PERSON, HUMANITY AND IDENTITY

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Özet

Son zamanlarda azınlık kültürlerin kimliklerine ilişkin talepleri, dikkatimizi kimlik kavramına odaklandırarak, liberal ve komünitarian kişi anlayışlarına ilişkin bazı sorular gündeme getiriyor. Bu makalede liberal ve komünitarian kişi anlayışlarını kimlik kavramı açısından incelenerek, neler ifade ettikleri tartışılıyor. Ne liberal ne de komünitarian anlayışın kişi-insanlık-kimlikilişkisine dair yeterli bir açıklama ortaya koyamadığı gösterildikten sonra, insanlık ve kimliğin oluşturduğu iki boyutlu bir liberal kişi teorisi geliştiriliyor. Bir kişinin kimliğinin tanınmasının kendine saygıyla bağlantısı gösterilerek bu iki boyutlu liberal kişi anlayışının son zamanlarda dini, etnik ve ulusal grupların kimliğe ilişkin taleplerini daha iyi açıkladığı ileri sürülüyor. Hatta bu taleplerin değerlendirilmesi ve haklı olup olmadıklarına karar verilmesi için uygun bir zemin sağlayacağı ileri sürülüyor.

Abstract

The recent identity-related demands of minority cultures raise questions about the liberal and communitarian understandings of the person, focusing our attention to the notion of identity. This paper analyses the liberal and the commuitarian understandings of the person in relation to the notion of identity and considers their implications. It shows that neither the liberal and nor the communitarian understanding has an adequate account of the person-humanity-identity relationship. It then develops a two dimensional liberal conception of the person, constituted by humanity and identity. Showing how the recognition of one's identity is connected to one's self-respect, the paper argues that this two dimensonal liberal understanding of the person could provide a better account for the recent identity-related claims of religious, ethnic and national groups. It could even provide us with a proper ground for the evaluation of these demands and for deciding whether they are justified.

Person, Humanity and Identity

Every political theory implicitly or explicitly in the end rests on an idea of the person. The best way to understand any political theory is then to grasp this central notion on which the theory is grounded. However, the idea of the person, a central methodological issue lying at the foundation of every political theory, is often subject to deep controversies. The controversy about the concept of the person, which has been at the heart of the ongoing debate between liberals and communitarians, is an example of this[1]. It is much written about the controversy on the idea of the person between liberals and communitarians. However, the issue of identity in these understandings of the person is often neglected. What is the importance of identity to the person? Why does identity matter? Is it constitutive of the person, or a trivial part of the person? These types of questions related to the notion of identity gain more importance due to the recent identity-related claims of religious, ethnic and national minority cultures. Hence, the implications of the liberal and the communitarian understanding of the person in relation to identity, and whether these understandings could provide an account for the recent identity-related demands or not, need to be clarified.

This paper discusses the liberal and the communitarian understanding of the person from the perspective of the notion of identity. It investigates the implications of the liberal and communitarian understandings of the person in relation to identity. The first section will briefly sketch out the liberal and the communitarian account of the person[2], and the second and third section will reflect on what implications they have in terms of identity. These considerations will show the central role of identity in the concept of the person and at the

1 On the debate between the liberals and the communitarians there are plenty of volumes. See for example Mullhall and Swift (1996); Avineri and de-Shalit (1992); and Sandel (1984).

2 There are different accounts of the liberal and the communitarian person; however we can roughly portray a generalised account of each. Given its widespread important influence, the Rawlsian liberal person, and given that it is sketched out of a direct criticism of the Rawlsian person, the Sandelian communitarian person are exemplificative enough to portray a generalised account of the liberal and the communitarian person. See Rawls (1972) and (1996); and Sandel, (1998).

same time the inadequacy of both the liberal and the communitarian understanding of the person. I will then, in the fourth section, sketch out my own positive account of the person-identity relationship. In the final section, I will consider the notions of dignity and self-respect in relation to the concept of the person which is sketched out in the fourth section.

1. The Liberal and the Communitarian Understandings of the Person

The liberal view of the person is formulated as the priority of the self to his ends (RAWLS, 1972: 560). On this view, what constitutes the person is being an autonomous agent, being possessed of reason. This view does not see our ends, goals, projects and attachments as constitutive of our person. There is a distance between the person and his ends and attachments, a distinction between the values, attachments and ends the person has and who the person is (SANDEL, 1992: 18). Rawls's portrayal of the person who is behind "the veil of ignorance" in "the original position" reflects this distinction between the self and his ends and attachments (Rawls, 1972: 136-138). Because the ends and attachments are not constitutive of the person, the person is always capable of standing behind them, at a certain distance, and of reflecting, revising and redefining them, or opting for new ends and attachments. What defines the person is not the ends and attachments he chooses, but his capacity to choose them (RAWLS, 1972: 560, 544). Hence the liberal-individualist (neo-Kantian) view of the person reduces the concept of person to our shared humanity, to our possession of reason.

The communitarian view rejects the liberal idea of person as constituted only by the possession of practical reason and as wholly detached from ends and attachments. It rejects the idea of the priority of the self to ends and attachments, and instead sees goals, ends and attachments as constitutive of the person. It envisages a notion of the person as being "thick with particular traits" (SANDEL, 1998: 100) or with "constitutive ends and attachments" (SANDEL, 1992: 18, 23) and being situated in his socio-cultural environment. It points out the importance of inter-subjective relations and communal attachments in the formation of the person (SANDEL, 1998: 150). Another important difference between the liberal and the communitarian understanding of the self is their different views of practical reasoning. On the former view, practical reasoning is understood as *reflective choice*, whereas on the latter it is understood as *self-discovery* (KYMLICKA, 1989: 53; Sandel, 1998: 58). According to the second view, the self "comes by" its ends and attachments not "by choice" but "by discovery, by finding them out" (SANDEL, 1998: 58). The self does not choose the ends and attachments that constitute it, but finds them by a process of self-discovery, by "reflecting on itself and inquiring into its constituent nature,

discerning its laws and imperatives and acknowledging its purposes as its own" (SANDEL, 1998: 58).

Both these understandings of person are inadequate because they are both partial and reductionist. The liberal view, by portraying a "radically disembodied person", and the communitarian view, by portraying a "radically situated person", emphasise only one aspect of personhood (either choice or embeddedness, either reflective choice or self-discovery, either the general or the particular). Therefore neither view alone is able to theorise an adequate idea of the person. However, the aspects (autonomy and identity) that are emphasised by each of them (at the cost of the mutual exclusion of each side's emphasis) are inherent in an adequate concept of the person, and these aspects are complementary, though they are not necessarily in tension. I will turn to this point later, in the fourth section, where I theorise my account of the person, but I would now like to examine both understandings of the self and show their inadequacy in the following two sections. I will analyse them from the perspective of the notion of identity to show that both understandings of the person fail to yield a clear account of the person-identity relationship, and it is the absence of this account that leads to their partial and reductionist vision of the person.

The focus of my examination of the liberal and communitarian understandings of the self will be the place of identity in each. Where exactly does identity come within these understandings of the person? What implications do these portrayals of the person have in terms of the notion of identity? Let us start with the liberal vision of the person.

2. The Notion of Identity in the Liberal Understanding of the Person

As outlined above, the liberal envisages an idea of the thin, purified (disembodied and unencumbered) person as constituted by the possession of practical reason. On this view, what constitutes a person is his humanity, his universal human capacity to choose. The person is prior to his ends and attachments, and the latter are not constitutive of the person. The person is able to change and redefine his ends and attachments, but these changes and redefinitions over time do not call into question who the person is (RAWLS, 1996: 31 and 1998: 63). No end, attachment, value, belief or allegiance could define the person so completely that he could not understand himself without them. Hence the person is defined once and for all as prior to his ends, and his boundaries are fixed antecedently (SANDEL, 1998: 57, 62). Being so, on this understanding, the person can reflect on and redefine his ends and attachments, but cannot reflect on and redefine whatever constitutes himself.

