writes: 'They are about how social arrangements *should* be made and what social institutions *should* be chosen, and through that, about what social realizations would come about' (Sen 2009, p.15; Italics mine). Such normative appeals to how

society and its resources are to be arranged highlight the problem: 'There may not indeed exist any identifiable perfectly just social arrangement on which impartial agreement would emerge' (Sen 2009, p.15).

To summarize, the liberal ideal holds fairness as the overarching social ethos to achieve justice. Fairness implies, and moreover, requires impartiality. Yet impartiality, as evidenced by the flute example, does not necessarily provide a clear, uncontested choice of what is just. Rather, a more realistic conception would suggest that it offers support to competing claims of justice—all of which yield differing outcomes. Sen writes: 'It is not simply that the vested interests of the three children differ (though of course they do), but that the three arguments each point to a different type of impartial and non-arbitrary reason' (Sen 2009, p.15). The conclusion is that this arrangement of justice and its ethos of fairness are not enough to bring about a definable just solution. Alasdair MacIntyre, who offers an example similar to Sen's goes so far as to call the competing claims of justice, when viewed from the singular perspective of fairness, 'incommensurable' (MacIntyre 2007, pp.244-245). [2] This problem poses a complex challenge insofar as achieving societal resolution on matters of justice. If we were to extrapolate these arguments out into what a just society would look like (utilitarianism, welfare and egalitarianism, and libertarianism), all would offer rationale that can each be defended impartially, leaving Sen to suggest that 'if there is no unique emergence of a given set of principles of justice that together identify the

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[2] MacIntyre offers the example of Person A and Person B. A, who is a typical worker struggling to save enough to provide housing and education to his family, is now threatened by rising taxes and regards such a threat as unjust because he has a right to what he has earned. In contrast, Person B takes note of the 'arbitrariness of the inequalities in the distribution of wealth, income, and opportunity' and regards such inequality as unjust and thus supports redistributive taxation to finance welfare and social services—social opportunities for the poor that 'justice demands.'

institutions needed for the basic structure of the society, then the entire procedure of "justice as fairness"…would be hard to use' (Sen, 2009, p.57).

In deliberating upon our social arrangements, the Rawlsian ethos of fairness and the greater liberal attribute of impartiality, while aimed at addressing competing disputes and conceptions among members, fails because it never defines and defends the very understanding of fairness it attempts to consign to the basic institutions of society.   In other words, such fairness is only supported by the 'rational' pursuit to ensure that my own ends are not compromised, as deliberated upon in the original position.   However, fairness when left unqualified by an underlying sense of solidarity will not solve disputes but only engender them.   If achieving 'fairness' is at risk of sustaining, not resolving, disputes between social participants, we might look to the assignment of rights as a means to shape, as Rawls believed, 'the division of advantages that arises through social cooperation' (Rawls 1993, pp.257–258).   However, there is reason for skepticism as it relates to the primacy of 'rights' as a means to cultivate conditions of social cooperation.

Rights-Based Society is a 'Conflict' Society

The liberal vision, as it has been described, projects the role of government as an entity that strives for neutrality as it relates to moral and religious questions so as to leave individuals 'free' to choose their own pursuits and values.   Moreover, such an entity should 'offer a framework of rights, neutral among ends, within which its citizens may pursue whatever values they happen to have' (Sandel 2005, p. 39). However, the priority of liberty and rights leads to a potentially intractable problem insofar as pursuing or attaining the 'human society': the priority of rights cannot build, but can only undermine, any overtures towards community.   This is not to suggest that an appeal to

basic human rights is immoral or amoral. Understood abstractly, rights–based language has a clear moral undertone and is cited as an ethical baseline in myriad social, political, and economic settings.

For many liberal traditions, particularly Rawls, a just society is one in which the basic social institutions will equally distribute fundamental rights (Sandel 2005, p.7). Thus, a violation of an individual's basic rights is unjust, according to Rawls, even if the other principles in his theory of justice are satisfied. Supposing, however, that one's 'good' was intricately bound to the good of others, or to a commitment to the common good and shared social meanings, it is questionable whether the primacy of 'rights' would foster such an ideal. Indeed, the goals of cultivating a common good among humanity as well as securing individual rights cannot be accommodated by a liberal conception of justice. Further, there is evidence that the aim toward the latter might undermine the success of the former. Daniel Bell offers a critique of liberalism's empty promise of justice for the common good *and* for individual rights:

> Yet, liberalism's justice does not live up to its promise; it does not deliver us from conflict. The peace modern justice delivers is not true peace, but only a simulacrum. It is the fortified peace (for the peace and justice of liberalism are always backed by the threat of force) that is better labeled a 'truce.' (Bell 2004, p.187).

To Bell's last point, it is important to note that the absence of conflict is not equivalent to the achievement of solidarity. When justice is not conceived 'as a general virtue concerned with nurturing a community's solidarity in a shared love,' it can only, at best, be defined as a procedure 'for regulating the distribution and exchange of goods in a society now understood as an aggregate of autonomous individuals' (Bell 2004, p.185). Indeed, the very presence of rights–based language

presupposes a certain degree of conflict within society; in reality, it is not a form of justice that presupposes community and solidarity.

