

Politics Between the Right and the Good: The Liberal-Communitarian Debate Through Michael J. Sandel and the Limits of the Deliberative Republic

Hak ve İyi Arasında Siyaset: Michael J. Sandel Ekseninde Liberalizm-Komüniteryenizm Tartışması ve Müzakereci Cumburiyetin Sınırları

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Abstract: The fundamental conflict between liberal and communitarian thought arises in fundamental philosophical views on concepts such as right-good, individual-society, and subject-purpose. This situation also creates the problem of the balance between individual rights and social values, and this balance becomes increasingly difficult to establish. In fact, from Sandel's perspective, liberals who believe that moral and religious doctrines should be neutral and communitarians who believe that rights should be based on dominant social values make a similar mistake. According to him, a third and more plausible possibility is that rights should be based on the moral significance of the purposes/goals they serve in terms of their justification. This study examines Sandel's deliberative approach as a middle ground between liberal and communitarian theories of justice. It also considers the possibility that Sandel's emphasis on moral discourse, developed through his dual critique of Rawlsian liberalism and communitarianism, may offer a compelling third way for contemporary political philosophy. The methodology combines textual analysis of Sandel's work with a comparative assessment of liberal and communitarian arguments. Ultimately, the conclusion is that Sandel's framework, while compelling, offers a nuanced way to balance individual rights and communal values through participatory democracy, but overlooks the need for cultural internalization of universal values.

Keywords: Justice, liberalism, communitarianism, right, good, society, individual.



Introduction

Born in 1953 in Minneapolis, Minnesota, USA, Michael J. Sandel is considered one of the most important political philosophers alive today (Sandel, 2021, p. 13). In the “liberal-communitarian” debate, which has increased in recent years, Sandel sees liberalism as incomplete and erroneous in terms of its emphasis on right, subject and individual, and communitarianism in terms of its emphasis on society (Sandel, 2005, p. 252). Sandel critiques the liberal tendency to prioritize the ‘right’ over the ‘good,’ the ‘subject’ over its ‘purpose/goal/ends’ and the ‘individual’ over ‘society.’ Conversely, he warns against the communitarian danger of allowing the ‘community’ to usurp the rights of the ‘individual,’ particularly by grounding the concept of ‘right’ in society’s prevailing values. He also opposes the communitarian view that the concept of ‘right’ should be based on the values dominant in society. Sandel contends that these two traditions are incomplete on their own and thus necessitate a complementary perspective. Sandel argues that a fundamental error is shared by liberals, who demand neutrality toward moral and religious doctrines, and communitarians, who seek to base rights on dominant social values. Both seek to avoid making decisions about the content of the consequences that rights promote. For Sandel, a more plausible third possibility depends on: grounding the legitimacy of rights in the moral importance of the goals they serve. Therefore, places a strong emphasis on the role of deliberation in his philosophy.

This approach, to explore this, our study will begin by providing a brief overview of how the key concepts of ‘right,’ ‘good,’ ‘individual,’ and ‘society’ have been perceived in traditional and modern thought. Following this, we will analyze the central conflict between liberal and communitarian perspectives, particularly concerning the relationship between the individual and society and the subject and its goals. Within this analysis, we will evaluate the potential of Sandel’s deliberative framework to serve as a viable alternative that reconciles these differing views on the ‘right’ and the ‘good.’

Historical Overview

In pre-modern political thought, particularly as exemplified by the ancient Greek polis, political life was not considered neutral but was



intentionally shaped by shared cultural, moral, and religious ideals (Sandel, 1996, p. 18). Within this classical framework, the problem of justice was intrinsically linked to the question of ‘the good life.’ These societies emphasized the social nature of humanity, viewing the individual’s role and identity primarily through their contribution to the community. This holistic understanding is reflected in the idea that the state, aiming for the “highest good,” precedes the individual. powerfully illustrates this by arguing that an individual separated from the political community (polis) is not self-sufficient and cannot fulfill their purpose, much like a hand cannot function when detached from the body (Aristotle, 1993 pp. 7-10). Justice, in this context, meant giving each person what they deserve. The question, ‘What do people deserve and why?’ was answered from a teleological perspective. This worldview holds that nature is a meaningful order and everything has a purpose or telos. As Sandel notes, one cannot discuss justice without debating the purpose (telos) of social institutions and which virtues they should honor (Sandel, 2010).

Therefore, distributing rights and roles meant matching people to the roles that best suited their nature, thus fulfilling the proper end of both the individual and the community. For Aristotle (384-322), this implied that if people are not equal in virtue and capacity, they should not receive equal things (Aristotle, 1997, p. 94). This pre-modern political vision, rooted in Aristotle and later synthesized with Christian theology by thinkers like Thomas Aquinas (1225-1274), was fundamentally teleological. In this worldview, the purpose of law was defined by its orientation toward the ‘common good’ (bonum commune), an end shared by both the political community and divine reason (Aquinas, 1947)¹

The transition to modernity, however, involved a decisive break from this teleological framework, a process pioneered by Niccolò Machiavelli (1469-1527). By shifting focus from how one ought to live to how one actually lives, Machiavelli separated politics from traditional morality, arguing that a prince must be prepared ‘to act against faith, against charity, against humanity, against religion’ to maintain his state (Machiavelli, 2014, p. 70). This rupture was radicalized by Thomas Hobbes (1588-1679), who directly

¹ Index, Second Part of the Second Part, Question: 58, Article: 5, Whether justice is a general virtue?



challenged the Aristotelian premise of natural sociability by positing a 'state of nature' as a "war of every man against every man," where life is 'solitary, poor, nasty, brutish, and short' (Hobbes, 1996, p. 88). Subsequently, John Locke (1632-1704) established the core principles of modern liberalism by arguing that individuals possess pre-political natural rights to 'life, liberty and estate.' For Locke, the sole legitimate purpose of government is not to impose a single conception of the good, but to protect these pre-existing rights through the consent of the governed (Locke, 1988, p. 222; pp. 308-310). Together, these thinkers established the modern principle that the 'right' must take priority over the 'good.'