What account of identity does this understanding of person allow? What is the place of identity within this understanding of the person? Note that whatever constitutes the person (what is him) is defined once and for all as prior to the ends and attachments he has (what is his), and is within the boundaries of the person. It follows that if identity is constitutive of the person, it remains unchanged, as it is defined once and for all and within the antecedentely fixed boundaries of the person. Hence, being fixed once and for all, identity is not subject to reflection, redefinition or change. However, in the liberal view this conclusion is undesirable. It is against our simplest intuitions about how to make sense of things such as identity crises and quests for identity. It renders unintelligible the question of what kind of people we would like to become, since our identities are fixed once and for all. Moreover, because this fixed identity is prior to, and independent of, ends and attachments, and is already defined once and for all, it is not clear what constitutes its content.

Identity then perhaps is not constitutive of the person. Just as there is a distance between the person and his ends and attachments, so there is a distance between who the person is and his identity. The individual can reflect on, redefine or change his identity just as he can his ends and attachments. Such a person is not only prior to and independent of his ends and attachments, but is prior to and independent of his identity too. However, the question that arises is, being so distant from his identity, prior to and independent of it, can any coherent conception of the person remain? If identity is placed beyond the boundaries of the person, as non-constitutive of the person, the actual person disappears and only abstract practical reason remains. This view of the person becomes so reductionist as to equate the person to practical reason. The person does not come into actual existence at all; what exists is an abstract universal human potential, a trait–practical reason (SANDEL, 1998: 94, 100; NOZICK, 1974: 228). Hence either way–whether identity is fixed once and for all and is constitutive of the person but is not subject to reflection, or whether identity is not constitutive of the person but is subject to reflection–the conclusions are not wanted in the liberal understanding of the self. In the first case the person is not able to redefine or change his identity; in the second case the person disappears.

Is there any other way of thinking of the relationship between this liberal idea of the person and his identity? We may conceive this liberal portrayal of the person (as prior to and independent of his ends and attachments) *itself as an identity*. Unless the priority of the person to his ends and attachments and his independence from them are assumed as given constitutive characteristics of the person (in the sense that every person possesses them in this way), this understanding of the person is not an understanding of the person in general, but an understanding of the person with a particular identity–a liberal identity–that is, an understanding of the liberal person. However, the priority of the self to ends and attachments is not a given constitutive trait of the person in

general. It is only one way of thinking of one's relationship to ends and attachments; it is a particular identity, the liberal identity, which defines those people who conceive of themselves in this way. Some people may conceive of themselves in this way, but not all people think of themselves as prior to and independent of their ends and attachments. As Rawls (1996: 31) in his recent writings admits, some people

> may have, and normally do have at any given time, affections, devotions, and loyalties that they believe they would not, and indeed could and should not, stand apart from and objectively evaluate from the standpoint of their purely rational good. They may regard it as simply unthinkable to view themselves apart from certain religious, philosophical and moral convictions, or from certain enduring attachments and loyalties.

It follows that different people conceive of their relationship to their ends and attachments in different ways, and the way they do so constitutes a very important part of their identity. On this view, the portrayal of the person as prior to his ends and attachments is not a general theory of the person, but a general theory of a particular type of identity–liberal identity. A person who conceives of himself as prior to and independent of his ends and attachments is capable of doing this by virtue of his being committed to the liberal principles of autonomy and rational reflection, by virtue of his having a liberal identity. To see oneself as prior to and independent of one's ends and attachments, to be committed to this ideal of the liberal self itself, is to have a constitutive attachment, a particular identity. The liberal understanding of the person ceases to be a general account of the person because of its failure to see this last point and because of its presentation of a particular understanding of the relationship of the self to his ends and attachments, of a particular identity as a given general trait of the person.

This reading of the liberal understanding of the person demonstrates a) that the notion of identity has central importance to any general account of the person, for without it, the person has no content; b) that identity is a matter of one's understanding of one's relationship to one's ends and attachments; c) that identity as such, involving one's understanding of one's relationship to one's ends and attachments, is a subjective and controversial issue, yet is central to any general understanding of the person; and d) that the liberal understanding of the person as prior to and independent of his ends and attachments is not a general understanding of the person, but a particular self-understanding, a particular identity.

We have seen the implications of the liberal understanding of the person in terms of the notion of identity and interpreted the liberal account of the

person-identity relationship in three ways. The first two liberal interpretations of the person-identity relationship were found to be flawed, and our third reading has yielded the conclusion that the liberal understanding of the person is in fact itself a particular identity, and that people have different identities.

However, recently, in the light of the challenges and teachings of communitarian critics, liberals have revised their understanding of the person. The communitarian interpretation of the liberal understanding of the person has been successful in demonstrating the inadequacy and particularity of it to the extent that, in response to the strong challenges of communitarian critics, the most eminent contemporary liberal theorist, John Rawls, who has been the focus of the communitarian challenge, has retreated from the account of the person that he initially put forth in his first book, *A Theory of Justice*, and revised it in his recent writings. Rawls's current understanding of the person and its implications in relation to the issue of identity deserves a detailed examination.

The Notion of Identity in the Rawlsian Political Conception of the Person: Rawls in his recent writings accepts that his earlier understanding of the person as prior to ends and attachments is not a general account of the person, but a particular understanding of the person that is associated with a particular comprehensive doctrine–comprehensive liberalism. However, many people may understand their relationship to their ends and attachments in a different manner. They may hold different understandings of themselves. "They may regard it as simply unthinkable to view themselves apart from certain" ends and attachments (RAWLS, 1996: 31 and 1998: 64). Hence how people conceive of their relationship to their ends and attachments is a matter of their identity, and the issue of personal identity is a subject of metaphysical controversy, from which Rawls had sought to rescue it for the purposes of his theory of justice.

Rawls (1996: xviii, xlii, xliv-xlv, and 1998: 67) concedes that if justice as fairness is grounded on this liberal idea of the autonomous person, then, like any other idea of the person that is associated with a particular comprehensive moral or philosophical doctrine, it would not be acceptable to all and would endanger the stability of the political community; it would be imposing a particular understanding of the person, a particular identity, on those who hold different understandings of the self, of themselves. He tries to avoid this by restricting the scope in which the liberal understanding of the person operates. He now appeals to the liberal understanding of the autonomous person only in *political contexts* for the purposes of determining the rights and responsibilities of citizens, while accepting that, in *private contexts*, ends and attachments might constitute the identities of people in such a way as to preclude rational revision (KYMLICKA, 1995: 159; RAWLS, 1998: 67). Hence the new Rawlsian person has two identities: *his public or institutional identity* as citizen and his *non-public identity*, the way he conceives of his relationship to his ends and attachments

(RAWLS, 1996: 30-31 and 1998: 59-60). Rawls (1996: 13-14 and 1998: 60) claims that this conception of the person with two identities is a basic intuitive idea that is embedded in the public culture of liberal-democratic Western societies.

Rawls'current position seems to be more plausible than a position associated with comprehensive liberalism. It acknowledges that the liberal understanding of the person is not a general account of the person, but a particular self-understanding among others, a portrayal of a self who has a liberal identity, and that the issue of identity, though controversial, is central to the concept of the person. It implies that being an autonomous person need not be limited to being a liberal person. Just as a person who conceives of his identity as prior to his ends and attachments (as liberal) is an autonomous person, so a person who conceives of his identity as constituted by his ends and attachments is also an autonomous person. Both people are autonomous, but with different identities which they, autonomously, possess. Since people have different self-understandings, different views about their personal identity, the defence of justice cannot be grounded on such a controversial issue as personal identity. Therefore Rawls now thinks that the issue of personal identity should be *irrelevant* to the concept of justice. His strategy is to remove the contested issues such as goals, ends, attachments and identities from the public sphere as a matter of individual choice and to reach an overlapping consensus on a *political* concept of justice in the public sphere. But can he exclude the issue of identity as irrelevant to justice? Can he avoid defending his political conception of justice on the controversial ground of identity?

