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Author

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Publication Date

2018

Peer reviewed|Thesis/dissertation

Rethinking Liberal Multiculturalism: Culture, Meaning and Pluralism

By

Richard Thomas Ashcroft

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

Political Science

in the

Graduate Division

of the

University of California, Berkeley

Committee in charge:

Professor Mark Bevir, Co-Chair
Professor Sarah Song, Co-Chair
Professor Christopher Kutz

Fall 2018

Abstract

Rethinking Liberal Multiculturalism: Culture, Meaning and Pluralism

by

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Doctor of Philosophy in Political Science

University of California, Berkeley

Professor Mark Bevir, Co-Chair

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The modern world is complex. The challenges we face as human beings are profound and wide-ranging, from climate change affecting the entire planet, through the forces of globalization that are altering relationships within and between nation-states, to the politics of group and individual identity that challenge traditional forms of liberal-democratic governance. It is also paradoxical, pulling us in different directions. Scientific advancements have given us greater knowledge of the physical world than at any previous time in history, but the pace of technological change is increasing exponentially, as are its effects on both the natural and social worlds. We are more interdependent than ever before, but the technologies that connect us—particularly new kinds of media, but also forms of economic exchange and political practice—potentially isolate us from each other as well. Liberal democracy is the dominant form of governance worldwide, and widespread belief in its normative justification has made its hegemony seem unshakeable. Yet despite this broad consensus, precisely what is required—or permitted—by liberal-democratic principles is highly controversial within different domestic and international contexts. In addition, the spread of political and economic liberalism has impacted traditional forms of life, leading to social experimentation and transformation, but also to reactionary movements. Far from being the "end of history," competition between ideologies has, if anything, intensified in recent decades.

The modern world is therefore both large and small. The prominence of the global has never been higher, but at the same time the local appears to be gaining, rather than receding, in strength. We value difference, particularly as it relates to culture and identity, to a greater extent than ever before, but the very process of coming to this knowledge has made us increasingly conscious of the issues that divide us. While we now have a deeper understanding of how our different identities—political, economic, cultural, racial, religious, gender, sexual—have been constructed, this has done little to mitigate their social effects. Our identities thus seem both more fluid and entrenched than ever before, depending on the context. The world is surely more cosmopolitan than it has ever been but, even so, we are all multiculturalists now, and many of us remain staunch nationalists, or true believers in other doctrines. Modern life is marked by both commonality and difference, connection and separation, understanding and confusion, and

tensions between the local and the global. This dissertation examines these crisscrossing and overlapping aspects of the modern world, and the competing beliefs, practices, and values that flow from them, attempting to find a way past their apparent contradictions. It will examine the dilemmas raised by modern diversity, explain how they came about, and unpack their wider ramifications. It does so primarily through exploring the relationship between multiculturalism, liberal democracy and cosmopolitanism, which lie at the root of our current political confusion.

The primary focus of my analysis is the political theory of multiculturalism, which centers on how liberal democracies should respond to minority cultural groups. The work of Will Kymlicka rightly stands atop this debate in political theory. His liberal defense of multicultural rights broke new ground by responding directly to the social reality of modern cultural diversity. His attempt to mediate the debate between Rawls and the communitarians was innovative in both its analysis of the philosophical positions, and in the way it adapted the Rawlsian framework to accommodate the claims of culture. His work is rigorous, insightful, important and influential. Nevertheless, his theory was colored by his interpretation of his intellectual context in such a way as to open him to accusations that he reified and essentialized culture. Critics allege that Kymlicka's theory—and liberal multiculturalism more broadly—is incapable of dealing with the fluid and contested nature of culture, and so is fatally flawed. Unfortunately, these criticisms have been more trenchant than fruitful and, despite myriad attempts, political theorists have failed to articulate a convincing response to cultural diversity that is both philosophically coherent and normatively persuasive. Perhaps this indicates we should turn to political and contextual approaches to cultural diversity within and across liberal-democratic states, as many thinkers (the later Kymlicka included) have done. Yet, while much of this theorizing is extremely valuable, a narrow focus on historical context and political procedure arguably render then unable to address the fundamental normative problem of how to manage social diversity.

Rather than following the contextual and political turn in Anglophone political theory, this dissertation attempts to form a general theory of "multiculturalism" from an analysis of the problems with the dominant liberal form of it. It examines the central debates in political theory, demonstrating that both liberal multiculturalism and its cosmopolitan critics misunderstand the key philosophical issues. Through a combination of intellectual history and philosophical argument it shows that the luck-egalitarian framework employed by Kymlicka means that he, and prominent variants of his liberal multiculturalism, cannot avoid reifying and essentializing culture. Yet it also shows that a cosmopolitan account of culture is mishandled by its advocates, often leading to the outright rejection of "multiculturalism" instead of its reformulation. By drawing on meaning holism and postfoundationalism this dissertation can—unlike both liberal multiculturalists and their cosmopolitan critics—offer a philosophically coherent account of culture and identity that still has still clear normative and practical implications. My critique of liberal multiculturalism also extends to other prominent forms of liberal-democratic theory, such as liberal nationalism and political liberalism, ultimately taking us beyond liberalism and turning instead to overlooked strands of the socialist tradition for inspiration. I conclude that cultural differences do not require special rights allocated to minority groups or individuals, but rather flexible governance that facilitates local political, economic and social experimentation. Ultimately, this dissertation sketches a novel theory of "cosmopolitan multiculturalism" based in the value of diversity.

