Fraternity and Justice

"In comparison with liberty and equality, the idea of fraternity has had a lesser place in democratic theory. It is thought to be less specifically a political concept, not in itself defining any of the democratic rights ... “ (Rawls, 1971, p. 105). This observation, formulated by John Rawls in his A Theory of Justice, will occur to anyone who examines the Republican triad: political philosophy is very much concerned with liberty and equality, but considerably less so with fraternity. Always somewhat eclipsed by the other two values, fraternity has undergone neither the formal treatment initially generated by Berlin’s distinction between “positive” and “negative” liberty, nor the analytical effort to define the term similar to Williams’, Nagel’s, or Dworkin’s approach to equality.

In this essay, I want to argue the need for a clearer definition of what we understand by this word as a normative political concept. I will begin by exploring some of the possible reasons for its neglect in democratic theory. I will then proceed to examine some of the puzzling usages of the word by contemporary theorists of justice. But my main aim is to propose that the idea of fraternity should not be used only to express the emphasis on community or care beyond or prior to liberty and equality. No doubt, this is one conception of fraternity, but I shall argue that there are other possible interpretations of this idea, and that the most plausible of these would be congruent with, rather than opposed to, the claim that “justice is the first value of social institutions.”

I

The first way in which fraternity distinguishes itself from the principles of liberty and equality is that, contrary to these terms, it is not the object of theoretical debates aimed at the discovery and clarification of its different meanings. Liberty and equality constitute what have been called “essentially contested concepts”; as for fraternity, the term may seem to constitute a particular case of an “essentially uncontested concept”, namely a term whose nature is to be used only as an ultimate rhetorical resource, to silence reflection rather than to prompt it.
The many qualifiers attached to the word seem to indicate that it plays this role. Whether the expression be “universal fraternity”, “solidary fraternity” (Durkheim’s phrase), “free fraternity” (Condorcet’s phrase), or “plural fraternity” (found in a recent manifesto defending the virtue of tolerance) (cf. Martinelli, 1989), it is the qualifying term which carries the meaning while the term “fraternity” is there only to warn: “Beware! What precedes constitutes a value which we must all, without contest, adhere to.”

The multiple and paradoxical characters of reference suggested by this rallying-cry may help explain how it came to perform this role. The fraternal metaphor has been bequeathed to us through religious language and the professional associations of the Ancien Régime, whilst being firmly associated with one of the essential moments of its fall (in the political domain, the word fraternity almost automatically provokes reference to the French Revolution, even though the Republican motto was only adopted in 1848). Amongst the constitutive analogies of the imaginary political scenery, the fraternal metaphor certainly carries values of the Moderns in that it clearly places itself on the new horizontal dimension which has replaced, through the left-right axis, the traditional vertical order dominant until the French Revolution (cf. Laponce, 1981, p. 10, prop. 3). But fraternity equally evokes the hierarchical mode of religious associations. It also belongs to harmonious creeds, which are more specifically attached to classical political philosophy and the search for virtue. Just as the chronology of the political perception relates fraternity to the Ancients as well as to the Moderns, a continuity can be traced which gives images, but also ambiguity, to the word.

Let us illustrate this with an observation by historian William Sewell, who notes the effectiveness of the bridge placed between two ideological worlds by the term “fraternity”:

One distinctive characteristic of the “philanthropic” style of workers’ corporations was their constant use of the term “fraternity” and its cognates “fraternal” and “brother”... . [T]he word fraternity had obvious revolutionary overtones. But it was also a part of the traditional corporate vocabulary. It therefore served perfectly to unite corporate and revolutionary idioms. It gave a revolutionary respectability to the corporate trades’ traditional sense of moral solidarity, and at the same time it gave a more specific content to the abstract revolutionary term “Fraternity” (Sandel, 1982, p. 205).  

Sewell is doing two things here. First, he is describing how fraternity was viewed by people who used the word in post-revolutionary France. Additionally, this description has normative implications: he is also suggesting how fraternity ought to work. On this normative terrain, however, his observation can be read in different ways. It suggests the possibility of a “specific content” to fraternity in contemporary citizenship, but it is unclear which institutions (or persons) are expected to put it into action: social institutions of the state, individuals through charity, or voluntary fraternal associations? Similarly, it