To review, the political conception of the Rawlsian person has two identities: his *public identity* as a citizen (as a free and equal person) and his *non-public identity*, the way he conceives of his relationship to his ends and attachments. For Rawls, what might be subject to disagreement among people is their non-public identities (their ethical identity), but not their public identity as citizens, which is fixed and requires them to see themselves as prior to their ends and attachments (in political contexts). Their non-public identity is a matter of individual decision and might change over time. Thus their public identity as citizen is, independent of, and, within the relevant spheres, has priority over, their non-public identity. Changes in the non-public identity of a person do not affect his public identity as citizen. No matter how a person conceives of her relationship to her ends and attachments, and no matter what changes occur in how she conceives this relationship over time, as a matter of basic law she is the same person she was before. There is no loss of her public identity, her citizenship status (RAWLS, 1996: 30-31 and 1998: 63).

What is this fixed public identity that prevails over, and is independent of, the non-public identity? Why is it not the subject of controversy? One can easily see that what *becomes the public identity* of the new Rawslian understanding of

the person is *his earlier conception of the liberal person* itself as prior to, and independent of, his ends and attachments. Thus, now, the priority of the person to his ends and attachments is not a general conception of the person, but only of the fixed public identity of the person. Remember that Rawls gives up his defence of his conception of justice on this earlier understanding of the liberal person as prior to his ends and attachments on the ground that some people do not understand their relationship to their ends and attachments in this manner, and therefore to defend liberal institutions on this liberal understanding of the person is not acceptable to all, because it imposes a particular understanding of the person, a particular identity, which some may not share. However, the concept of the person as prior to his ends and attachments now returns as the fixed *public* identity of persons, which they have to adopt in political contexts. Is this not an imposition of a particular identity on people, i.e., the thing that Rawls tries to avoid? Rawls's answer is that how people conceive of their relationship to their ends and attachments, their personal identity, is a matter of their non-public identity and not of their public identity. Yet, at the same time, in political contexts, people can accept themselves as prior to their ends and attachments (as having a liberal identity) "without being committed in other parts of their life to comprehensive moral ideals often *associated with* liberalism, for example, the ideals of autonomy and individuality" (RAWLS, 1998: 67).

Though Rawls, with this move, seems to avoid imposing a particular understanding of the self–a particular identity–on people in the private sphere, his political defence of justice continues to impose the liberal notion of the person in the public sphere. He asks that those who hold particular understandings of themselves be stripped of their identity and hold the liberal understanding of the person when they enter the public sphere. He demands they be liberal in the public sphere regardless of whatever self-understanding they have in general. However, if, *as Rawls himself recognises*, the liberal understanding of the person as prior to and independent of his ends and attachments is not a general account of the person, but a particular self-understanding associated with comprehensive liberalism, how can his strategy, which relies on restricting the application of this understanding of the person to the public sphere, avoid the controversial issue of personal identity? Does the imposition of a particular understanding of the person (which is associated with a particular comprehensive philosophical doctrine) only in the public sphere (but not in the private sphere) leave its particularity behind and render it general and acceptable to all? Why would anyone who conceives of her identity as constituted by her ends and attachments accept conceiving of herself as prior to her ends and attachments in the political sphere (KYMLICKA, 1995: 160)?

Rawls's answer is that in modern democratic societies, where people have different, conflicting understandings of the self and the good, it is necessary that people accept themselves as having liberal identities in political contexts if they are to secure social cooperation on the basis of mutual respect (RAWLS, 1996: 157). However, even if securing social cooperation on the basis of mutual respect is important, what is to guarantee that this interest is always so important as to outweigh any competing interest that could arise from within people's identities, ends, attachments and moral and religious views?[3] For example, a religious person might, in general, accept the value of social cooperation on the basis of mutual respect, and therefore the conception of himself as having the liberal identity in political contexts. However, such a person, when the implications of his public and non-public identity come into conflict in relation to a particular fundamental political issue that is crucial to his religious identity (say abortion or pornography), might still give priority to the considerations derived from his non-public identity. He might defend, for instance, state prohibition of abortion or pornography on the ground that, on these particular matters, the interests arising from his non-public identity outweigh the interests arising from his public identity. Rawls (1996: 146, 157) seems to allow exceptions of this kind when he says that political values *normally* outweigh whatever non-political values conflict with them. However, when he discusses the abortion case, we see that he does not regard cases like abortion as an exception to the general rule of giving priority to political values (RAWLS, 1996: 243-244, n. 32 and 1999: 169-170).

Moreover, as Mullhall and Swift (1996: 232) note, Rawls (1996: 157) argues that when an overlapping consensus supports the political conception, the severe conflicts between the political values and other values are reduced, and there is no need to appeal to the intrinsically greater importance of political values. Thus when an overlapping consensus obtains, political values (e.g. public identity) outweigh other values (e.g. non-public identity) that conflict with them. However, what if an overlapping consensus does not obtain? In this case do not the political values win out? As the priority of the political over the non-political is part of the political conception on which overlapping consensus is sought, saying that, when overlapping consensus obtains, political values outweigh non-political values does not explain why they should or would outweigh them. We then need to know why and how an overlapping consensus on the political conception obtains. Why does Rawls think that people with different identities, values and attachments will agree in affirming the political

3 Sandel, "Political Liberalism", *Harvard Law Review*, Vol. 107, No. 1765, 1994, p. 1777. As political liberalism does not depend on scepticism and allows that some comprehensive doctrines might be true, it is not clear why the interests arising from secure social cooperation should always have priority over the interests from *within our identities*, attachments, ends and moral and religious views.

conception? The answer to this question can be found in his account of the fact of reasonable pluralism and the burdens of judgment.

According to Rawls (1996: xviii, 36), "modern democratic societies are characterised not simply by a pluralism of comprehensive religious, philosophical and moral doctrines but by a pluralism of incompatible yet *reasonable* comprehensive doctrines". This is not a mere historical condition that might soon pass away; rather it is a permanent feature of the public culture of democracy. It is "the normal result of the exercise of human reason within the framework of the free institutions of a constitutional democratic regime" (RAWLS, 1996: xviii, 36). Why should free institutions lead to reasonable pluralism? How might reasonable disagreement come about? Rawls's answer is that the sources or causes of reasonable disagreement are the *burdens of judgment* (e.g. the complexity of the evidence bearing on the case; our disagreements over the weight to be attached to the evidence; the vagueness of our concepts and their being subject to hard cases; the influence of our particular experiences on our judgments) that are fully compatible with, and so do not impugn, the reasonableness of those who disagree (RAWLS, 1996: 55-56). Hence "the burdens of judgment–among reasonable persons–are the many hazards involved in the correct (and conscientious) exercise of our powers of reason and judgement in the ordinary course of political life." They are obstacles to reasonable agreement over the same comprehensive doctrine. They set limits on what can reasonably be justified to others (RAWLS, 1996: 61).

Rawls's belief that people with different identities, ends and attachments will agree in affirming the political conception (and in seeing themselves as having liberal identities in political contexts) is grounded on the assumption that reasonable persons will recognise and be willing to bear the consequences of the burdens of judgment with respect to fundamental political matters (RAWLS, 1996: 58-61). He thinks that this recognition and willingness will result in the affirmation of the political conception. Those who do not recognise the consequence of the burdens of judgment, and insist on their own comprehensive beliefs with respect to fundamental political questions, he says, are unreasonable.

