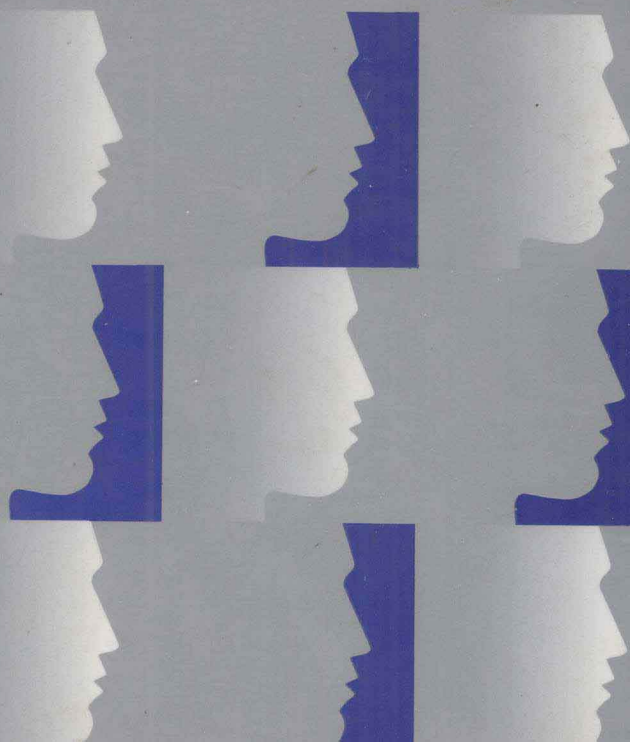


CULTURE & EQUALITY

BRIAN BARRY



Culture and Equality

**An Egalitarian Critique
of Multiculturalism**

Brian Barry

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Preface

This book takes its origins in the many occasions on which Anni and I would linger over the dinner table finishing a bottle of wine (or two) while talking about the latest piece of foolishness, and sometimes bestiality, perpetrated somewhere in the world and defended by somebody in the name of multiculturalism. A form commonly taken by these conversations was imagining even more absurd things that looked as if they could be justified on the same basis. Not infrequently, these flights of fancy later came home to roost, illustrating the point that the *reductio ad absurdum* is a difficult argument to make against multiculturalism. It was Anni who first said that I should write a book about it, and convinced me that it was worth doing now, rather than later, despite its postponing the completion of my *Treatise on Social Justice*. Since then, she has continued to discuss the ideas with me as it has proceeded and has come up with additional examples. She has also tried to keep in check the inveterate academic propensity to qualify every statement to death, and sometimes succeeded.

These were all ways in which, according to my understanding of the matter, Harriet Taylor helped to bring John Stuart Mill's projects to fruition, so I have taken the liberty of borrowing for this book the dedication that he intended for her. Mill's plan was that it would be printed at the beginning of *The Principles of Political Economy*. In the event, however, it was only 'pasted in a few gift copies to friends', because of the opposition of Harriet Taylor's estranged husband, John.¹ With ten days to go until publication (those were the days!) she wrote to him asking for his advice. Such dedications, she suggested 'are not unusual, even of grave books, to women', and she offered as a precedent (with less than perfect tact, perhaps) August

Comte's having dedicated some tome on political economy to Madame de Sismondi – who was, though Harriet did not mention this, Comte's lover.² John Taylor's furious reaction scuppered the project, but the dedication seemed to me too good to let go to waste.³

The technology of authorship has, of course, moved on a lot since Mill's day. He would have employed a steel-nibbed pen and an inkpot, whereas writing this book used up several hundred felt-tipped pens. Mill, however, had the advantage of being able to send off his handwritten manuscript to the printer, and was then able to revise what he had written at the proof stage. Nowadays, publishers expect typescripts – even disks – and do not look with favour on authors who have second thoughts once the book is typeset. The gap between what I produce and what they want has been filled by Anni, who (among other things) deciphered some four hundred pages of fax from the Alto Adige while also superintending our move from London to New York in the summer of 1998, and then set up amid the packing cases to process a couple of rounds of revision after lugging a so-called portable computer across the Atlantic. A fortnight later came the start of the academic year. Between furnishing an apartment, teaching several new courses and working on the book, something would have had to give if Anni had not thrown herself into keeping the show on the road. Unquestionably, what would have had to give would have been working on the book, so it is in every way as much hers as mine.

