CULTURE & EQUALITY

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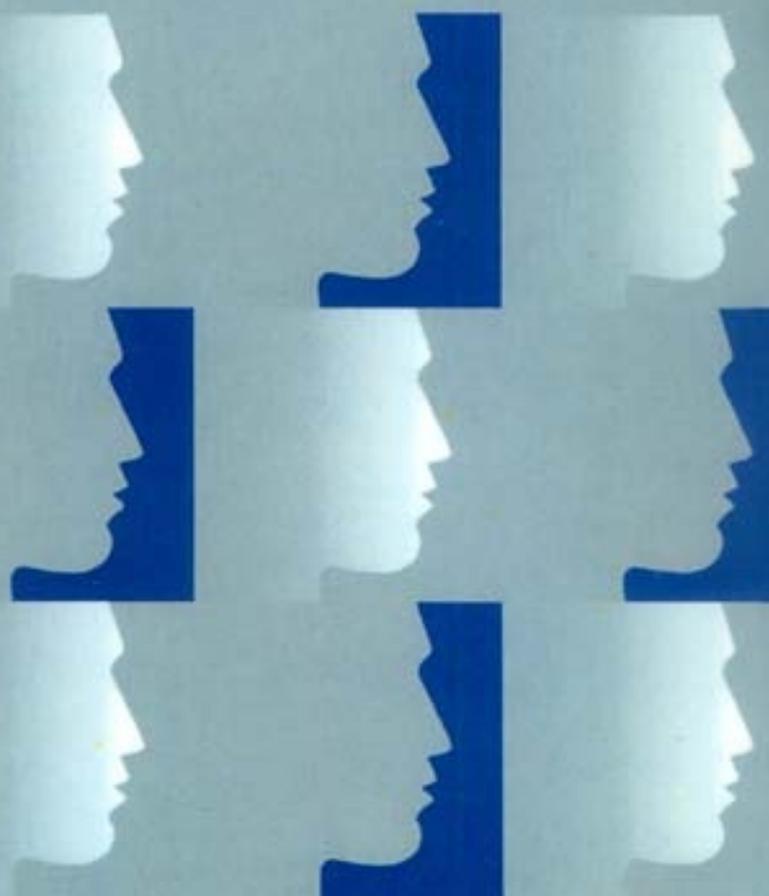
Culture and Equality

An Egalitarian Critique
of Multiculturalism

Brian Barry

polity

To
Mrs Anni Parker
as the most eminently qualified
of all persons known to the author
either to originate or to appreciate
speculation on social improvement,
this attempt to explain and diffuse ideas
many of which were first learned from herself
is
with the highest respect and regard
dedicated

Contents

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.

Oꜰ Equality – as if it harm'd me, giving others the same chances and rights as myself – as if it we
not indispensable to my own rights that others possess the same.

Walt Whitman, *Leaves of Gra*

PART I

Multiculturalism and Equal Treatment

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Introduction

1. Losing Our Way

'A spectre is haunting Europe – the spectre of Communism.'[1] That is the famous first sentence of th[e]
Communist Manifesto, which was given to the world just over a century and a half ago. In the cour[se]
of time, the spectre came to life, but it has now been laid to rest, apparently for good. It is not simp[ly]
that 'real existing socialism' has been abandoned everywhere except North Korea, which is scarce[ly]
an advertisement for it. Equally significant for its long-term prospects is the way in which with[in]
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 whi[ch]
the void left by communism and Marxism has been filled. The spectre that now haunts Europe is o[ne]
of strident nationalism, ethnic self-assertion and the exaltation of what divides people at the expen[se]
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 Americ[a,]
and in the southern hemisphere in Australia and New Zealand. Claims for special treatment a[re]
advanced by groups of all kinds while material inequality grows and the postwar 'welfare state' show[s]
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 Ma[rx]
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 a[nd]
exploitation was the same everywhere. Although Victorian liberals would have disagreed about th[eir]
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 an[d]
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 dogmat[ic]
confidence of their Victorian forebears. They have had some reason to, since there is no doubt that th[e]
Victorians tended to attribute universal value to some purely local cultural prejudices, as we can s[ee]
with the advantage of hindsight. Nevertheless, Marxism, so long as it remained an intellectual forc[e]

provided a stiffening of universalism to the liberal cause: the best response to the Marxist vision 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 rou With some distinguished exceptions, the ex-Marxists themselves led the way by embracing variou forms of relativism and postmodernism rather than a non-Marxist version of universalist egalitarianism.