The burdens of judgment apply to the judgments in relation to fundamental political matters, that is, to the judgments made in political contexts. They require us not to insist on our own comprehensive beliefs and values with respect to fundamental political questions and not to use political power in a way that represses reasonable comprehensive views (RAWLS, 1996: 61). However, recognising the consequence of burdens of judgment in political contexts requires persons to interpret their comprehensive doctrines and those of others in a manner that acknowledges these burdens. As Rawls (1996: 60) admits:

> The evident consequence of the burdens of judgement is that reasonable persons do not all affirm the same comprehensive doctrine. Moreover, they also recognise that all persons alike, including themselves, are subject to those burdens, and so many reasonable comprehensive doctrines are affirmed, not all of which can be true (indeed none of them may be true). The doctrine any reasonable person affirms is but one reasonable doctrine among others.

Elsewhere Rawls (1996: 56) notes that the burdens of judgment apply to the rational (our capacity for a conception of the good) as well as to the reasonable (our capacity for a sense of justice). It follows that the burdens of judgment will also apply to persons' comprehensive doctrines in non-public spheres. Indeed this is necessary if persons are to recognise the consequence of burdens of judgment in the public sphere. As Callan (1997: 40) argues, "learning to accept the burdens of judgment in the sense necessary to political liberalism is conceptually inseparable from what we ordinarily understand as the process of learning to be ethically (and not just politically) autonomous". Thus, coming to accept the burdens of judgment means attaining a substantial ethical autonomy, adopting a particular understanding of ourselves and of others in non-political contexts as well as political ones. Hence Rawls cannot succeed in restricting the scope of his liberal conception of the person to political contexts only. The acceptance of the burdens of judgment, which is a basic aspect of his political conception of the person, has important implications as to how people should see themselves in relation to their ends and attachments in non-political contexts.

Moreover, appealing to burdens of judgment does not provide Rawls with an independent argument for the priority of the political against those who reject his first argument about the value of fair social cooperation (MULHALL /SWIFT, 1996: 237). As we have seen, Rawls offers two arguments as to why people should accept the political conception of the person (in general the priority of the political over the non-political): the value of fair social cooperation and the consequences of the burdens of judgment. He appeals to the burdens of judgement to convince those who reject the priority of the political over the non-political and the value of fair social cooperation (which is the first argument for the priority of the political). The two arguments about the priority of the political are two basic aspects of his conception of the reasonable (RAWLS, 1996: 54), which "is not an epistemological idea (though it has epistemological elements). Rather, it is part of a political ideal of democratic citizenship that includes the idea of public reason" (RAWLS, 1996: 62). The first aspect of the reasonable suggests that no one can be reasonable unless she accepts society as a system of fair cooperation between free and equal citizens (RAWLS, 1996: 49-50), while the second suggests *that one must accept the*

consequences of the burdens of judgments in order to be reasonable (Rawls, 1996: 54). Note that in fact the first aspect of the reasonable by definition guarantees the priority of the political over the non-political. Considering the two aspects of the reasonable together, it seems to read as follows: only those who already view society as a system of fair cooperation between free and equal citizens will recognise the consequence of the burdens of judgment in the way that political liberalism requires. Hence we are left with no independent answer as to why one should recognise this view of society, person and the priority of the political over non-political, a view that is at the heart of the political liberalism; we are told only that those who do not accept this view are unreasonable.

Unless Rawls provides those who reject his view of society and person with an independent reason for accepting it, his argument about the consequences of the burdens of judgment cannot convince them to give priority to the political over the non-political. In that case, the acceptance of the consequences of the burdens of judgment in a way that recognises the priority of political values over non-political values can be seen as a requirement of Rawls's own comprehensive doctrine. Indeed, as Mulhall and Swift (1996: 238-239) point out, Rawls (1996: 152-153) acknowledges this in his discussion of the rationalist believer who maintains that her belief can be fully established by reason, and therefore who flatly denies the fact of reasonable pluralism. In that case, Rawls recognises that the rationalist believer will not attach the same weight Rawls attaches to the fact of reasonable pluralism (MULHALL / SWIFT, 1996: 239). Therefore Rawls (1996: 152-153) cannot but assert the fact of reasonable pluralism and acknowledge that this assertion is an assertion of certain aspects of his own comprehensive doctrine. The case of the rationalist believer is not the only example. Rawls, in cases such as abortion, which contest the weight he attaches to the fact of reasonable pluralism, can also do nothing but invoke elements of his own comprehensive doctrine (MULHALL / SWIFT, 1996: 239-240). It appears that the weight Rawls attaches to the fact of reasonable pluralism is determined by his own comprehensive commitments. Hence, the acceptance of the consequence of the burdens of judgment in a way that recognises the priority of the political over the non-political is in fact a function of Rawls's own comprehensive convictions.

It follows that Rawls can neither provide a political conception of the person independent of any wider comprehensive moral and philosophical doctrine, nor can he restrict the application of his concept of the person to political contexts only. Though Rawls (1996: xliv, 10, 223 and 1998: 67) presents his political conception of justice with the claim that it is independent of any wider comprehensive religious or philosophical doctrine, even independent of comprehensive liberalism, the political conception of justice cannot function

without elements of comprehensive liberalism and, as Mulhall and Swift (1996: 245) conclude, "so fails to live up to its own claims to neutrality".[4] Rawls's political defence of justice inevitably imposes a self-understanding that is associated with a particular comprehensive philosophical doctrine in the public sphere. Moreover, as we have seen, the acceptance of the consequence of the burdens of judgment in the way political liberalism requires ends up imposing a particular self-understanding in non-political contexts. Rawls then cannot avoid the controversial issues surrounding personal identity in the public sphere. Hence it seems that he cannot justify his political conception of justice to all members of society solely on the ground that it is neutral in this sense.

All of this suggests that the Rawlsian political concept of the person is not likely to be acceptable to all. It would be easily acceptable to those who already have a liberal understanding of themselves, but those who have illiberal understandings of themselves, who are committed to a comprehensive doctrine that does not accept the public/private distinction (which is at the heart of the political theory of justice) but that requires them to regulate their *public* life as well as their *private* life according to an illiberal conception of the good, would have difficulty accepting it. Reaching an overlapping consensus on the political conception of justice, then, seems to require the compatibility of people's non-public identity with their liberal public identity, which is imposed by this conception of justice. Only those people whose self-understandings are compatible with this liberal understanding of the self are likely to accept a view of themselves as prior to their ends and attachments in the public sphere. However, these people are already likely to accept a comprehensive conception of justice as presented in Rawls's first book, *A Theory of Justice*. The political conception of justice aims at achieving more than this. It aims to defend liberal institutions in a way that will appeal even to those whose self-understandings are not compatible with the liberal understanding of the person.