Anni likes to tell the story about the occasion, about a month after we first met, on which I expounded the crux of the paper given that afternoon to an LSE political philosophy seminar by some visiting speaker. More or less as soon as the words were out of my lips, Anni gave the answer which it had taken about fifteen academics and graduate students twenty laborious minutes to arrive at. I said 'You know, you're really quite bright.' Despite this, we are still together and for that, among all the other things, this book is dedicated to her.

I should also like to thank my history teacher at Taunton's School, Southampton, who suggested, when I said I was wondering about putting in for Philosophy, Politics and Economics rather than History at Oxford, that I should try *Language, Truth and Logic* and *On Liberty* and see if I liked them. I liked them both tremendously, but took to *On Liberty* more, and inside a week had turned in an essay arguing that Mill had got it about right – a view that, as will be apparent in this book, I still retain. I am, at any rate, glad to take the opportunity of expressing my gratitude for a piece of advice that has enabled me to get paid, first as a student and then as an academic, to spend the last thirty-five years doing political philosophy.

Like the cat on Shackleton's *Endurance*, Gertie oversaw the entire operation, and made much the same kind of contribution as Mrs Chippy, her speciality being to hide the scissors and stapler (essential tools of the trade if

you write the way I do) by settling down on top of them and yielding them up only under protest.⁴ More conventional, but no less sincere, thanks are owed to Elizabeth and Hans Mair and Inge and Iska Brandstätter at the Hotel Sonnenhof in Merano, where several chapters of the book were drafted in July, 1998 and much of the final revision carried out in the summer of 1999. I am particularly grateful to Inge Brandstätter for putting so many pages of draft through the fax machine – a job way beyond the call of duty to any ordinary hotelier.

I am also grateful to the organizers of a number of lectures and seminars at which some of the ideas were presented, and to the audiences for their questions and comments. These were as follows: the E. H. Carr Memorial Lecture at University College, Aberystwyth (University of Wales); the Austin and Hempel Lecture at Dalhousie University in Halifax, Nova Scotia; the Annual Meeting of the Conference for the Study of Political Thought, UK (Oxford, January 1998); the IIS Institute at the University of Bremen; the Center for Ethics and Public Policy at Harvard University; the Center for Human Values at Princeton University; the Murphy Center for Political Economy at Tulane University; the Department of Law at Edinburgh University; and the Department of Politics at the University of Newcastle. On the last occasion, Peter Jones and Simon Caney were both kind enough to give me comments in writing, and Peter Jones has also provided me with some valuable comments on the whole draft. In addition, portions of the manuscript have been discussed at various stages along the way by the Rational Choice Group in London and the Washington Square Consensus in New York.

I have been aided in the process of revision by a reader's report on the draft manuscript commissioned by Polity Press and by two (one by Ian Shapiro and one by Steven Macedo) commissioned by Harvard University Press. In addition, the following have read the draft and commented on some or all of it, in a number of cases extensively: Bruce Ackerman, Rainer Bauböck, Harry Brighouse, Chris Brown, Vittorio Bufacchi, Keith Dowding, Robert Goodin, Amy Gutmann, Jacob Levy, David Little, Andrew Mason, Philip Parvin, Alan Ryan and Stuart White. I am very grateful to all of them, and also to Oonagh Reitman and Kent Greenawalt, both of whom put their expertise unstintingly at my disposal, thus saving me from several errors of fact and interpretation in chapter 5. I should say (more emphatically, perhaps, than usual) that none of those whose names are listed above should be assumed to endorse the arguments contained in this book. Indeed, a couple of them half-seriously suggested that I would be doing them a favour by omitting their names from the acknowledgements. I am glad, however, that they were only half-serious about it.