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

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

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

xenophobia and national aggrandizement. They are, nevertheless, also anti-universalistic in the thrust. My concern is with views that support the politicization of group identities, where the basis the common identity is claimed to be cultural. (The point of the last clause is to exclude cases which group identity is based on a shared situation that does not arise from cultural difference, f example a common relation to the labour market.) Those who advocate the politicization of (cultura group identities start from a variety of premises and finish up with a variety of policy prescription Nevertheless, there is enough overlap between them to make it feasible to discuss them within a sing book. The views in question are known as the politics of difference, the politics of recognition o 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, says, 'arguably become the dominant position in the literature today, and most debates are about ho to develop and refine the liberal culturalist position, rather than whether to accept it in the fir place'.[3] What Kymlicka says is true, but also in a certain way misleading. Thus, when he tells us th 'liberal culturalism has won by default, as it were' because there is 'no clear alternative position', l implies that almost all (anglophone) political philosophers accept it. My own private, and admitted 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 son sort of multiculturalist position. But the point is that those who do not take this position tend not write about it at all but work instead on other questions that they regard as more worthwhile. Indeed, have found that there is something approaching a consensus among those who do not write about that the literature of multiculturalism is not worth wasting powder and shot on. The phenomenon is l no means confined to multiculturalism. On the contrary, it is merely an illustration of a pattern th occurs throughout moral and political philosophy (and elsewhere). By and large, those who wri about environmental ethics believe that the human race needs to change its ways so as to preserve t environment, while those who do not think this write about other things they regard as mo important. Similarly, the philosophical literature on the claims of non-human animals is more tilte towards giving them a high priority than is the distribution of opinion among all philosophers. The are both causes to which I am myself sympathetic, but this does not prevent me from recognizing t 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 sink under the weight of its intellectual weaknesses and that I would therefore be better employed writing about other topics. There is no sign of any collapse so far, however, and in the meanwhile t busy round of conferences (followed by journal symposia or edited volumes) proceeds apace in t way described by David Lodge in *Small World.* There are, indeed, wide-ranging criticisms multiculturalism from outside political philosophy, such as Robert Hughes's splendidly dyspept *Culture of Complaint* and Todd Gitlin's *The Twilight of Common Dreams.*[4] I have learned from bot but their focus is that of an art critic and a sociologist respectively. What is still lacking is a critic treatment of a similarly broad kind from within political philosophy, and that is what I hav undertaken to provide here.

In the piece by Will Kymlicka from which I have quoted (as it happens, the introduction to t proceedings of a conference), he says, as we have seen, that there is 'no clear alternative position' the multiculturalist one espoused by himself and his itinerant band of like-minded theorists. He th immediately outlines one alternative, which 'would be to show that the earlier model of a unita republican citizenship, in which all citizens share the identical set of common citizenship rights, ca

be updated to deal with issues of ethnocultural diversity, even though it was originally developed the context of much more homogeneous political communities'.[5] There is nothing in the lea 'unclear' about this position: what Kymlicka means is merely that he disagrees with it. In my view is not only clear but right.

The core of this conception of citizenship, already worked out in the eighteenth century, is th there should be only one status of citizen (no estates or castes), so that everybody enjoys the san legal and political rights. These rights should be assigned to individual citizens, with no special righ (or disabilities) accorded to some and not others on the basis of group membership. In the course the nineteenth century, the limitations of this conception of equality came under fire with increasin intensity from 'new liberals' and socialists. In response, liberal citizenship has, especially in th century, come to be supplemented by the addition of social and economic elements. Universalis (categorical entitlements and social insurance) replaced the old poor law, which targeted only thos with no other means of support; and the removal of legal prohibitions on occupational advanceme 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 (varying degrees) in different western countries, I think it is fair to say that political philosophers we reflecting widespread sentiments when they articulated notions such as these in their work. Joh Rawls's *A Theory of Justice* can clearly be seen in retrospect to be the major statement of th conception of citizenship in all its aspects, including the assumption built in at the outset of an alrea existing 'society' whose members constitute a state in which the government has the power determine such matters as the nature of the economic system and the distribution of wealth a income.[6] Rawls's first principle of justice, which called for equal civil and political rights, articulate the classical ideal of liberal citizenship, while his second principle gave recognition to the demands social and economic citizenship. The first part of this second principle set out a very stron conception of equality of opportunity, while the second part (the 'difference principle') made th justice of social and economic institutions depend on their making the worst-off socio-econom 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 perfect illustration. Even in 1971, when *A Theory of Justice* was published, there were alrea (especially in 'new left' and feminist circles) attacks being made on the individualistic nature liberal citizenship. Similarly, even back then books were being written about the 'crisis of the welfa state' – again more often at this time by those on the left than those on the right. Since then, criticism of the liberal paradigm have grown in volume and vehemence: it is widely believed to be deep flawed in principle. If anything even more widespread is the assumption that the postwar soci democratic settlement represented by the so-called welfare state is unsustainable as a consequence international competition and mobility of capital, the inability of states to run macroeconom policies that will reliably produce full employment, the disappearance of jobs in manufacturing due technical change, and so on. There is unquestionably some validity in the claim that the ability of nation-state to transform market outcomes in line with an egalitarian political agenda is mo circumscribed than it was in the era of exchange controls and import quotas. But the massive increa in the extent of inequality in Britain and the United States in the last twenty years is largely the resu of the anti-egalitarian policies deliberately pursued by Thatcherite and Reaganite governments a maintained (even in some respects intensified) by their nominally distinctive successors, Blair a Clinton. These policies could have been different. If they had been, the context of the current deba about multiculturalism would be different.