This critique finds a powerful expression in the work of Karl Marx. In his essay, *On the Jewish Question* (1844), Marx presents the case that 'granting people rights of the sort we hope to enjoy in liberal regimes is not enough to bring about a truly human society' (Wolff 2002, p.13). Marx contends that the rights of man, expressed in North American and French constitutional documents (he specifically cites the French Constitution of 1793), are best understood as political rights and are to be exercised within the 'political community' (Marx in Stenning 2008). The rights that Marx takes aim at include rights to liberty, equality, security and property. The right to liberty is more or less understood as a right to freedom. However, this freedom, contends Marx, is 'not based upon the connection of man with man, but rather on the separation of man from man' (Marx in Stenning 2008). Liberty, then, is the 'right to […] separation' (Marx in Stenning 2008). Regarding the right to property, Marx writes: 'The right of man to private property is therefore the right to enjoy and dispose of his property, at his will and pleasure, without regard for others, and independently of society: the right of self-interest' (Marx in Stenning 2008). Moreover, 'Each particular individual freedom exercised in this way forms the basis of bourgeois society. It leaves every man to find in other men not the realization, but rather the limits of his freedom' (Marx in Stenning 2008). Therefore, according to Marx, liberal society and its accompanying understanding of freedom as 'the right to do and perform that which injures none' takes on a hyper–individualistic conception of civil society. Thus, others within the community do not offer relational fulfillment and cooperative reciprocity, but rather, exist as a threat to securing 'rights.'

The right to 'equality' reinforces the same problem: 'Equality here in its non-political significance is nothing but the equality of the above described liberty, viz.: every individual is regarded as a uniform atom resting on its own bottom' (Marx in Stenning 2008). Marx cites Article 8 of the French Constitution of 1793 as it relates to the right to security: '*Security consists in the protection accorded by society to each of its members for the preservation of his person, his rights, and his property*' (Marx in Stenning 2008; Italics his). Thus, according to Marx, none of man's rights can establish community because such rights indirectly promote and aim to protect a distinct form of 'egoism' among mankind. He writes:

> The sole bond which connects [the egoistic individual] with his fellows is natural necessity, material needs and private interest, the preservation of his property and his egoistic person (Marx in Stenning 2008).

Wolff offers a helpful summary of Marx's liberal critique:

> Liberty is the right to do as you wish as long as you don't harm others. Equality is the right to be treated by the law in the same way as everyone else. Security is the right to be protected from others, and finally, property is the right to extend this security to the enjoyment of your legitimate possessions. To be a citizen is to enjoy these rights. They are fought for and prized (Wolff 2002, p.44).

But these 'rights', important as they may seem, reinforce the belief that others exist as a threat to my rights, and not the fulfillment of them. As Wolff's description rightly shows, rights are 'fought for' thus implying a distinct other who is fought against. In other words, rights-based language presupposes conflict. While this may very well be a true aspect of human nature manifest in society, the presupposition of conflict in rights will not ameliorate this problem, as Bell's quote suggested, but only sustain and reinforce it, creating a greater degree of

mistrust, conflict, and ultimately social distance with a loss of shared meaning among individual members of society.

The *Reality* of the Social Self

It has been argued that equality, fairness, and rights—features of a liberal society—are illusory attributes should one's good be connected to the good of others or to a communal life, defined as constituting shared social meaning, membership, and a socially-conceived identity. What, then, is missing? What is necessary to transform illusion to reality? Absent in this framework is the presence of a relationally-based ethos. To illustrate this, consider an example from one of the most basic social institutions: marriage.

Regarding rights and liberty, the marital partners have the *right*, for example, to a pre-nuptial agreement (often used as a mechanism to secure and protect personal property in the event of a divorce). Indeed, given high divorce rates, this would be a rational right to capitalize on should one understand marriage as a contract. But it is arguable that the singular attributes of rights and liberties would advance the norms of trust and sacrifice—characteristics often reflected in the pronouncement of marital vows.[3] Moreover, rights—untethered from a relationally-based ethos—would likely undermine such norms. This is because capitalizing on this right (pre-nuptial agreement) potentially undermines trust, cooperation, and goodwill toward the marital partner as it presumes, in some manner, a lack of loyalty and sacrifice and implies the potential of marital failure. Thus, not only are the original ends sought in marriage not advanced, they are compromised. In contrast, we might imagine that rights, liberty, or even fairness, bounded or controlled for by a relational maxim, would provide the gravity necessary for these social goods to be available and

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[3] Jonathan Sacks offered a similar description of marital ends in his 1990 Reith Lectures in the UK. In his lectures, he describes the marital norms of 'loyalty and trust' (Sacks in Fergusson, 1998, p.142)

present to pursue ends, even ends such as trust and sacrifice, without undermining or compromising them. While this may violate the greater liberal fear of constraints upon individuality, it introduces a degree of gravity to the existing liberal values while still allowing for their healthy expression and use to pursue various ends.