However, the strategy of appealing to the liberal understanding of the person only in the public sphere and leaving everyone free to view his non-public identity in his own way does not, as we have seen, succeed–especially for those to whom this strategy is designed to appeal, those

4 See also Callan (1997: 13, 40), who argues that "Rawls's political liberalism is really a disguised instance of comprehensive liberalism, a kind of closet comprehensive liberalism". According to him, "learning to accept the burdens of judgement in the sense necessary to political liberalism is conceptually inseparable from what we ordinarily understand as the process of learning to be ethically (and not just politically) autonomous. Rawls cannot coherently say that coming to accept the burdens of judgement is an unintended effect of the education his theory implies. And since coming to accept the burdens means attaining a substantial ethical autonomy, he cannot regard the achievement of autonomy as a merely accidental consequence of the pursuit of humbler educational goals."

who have self-understandings or identities that are not compatible with the liberal understanding of the person.[5] Their challenge to liberal institutions and the unity and stability of the political community is greater The requirements of holding, of having allegiance to, these illiberal identities and living according to these illiberal ways of life are often in tension with the requirements of the liberal identity that they are asked to accept as their public identity.[6] The political conception of justice cannot then claim that it is neutral enough to be acceptable to all, to accommodate all of the differences, all of the different identities, without any cost to them. We have at least one category of people, those for whom the requirements of their illiberal self-understandings are in tension with the demands of the liberal identity they are asked to adopt as their public identity, who therefore are not likely to accept the requirements of liberal citizenship. Rawls's strategy asks them to accept the requirements of the political conception of justice (the conception of person and society that is the irreducible core of political liberalism); if they do not, he declares that they are publicly unreasonable (RAWLS, 1996: 61-62). However, his strategy cannot provide them with a justification as long as it appeals to comprehensive liberalism, claiming to be independent of any wider comprehensive doctrine.

Given that Rawls's political liberalism invokes elements of comprehensive liberalism and that its application is not restricted to political contexts only but, rather, shapes our lives and has important implications for how we should conceive of our identities in non-political contexts, it turns out to be an instance of comprehensive liberalism, or more precisely of partially comprehensive liberalism. On what ground, then, can Rawls justify the concept of autonomy (which turns out to be not a political conception as he claims but a partially comprehensive conception) that is at the heart of his political liberalism? Rawls's attempt to appeal to autonomy only in political contexts fails. However, it provides us with a distinctive and powerful political argument for a partially comprehensive conception of autonomy that "derives not from speculative metaphysics or contestable intuitions about value but from a principle of reciprocity and a shared recognition of the limits of reason we must employ with each other when we try to live by that principle" (CALLAN, 1997: 41-42).

5 For the limits of this Rawlsian strategy in responding to the issues raised by non-liberal minorities in Britain in relation to education policy, see Andrea Baumeister (1998).

6 The demands of Muslim communities for separate Islamic schools in which to educate their children in accordance with their values, and for the provision of single-sex education, their disagreements with the present religious education policies, their demand for changes in the nature and content of religious education, and the demands of Amish parents to be able to withdraw their children from aspects of the public school curriculum that they see as damaging to their ability to teach their children their particular religious views highlight some of these tensions. For a discussion of the demands of the Muslim communities, see Baumeister (1988), and for a discussion of the Amish case, see Stephen Macedo, (1995)

His political argument for autonomy appeals to the political conditions required by a system of social cooperation based on mutual respect among people. It exclusively focuses on the public benefits we gain by entering such a system of respectful cooperation, thereby conceiving of citizenship and public reason in a way that this system requires. However, as we have seen, since learning to be politically autonomous inevitably entails learning to be ethically autonomous, and since accepting the political conception of the person (seeing oneself as autonomous in political contexts) has important implications for how people should conceive of their identity in non-political contexts, the argument is incomplete so long as its focus remains exclusively political (CALLAN, 1997: 42). Hence, because the conception of autonomy in question is a partially comprehensive conception, we need to evaluate the importance of autonomy not only in political contexts, but in political *and* non-political contexts.

Autonomy is important because it makes possible the realisation of the ends, attachments, commitments and choices that we see as central to who we are. It derives its importance from its contribution to our actual choices, commitments and identifications. It is a precondition to defining and realising who we are or who we would like to be. However, this conception of autonomy (as I call it Autonomy 1) as a precondition of the realisation of an identity and a way of life is different from the liberal conception of autonomy (which I call it Autonomy 2) central to a liberal self-understanding and a liberal way of life. It is different in that Autonomy 1 is a precondition of the realisation of all actual choices–liberal or illiberal–whereas Autonomy 2 is itself an actual choice, a particular conception of the good and of the self, to which autonomy is central. An autonomous person (in the sense of Autonomy 1) might choose a religious way of life and might adopt a religious self-understanding as well as a liberal way of life and a liberal self-understanding. Both choices are autonomously made actual choices. However, once choices are made, autonomy is not central to the first actual choice but central to the second. In other words, autonomy is a precondition of our actual choices about a good life, but it might not be an essential element of them. Autonomy 1 is essential to our well-being, but Autonomy 2 is not. Hence, Autonomy 1 understood as such is the middle ground between liberal and non-liberal identities, choices and commitments. It is a minimal basis of certain individual rights and freedoms, of any acceptable theory of justice. Therefore acceptance of Autonomy 1 is not an imposition of a liberal way of life or identity, but it is a requirement of a basic form of respect (for persons on the basis of their humanity) that no culture can reasonably deny to its members.

Since the acceptance of Autonomy 1 is a prerequisite of reaching an overlapping consensus on the political conception of justice, the issue of personal identity cannot be sidelined as irrelevant, but must be seen as being at

the heart of achieving justice and stability in a political community. Members of a political community, whether they have liberal or illiberal identities, must accept Autonomy 1, which is the minimal basis of any acceptable conception of justice and thus also of the political conception of justice. Moreover, as I will show below, even the acceptance of Autonomy 1 might itself not be enough. Even if all members of a political community share a commitment to Autonomy 1 (or even if all members of a political community have a liberal identity and share a commitment to Autonomy 2), this in itself might not be enough to achieve justice and stability in a political community, because of the issue of the pluralism of national identities and cultures, which Rawls does not consider.

The Rawlsian political conception of justice not only has difficulty accommodating those who have illiberal self-understandings; it might, ironically, have difficulty accommodating those whose self-understandings are perfectly compatible with liberal citizenship status. This is so because Rawls does not consider the *national identity (and culture)-personal identity relationship*. He considers personal identity only in relation to the pluralism of conflicting but reasonable *moral, religious and philosophical* comprehensive doctrines, not in relation to the pluralism of *national identities and cultures*. Hence he cannot see the implications of the pluralism of national identities and cultures for his account of the person-identity relationship and for his political conception of justice in general.

Rawls's failure to see the national identity (and culture)-personal identity relationship is a result of a hidden assumption that all members of a political community share the same national identity and culture, that is, that political community is *nationally homogenous*.[7] His distributive principles implicitly operate in the context of a national community whose members acknowledge ties of solidarity (MILLER, 1995: 93). In *A Theory of Justice* (1972: 457), Rawls explicitly acknowledges that the boundaries of the scheme of justice are "fixed by the notion of a self-contained national community". In *Political Liberalism* (1996: 277), his assumptions about the society to which his conception of justice would apply imply that members of this society share a common nationality. Thus Political Liberalism also implicitly continues to appeal to the unifying power of the national community, to the national homogeneity assumption. Rawls needs this assumption for at least two reasons: without it, first, there is no reason why people would not tend to leave their political society whenever they would benefit more from the distributive principles that apply elsewhere, and, second, there is no reason why minority national groups would not pursue autonomy, or secession. However, this tacit national homogeneity assumption

7 Kymlicka (1989: 177-178) directs this criticism not only at John Rawls, but also at Ronald Rworkin and most post-war political theorists. He thinks that they implicitly and falsely assume that political community is culturally homogenous.

obscures the importance of culture within the person-identity relationship. As a result Rawls's account of the person-identity relationship lacks an important dimension, the cultural dimension.

It follows that Rawls strategy is based on a hidden assumption that reasonable but conflicting comprehensive philosophical and religious doctrines are rooted in the same national culture. Those who are committed to conflicting, but reasonable, comprehensive philosophical and religious doctrines do hold different ends and attachments and conceive of their relationship to their ends and attachments (that is, their personal identity) in different manners but share the same national identity and belong to the same national culture. This hidden assumption in his strategy reduces the issue of identity to a matter of ethical pluralism within the same national culture. As a result, Rawls's strategy is concerned with the issue of identity only in relation to ethical pluralism.