Building on this new foundation laid, modern political theory's primary objective became the protection of individual freedom to choose one's own ends, rather than imposing roles deemed 'natural.' This shift is a direct response to the profound moral and religious diversity of modern democratic societies, where a single, homogeneous vision of the good life is no longer feasible. From this liberal perspective, grounding freedoms in a single teleological principle is seen as a direct threat to the rights of equal citizens (Sandel, 2014, p. 39). The teleological approach is considered perilous because it raises the problematic question of who has the authority to define 'human nature', a logic historically used to justify oppressive systems. In its place, modern thought champions ethics based on consent and choice (Sandel, 2018, p. 252, 266). Consequently, influential modern philosophers, such as Immanuel Kant (1724-1804) with his emphasis on autonomy and John Rawls (1921-2002) with his concept of the 'unencumbered self,' argue that individuals define their own purposes through free will. This leads directly to the social contract tradition, wherein the individual is seen as a self-sufficient entity who voluntarily forms a society and state to serve their pre-existing interests and rights (Haklı, 2017, p. 37).

Liberal and Communitarian Perspective

From both liberal and communitarian perspectives, the fundamental issue is whether social cooperation based on mutual respect between adherents of different sects is possible among those who have completely different understandings of the 'good'. This issue also causes some conflicts between them. Sandel, who criticizes both ways of thinking, basically



addresses the arguments of Rawls. According to Rawls, the origin of liberalism as a philosophical doctrine lies in the development of various arguments in favor of religious tolerance (Rawls, 2006b, p. 154-155). For example, due to the pluralistic nature of society, the universal 'right' is taken as the basis and the understanding of the 'good' is abandoned. This means that if moral values conflict with the principles of justice, justice will be the basis. Therefore, according to this view, the principles of justice cannot be based on a certain understanding of 'good' or morality. One can only choose between different conceptions of the 'good'. Because in pluralistic societies, there cannot be a single understanding of 'good'.

Sandel summarizes this fundamental debate in a pivotal question: "Would a just society seek to develop the virtue of its citizens, or should the law be neutral between various values so that people can freely choose for themselves the best way to live?" (Sandel, 2018, p. 29). For Sandel, this question marks the essential dividing line between traditional and modern political thought. The core conflict lies between the traditional view that human nature is fixed and social, and the modern Kantian view of a subject who autonomously sets its own goals. Whereas Aristotle's subject finds perfection by fulfilling a nature they did not choose, Kant's subject is defined by the very freedom to set their own goals (Erincik, 2008, p. 56).

According to Kant, being free means being free from being determined by reasons (Kant, 2006, p. 163). Liberal ethics also derives most of its moral power from the attraction of this self-identity drawn by Kant. This attraction has at least two sources. The first is that the self is free and independent, freed from goals and burdens it has not chosen for itself, and offers a powerful emancipatory vision. A second attraction of the liberal self is that it implies equal respect. The view that a person is more than the roles he or she plays, the traditions he or she holds or the beliefs he or she accepts presupposes a ground of respect independent of life circumstances (Sandel, 1996, pp. 12-13). Therefore, citizens governed from a liberal perspective of equality are each entitled to equal attention and respect. This is not the right to equal distribution of goods or opportunities, but the right to equal attention and respect in the political decision on how to distribute these goods and opportunities (Dworkin, 2007, pp. 322-323). In liberal thought, this respect will be based on the individual. Because each



individual has rights that are prioritised over the total welfare of society. The social structure should therefore treat the individual as an end, not a means. Therefore, according to liberal thought, in just social orders, each individual is free to fulfil his/her own purpose as long as he/she does not harm others.

We are beings who rely on sensation and experience through our physical aspects, yet our intellect liberates us. Morality and freedom do not express what is but what ought to be. We cannot prove their existence, but we cannot understand or even make sense of our moral lives without accepting the existence of morality and freedom (Sandel, 2018, pp. 175-177). For liberals who base their ethics on Kant, the concept of “right” is also hidden in the freedom of the individual. For Kant, this freedom does not mean being able to do whatever one wants, but rather the recognition of a law that reason itself sets, that which belongs to oneself. Furthermore, according to Kant, the individual should be guided by certain universal principles without any ulterior motives. Therefore, liberal thinkers see the “individual/self/subject” as prior to their goals. This means that “right” also takes precedence over “good.” Here, the concern of liberal thinkers is that abstract and social structures such as society and the state established by humans, are elevated to a position above humans by being accepted as if they were living beings. While this is a legitimate concern, the question of “Who am I?”, which is of great importance to humans and the first question in identifying one’s identity, cannot be separated from the question of “What do I want to be?” Indeed, liberalism has been criticized since the 1980s, especially with the rise of neo-Kantian theory in the 1970s as a reaction to Rawls’s views. Communitarian thinkers, who criticize liberalism particularly on the priority of “right” over “good” and “subject” over “goals,” argue that Kant’s individual seems to be an entity independent of its surroundings. However, the concept of a human being independent of society and culture is not very realistic (Haklı, 2017, pp. 37-39).

A central pillar of the communitarian critique against liberal theory is its conception of the autonomous individual. Communitarians argue that this Enlightenment ideal of a self, defined by abstract reason alone, becomes so profoundly isolated that it struggles to explain the meaning of its existence or the reasons for its actions, either to others or to itself. The



root of this modern alienation lies in the deliberate separation of ethical and political thought from a foundational understanding of the human good (Erkizan, 2012, p. 75). However, for communitarianism, humans cannot be detached from social bonds and cannot be made an abstract rule selector through a hypothetical contract (Barry, 2012, p. 31). Abstract universalism brought by the liberal understanding of the individual ignores cultural singularism and social life (Yılmaz, 2003, pp. 270-271). Because of this, communitarians emphasise the importance of community and the positive role of community solidarity. This is because 'I' can only become 'I' within the 'we', that is, within the 'we' community of speech and action. Obviously, becoming an individual here does not prioritise socialisation. Moreover, it is these types of socialisation that determine what kind of individual we become (Benhabib, 1999, pp. 104-105). Even the collective acts of the community constitute the common life (Dworkin, 2006, p. 281).