I was fortunate during the academic year 1998–9 to be able to co-teach two graduate courses at Columbia University both of which advanced my

work on the book. In the Fall semester, chapters of the book draft were discussed in successive weeks in a seminar on 'Multiculturalism' given jointly with Jeremy Waldron. I am very grateful to him and also to the students for their penetrating comments and criticisms. Also valuable was the incentive to finish the draft created by the promise to circulate in advance chapters as yet not finished or in some cases begun. Then, in the Spring semester, I co-taught a course with Akeel Bilgrami on 'Nationalism, Secularism and Liberalism'. The lively discussions, involving him and the other participants, helped me to clarify the ideas about identity which are presented in chapter 3. In the same context, I should like to acknowledge, since it did not in the end get cited, the stimulus provided by David Laitin's book *Identity in Transition*.⁵ As a member of the jury appointed by the American Political Science Association to recommend the recipient of its David Easton Prize for the most significant theoretical contribution to political science in the four years 1994–8, I am glad to have been associated with its public recognition.

Because of the critical nature of this book, it contains a lot of quotations, and it is important that the views under discussion should be accurately quoted. The indispensable job of checking quotations from the authors most often cited was undertaken by Katherine Rein. I am grateful to her for her care in checking my quotations and her enterprise in following up doubtful-looking quotations in the work of other authors. Last, but by no means least, Sarah Dancy was everything an author hopes for in a copy-editor. The readers of this book, as well as I, have reason for being grateful to her.

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PART I

Multiculturalism and Equal Treatment

Introduction

I. Losing Our Way

‘A spectre is haunting Europe – the spectre of Communism.’¹ That is the famous first sentence of the *Communist Manifesto*, which was given to the world just over a century and a half ago. In the course of time, the spectre came to life, but it has now been laid to rest, apparently for good. It is not simply that ‘real existing socialism’ has been abandoned everywhere except North Korea, which is scarcely an advertisement for it. Equally significant for its long-term prospects is the way in which within academia it has lost ground to the point at which it is not even attacked any more, let alone defended.

Both developments are to be welcomed in themselves. What concerns me is the manner in which the void left by communism and Marxism has been filled. The spectre that now haunts Europe is one of strident nationalism, ethnic self-assertion and the exaltation of what divides people at the expense of what unites them. Moreover, the precipitate dismantling of command economies has resulted in a massive expansion of material inequality and the collapse of the public services. The same trends in less extreme forms are also apparent in the affluent countries of Western Europe and North America, and in the southern hemisphere in Australia and New Zealand. Claims for special treatment are advanced by groups of all kinds while material inequality grows and the postwar ‘welfare state’ shows increasing signs of strain.

These developments have their counterpart, not surprisingly, in the world of ideas. Only now that it has been so thoroughly marginalized has it become clear how important Marxism was as a bearer of what one might describe as

the left wing of the Enlightenment. What I mean by this is that Marx shared with contemporary Victorian liberals the notion that there was a universally valid notion of progress. He believed that the key to the emancipation of human beings from oppression and exploitation was the same everywhere. Although Victorian liberals would have disagreed about the institutional implications, they too would have held that the conditions for the self-development of human beings did not vary from place to place, though in many places entrenched beliefs and practices put the achievement of those conditions a long way off in the future.

In the course of the twentieth century, liberals have increasingly come to squirm at the dogmatic confidence of their Victorian forebears. They have had some reason to, since there is no doubt that the Victorians tended to attribute universal value to some purely local cultural prejudices, as we can see with the advantage of hindsight. Nevertheless, Marxism, so long as it remained an intellectual force, provided a stiffening of universalism to the liberal cause: the best response to the Marxist vision of universal emancipation was an alternative liberal one. With the collapse of Marxism as a reference point, however, there was nothing to prevent the loss of nerve among liberals from turning into a rout. With some distinguished exceptions, the ex-Marxists themselves led the way by embracing various forms of relativism and postmodernism rather than a non-Marxist version of universalistic egalitarianism.