I shall argue in the final chapter of this book that a politics of multiculturalism undermines
politics of redistribution. Until then, I shall focus on criticisms of the liberal paradigm
misconceived in principle. As a political philosopher, I shall direct most of my attention to the form
in which the thesis is presented in the work of other political philosophers. But I am pretty sure th
these ideas also have a considerable resonance beyond the ranks of those whose academic speciali
they fall under. I am not suggesting that the crisis of liberal citizenship is the staple of conversation
the average pub. Nevertheless, those who read the *Times Literary Supplement* and *The New Yo
Review of Books* or sample journals of opinion (across a wide ideological range) will have be
exposed to a steady stream of popularized versions of the same themes, and it would be surprising
this had no effect over the years. I hope that this book will be read by at any rate some of those wh
have found such claims persuasive, because my object is, in broad terms, to provide an antidote. A
will become apparent in subsequent chapters, I do not wish to maintain that there is nothing to
learned from the critics of the liberal conception of citizenship. But I shall argue that whatev
objections are valid can be met by formulating it more carefully and making its underlyi
assumptions more explicit. Most of the criticisms, however, cannot be accommodated in this way, ar
I believe that these should be rejected.

2. The Flight from Enlightenment

Strange as it may seem for academics to repudiate enlightenment, it is noteworthy how popular t
sport of Enlightenment-bashing has become in recent years. Especially among the pop academics ar
their journalistic hangers-on, it is now a commonplace that something they call the 'Enlightenme
project' has become outmoded.[7] But ideas are not like designer dresses. There, the latest fashion is t
most desirable simply in virtue of being the latest. There is only one parallel to ideas: new fashions
ideas help to sell books as new fashions in *haute couture* help to sell clothes. But in the case of ide
we can ask a question that does not make sense in the case of clothes: is the latest fashion right
wrong? It is my contention that the anti-Enlightenment bandwagon is misdirected.

During most of the nineteenth and twentieth centuries, attitudes to the Enlightenment marked t
main division between left and right in many Western European countries: the left embraced th
universalism of the Enlightenment, while '[critics] from the right arguefd] that, by reducing all soci
relations to a set of abstract and impersonal rights, [universalism] tears the fabric of society
pieces'.[8] Now, however, a variant on the same refrain has gained currency among those who se
themselves as being on the left. These 'have charged that [the Enlightenment's] talk of univers
rights remained oblivious to inequalities in gender, race and class'.[9] According to them, th
conception of equal citizenship embodied in equal rights needs to be replaced by a set of cultural
differentiated rights.

The critique from the right is profoundly opposed to the whole set of ideas underlying and (more
less) embodied in the French Revolution. Without eliding the differences between, for exampl
Burke, de Maistre and Hegel, we can nevertheless trace a Counter-Enlightenment current of thoug
that has been represented in the middle of this century by Michael Oakeshott in England and in t
United States by a number of more wholeheartedly reactionary figures exiled from the continent
Europe. None of these would have wished to say that the Enlightenment had become outmode
because that would imply that there was some previous era in which it was appropriate. This wou
equally be denied by contemporary foes of Enlightenment such as (in different ways) Alasda
MacIntyre and Roger Scruton, for whom the whole idea was a mistake all along.