As a central figure on the liberal side of the liberal-communitarian debate, Rawls does not deny the importance of a society's common life; instead, he posits justice as its foundational principle. Just as truth is the first virtue of systems of thought, justice is the first virtue of social institutions (Rawls, 1997, p. 3). According to him, the principles to which free and equal persons would consent under fair conditions are the principles of justice as fairness. Therefore, the members of such a society are autonomous and have self-imposed obligations that they themselves have accepted (Sandel, 2014, pp. 152-153). If justice is to be achieved, priority must be given to the protection of individual freedom in this sense. Freedom, like life, is a birth-right given by God. However, for communitarians, freedom is something that must be acquired and developed afterwards, not innate as liberals think. Rights first impose certain duties and responsibilities on us. Because of this for communitarians, the concept of duty and equality is more important than rights and freedoms. Since the individual is not a being outside society, the common good and general benefit are also a part of social life. Sandel articulates a distinctive middle position in the liberal-communitarian debate. While affirming that individuals exercise meaningful freedom in choosing their values and beliefs, he insists this freedom operates within constitutive social contexts. Our moral frameworks emerge neither through purely autonomous choice (as liberals claim) nor through



wholesale cultural determination (as some communitarians suggest), but through what Sandel calls the “situated self” - individuals who discover and negotiate their values within inherited social, cultural, and historical horizons that both enable and constrain moral reasoning. This view carefully navigates between two extremes: it rejects the liberal fiction of the “unencumbered self” abstracted from all social attachments, while equally resisting any communitarian tendency to reduce individuals to mere products of their communities. For Sandel, our social embeddedness makes moral deliberation possible without rendering it predetermined (Sandel, 2018).

Therefore, communitarian thought claims that the atomistic understanding of the individual in modern societies, that is, the understanding that the individual is external to his goals and interests, causes problems such as prioritizing his own interests, deviation from the common values of the society, and alienation from the society he is in. However, communitarianism, which emphasizes the importance of ethical values and collective consciousness, believes that these problems can only be resolved by improving or revitalizing a value scheme that holds together. For Sandel, this value scheme is a vision of friendship and social solidarity that shapes and deepens moral character (Benhabib, 1999, pp. 113-114). The individual’s personal development, goals and happiness gain meaning depending on these communal values.

From the liberal perspective, however, individual rights are inviolable and cannot be sacrificed for a perceived collective good. This position stems from a legitimate fear that in diverse, multicultural societies, prioritizing any single set of values could lead to the oppression of minorities and the suppression of individual freedom. Conversely, communitarians contend that achieving crucial social goals, such as equality and justice, may sometimes require limiting certain individual liberties. They further argue that the liberal ideal of an individual completely detached from communal goals and a sense of belonging is a recipe for alienation. Ultimately, this reveals a fundamental tension: individuals are both rights-bearing agents and social beings who live in communities and pursue shared ends. The challenge, therefore, is to envision a political framework that honors individual rights without being disconnected from the realities of our embedded lives.



According to Sandel, the subject of Rawls, who says that the essential unity of the self is predetermined by the concept of 'right', is epistemologically impoverished and conceptually not sufficiently equipped (Sandel, 2014, p. 181, 184), because the understanding of 'good' lies in our tradition, social loyalties, religion, etc. Therefore, we cannot say that 'good' is always the object of a rational choice; it is also a way of discovering our essence. Thus, Sandel attaches importance to the moral values of society. However, he also opposes the view of communitarians that the concept of 'right' should be based on the dominant values in society. Moreover, Sandel states that seeing justice as the center of morality unnecessarily restricts the scope of moral theory and unnecessarily distorts the nature of our moral experiences (Benhabib, 1999, pp. 104-105). The main issue here is not which of the individual or communal claims is more important, but the possibility that the principles of justice that shape a society can maintain their neutrality in the conflicts that arise from the various moral and religious views of the citizens of that country. At this point, for Rawls, as for Kant, the priority of 'right' over 'good' represents two claims, and it is important to distinguish them. First, certain individual rights are so important that even general welfare cannot override them. Second, the principles of justice that determine our rights cannot rest on a conception of the good life. It is the second view, not the first, that Sandel seeks to challenge (Sandel, 2005, p. 253).

Do The Principles of Justice Require A Certain Conception of The Good Life?

While moral and religious values refer to the attitudes of personal life and voluntary associations, political values refer to the basic structure of society and constitutional principles (Sandel, 2014, p. 231). The idea that the state should be neutral on the question of what the good life is is also more specific to modern political thought. For example, if society disagrees on values, what values will politics include? Today, it is not possible to talk about homogeneous societies. Therefore, whose religion, race, language will be prioritized over the other and how fair will this be? Should we refuse to take sides and leave individuals free to choose? How possible is this impartiality in practice?



Modern theories of justice have attempted to separate justice and rights from honor, virtue, and moral deservingness. For example, rather than viewing political life as concerned with the highest human goals or the moral perfection of citizens, liberal political theory insists on tolerance, fair practices, and respect for individual rights. However, this raises a question that is difficult to answer. If liberal ideals cannot be defended in the name of the highest human good, what is their moral basis? Liberal principles are sometimes thought to be justified by simple moral relativism. Moreover, the government should not attempt to 'legislate morality' because morality is entirely relative, a personal choice and not open to any rational discussion. 'This is a value judgement, and whose values should make the decision?' Relativism often appears as a question rather than a claim: 'Who is to judge?' The same question can be asked about the values liberals defend. Tolerance, freedom and justice are also values, and these cannot be protected by the claim that no value can be defended. Hence, for Sandel, it is a mistake to endorse liberal values by claiming that all values are completely subjective (Sandel, 1996, p. 8).