Since all members of the political community share the same national identity (since there is a hidden general consensus on national identity on the polity level), the differences in the personal identities of the members are a result of ethical pluralism within the same national culture. They are a result of the members' commitments to conflicting but reasonable comprehensive philosophical and religious doctrines, of ends and attachments that they hold, and how they conceive of their relationship to their ends and attachments is a matter of individual decision, *a private matter*. Hence Rawls's strategy is able to exclude the controversial issue of personal identity from the public sphere as irrelevant to justice only by implicitly assuming the existence of a general consensus on national identity in the public sphere. Indeed what his strategy excludes is the *differences* in the personal identities of the members, but a consensus on *what is shared* (national identity) in the personal identities of the members remains as the implicit precondition of reaching an overlapping consensus on justice in the public sphere.

This last point becomes more evident once we eliminate the hidden assumption about shared national identity and take the diversity in relation to national cultures and identities into account. When some members of the political community do not share the same national identity with the rest, but they conceive of themselves as forming a different nation and having a different national identity and allegiance, the relevance of the shared identity to the issue of justice and stability becomes apparent. When the consensus on the shared identity (national identity) is broken, the consensus on a political conception of justice is broken too. Within these conditions what Rawls expects is not likely to happen; that is, it is not likely that the Rawlsian conception of justice (e.g. equal citizenship status) itself would be enough to secure the unity and stability of the political community. This is because, first, those who conceive of themselves as having a different national identity and forming a distinct nation might demand

the recognition of their own national identity, and this entails more than what the Rawlsian political conception of justice requires. It entails more than equal citizenship status, i.e., some rights and powers of self-government. Second, even if the members of both groups are committed to the Rawlsian concept of justice (even if both groups separately aspire to equal citizenship rights for all their members), this will not itself be a reason to form a single political community. For example, citizens of France and England can be said to be committed to the same liberal-democratic principles, but this does not itself give them a reason to form a single political community. In the same way, a national minority's being committed to the same political principles as the national majority does not in itself provide them with a reason to form a single political community with the majority. Hence, in these circumstances, the issue of identity appears as a divisive issue not on an individual level, but on a group level in the public sphere, an issue that cannot be left to the private sphere as an individual concern but needs to be addressed by justice.

It follows that Rawls's overlapping consensus on justice in the public sphere implicitly requires the presence of an already existing agreement on the shared or overlapping identity of members of the political community in the public sphere. Unless *what is shared* in the personal identities of the members is settled in the public sphere, *the differences* in the personal identities of the members cannot be left to the private sphere. The agreement as to what is shared in the personal identities of the members makes the differences in their personal identities compatible with each other. Through what is shared in the personal identities of the members, those identities, which are different from each other as a result of ethical pluralism, find expression and recognition in the public sphere. This agreement on shared identity in the public sphere is what makes the Rawlsian exclusion strategy and therefore the overlapping consensus on justice possible. The existence of a pluralism of national identities and cultures in the political community would pose difficulties in reaching an agreement on Rawlsian justice and endangers the unity and stability of the political community. In this case (when there are different national groups in the same polity), the issue of identity would return to the public sphere as a divisive issue that justice needs to address.

The public identity of the Rawlsian conception of the person is then constituted not only by his citizenship status, but also by a shared national identity, which is a prerequisite of citizenship status that Rawls take for granted. What makes an overlapping consensus on justice possible and provides the unity and stability of political community is the equality of a shared identity (national identity), and not only citizenship status itself. In fact citizenship status is attached to this shared national identity, which is expressive of the personal identities of all members of the political community. Without this equality of shared identity, "there is nothing to hold citizens together, no reason for

extending the role [citizenship status] just to these people and not to others" (MILLER, 1992: 94). Hence, without a shared national identity, citizenship status is an empty, formal political and legal status. It cannot provide the link between the public and non-public identity of members, and without this link we cannot talk of community. What all of these considerations suggest is that the Rawlsian political conception of the person cannot help but possess a national identity.

To sum up the discussion as to what Rawls's new (political) understanding of person implies in terms of identity, it acknowledges that person as prior to ends and attachments is not a general account of person, but a particular self-understanding, a particular identity, and people can have different self-understandings. This position recognises that the issue of identity is controversial, but central to the concept of the person. Indeed Rawls's political concept of justice is an attempt to reconcile the conflicting self-understandings of members of the political community. Hence, this new understanding of the person and new account of the person-identity relationship seem to be more plausible compared to the former one, presented in *A Theory of Justice*.

However, our evaluation of Rawls's strategy for the resolution of different and conflicting self-understandings–to exclude the controversial issue of personal identity from the public sphere and to reach an overlapping consensus on citizenship status–has demonstrated the important role of the notion of equality of shared identity (which Rawls failed to see) and the limits of the Rawlsian conception of justice (the failure to acknowledge this notion of shared identity) in accommodating the members of illiberal groups and of national groups. We discovered that Rawls failed to see the role of shared national identity in his conception of justice by simply taking it for granted and considering only the identity-ethical pluralism relationship. We saw that it is the recognition of what is shared in the personal identities of members of a political community that reconciles their different and conflicting non-public self-understandings. Overall our evaluation of Rawls's person-identity relationship indicates the importance of recognising the shared identity (national identity) of persons in achieving justice and stability in the political community. It points toward the importance of cultural identity in any proper understanding of the person.

These conclusions seem to verify the communitarian claims about the importance of culture, of communal ends and attachments, to identity. We have also noted the strong influence of communitarian criticisms of the current liberal understandings of the person. Therefore before I sketch my own account of the conception of the person and its relationship to identity, let us see whether the communitarians can provide us with a proper account of the person-identity relationship.

3. The Notion of Identity in the Communitarian Understanding of the Person

On the communitarian view, the person consists not only in his universal human capacity–his humanity–but also in his ends, goals and attachments (Sandel, 1998: 179-180 and 1992: 23-24). However, these ends, goals and attachments are treated as given and not as a matter of choice but of self-discovery. Here we have an understanding of the person "thick with particular traits", constituted by the ends and attachments that he finds in his community of birth and acquires by discovering (SANDEL, 1998: 150-151, 58), "by achieving awareness of, and acknowledging the claims of, the various [ends] and attachments [he] finds" (KYMLICKA, 1989: 53), through his intersubjective relations with the members of his community. However, if the person is constitutive of his ends and attachments, which are a matter of discovery rather than choice, we find again an understanding of the person (but this time thick) with particular traits, whose boundaries are fixed, and an understanding of the person that is not subject to self-reflection. Hence the person is not able to reflect on, redefine or change the ends and attachments that constitute himself, but is only able to discover and fulfil them. Like the liberal view of the self, this is not a plausible conception either.

4. Toward an Adequate Account of the Person-Humanity-Identity Relationship

The understanding of the person as prior to his ends and attachments reduces the concept of the person to the universal human trait–practical reason–and therefore precludes the constitutiveness of particular ends and attachments for the person. The understanding of the person as constituted by her ends and attachments precludes the possibility of choice and reflection and reduces the ends and attachments to mere givens. Therefore neither the liberal nor the communitarian understanding of the person-identity relationship is adequate. These inadequate and partial understandings of the person point out the need for defining the relationship between practical reason *and* ends and attachments in constituting the person. Hence the task is to clarify the constituents of the person and their relationships. This task implies the clarification of the usage of terms such as 'humanity', 'personhood' and 'identity' in relation to each other.