There is no unified line among thinkers of the anti-Enlightenment right towards policies that mig[ht]
give legal recognition to culturally based differences. However, where the culture in question is itse[lf]
fundamentally opposed to the values of the Enlightenment, its claims for special treatment tend [to]
attract a good deal of sympathy. In the United States, the Amish and cognate conservative Christia[n]
groups such as the Mennonites have benefited from right-wing financial and political support. (I sha[ll]
discuss the Amish extensively in chapter 5.) Orthodox Judaism is in some degree the product of [a]
reaction against the moves in the second half of the nineteenth century to liberalize Jewish doctrin[e]
and practices that led to the breaking away of Conservative and Reform Judaism. (The Roma[n]
Catholic Church similarly redefined itself as self-consciously opposed to liberalism in the sam[e]
period.) Claims of Orthodox Jews to special exemptions from generally applicable laws [to]
accommodate their distinctive ideas about diet, clothing and the observance of the Sabbath als[o]
therefore attract the sympathy of those who approve of the existence of anti-liberal enclaves as t[he]
closest attainable approximation to the complete destruction of liberal institutions.

The French Revolution swept away the special privileges of the clergy and the nobility, an[d]
abolished the innumerable special arrangements with respect to taxation extorted by towns and citi[es]
over the centuries in return for temporarily relieving the financial embarrassments of the King. In t[he]
face of all these complex traditionally sanctioned differences, it introduced a system of uniform law[s]
and taxes. Similarly, the Revolution introduced a uniform system of weights and measures, whic[h]
facilitated trade between different areas and also circumvented the problem that the local measur[es]
were subject to manipulation. Previous efforts by the French state to standardize had foundered on t[he]
lack of common citizenship: 'As long as each estate operated within a separate legal sphere, as long [as]
different categories of people were unequal in law, it followed that they might also have unequ[al]
rights with respect to measures.' Thus, 'the simplification of measures . . . depended on that oth[er]
revolutionary political simplification of the modern era: the concept of a uniform, homogeneo[us]
citizenship' which 'can be traced to the Enlightenment and is evident in the writings of t[he]
Encyclopedists.'[10] In the same spirit, the Revolution swept away the patchwork of histor[ic]
jurisdictions and replaced it with the uniform grid of *départements* that still survives today virtual[ly]
unchanged.

All of these examples of administrative rationalization were anathema to conservative critics of t[he]
Revolution as an outward expression of the spirit of the Enlightenment. Their contemporary heirs hav[e]
no principled objection to the creation of a mass of anomalies and special cases to accommoda[te]
cultural minorities, as advocated by multiculturalists, because they are well aware that uniformity [of]
treatment is the enemy of privilege. Some multiculturalists even share the enthusiasm of the thinke[rs]
of the Counter-Enlightenment for pre-modern political forms. Thus, in his book *Strange Multiplicit[y]*,
James Tully writes of 'the victorious modern language of constitutional uniformity' as embodying a[n]
'error' in that it 'serve[s] to exclude or assimilate cultural diversity'.[11]

Much of what Tully has to say about 'modern constitutionalism' is a travesty. But it is true that [it]
can be defined in terms of a 'contrast with the irregularity of an ancient constitution'.[12] Thus, 'becau[se]
it is the incorporation of varied local customs, an ancient constitution is a motley of overlapping leg[al]
and political jurisdictions', whereas a modern constitution is one 'that is legally and politicall[y]
uniform: a constitution of equal citizens who are treated identically rather than equitably'.[13] Wha[t is]
doing the rhetorical work in this sentence is, of course, the presupposition that identical treatment is [to]
be contrasted with equitable treatment. That is a core assumption of multiculturalism, and one of m[y]
primary purposes in this book is to challenge it. In advocating the reintroduction of a mass of speci[al]
legal statuses in place of the single status of uniform citizenship that was the achievement of t[he]

Enlightenment, multiculturalists seem remarkably insouciant about the abuses and inequities of th[e] *ancien régime* which provoked the attacks on it by the Encyclopaedists and their allies. It is not [s]o much a case of reinventing the wheel as forgetting why the wheel was invented and advocating t[he] reintroduction of the sledge.