As a requirement of being a pluralist society, liberals prioritise 'right' over 'good', just as they prioritise 'self/subject' over 'goals'. However, if we think of the subject as a being who is socialised through communication and who acquires his/her life goals not by himself/herself but by sharing them with others, then the preferential priority relation of rights over values should be reversed. For, in order to achieve a conception of self that is accepted without external barriers, each individual needs to be able to assume the existence of an intact community in which he or she can rely on the solidarity of others (Honneth, 2006, pp. 296-297). Thus, we can say that the disagreement between liberals and communitarians today is generally between those who favour individual liberty and those who favour the values of society or the will of the majority. At this point, Sandel, like the communitarians, does not argue that rights should be based on the values that traditionally prevail in a given society. He also differs from Rawls on whether rights can be defined or justified in a way that does not require a certain conception of the good life, rather than whether rights are important. Because according to Sandel, what is important is not which of the individual or social demands predominates, but whether the principles



of justice that guide the basic structure of society can remain neutral in the face of competing moral and religious beliefs adopted by citizens (Sandel, 2014, p. 8). Indeed, to the extent that the scale of social and political organisation grows, the constituents of our common identity are fragmented and the forms of political life reject the common goals necessary for their support (Sandel, 2006, p. 224). In this case, the debate over which good to favour over the other, or who decides this, will continue.

The Problem of Universality of Rights and Their Association with the Good

In liberal-communitarian debates, there are two versions of the claim that justice is about the 'good'. The first way of relating justice to concepts of goodness suggests that principles of justice derive their moral force from values that are generally espoused or widely shared in a particular community or tradition. This way of connecting justice and goodness is communitarian in the sense that society's values define what it considers just or unjust. However, the mere fact that certain practices are sanctioned by the traditions of that community is not enough to make them just. Arguments about justice and rights inevitably have a judgmental dimension. The second way of relating justice to concepts of goodness suggests that principles of justice depend on the moral value or actual benefit of the ends they serve. On this view, the case for recognizing a right depends on showing that it honors or enhances some important human benefit. It is not decisive that goodness is widely rewarded in the traditions of the society. The second way of connecting justice to concepts of goodness is therefore strictly non-communitarian. Because the moral significance of ends is based on rights or the ends that rights promote, they are described as teleological or perfectionist (Sandel, 2005, pp. 253-254). In this perfectionism, good is taken as the realization of human superiority in various forms of culture (Hünler, 1997, p. 33).

We can say that it is not only the guarantee of the rule of law that is important for a politically functioning public. It is also dependent on the conformity of cultural traditions and the common patterns of behaviour required by socialisation and the political culture of a free people. Most of the conflicts in society arise from conflicting interests. In this case, the



division of labour has to be solved by compromise. Although this solution requires a political decision, it does not invalidate the primacy of moral values. Moreover, political decisions must be compatible with moral norms. Negotiations must be based on an exchange of arguments/evidence. The conclusion of this negotiation with an honest compromise depends mainly on its methodological conditions, which is already the subject of moral evaluation (Habermas, 2003, p. 51, 46). For communitarians, therefore, justice is not an end, but rather an important means to the realisation of what is good for human beings. The principles of justice can only be seen in the light of the concept of 'good'. Although the just is derived from the 'good', the 'good' cannot be derived from the just. Because it is meaningless to talk about the principles of justice without knowing and determining what is good or bad for human beings and without defining the conditions necessary for human self-realisation (Erkızan, 2012, pp. 37-38).

In fact, Rawls also refers to the concept of 'good' in his own theory of justice. According to Rawls, conceptions of the good can be brought up to complement a conception of political justice, as long as they belong to an acceptable conception of political justice for the constitutional regime. This allows us to at least consider that these conceptions of the good, though shared by citizens, are not based on a comprehensive doctrine. A constitutional regime therefore reinforces the virtues of tolerance and mutual trust. When this regime seeks to prevent religious and racial discrimination in accordance with freedom of conscience and freedom of expression, it becomes neither a perfectionist conception of the state nor a formalization of a particular religion. On the contrary, it takes reasonable measures to strengthen the forms of thought and feeling that constitute a just social order and cooperation, where citizens are seen as free and equal. This is very different from a state that asserts a particular comprehensive doctrine in its own name (Rawls, 2007, pp. 229-230). For Rawls, disagreements between democracy and reasonable religious doctrines can be reconciled to a considerable extent by staying within the boundaries of reasonable principles of justice in a constitutional democratic society (Rawls, 2006a, p. 189). He describes this as the 'phenomenon of reasonable pluralism'. Given the 'phenomenon of reasonable pluralism', the problem is to find principles of justice on which free and equal individuals can agree



despite their differences. Therefore, Rawls again sees this as a problem of political justice, not a problem of morality (Sandel, 2014, pp. 235-237).

The concept of 'original situation', which he developed in this direction, refers to the situation where people come together to make an agreement without knowing their position, abilities and values in society. In this case, people agree on principles of justice, thinking that a just society would be in their best interest. According to Rawls, fundamental freedoms and political rights should be distributed fairly to every member of society. This emphasizes people's right to equal access to fundamental freedoms, regardless of their gender, race or economic status. He puts forward two basic principles on this issue. First, it argues that equal fundamental freedoms should be the same for everyone. Secondly, for Rawls, who talks about equality of opportunity and fair distribution of income/wealth, social and economic inequalities must meet two conditions. Acceptable social and economic inequalities are only those that favor the most disadvantaged members of society (difference principle). First, they must be attached to functions and positions open to all, under conditions of fair equality of opportunity; they should then provide the most benefit to members of society living in the least favorable conditions (Rawls, 2006b, p. 145). This principle advocates that basic opportunities are equal for all and that economic inequality be regulated to particularly benefit the most disadvantaged individuals. In this context, Rawls argues that rights can be defined with universal principles in a way that does not require a specific understanding of good life and argues that these rights can be justified in line with the basic principles and values of a just social order.

However, according to Sandel, Rawls' difference principle does not eliminate inequalities because it may ignore different values and interests in society. Moreover, his original situation is not a realistic situation because every person grows up in a social and cultural structure. Therefore, people cannot make a deal without knowing their position in society, their abilities and values. Moreover, the unique situation is not a requirement for the principles of justice. Principles of justice can also be applied in the real world. Therefore, Sandel argues that rights cannot be defined without depending on an objective understanding of the good life and that rights must be based on a certain moral framework. Moreover, according to him,



“justice is the cultivation of virtue and reasoning about the common good” (Sandel, 2018, p. 338). In his view, ethical decisions should be sensitive to personal and cultural contexts. People’s personal values and beliefs are built on the core values of society and these values must be respected.