Does this matter? It matters to the extent that ideas matter, and in the long run they do. It is true that the French Revolution would not have occurred without pervasive discontent with the *ancien régime* or the Russian Revolution without the disintegration of the Czarist empire under the impact of war. Similarly, it was the dislocation due to hyperinflation and mass unemployment that paved the way for the triumph of the Nazis in Germany. But there was nothing inevitable about the way in which the raw materials for upheaval were channelled into particular forms of political movement. Anti-Semitism, it has been said, is the socialism of fools. Whether racist scapegoating or universalistic measures to succour the needy are the response to a slump is not socially or economically predetermined. It depends on the persuasiveness of alternative diagnoses and prescriptions. Similarly, there is nothing inevitable about the way in which today discontent increasingly flows into the channels of fundamentalism, nationalism and ethnocultural chauvinism. The wiseacres who say that there is something 'natural' or 'primordial' about these forces merely reveal their historical and sociological illiteracy. It was said of the Bourbons when they were restored to the throne of France in 1815 that they had learned nothing and forgotten nothing. The same may be said of those who pursue policies of ethnocultural nationalism and particularism, and also of those who lend them intellectual support.

Many of those who (like myself) lived through the Second World War hoped that the ideas underlying the Fascist and Nazi regimes were permanently discredited. Never again, we thought, would the world stand by while people were slaughtered simply because they belonged to a certain ethnic group; never again would the idea be seriously entertained that obligations to the nation overrode obligations to humanity. The Nuremberg trials at the end of the Second World War established the principle that there were crimes against humanity that could be punished by an international tribunal even though they did not necessarily violate the laws of the state in which they were committed. Then, in 1948, the Universal Declaration of Human Rights seemed to betoken a new era marked by the general acknowledgement of certain standards of decent treatment that were the birthright of all human beings, standards to which all states should be held internationally accountable.

These hopes have not proved altogether delusory. The notion of an 'international community' has become far more of a reality than it ever was before, as international agencies and non-governmental organizations have proliferated. The appeal to state sovereignty as the response by a government to external criticism is increasingly becoming perceived as 'the last refuge of a scoundrel'. The machinery for the prosecution of crimes against humanity is finally falling into place. Yet at the same time as all this is happening, western philosophers are apparently less and less confident of the universalistic moral ideas that alone make sense of efforts to enforce human rights and punish violators of them. An illustration is provided by the annual series of lectures held in Oxford that has been sponsored and published by Amnesty International. Although the subject is supposed to be human rights, what is striking is how few of the eminent philosophers who have delivered these lectures have offered a forthright statement of the case for their universal applicability.

My focus in this book is on ideas that are distinctly more benign than those underwriting genocide, xenophobia and national aggrandizement. They are, nevertheless, also anti-universalistic in their thrust. My concern is with views that support the politicization of group identities, where the basis of the common identity is claimed to be cultural. (The point of the last clause is to exclude cases in which group identity is based on a shared situation that does not arise from cultural difference, for example a common relation to the labour market.) Those who advocate the politicization of (cultural) group identities start from a variety of premises and finish up with a variety of policy prescriptions. Nevertheless, there is enough overlap between them to make it feasible to discuss them within a single book. The views in question are known as the politics of difference, the politics of recognition or, most popularly, multiculturalism.

Will Kymlicka has recently suggested that there is a 'possible convergence in the recent literature... on ideas of liberal multiculturalism'.² This view, which he also calls 'liberal culturalism', has, he says, 'arguably become the dominant position in the literature today, and most debates are about how to develop and refine the liberal culturalist position, rather than whether to accept it in the first place'.³ What Kymlicka says is true, but also in a certain way misleading. Thus, when he tells us that 'liberal culturalism has won by default, as it were' because there is 'no clear alternative position', he implies that almost all (anglophone) political philosophers accept it. My own private, and admittedly unscientific, poll leads me to conclude that this is far from being the case.