In other ways, too, the anti-liberal rhetoric of multiculturalists is not uncongenial to the reactiona[ry] right. Thus, exponents of the 'politics of difference' typically inveigh against the 'abstra[ct] universalism' that they attribute to liberalism. A good example of this is Iris Young, to whom I sha[ll] return a number of times in the course of this book.[14] On similar lines, Tully (as we shall see [in] chapter 7) draws strong anti-universalistic conclusions from an extended metaphor in which differe[nt] cultural groups are represented by different species of animal. Ethnic groups, it has been said, are se[en] by multiculturalists as 'self-evident, quasi-biological collectives of a reified "culture" '.[15] In much th[e] same way, it has been suggested, 'the logic of Young's proposal for group representation seems t[o] require an essentialized and naturalized conception of groups as internally homogeneous, clear[ly] bounded, mutually exclusive, and maintaining specific determinate interests'.[16] All this fits in nicel[y] with the essentialism of the Counter-Enlightenment, encapsulated in de Maistre's well-known remar[k] that he had seen Frenchmen, Italians and Russians, and so on, but that 'as for *man*, I declare I hav[e] never in my life met him; if he exists, he is unknown to me'.[17] While the new left took over fro[m] German romanticism the idea that each ethnic group can flourish only by maintaining the integrity [of] its own distinctive culture, 'in the 1970s and 1980s the new right reworked the historic themes [of] racial difference and hierarchy through a discourse of culture'.[18] The notion that groups should reta[in] their racial purity was thus recoded as the claim that each group should maintain its own cultur[al] integrity.[19]

The proliferation of special interests fostered by multiculturalism is, furthermore, conducive to [a] politics of 'divide and rule' that can only benefit those who benefit most from the status quo. There [is] no better way of heading off the nightmare of unified political action by the economical[ly] disadvantaged that might issue in common demands than to set different groups of the disadvantag[ed] against one another. Diverting attention away from shared disadvantages such as unemploymen[t,] poverty, low-quality housing and inadequate public services is an obvious long-term anti-egalitaria[n] objective. Anything that emphasizes the particularity of each group's problems at the expense of [a] focus on the problems they share with others is thus to be welcomed. If political effort is dissipated [in] pressing for and defending special group privileges, it will not be available for mobilization on th[e] basis of broader shared interests.

I shall not address myself any further in this book to those whose support for the multiculturali[st] agenda derives from the way in which it lends itself to the maintenance and even the deepening [of] social hierarchy. My target is, rather, those multiculturalists who would be happy to embrace th[e] watchwords of the French Revolution: liberty, equality and (in some appropriately non-sexi[st] rendition) fraternity. What unites them is the claim that, under contemporary conditions of cultur[al] heterogeneity, 'classical' or 'difference-blind' liberal principles fail to deliver on either liberty [or] equality: only by adopting the tenets of the 'politics of difference', it is said, can we hope to achiev[e] real liberty and equality. Against this, I shall argue that multiculturalist policies are not in genera[l] well designed to advance the values of liberty and equality, and that the implementation of su[ch] policies tends to mark a retreat from both. Even when there are reasons for introducing grou[p-] differentiated rights based on membership in cultural groups, these do not include the advancement [of] equal liberty. Rather, the case has to be that these are departures from equal liberty that can b[e] supported pragmatically.

How does all this connect up with the Enlightenment? I have quoted James Schmidt as saying th[at] 'critics from the left have charged that its talk of universal rights remained oblivious to inequalities [in] gender, race and class'. This statement, while true, leaves open a variety of possible responses to th[e] alleged failings of the Enlightenment. One is the response that I have already endorsed: that th[e] universal civil and political rights of citizens envisaged (if far from completely instantiated) by th[e] French and American Revolutions were indeed insufficient, and need to be supplemented by un[i]versalistic social and economic rights. This line of thought, which does not denigrate universal civ[il] and political rights but seeks to build on them, is in my view a development fully within the traditi[on] of the Enlightenment.

A second response would go along the same lines most of the way but add that it may be possible [to] make out a case for certain group-based measures, such as 'affirmative action' in relation to jobs, [or] special funding for education, to help groups whose members suffer systematic disadvantage. As lo[ng] as 'disadvantage' is defined in universal terms – as the lack of things (resources and opportuniti[es] whose possession would generally be agreed to be advantageous – this too is a potential way [of] realizing the values of the Enlightenment. This is not to say that group-based programmes are in a[ny] particular set of circumstances a good idea. It is simply to say that the question is not to be foreclos[ed] by saying that any such programmes are contrary to basic liberal principles. It follows that we have [to] qualify the statement that classical or 'difference-blind' liberalism cannot countenance any deviati[on] from universal rights. For there may be cases in which a system of group-based rights for tho[se] suffering from systematic disadvantage will be a way of helping to meet the egalitarian liber[al] demand that people should not have fewer resources and opportunities than others when th[at] inequality has arisen out of circumstances that they had no responsibility for bringing about. Howeve[r] special treatment for members of disadvantaged groups is justifiable only for as long as the inequali[ty] persists. We may say, therefore, that the objective of special treatment for members of disadvantag[ed] groups is to make the need for that special treatment disappear as rapidly as possible. (I shall return [to] this in chapter 4.)