The Parenthesizing Problem of Values

If principles of justice derive from values in society, there is no assurance that the critical perspective they provide is more valid than the concepts they will organize as a product of those values. Justice will be subject to the same conditions. Otherwise, the principles of justice will appear as a standard outside the values and interests prevailing in society. Where the former would be arbitrary, because it is conditional; the second would not be arbitrary because it is unfounded. Where justice derives from existing values, evaluation standards blur the objects of evaluation and it does not seem possible to choose one from the other. Where justice is given by pre-determined principles, there is no definitive way to combine them (Sandel, 1998, p. 17).

For Sandel, Rawls’s political liberalism is vulnerable to two key objections. The first concerns the demand to bracket substantive moral and religious values for the sake of political agreement. Sandel contends that this act of bracketing is not always rational, as its justification depends directly on the moral significance of the very issues being excluded from public discourse. A political consensus achieved by ignoring fundamental moral questions may not be a reasonable one at all. The second objection targets the use of ‘reasonable pluralism’ to establish the priority of the right over the good. While Rawls sees pluralism as the reason to create a neutral framework of justice, Sandel argues that this misunderstands the nature of political conflict. He points out that the competing moral and religious doctrines that define reasonable pluralism are often the very substance of our disagreements about justice. It is impossible, for example, to debate the justice of certain laws without simultaneously debating the conflicting conceptions of the good life that underpin them. Third, according to the ideal of public reason developed by political liberalism, it is not legitimate for citizens to discuss fundamental political and constitutional issues by referring to their own moral and religious ideals. According to Sandel, this



is a rigid view that impoverishes political discourse. Moreover, when disagreements about morality and religion are bracketed, the idea that everyone will agree on justice is not correct, because there are disagreements not only about religion and morality, but also about justice (such as what the principles of justice should be or how these principles should be implemented, how they are determined). While our disagreements about justice are about the application of principles that we share, or will share if we think hard enough, if our disagreements about morality and religion go deeper, the asymmetry between 'right' and 'good' that Rawls speaks of will be demonstrated (Sandel, 2014, pp. 229-230; pp. 238-239).

However, Sandel asks, "Why should we insist on the distinction between our identity as citizens and our identity as moral persons? Why should we need to set aside the moral judgments that shape the rest of our lives when considering justice?". Rawls's response is that the distinction between our identity as citizens and our identity as persons 'derives from the peculiarity of modern democratic societies'. In a modern democratic society marked by different conceptions of values, we often distinguish between our public and private identities. No matter how sure we are of the correctness of the moral and religious ideals we adopt, we cannot insist that these ideals be reflected in the basic structure of society (Sandel, 2014, p. 227). Because individuals' private preferences and values play a role in shaping the public sphere and social decisions. Therefore, Sandel claims that the boundaries between public and private space are blurred. He also thinks that highlighting the public-private distinction may lead to the exclusion of individuals' private preferences in the processes of determining the values of society.

But Rawls insists that for political purposes, deep sense of personal identity must be set aside. He argues that no matter how inseparable we may feel from our particular religious or moral convictions –that is, no matter how 'encumbered' by constitutive loyalties our identities are– we must bracket these commitments when entering the public sphere. Therefore, when acting as citizens deliberating on justice, we are required to adopt the perspective of an 'unencumbered self,' one that is independent of any particular conception of the 'good' (Sandel, 2014, p. 226). However, for Sandel, what is it that causes no moral or religious doctrine to eliminate the



brackets, in other words, to produce interests in social solidarity that are morally interesting enough to outweigh the practical interest? (Sandel, 1996, p. 19). This is because, according to Sandel, societies are built on common values, and these values sometimes go beyond personal preferences. Sandel, like Rawls, does not see the individual as an unburdened subject who is independent of society and determines his own interests and values. According to him, the individual is not an entity disconnected from society and the communities he is in. The individual is shaped in line with the values and moral principles he receives from these communities. Therefore, from Sandel's point of view, Rawls' understanding of the individual is not realistic and comprehensive.

Inasmuch as, if we bracket the values as Rawls says, the principles will be based on a priori assumptions. However, values are personal beliefs and priorities, while principles are the rules or norms that enable these values to be implemented. For example, values such as freedom, justice, and equality may be things that individuals appreciate at the social or individual level. Principles are rules formulated based on these values. For example, a principle such as "Everyone should be treated equally as a matter of justice" is based on the value of justice. Therefore, according to Sandel, instead of bracketing values, it would be better to approach principles with a perspective guided by values. However, prioritizing values such as freedom, justice, and empathy may reflect a personal choice. In this case, the problem of which value has priority for whom arises. Alternatively what should be done when values conflict with principles? Values and priorities may change over time; how does this fit with the universality of the principles?

As a result, according to Sandel, the spell of a policy that completely brackets morality and religion will eventually break. Where political discourse lacks moral content, unintended consequences can occur. For example, fundamentalists can turn the public sphere into a narrow and intolerant space. At this point, it is necessary to distinguish two concepts of mutual respect. The liberal approach respects moral and religious beliefs by ignoring them, not disturbing them, and not referring to these beliefs in political discussions. This means that allowing moral and religious ideals to enter into political debates about justice undermines mutual respect and tolerance. However, Sandel's concept of 'deliberative politics' proposes a



different form of respect. For him, we respect our fellow citizens' moral and political beliefs not by ignoring them, but by engaging with them directly. This engagement involves a dynamic process: sometimes challenging and contesting these beliefs, and at other times listening to and learning from them, especially when they concern important political issues (Sandel, 2014, pp. 251-252). Now, starting from Sandel's view that establishing a dialogue with the 'other' instead of ignoring it will bring more tolerance and respect, we will question whether this understanding of respect he/she proposes can offer us a 'third way'.