What is true is that those who actually write about the subject do so for the most part from some sort of multiculturalist position. But the point is that those who do not take this position tend not to write about it at all but work instead on other questions that they regard as more worthwhile. Indeed, I have found that there is something approaching a consensus among those who do not write about it that the literature of multiculturalism is not worth wasting powder and shot on. The phenomenon is by no means confined to multiculturalism. On the contrary, it is merely an illustration of a pattern that occurs throughout moral and political philosophy (and elsewhere). By and large, those who write about environmental ethics believe that the human race needs to change its ways so as to preserve the environment, while those who do not think this write about other things they regard as more important. Similarly, the philosophical literature on the claims of non-human animals is more tilted towards giving them a high priority than is the distribution of opinion among all philosophers. These are both causes to which I am myself sympathetic, but this does not prevent me from recognizing the built-in bias in the philosophical literature on them.

In my naively rationalistic way, I used to believe that multiculturalism was bound sooner or later to sink under the weight of its intellectual weaknesses and that I would therefore be better employed in writing about other topics. There is no sign of any collapse so far, however, and in the meanwhile the busy round of conferences (followed by journal symposia or edited volumes) proceeds apace in the way described by David Lodge in *Small World*. There are, indeed, wide-ranging criticisms of multiculturalism from outside political philosophy, such as Robert Hughes's splendidly dyspeptic *Culture of Complaint* and Todd Gitlin's *The Twilight of Common Dreams*.⁴ I have learned from both, but their focus is that of an art critic and a sociologist respectively. What is still lacking is a critical treatment of a similarly broad kind from within political philosophy, and that is what I have undertaken to provide here.

In the piece by Will Kymlicka from which I have quoted (as it happens, the introduction to the proceedings of a conference), he says, as we have

seen, that there is 'no clear alternative position' to the multiculturalist one espoused by himself and his itinerant band of like-minded theorists. He then immediately outlines one alternative, which 'would be to show that the earlier model of a unitary republican citizenship, in which all citizens share the identical set of common citizenship rights, can be updated to deal with issues of ethnocultural diversity, even though it was originally developed in the context of much more homogeneous political communities'.⁵ There is nothing in the least 'unclear' about this position: what Kymlicka means is merely that he disagrees with it. In my view it is not only clear but right.

The core of this conception of citizenship, already worked out in the eighteenth century, is that there should be only one status of citizen (no estates or castes), so that everybody enjoys the same legal and political rights. These rights should be assigned to individual citizens, with no special rights (or disabilities) accorded to some and not others on the basis of group membership. In the course of the nineteenth century, the limitations of this conception of equality came under fire with increasing intensity from 'new liberals' and socialists. In response, liberal citizenship has, especially in this century, come to be supplemented by the addition of social and economic elements. Universalism (categorical entitlements and social insurance) replaced the old poor law, which targeted only those with no other means of support; and the removal of legal prohibitions on occupational advancement was supplemented by a more positive ideal of 'equality of opportunity'.

Although there was never a complete consensus on these ideas, and the practice fell short (to varying degrees) in different western countries, I think it is fair to say that political philosophers were reflecting widespread sentiments when they articulated notions such as these in their work. John Rawls's *A Theory of Justice* can clearly be seen in retrospect to be the major statement of this conception of citizenship in all its aspects, including the assumption built in at the outset of an already existing 'society' whose members constitute a state in which the government has the power to determine such matters as the nature of the economic system and the distribution of wealth and income.⁶ Rawls's first principle of justice, which called for equal civil and political rights, articulated the classical ideal of liberal citizenship, while his second principle gave recognition to the demands of social and economic citizenship. The first part of this second principle set out a very strong conception of equality of opportunity, while the second part (the 'difference principle') made the justice of social and economic institutions depend on their making the worst-off socio-economic group in the society as well off as they could be made under any set of institutional arrangements.

Hegel said that the Owl of Minerva takes its flight at dusk, and Rawls's theory of justice provides a perfect illustration. Even in 1971, when *A Theory*