It is instructive to contrast this with the case made by multiculturalists for granting special rights [to] groups defined by their distinctive cultural attributes. These special rights will, according to the[ir] advocates, be needed permanently – or at any rate as long as the group retains its cultur[al] distinctiveness. Moreover, if the group did no longer need special rights, that would not be regarded [as] a cause for celebration, because it would be taken to suggest that the support for the group's cultu[re] had been insufficient to prevent its members from assimilating to that of some larger or mo[re] powerful group.

This distinctive argument for group rights may be said to constitute a third response to th[e] perceived failings of the original 'Enlightenment' model of liberalism. Unlike the second response, [it] does not rest the case on lack of resources or opportunities. Members of minority cultures ma[y] indeed, suffer from a paucity of resources or opportunities, but the case for culture-based speci[al] rights does not depend on its being so. Rather, the argument is that, even where resources a[nd] opportunities are equal, the members of a group are entitled to special rights if their distinctive cultu[re] puts them in a position such that they are in some way less well placed to benefit from the exercise [of] the rights that provide the standard resources and opportunities than are others. This position will, in [a] number of guises, occupy me over much of this book. I shall also, however, have to spend some tim[e] with a fourth response to the perception that the Enlightenment's 'talk of universal rights remaine[d] oblivious to inequalities in gender, race and class'. This is the response best known in the form th[at] was given to it by Marx, and in that form it has been tragically influential in the twentieth centur[y].

Despite their disagreements, the three responses considered so far share something significant: t[he] idea that rights are important. This is what Marx denied.

I said earlier that Marx represented the left wing of the Enlightenment. This is so in two respect[s]. First, Marx did not reject the slogan 'liberty, equality, fraternity'; on the contrary, he claimed to tak[e] it more seriously than did those who originated it. And second, he was just as much of a universalist [as] was any Enlightenment figure: he was as fully persuaded as was Condorcet that all societies wou[ld] pass through the same stages and finish up at the same destination, though Marx's conception of t[he] stages and the destination was different from that of Condorcet, and he envisaged the process as bei[ng] driven by different forces.[20] Where Marx was distinctive was in his position on civil and politic[al] rights: he was not content to point to their limitations in the face of great economic inequalitie[s]; rather, he denounced them as suitable only to 'egoistic man'.[21] The solution was not to suppleme[nt] these universal rights with others, but to abolish rights altogether. In the society of the future, soci[al] solidarity and spontaneous cooperativeness would obviate the need for 'bourgeois rights'.

It is not necessary to hold Marx responsible for every crime against humanity committed by Leni[n,] Stalin and Mao to recognize that his contemptuous attitude to standard liberal rights provided [an] ideological underpinning for the monstrous abuses of the legal system perpetrated by the regimes th[at] they ran, and by other regimes modelled on theirs. Even under conditions of crude, unrestrain[ed] capitalism, the equal freedom of all to sign a contract still puts the proletarian in a different positi[on] from the serf, the slave, or the worker in a Soviet-style command economy. (Apologists for slavery [in] the American South were fond of the suggestion that slaves fared better than northern workers; b[ut] this did not persuade northern workers to clamour for the extension of slavery.) The defects of t[he] primitive capitalist labour market are better met by adding other rights to the right of contract: heal[th] and safety measures, maximum hours, protections against dismissal, trade union rights, rights to [an] income outside the labour market, and so on. Similarly, a system of legal rules that gives everyo[ne] formally equal rights needs to be supplemented by the provision of legal aid, but even without that [it] is still preferable to a system of estates in which different categories of people have more or few[er] rights, or a Soviet-style system in which judges are encouraged to ignore legal procedures in order [to] pursue what are taken to be the overall objectives of the government.

Sentimentalists of right and left join hands in the condemnation of liberal rights. Those on the rig[ht] hold up the vision of a society (which many claim to believe actually existed in some place in t[he] past) in which people knew their place. Motivated on one side by *noblesse oblige* and on the other b[y] gratitude and deference, the different ranks formed an organic whole whose integrity would have be[en] destroyed by strident assertions of individual rights. The left version, as we saw in the case of Marx, [is] essentially the same picture but with an egalitarian twist. The family, that 'haven in a heartless worl[d]', is for sentimentalists of all stripes a paradigm of a community within which rights are out of place. [In] the right-wing version, the wife obeys the husband, the children in turn obey both, and conflict [is] avoided by adherence to well-specified roles. In the left-wing version, the bond between equals mak[es] an appeal to rights unnecessary – even the possibility of appealing to them diminishes the quality [of] the relationship. It would not be a bad definition of a gut liberal (as against one whose liberalism [is] purely cerebral) to say that it is somebody who feels an inclination to throw up when confronted [by] this kind of stuff, in either its right or left manifestations.