Reconciling Individual Rights and Social Values

The difference between those who advocate neutrality in the face of different understandings of the good and those who argue that there is a need for an understanding of the good that everyone can accept basically stems from a difference in ethical and political approach. For Sandel, who sees himself neither on the liberal nor on the communitarian side, the problem here is actually the question of the possibility of grounding 'right' without the concept of 'good' (Sandel, 2005, p. 219). As members of a society, culture and tradition, we have obligations and responsibilities. Moreover, even when we describe something, we describe it with reference to its environment. Therefore, for communitarians, individual rights do not have priority over the demands of society because the individual gains his individuality within society. Although liberals accept that individuals' understanding of the good life is shaped by the social environment they live in, for them the individual has the right to choose whatever he wishes among the alternatives in terms of the good life, as well as the right to reject the society's understanding of the good life. Otherwise, the individual may become a slave to oppressive notions of good life.

As a matter of fact, just as liberal rights prevent the majority from oppressing the minority, emphasizing civic virtue prevents individuals from abusing their rights and ignoring the public interest (Sandel, 1999). But again, the problem is not fully solved. How will balance be established or compromise achieved without prioritizing the individual or society? Which individual will make sacrifices for society? Is it instead possible not to sacrifice any individual? Some of us have no justified sacrifice for others.



According to R. Nozick (1938-2002), the fact that we are different individuals with separate lives and thus no one can be sacrificed for others underlines the existence of the moral side of the restrictions, but at the same time gives rise to a libertarian side restriction that prohibits aggression against another person (Nozick, 1984, pp. 105-106). In this case, according to Sandel, the first thing to do is to determine the nature of the desired lifestyle. He thinks this can be done in another way, which he calls deliberative, with mutual respect. Because, according to him, liberals who think that a case for rights should be concrete, neutral against moral and religious doctrines, and communitarians who think that rights should be based on prevailing social values make a similar mistake; both seek to avoid making decisions about the content of the consequences that rights promote. However, these are not the only alternatives. A third, more plausible possibility, according to Sandel, is that rights are based on the moral importance of the purposes they serve in terms of their legitimization (Sandel, 2005, pp. 254-255).

In this context, from his perspective, greater emphasis should be placed on social values and moral understandings rather than universal abstractions for the justification and definition of rights. For this, Sandel suggests, for example, introducing more moral content into public debates and democratic processes. This involves creating an environment in which individuals can express different value systems and bring these value systems together within society, contributing to determining the basis and boundaries of rights. Sandel's suggestion, therefore, is to foreground social debate and democratic processes rather than universal abstractions when determining and justifying rights. This supports an approach to ethics and policy that respects different moral perspectives. In social decision-making processes, individuals' private preferences and values should be taken into account more clearly and effectively. This may involve individuals using their private preferences more actively in shaping the public sphere, rather than making the public-private distinction explicit. Thus, society's values can be determined with more participation, transparency and diversity. However, this process must also protect moral and democratic principles. As Sandel says, the deliberative style of respect and tolerance makes it more possible for us to appreciate the particular interests that our different lives express,



insofar as disagreements reflect the multiplicity of human interests (Sandel, 2014, p. 252). This seems to be a more appropriate ideal for pluralistic societies. Therefore, the understanding of 'good' should not only be the values of a particular group or community; on the contrary, it should include broad social participation and diversity. Accordingly, the universal 'good' that Sandel means refers to a basis determined by social consensus in a democratic process and respecting different moral values.

Liberals like Rawls accept that there is a "reasonable pluralism" in the public sphere. Therefore, the principles that will form the basis of politics should not be based on different moral, philosophical and religious "comprehensive doctrines". Politics should be conducted in a procedural framework, free from these deep moral issues, in other words, on a ground where "rights" come before "good". Liberals aim to exclude substantive questions such as "is abortion morally right?" or "what is the purpose of marriage?" from the public sphere and leave them to the private sphere of individuals. The discussion is carried out within the framework of the right to abortion, etc. In other words, they argue that public reason should be free from deep moral and religious arguments. According to Sandel, this is impossible and undesirable. On issues such as abortion, you cannot establish a "neutral" framework of rights without discussing the moral and substantive dimensions of these issues (what is the moral status of a fetus, what is the telos/purpose of marriage?). According to Sandel, liberalism does not ignore debate, but it "de-contents" it and avoids the most important moral questions. Therefore, Sandel's criticism is not of the procedure itself, but of the claim of "moral neutrality" on which liberalism bases this procedure. According to Sandel, Rawlsian liberalism sterilizes public deliberation by trying to purge it of the most basic moral and teleological questions (such as the purpose of an institution, what is the good life). Therefore, the problem is not that liberals reject debate, but the limitations they impose on what can be debated. By removing these very limitations, Sandel aims to put politics back on a moral footing (Sandel, 2005; Rawls, 2007).

Therefore, Sandel uses the term "procedural republic" to mean that the basic values and norms of society are determined through democratic processes and that this is established on a platform where individuals can express and discuss various points of view. This approach suggests that



society's core values should be shaped by the participation and contribution of citizens, rather than being dictated by authorities or elites. Because democracy does not require perfect equality, but what it does require is that citizens share a common life. What is important is that these people, coming from different social origins and walking on different paths in life, come across each other, bump into each other in the ordinary order of life. This can teach us to negotiate and tolerate our differences, as well as thinking about the well-being of everyone (Sandel, 2013).

Deliberation is not just aggregating preferences and reaching a conclusion (aggregative democracy), but a process of transforming preferences themselves through public reasoning. Sandel's alternative guarantee to liberalism's guarantee of "universal rights" is not a constitutional text but the character of citizens. According to Sandel, a republic is not only a mechanism that manages the current preferences of individuals, but also a "soulcraft" that raises good citizens. A deliberative republic aims to develop virtues such as solidarity, respect for the common good, sacrifice and a sense of justice in citizens. A genuine moral deliberation includes certain norms within itself. For example, deciding that a group "does not have the right to life" means not seeing the members of that group as a rational part of the deliberation. This violates the principle of mutual respect that underlies deliberation from the very beginning. Therefore, a genuine deliberation conducted by citizens equipped with moral virtues is not expected to reach such a fundamentally immoral conclusion. From a Sandelian perspective, the following counterargument can be developed: How protective are "universal rights" written only in constitutional texts when the moral fabric of society is rotten? The Weimar Constitution was one of the most democratic constitutions of the period, but it could not prevent the rise of the Nazi regime. So what protects rights is not just the texts, but the civic culture that gives meaning and spirit to those texts. Sandel proposes to revive this very culture (Sandel, 1996).