This gravity is given a clear expression by sociologist Amitai Etzioni, who suggests that a good society requires both a moral order and a 'bounded' autonomy (Etzioni, 1996, p.34). What is meant to 'bound' autonomy according to Etzioni? Social order. While the relationship between order and autonomy is not considered to be zero-sum (where more order undermines autonomy)—he does not consider the relationship to be 'zero-plus' either (where order and autonomy complement one another). Nor do these 'dual virtues' cancel each other out. A better description, he writes, would be a symbiotic relationship where the two forces enrich one another 'rather than merely work well together' (Etzioni, 1996, p.36).

Etzioni's work illustrates the necessity of social mindfulness to the existing attributes in the liberal framework. A 'bounded' autonomy is not a threat to personal autonomy or individuality. Rather, it is autonomy with consideration to others. It understands the person, not as an unfettered being, but as a socially situated self. It recognizes that individual actions have social consequences, and that such consequences may be helpful or harmful. In contrast to the depiction of persons as isolated individuals, detached from the social world constituting their surroundings, this conception of the person better reflects reality, and thus, allows for a more realistic articulation of justice and the common good.

Conclusions

In a paper addressing racial segregation in the United States, the late John Calmore wrote:

> Liberal struggles for economic entitlements and political rights, while deserving our support, must be reframed within a larger context that recognizes an equally central set of psychological, ethical, and spiritual needs—most important, the need to be part of a larger community of meaning and purpose that lets us transcend the self-interested materialism of the competitive marketplace and situate ourselves in an ethically and spiritually grounded vision of who we are and who we seek to become (Calmore 1993, p. 1515).

Every society wishes to establish justice—in a general sense—as a fundamental aspect of their social and political architecture. The design of this foundation has, over the years, evolved into a liberal articulation of the good society where space is carved out for individual autonomy, ingenuity, and industriousness so its members can author their own conception of the good. However, should one's good be bound up in the life of others—what Wolff has referred to as the 'human society'—it has been argued that the liberal endowments of equality, fairness, and rights are illusory goods to achieve this end. Sandel (1996) captures the essence of this illusion:

> But to deliberate well about the common good requires more than the capacity to choose one's ends and to respect others' rights to do the same. It requires a knowledge of public affairs and also a sense of belonging, a concern for the whole, a moral bond with the community whose fate is at stake (Sandel 1996, p.58).

Given the challenge 'equality' poses to community, the problems of fairness and impartiality, and the conflict that a rights-based society presupposes, we may reasonably conclude that a liberal society does not *produce* communal considerations and the common good so much as it *requires* it. Borrowing from Calmore's sentiment, the liberal appeal to fairness, equality, and rights—with all of its potential benefits—must be understood within a larger, more morally rich, context. This context requires an identity beyond the self to more thickly-constituted conceptions: neighbor, member, partner, and citizen.

In contradistinction to the liberal expression of autonomy, a socially-conceived self provides what might best be understood as a *bounded* autonomy, where self-regard and individual expression is reined in by the gravity of shared-norms and communal ties and obligations.   Moreover, a bounded autonomy is not a threat to individuality.   Rather, it recognizes that, in reality, we are social members whose individuality and freedom cannot be so easily separated from the people, places, and things that constitute our decisions, our pursuits, and our own identity.

This stands in contrast to the more unrealistic depiction of individuals unencumbered from their social settings and endowed with rights as a means to achieve equality (e.g., liberal notions of justice). Philosopher G.A. Cohen refers to this as equality via 'constitution making' (Cohen 2000, p.2). However, we must question the reality of this belief.   Cohen calls such 'faith' in constitution-building 'misconceived.' Constitution-building cannot create equality, but rather, it 'presupposes a social unity for which equality itself is a prerequisite' (Cohen 2000, p.2). In other words, defining rules of public order and conferring rights upon individuals cannot make us a 'just' society. Cohen suggests that in his own conceptions of justice, he has transitioned to a moral point of view. It is here that he makes an unconventional prescription for the future of a just and equal society:

> I now believe that a change in social ethos, a change in the attitudes people sustain toward each other in the thick of daily life is necessary for producing equality (Cohen 2000, p.3).

Cohen provides a clear articulation as to what he understands to be necessary for a just and equal society: that *both* just rules *and* social cognizance within the framework set by just rules are necessary for justice to be realized. In other words, 'just' rules can only take us so far. Rather, our social reality requires the presence of a desire, an

impetus, to contribute to the common good—and this begins, it has been argued, with a relationally-based conception of the person—persons who are socially conceived, tied to the people, places, and things that surround them, and who demonstrate a necessary sense of collective mindfulness.   The conceptual shift from unencumbered autonomy to a bounded autonomy is a shift from illusion to reality in the pursuit of justice and the common good.

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