What has all this to do with multiculturalism? The answer, it turns out, is that it has quite a lot to [do] with it. For an important strand within the school of thought that advocates a 'politics of differenc[e'] downplays the significance of legal rights, emphasizing instead the necessity for cultural change. W[e] shall see in chapter 7, for example, how equal rights for gays and lesbians (including comprehensi[ve]

measures against discrimination in the labour market, the housing market, and so on) are dismissed b
Iris ~~Young~~ as 'merely civil rights'. ~~What Young wishes to focus on instead of legal rights is the nee~~
for a public affirmation of the value of a gay or lesbian lifestyle. The anti-liberal animus of th
approach is brought out clearly in Young's stated approval for the 'continuing effort [of new le
movements] to politicize vast areas of institutional, social and cultural life'.[22] Lest we be in any doub
'Politics in this sense concerns all aspects of institutional organization, public action, social practic
and habits, and cultural meanings insofar as they are potentially subject to collective evaluation an
decisionmaking.'[23] Has she ever, I am led to wonder, read *The Scarlet Letter* or, to come further up
date, *Wild Swans*?[24] Perhaps she has and likes what she has read: she talks without a trace of iron
about the need for a 'cultural revolution', and her account of 'the process of politicizing habit
feelings and expressions of fantasy and desire that can foster cultural revolution' is chilling
reminiscent of *Nineteen Eighty-Four*.[25]

So far, I have accepted without demur the assumption common to the critics of the Enlightenme
that there was a single 'Enlightenment project' that can be captured in a few airy remarks abo
'Reason' and so on. In fact, this assumption is groundless.

> The 'Enlightenment project' remains too ill-defined a notion to serve as an object either o
> allegiance or condemnation. What is needed instead is a careful weighing up of the variety o
> different commitments and intentions – not all of them reconcilable – that have been careless
> lumped together under the label of the 'Enlightenment project.' But . . . to undertake a critic
> examination of these different claims is to take up a task that . . . might well be characterized a
> the 'Enlightenment project.'[26]

In spite of this, I think we may be fairly safe in saying that there were some things the Enlightenme
was against, so that the Enlightenment can be defined negatively even if it is illegitimate to talk abo
an 'Enlightenment project' of a positive kind.

Thus, different strands of the Enlightenment would have given somewhat different answers to th
question of how institutions were to be justified. But there was a broad agreement that institutions d
need to be justified, and that the reasons adduced in favour of an institution must explain its virtues
terms of general principles – that it served the public good, was equitable, and so on. On this basis, w
could argue about what is a good system of taxation, but it would be common ground that people wh
were identically situated in relation to the relevant criteria – same income, same property, sam
number of dependants, and so on – should be treated in the same way within any given polity. Th
notion that there was an 'Enlightenment project' which proposed to deduce everything a priori fro
the demands of Reason is a fiction put about by the critics. But consistency of treatment, according
intelligible criteria, could be not unaptly described as a demand of Reason. It is, we may say, revoltin
to Reason in this sense that (as in the *ancien régime*) people who are identically situated in relation
any conceivable criterion that could be rationally defended should have different tax liabiliti
depending on the negotiating skill of the burghers in their town and the incompetence or desperatio
of the king's representatives when they agreed, perhaps centuries earlier, to some permanen
alleviation in the town's tax burden in return for a short-term boost to the treasury. The contrast is n
with uniformity in the sense that everybody pays the same amount of tax but with uniformity in th
sense that everybody faces the same tax system. A good deal of anti-Enlightenment rhetoric depend
on systematically confusing these two senses of uniformity.