Sandel's guarantee against this risk is not pre-political universal rights as in liberalism, but the moral and formative power of politics itself. For Sandel, politics should be more than the 'procedural republic's' role as a mere decision-making mechanism; it must also be a school that develops in citizens a commitment to the common good and civic virtue. It is



against the nature of deliberation for a society equipped with these virtues to reach a decision devoid of rational and moral basis, such as denying its members the fundamental right to life as a result of free discussion. Because genuine deliberation already presupposes a minimum of respect and recognition between the parties. Sandel's argument is therefore that the guarantee of a rational decision lies not in abstract principles but in the character of virtuous citizens. This can be read not as an alternative to liberalism's constitutional guarantees, but as a social precondition that will sustain those guarantees (Sandel, 1996).

Ultimately, Sandel's critique of liberalism and the republican solution he offers draw attention to how liberalism's understanding of the 'empty individual' and the 'procedural state' detaches politics from its moral content. The absence of a guarantee of rationality and compromise is a risk that Sandel is probably aware of. However, according to him, this risk can be managed not by avoiding moral discussions, but on the contrary by raising citizens with the moral character to engage in those discussions. Perhaps the most accurate solution lies neither in a liberalism based solely on abstract rights nor in a republicanism based entirely on deliberation. The solution lies in a synthesis of the two: in a political order in which fundamental rights are constitutionally guaranteed, but in which the public sphere is open to lively moral and substantive discussions, as Sandel desires.

Thus, society will determine which 'good' is good for the society through common discussion, not just anyone else. However, in our opinion, it is inevitable that this situation will cause some problems in practice. Because not every discussion may result in consensus, and the participation of the whole society in the discussion may not occur in practice. In this case, how will universal 'good' be established? Although Sandel emphasizes the importance of a democratic process, this problem can be complicated in practice. Who will determine the good? The question depends on factors such as how democratic processes will work, who will participate, and what moral values will be taken into account.

This raises a critical question: If rights are tied to a conception of the good, how can universality be maintained? Moreover, how can we live in peace with our cultural differences? The question remains valid. Can the negotiation form of mutual respect proposed by Sandel be realized in



practice? To put it more clearly, how is it possible for someone who has been raised to regard his own culture and history as superior, to establish a dialogue with individuals from other cultures? For Sandel, it is important to look for constitutive ties in our private lives. However, while there may be a common 'good' among families and friends and among close-knit groups that puts less pressure on justice and rights, he also sees that the situation is different in public life. Insofar as the nation-state is the primary form of political unity, talk of constitutional community too easily suggests a darker rather than a brighter politics; therefore, for Sandel, among the echoes of the moral majority, the priority of 'right' still seems a safer hope (Sandel, 2005, p. 168).

Sandel recognizes that while the concept of a shared 'good' promoting unity and solidarity remains theoretically valuable, its practical implementation faces significant challenges in modern society. The family unit, traditionally society's fundamental building block, has become increasingly fragmented - mirroring the atomization of the individual in contemporary life. This reality begs the question: How can such disconnected family units coalesce into a broader societal framework resembling an extended family?

Historically, religious institutions served this unifying function, creating bonds of fictive kinship among believers. However, in today's secularized and pluralistic world, this religious model of social cohesion appears increasingly untenable. Sandel argues that a strong sense of brotherhood within society fosters both solidarity and justice. Yet this very concept of brotherhood seems to rely on religious foundations - what secular rationale compels me to regard strangers as brothers? While biblical narratives (like the shared descent from Adam and Eve) once provided this moral framework, such religious justifications lack persuasive power in modern pluralistic contexts.

True social cohesion requires more than abstract brotherhood; it demands genuine compassion - another virtue with deep religious roots. When these elements unite, they create conditions for meaningful justice. In their absence, society must rely solely on rational justice - the cold calculus of "to each their due." Yet as Sandel observes, human social systems cannot thrive on reason alone. Compassion and moral conscience serve as essential counterweights to justice's inherent rigidity, particularly in



protecting society's most vulnerable members.

Nevertheless, what Sandel overlooks is the political, economic, etc., interest groups that exist in society. Negotiations are therefore just as likely to be manipulated as political elections. How can this be avoided? In addition, in order for negotiations to take place regardless of language, religion, culture, etc., people must first of all see others as equals beyond their differences. This is the basis for the sustainability of pluralist societies. Although this equality is theoretically recognised, in practice such equality has not been possible throughout history. In our opinion, this 'seeing as equal' approach must be developed before negotiations. This is possible through the internalisation of universal moral values. Because internalisation enables the principle to be reflected in behaviour. The way to achieve this is to make the members of that society adopt these universal values, just like culture, in all segments of society and in all areas of life, starting from the family. For example, being 'human' is a value in itself, regardless of differences. This awareness must be embedded in the culture of each and every society. Generations raised with this consciousness will then see others as worth listening to. Negotiation starts after that point. Because negotiation requires dialogue.

Ultimately, the negotiation Sandel refers to does not always result in consensus, nor does it need to. However, it becomes more likely that the abstraction of universality will be concretized through individual discussions and placed within the framework of tolerance and respect. Even if the outcome does not result in consensus, there is at least a greater likelihood of respect and tolerance for different views. Because dialogue also includes recognizing opposing ideas and understanding their reasons. You can have a dialogue as long as you do not see yourself as superior or inferior to the other person individually or culturally. In fact, not every human relationship has or can have a legal equivalent. Moreover, respect and tolerance cannot always be achieved through law. Historically, it is individuals and societies that create universal justice and ethical principles. The individual, who is a social being, has some common demands and expectations that arise from being human. These are common to all societies and can be expressed as universal principles. There are also culturally common demands and expectations of individuals on a local, cultural scale. These can



turn into common principles and legal rules in that society. Because sometimes a behavior that is normal in one culture may not be normal in another. Finally, we have demands and expectations arising from our individual differences. These can be welcomed as long as they do not contradict social and cultural values, but at the point where they contradict, if it is a crime, the law punishes it, otherwise it is punished by exclusion from society.