As I understand it, the concept of person refers to one's own particular and substantive way of being a human. This definition of person shows that what constitutes a person is both her *humanity* and her *particularity*. The first is to do with the possession of the universal human capacity–practical reason–the second is to do with identity. The person comes into actual existence by the

complex interplay between her two main constituents: reason and identity. Being possessed of reason is what defines her as a human being, what gives her her humanity. This universal innate human potential, or capacity, that all humans share places her in the category of human. Identity is what gives one's humanity its substance and particularity, and what makes one not just any human being, but a particular one, a person. More importantly, identity is the necessary precondition of the universal human potential for coming into actual existence; therefore it is the necessary precondition of the person for coming into actual existence.

The person comes into existence by the transformation of her universal innate human capacities into her actual being (GEERTZ, 1973: 52). Within this transformation process, identity emerges. The process by which identity is defined is also the process by which the innate human capacity, thereby the person, comes into actual existence. The process by which identity is formed and the person comes into existence is a process of practical reasoning both as *self-discovery* and *reflection*. Within this process the person is inwardly generated through the exercise of her innate human capacity to define and realise herself in a social milieu in interaction with others (both by discovering and acquiring what she finds in her social milieu, and by reflecting on it and making choices).

The functional definition of identity that I have extracted so far shows the importance of identity to the person. However, reflecting further on this functional definition of identity, I now aim to uncover the elements of identity and their role in the process of self-definition. The functional definition of identity suggests that:

1. Identity is *subjectively defined* by the person through a process of practical reasoning, comprising both discovery and reflection. Within this process the innate capacities of the person are realised and transformed into his actual being, into a person with certain particular behaviours, manners, character traits, choices, ideas, beliefs, values, a certain language and so on.

2. The process by which identity is defined, by which the innate capacities of the person are transformed into his actual being, and therefore by which the person comes into actual existence, is an *intersubjective process*, occurring in a *socio-cultural context* in interaction with other persons. Identity can be defined only in relation to a culture, and therefore a person can come into existence and realise himself only in relation to a culture. This suggests that one's cultural identity, is an indispensable precondition for one's identity and, for that reason, for one's person. Hence one's identity is interwoven with one's cultural identity (HABERMAS, 1994: 129).

3. Two different persons who define themselves in relation to the same culture, and who therefore have *the same* cultural or social identity, are *not the*

very same person (for they have different social and natural endowments, personal histories and experiences, and they make different choices within the same cultural context). Similarly the same person's identity may radically change over time; he may redefine or radically change his identity while still remaining *the same* person.

4. Point 3 suggests that there is some element of identity that gives the person his *personal particularity, his difference* from those who have the same communal or cultural identity, and at the same time ensures the *integrity* of the person despite radical changes in his identity. From this we can speculate that just as everyone has a different material self, body, and physical features, so everyone has an inner, or subjective, being that gives difference (from those who have the same communal identity) and integrity (even when he radically redefines his identity) to his person.

It follows that under the category of identity we can discern three groups of elements:[8]

a) The elements that give a person his *particularity*, his difference (even from those with whom he shares the same collective identity), and the elements that ensure his *integrity* and his *sense of being the same* person over time even when his identity (the other elements of his identity, e.g., character, collective identity) changes.

b) *Personalities or personal characteristics*. These elements have to do with both one's *psychological traits* (such as having a weak, strong, happy or miserable personality) and with *one's own moral principles, ideals, beliefs and the values* (e.g. truthfulness, having some personal standards to live up to) by which one shapes and leads a life (e.g. an active or contemplative life, a monastic life or a family life). Culture plays a crucial role in shaping the personalities of people. One's personality and personality traits might change over time. Though it is not an easy process, one might give up a contemplative life and adopt an active one, or change the beliefs, values and principles by which one shapes and leads one's life.

c) The *socio-cultural elements*, the self-applied socio-cultural identity (religious, ethnic and national identities): the cultural identity in relation to which the person defines himself, and the ends, attachments and allegiances that he holds as a result of identifying with that particular cultural identity.

My concern here is especially with the socio-cultural elements. They are a precondition of defining one's identity as a whole. They provide the cultural patterns, the historically created systems of meaning, under the guidance of which we as persons come into actual existence, by giving form, order, meaning

8 For a similar classification of the elements of identity, see Avishai Margalit (1996, 134).

and direction to our lives (GEERTZ, 1973: 52). They provide, determine and delimit our range of choice and values and belief system. They are the sources of our values, beliefs, commitments, ends and attachments, in short of our self-understandings. They have a strong impact in shaping one's personality and moral life. Therefore, whatever psychological or subjective faculties the first two types of elements listed above comprise, alongside these, cultural identities also play an important role in ensuring one's personal integrity and coherence. Hence, given the indispensable role of socio-cultural elements in personal identity formation, in the process by which the person comes into actual existence, it follows that socio-cultural identities are essential components of actual persons.

Now we reach the final formulation of our account of the person-humanity (autonomy)-identity relationship. Identity has an inevitably collective and cultural dimension. It can be defined only inter-subjectively and in relation to a cultural identity, which provides a set of particular meanings and options. It is constituted by our ends, attachments and identifications, which we acquire both by choice and by discovery in our identity-contexts. So constituted identity is the necessary precondition of a person's coming into actual existence. It explains, and gives meanings and integrity to, the person; therefore it is central to it. Thus the boundaries of the self include both *autonomy*, the innate human potential, and *identity*–both humanity and particularity. However, since identity is redefinable (we can change our ends, attachments, identifications), *the boundaries of the person are flexible.*[9] The person is constituted by his identity and autonomy and can be reconstituted by redefining or adopting a new identity. This does not suggest in any way that a person can ever actually exist without identity. It only suggests that a person can redefine or adopt a new identity, which is central to his own person.

After clarifying identity and its importance to the person and sketching out a two dimensional conception of the person as constituted by his humanity and particularity, I will now begin to consider the notion of dignity and self-respect in relation to this conception of the person. I will show how the recognition of one's identity is connected with one's self-respect.

9 Sometimes Sandel (1998: 152, 58) seems to suggest a similar account of the person-identity relationship. He formulates the person as having open boundaries and as "empowered to participate in the constitution of its identity", wich is "the product rather than the premise of its agency". However, by his account the empowerment of the person to forge his identity seems to be limited to self-discovery when he says "the relevant agency here [is] not voluntaristic but cognitive; the self comes by its ends not by choice by reflection, as knowing (or inquiring) subject to object of (self-) understanding".

5. Person, Identity and Dignity

Claims for recognition of our identity are closely connected with our *self-respect*--having a sense of our own worth or our own *dignity*. This is why the recognition of our identity has fundamental importance. To have self-respect is to appreciate properly the importance of *being a person*. The basis of self-respect is *inherent and inalienable human dignity*–the unique worth possessed by an end-in-itself (KANT, 1991: 96-97). Thus the self-respecting person appreciates a kind of wort–hdignity that is *unearned, invariable and inalienable* (DILLON, 1995: 21), but he possesses it *in his own person simply by virtue of being a human*, and thereby perceives and values himself as entitled to equal moral status with all other persons. It follows that the basis of dignity is our humanity. By virtue of being human, all persons possess dignity, which entitles them to equal moral status, rights and entitlements. A self-respecting person acknowledges this.

However, if "*humanity* in one's own person" is what gives one dignity and entitles one to be respected (by oneself and by others), what constitutes "humanity in one's own person"? Is there anything other than humanity in one's own person? What are the differences and relationships between one's *humanity* and *personhood?* Since Kant, it has been commonly acknowledged that what constitutes our humanity is our status as rational autonomous agents, capable of directing our lives through principles. Whatever the exact detailed definition, the basis of our intuition as to what constitutes our humanity, and thereby what gives us our dignity and therefore makes us worthy of respect, has been our intrinsic nature (as rational beings, as autonomous agents), which has value in itself. Hence the basis of our dignity, which entitles us to respect, is understood as "a universal human potential, a capacity that all humans share" (TAYLOR, 1992: 41).