When we move on from a negative characterization of the Enlightenment to a positive on

Schmidt's strictures are entirely valid. Any attempt to distil it into a single 'Enlightenment project' bound to pick out aspects developed in some countries, and by some thinkers, at the expense of other Fortunately, however, what I want to defend in this book is something not unrecognizably differer from what is called 'the Enlightenment project' by its critics. Thus, whenever they want a name represent what they think is wrong with the 'Enlightenment project', the one that they almo invariably come up with is that of John Rawls, and in particular the Rawls of *A Theory of Justice*. Th egalitarian liberalism that I shall lay out here is influenced by, and related to, Rawls's theory justice, at any rate on my interpretation of it. If Rawls is taken to epitomize the contemporary state the 'Enlightenment project', this book constitutes a defence of it.[27] The reader who is impatient for exposition of the grounds of liberal universalism is invited to turn to section 5 of chapter 7. For tho who are prepared to trust me, however, I undertake in the course of the book to develop the theory egalitarian liberalism as and when it is needed in order to explain my objections to multiculturalism.

3. A Brief Overview

The book is divided into three parts. Following this introductory chapter, the rest of Part I consists of critical analysis of the frequently made claim that public policies of the kind supported by advocat of the 'politics of difference' can be justified by an appeal to the value of equal treatment. If publ policy treats people differently in response to their different culturally derived beliefs and practice the argument runs, it is really treating them equally. To appreciate this, it is said, we need a mo subtle understanding of what is involved in equal treatment than that which underlies 'differenc blind' liberalism, according to which people are treated equally when they are treated in the sam way.

The public policies defended in these terms are of two kinds, negative and positive. Negativ policies are those that provide individual exemptions from generally applicable laws on the basis cultural practices or (very often) religious beliefs. A familiar example is the exemption granted turban-wearing Sikhs in many jurisdictions from the requirement to wear a crash helmet when riding motorcycle. The argument that exemptions of this sort are demanded by a suitably sophisticate conception of equal treatment will be the subject of chapter 2. Chapter 3 will then take up the parall argument that deviations of a positive kind from prima facie equal treatment are necessary for t achievement of equal treatment in some superior sense of the expression. I distinguish positive publ policies from negative ones as follows: whereas negative policies simply provide relief from t burden imposed by some law, positive policies provide advantages to individuals (on the basis of the membership in some culturally defined group) that are not available to others. An example would be policy of reserving a certain proportion of the places in professional schools or in certain occupatio for members of groups defined (or alleged to be defined) in terms of their distinctive culture.

In Part II, the focus of the inquiry shifts from individuals to groups. The argument to be consider here is that egalitarian liberal principles, unless modified in ways proposed by exponents of t 'politics of difference', are liable to be destructive of the independence of associations a communities that are the bearers of minority cultures. Since these principles do not impose simil constraints on the associations and communities of the mainstream society, it is suggested that the have an unfair impact on cultural minorities and thus again fail the test of mandating really equ treatment. Chapter 4 offers an exposition of this claim, and then attempts to develop a coher egalitarian liberal theory of group rights. The remaining two chapters in Part II apply this theory two important topics, chapter 5 to religion and chapter 6 to education.

Part III, which comprises chapters 7 and 8, raises some questions about the broader significance
multiculturalism. The gist of chapter 7 is that many moves that deploy 'culture' as a justification
actions and practices make sense only on the assumption that moral universalism is false. Some
those who appeal to 'culture' acknowledge this, while others do not. Either way, my claim in th
chapter is that moral universalism is valid, and that as a consequence there are only certain ve
limited contexts (the criteria for which can be precisely specified) in which 'This is the way we
things here' can operate as a justification for going on doing the thing in question. (This is not to sa
of course, that there may not be plenty of good reasons for continuing in our customary ways, on
that in general merely pointing out that it *is* our custom is not one of them.) Finally, chapter
addresses the politics of multiculturalism. There are two main theses. One is that, to the extent that t
advocates of multiculturalism have succeeded in getting their policies adopted, this does not shed
very flattering light on the workings of liberal democratic institutions. The other is that the
particularistic policies do little to help (and sometimes do a lot to harm) members of their targ
groups, while at the same time tending to stand in the way of the kinds of universalistic policies th
would be of far more benefit to most members of minority groups.

This is a quite substantial book, and I recognize that not everybody is as uniformly interested in t
topics discussed in it as I am. It therefore occurs to me that it may be helpful to give some indicatio
of the extent to which chapters in different parts of the book can be read independently of one anothe
On the assumption that anybody reading this has already completed chapter 1, I estimate that it shou
be possible, without too much loss, to go straight from here to any of chapters 2, 3, 4, 7 or 8. (The lat
chapters contain references to relevant earlier material that can be followed up if desired.) Chapters
and 6 can also be read independently of one another, but it would be advisable before tackling eith
of them to read chapter 4, or at the very least the final section of it.

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