Therefore, the answer to the question of individual or society is to establish a system in which neither society is sacrificed for the individual nor the individual for society, and in which problems are solved through mutual communication. In our opinion, this is what will transform the democratic debate mentioned by Sandel into reconciliation because negotiation and dialogue is a communication that is not possible when viewed from a superior, self-righteous point of view. The method of its practical applicability is the internalisation of the principles into cultural codes. In other words, starting from the family and spreading to society, it is necessary to bring about a change in the mentality of individuals and thus in society as well. Then hostility in the view of differences will be replaced by curiosity and the desire to learn. The self-righteous approach of cultures or societies has hindered dialogue until today. Firstly, it is necessary to get rid of this consciousness of superiority and open oneself/self to the richness of differences. In order for universal principles and local values to coexist harmoniously, cooperation between international organisations, local governments and community organisations is also necessary. Otherwise, the world is in danger of losing its cultural diversity and richness.

Conclusion

Sandel's arguments offer a critical approach to both liberal and communitarian philosophy, with a greater emphasis on personal values and moral contexts in matters of social justice, ethics and politics. He also initiates an important debate on how to balance the fundamental values of society and the personal preferences of individuals. While critiquing both liberalism and communitarianism, Sandel ultimately struggles to resolve whether 'the right' or 'the good' should form the foundation of justice in pluralistic societies. This is why he says that perhaps it is still safer for a



pluralistic society to be based on 'right'. However, he is not satisfied that the principles of justice are completely insensitive to the good. This is because justice and rights should not be dealt with by ignoring cultural and historical contexts. Reconciling the two is difficult but not impossible for Sandel. Debates and conflicts over the determination of the universal 'good' may be inevitable. Sandel's suggestion is that such debates should be managed democratically and that an understanding of the 'good' should be established through social consensus. One of the things that makes it possible for us to live together in peace despite our differences is that we understand each other, listen to each other, and establish dialogue.

According to him, the shortcomings of liberalism and communitarianism can be compensated by negotiation. However, in our opinion, the validity of depicting paradise in theory is questioned if it is not reflected in practice. Neither negotiation nor dialogue is possible if a single ideal type-model is imposed on the world, as is the case today. In other words, the problem is how to bring cultural differences to the point of negotiation. That is because tolerance between individuals of different cultures is gradually decreasing today. In this case, does Sandel's negotiation lead us to dialogue? Dialogue is a communication process in which the participants see each other as equals, respect each other and can freely express their ideas and opinions. Equality is a fundamental characteristic of dialogue, which requires that there is a balance of power between the participants and that they do not feel oppressed by anyone.

Empathy and open communication are important to understand differences in values and principles. Every culture must recognise that diversity is richness. Such tolerance and respect can be gained through a process of negotiation and dialogue. Discussing and trying to understand different perspectives can help resolve conflicts. When we look from the perspective of "What can I learn from the other person that I don't know?", we see the other person as both valuable and equal. This dynamic is pertinent to all levels of cultural difference – from relations between states to interactions among diverse populations within them. Addressing this requires a sustained process. Historically, morality has served as the primary mechanism for guiding individuals to respect the rights of others and, furthermore, to internalize the conduct expected of them by society. This is



because social values are like a lifelong education starting from the family. Therefore, well-preserved traditional values are often more useful than laws. For example, it is these internalised values that will prevent people from stealing or committing murder at a point where the state's law enforcement forces are weakened. Ultimately the text concludes that while Sandel's framework offers a valuable ideal for balancing rights and the good, it is fundamentally incomplete. A truly viable solution requires a crucial precondition that Sandel overlooks: the deep cultural internalization of universal moral values, which alone can create the foundation of mutual respect necessary for genuine deliberation.

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Öz: Liberal ve komüniteryen düşünce arasındaki temel çatışma, doğru-iyi, birey-toplum ve özne-amaç gibi kavramlara ilişkin temel felsefi görüşlerde ortaya çıkar. Bu durum, bireysel haklar ile toplumsal değerler arasındaki denge sorununu da yaratır ve bu dengenin kurulması giderek zorlaşır. Aslında, Sandel'in bakış açısına göre, ahlaki ve dini öğretilere karşı tarafsız olunması gerektiğini düşünen liberaler ve hakların hâkim toplumsal değerlere dayandırılması gerektiğine inanan komüniteryenler benzer bir hata yaparlar. Ona göre, üçüncü ve daha makul bir olasılık, hakların gerekçelendirilmeleri açısından hizmet ettikleri



amaçların/hedeflerin ahlaki önemine dayanmasıdır. Bu çalışma, Sandel'in müzakereci yaklaşımını, liberal ve komüniteryen adalet teorileri arasında bir orta yol olarak inceler. Ayrıca Sandel'in Rawlsçı liberalizm ve komüniteryenizme yönelik ikili eleştirisi yoluyla geliştirdiği ahlaki söyleme vurgu yapmasının, çağdaş siyasi felsefe için ikna edici bir üçüncü yol sunma ihtimalini değerlendirir. Metodoloji, Sandel'in çalışmalarının metinsel analizini, liberal ve toplulukçu argümanların karşılaştırmalı değerlendirmesiyle birleştirir. Nihayetinde, Sandel'in çerçevesinin, zorlayıcı olmakla birlikte, katılımcı demokrasi yoluyla bireysel haklar ile toplumsal değerleri dengelemek için incelikli bir yol sunduğu, ancak evrensel değerlerin kültürel olarak içselleştirilmesi gerekliliğini gözden kaçırdığı sonucuna varılmaktadır.

Anahtar Kelimeler: Adalet, liberalizm, komüniteryenizm, hak, iyi, toplum, birey.