To return to our Kantian formulation, it becomes now a universal human potential, a capacity (for being an autonomous agent) that we all share, constituting our "*humanity* in *our own person*" (KANT, 1991: 91). The formulation points out the worth of the *general*–the universal human potential–which gives us our dignity in the *particular*, in our own person. It derives respect for persons from their humanity. However, although this Kantian formulation suggests that universal human potential makes us worthy of respect, it implies that our own person is more than that. The question now is what constitutes our own person other than this universal human potential. Can we regard these other aspects of our own person as trivial? More importantly, can we speak of our own person without these other aspects of our being? Can we reduce the concept of person to a universal human potential, to a "naked reasoner", to use Clifford Geertz's phrase (GEERTZ, 1973: 35)?

The concept of person that has been argued in the previous sections suggests that the person is constituted both by his humanity and his particularity. On this view, personhood involves a humanity that is rendered actual (particular) through cultural identity. Therefore, respect for persons (in this new two-dimensional account of person) must involve respect for the second (actualising) element, as well as the first (universal) one–humanity. What commands respect is the universal human potential in our own person, but the beings entitled to respect are *we, particularised* actual persons (our own persons). Without this universal human potential (i.e., being possessed of reason), there is no person, but without particularity there is no person either. If the universal human potential is a normative trait, defining every person, particularity is too. Moreover, particularity in one's own person emerges as a dictate of the universal human capacity (MOSHER, 1991: 302). The universal capacities that we possess as a result of being a member of humankind cannot define us as persons, but they can define us as humans. What defines us as persons are ourselves, by using these innate capacities in interaction with other persons in our social milieu, and in relation to a culture as our identity-context, thereby creating our particularity. Thus what defines us as persons is not being *any* human–not being possessed of the universal innate human capacity alone–but the way in which this universal innate human capacity is transformed into our actual choices, actions, behaviorsin short, into our own persons (GEERTZ, 1973: 52). The *link* between the *general*–the universal innate human capacity–and the *particular*–our actual being, our particular way of being human–is what defines us as persons. And where identity comes into play is exactly within this transformation process, and in relation to this linkage. Given the inevitable role of culture in defining one's identity, without shared cultural identity this transformation and linkage are not possible. If this linkage between the general and the particular does not exist, we cannot speak of persons. Hence, recalling that one can define one's own identity only in relation to a culture as an identity-context, without culture there can be no identity. It follows that without culture there are no persons.

What then constitutes us as persons are *the universal human capacity and the identity* in our own persons. Being a person is not possessing the universal human capacity alone, but possessing it in and through a particular identity. Identity is the necessary precondition for universal human potential's–and therefore the person's–coming into actual existence. Therefore, without an identity, autonomy itself cannot become the foundation of our personhood. The innate universal human capacity that we possess dictates that we determine our way of being human, that we define ourselves. We *inwardly* generate our own person–our way of being human–by transforming our innate human capacity into our actual being, but we are able to do this only by defining ourselves in *relation to a culture and working out our particularities in interaction with others* in

our social milieu. Within this complex process our innate human capacity–our humanity–and our identity are merged in our own person, manifesting our particular way of being human. Hence a person is an autonomous agent in and through his own particular identity.

Autonomy–the universal human capacity–is then necessarily exercised in the sense of establishing one's identity. However, one's identity is the most important and immediately meaningful aspect of one's being. It is one's individuality, representing one's perspective on being a human, which is what makes one a person, not just any human being, which is what connects one with those who share the values and beliefs with which one identifies; and one cannot be a person–a *particular* human being–without an identity. Therefore one's identity matters, and, precisely because one's identity matters, one's autonomy matters too (in the sense that the universal human capacity that one possesses as a human being is necessarily exercised in defining oneself, one's way of being human, in leading the kind of life one's identity requires and in identifying with the values and beliefs inherent in one's chosen way of being). Since both autonomy–the universal human capacity–and identity–the most important and meaningful aspect of one's being–are indispensably constitutive of a person, the recognition of one's personhood requires the recognition of one's identity, of the most important and meaningful aspect of one's being. What gives one dignity is universal human capacity–being an autonomous agent–but the actualising elements of one's dignity is one's identity. To put it in another way, possessing innate human capacity is what gives all human beings their dignity. However, unless one transforms this innate human capacity into one's particular way of being human, the given dignity is not individualised, or actualised. If the given dignity is not individualised, if I cannot talk of it as *my* dignity, it cannot be the basis of my self-respect. My being possessed of the universal human capacity in and through a particular identity (which is what I see as central to my life, and as the most important and meaningful aspect of my being), that is, my being a particular person, individualises the dignity and makes it the basis of *my* self-respect. This complex relationship between our humanity and particularity shows why our identity is related to our self-respect, and how the dignity that every human being, simply by being belong to humankind, possesses is, individualised and can be the basis of our self-respect.

Humanity (autonomy) is the foundation of a person's dignity. Persons are entitled to respect because of their humanity (autonomy). However, the humanity (autonomy) in one's own person is actualised in and through an identity that is defined in relation to a culture as an identity-context. The universal human capacity (autonomy) can come into actual existence only in and through an identity so constituted. An identity so constituted is central to the concept of person, and without it, a person cannot actually exist. Humanity

(autonomy) then can become the foundation of a person's dignity only in and through an identity so constituted. Therefore what respect is required for are actual culturally differentiated persons, and this requires the recognition of culturally identifiable persons.

The universal human capacity (autonomy) can be rendered actual only through an identity so constituted. However, the universal human capacity is also the foundation of identity *in the sense that* realising and expressing one's present identity, or redefining or adopting a new identity, is possible because of this virtue. However, the possibility of redefining identity, or adopting a new identity, does not mean that a person can ever be without identity. It means that a person can redefine or adopt what he feels is central to his own person. Autonomy can be defining for a person only in and through a particular identity. Autonomy is important, because it makes it possible for a person to define what he sees as the most important and meaningful aspect of his being, his perspective on being a human, and its preservation and realisation. A person without identity is a person without perspective, without knowledge of where he stands, what he wants in his life. He is an empty self, having no perspective with which to exercise his autonomy. A person like that cannot actually exist.

The significance, and centrality, of identity to the concept of person makes identity subject to recognition, rendering persons vulnerable in their conduct with one another because of their dependency on others' affirmative reactions in constructing and maintaining a positive self-relation. Therefore non-recognition or misrecognition of what one sees as the most meaningful and important aspect of one's being can undermine, and inflict injury on, one's sense of dignity. Note that the non-recognised or misrecognised person still has the universal human capacity, and therefore he possesses dignity as an ascribed quality. However, his possession of dignity is only formal, and unless what is central to him is being recognised, he cannot possess it in a substantial sense. Since identity is central to one's self, without its recognition, one's humanity–one's being an autonomous agent–cannot be properly recognised. If one does not see that one's beliefs and values are respected as the basis of a valuable life, and that one's way of life is regarded as intelligible and valuable, then even though one might still formally fully possess one's dignity, it can be undermined in the substantive sense. Hence recognising that one is an autonomous person requires recognising what is central to one's being, one's identity.

6. Conclusion

In this paper, I have analysed the liberal and communitarian understandings of the person from the perspective of the notion of identity. I have considered their implications in relation to identity, showing that neither

understanding has an adequate account of the person-humanity-identity relationship. I then sketched out an adequate liberal conception of the person, which is two dimensional, constituted by his humanity and identity. This two dimensional concept of the person, I argue, can account for the recent identity-related claims of cultural minorities better than the prevailing liberal and communitarian ideas of the person. It can provide us with criteria for multicultural justice, for evaluating the demands of religious, ethnic and national minority cultures and for deciding whether these demands are justified.

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