Any such theory of the relationship between cultural diversity and governance in the modern world must have several key aspects: it must be able to provide an account of culture that is both philosophically robust and coheres with the meaningful role it plays in human life; it must have clear normative implications; and it must be compatible with the fluid and contested nature of culture as it is manifested in people's lives across world. Multiculturalism is part of a process of contestation in which individuals and communities have remade their social structures and understandings—and thereby their individual and collective identities—through complex patterns of public discourse, political practice, legal challenges and social action. As well as solving an abstract philosophical puzzle, therefore, a viable theory of multicultural governance must have traction on multiculturalism as a series of social practices and dilemmas.

It is my suggestion that a holistic understanding of multiculturalism's relationship to liberal democracy and cosmopolitanism not only illuminates the philosophical issues, but thereby helps connect the political theory of multiculturalism to broader contemporary debates. By placing postwar multiculturalism in its philosophical, historical and global context, this dissertation shows that it inevitably engages a vast array of normative issues, social groups and even legal jurisdictions, all of which are overlapping, contested and mutually constructing. The "siloing" of multiculturalism in policy, law or theory is thus impossible at either the domestic or international level, despite frequent attempts to do so. This analysis also suggests that the recent global resurgence of populism and nationalism across the world—including the Brexit vote and the election of Donald Trump as US President—is symptomatic of deeper tensions within liberal democracy that have been exposed, but not created, by modern multiculturalism. The broader political upheaval of the last few years has deep historical and philosophical roots, reaching back to the early modern period, and the intersection of liberalism and colonialism, and the creation of nation and state.

A philosophical critique of liberal multiculturalism in political theory takes us, therefore, far beyond the confines of that literature, connecting debates on cultural diversity to much deeper currents in western political history, thought and practice. Multiculturalism is the most recent manifestation of unresolved tensions at the heart of the Enlightenment liberal project regarding the proper relationship of the individual to the community, the local to the central, and the particular to the universal. Understanding this not only foregrounds the broader issues at play, but in so doing highlights the fact that the relationship between polycentricity, pluralism and governance has been neglected in recent political thought and practice. My hope, therefore, is that my work will go some way towards reframing the debate over "multiculturalism," pointing towards new ways of responding to the cultural difference that constitutes the modern world.

To my family, friends, collaborators, and co-conspirators,
without whom I wouldn't be here.
Thank you for the love, patience, and kindness you gave freely,
which helped me find the courage to take a chance.

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Acknowledgements

This dissertation took a while. By some reckonings, ten semesters, by others, three months, and (I guess) forty-three years overall. I'm not sure it really matters how we figure it, to be honest. So instead, I'll talk about the people I care about, and the reasons, in the end, this got done. My personal and intellectual debts are many and, as is the way of things, muddled together.

My first thanks are to my mother and father, Cynthia and Philip. They have supported me throughout this process; without their help I wouldn't have made it. Thanks Mum, thanks Dad. I would also like to say thank you to my sisters, Kathryn and Joanna, for putting up with me, and to my step-mum Heike and my step-dad John, both of whom have treated me as if I were their own. My friends have been an extraordinary source of comfort, joy and help throughout my life. My Winchester friends are such a deep part of me it almost seems redundant to say thank you: Tom Jones, James Peach, Rachel Cuff, and Samantha Cairns you are all amazing. My Oxford and London friends are many, but I owe a particular debt to Leo and Sarah, for giving me a place I knew I could always go when it all got too much. I also owe a big thanks (and maybe some "big arms"?) to Laura and Shom, Cat and Alex, Derya and JC, and Greg. I am so lucky to have you all as friends. Getting to be part of your—and your children's—lives has been amazing. I hope to see more of you all in the years to come.

And so to America, my home for now. It has been a privilege to study at Berkeley, and one I am extremely grateful for. My first thanks must go to my dissertation committee, Sarah Song, Mark Bevir and Chris Kutz, whose support and encouragement enabled me to transition from student to scholar. I have learnt so much from you, and look forward to many more years of doing so. (And sorry for that sixty-page "memo," I probably owe everyone a drink for that.) I am grateful for the guidance and insight I have received from other faculty at Berkeley, in Political Science and elsewhere, in particular from Kinch Hoekstra, Shannon Stimson, Wendy Brown, Eric Schickler, Chris Ansell, and Alan Karras. Being at Berkeley has enabled me to meet and work with many scholars from across the world. I owe a debt to the participants in the various workshops at the Center for British Studies that I have attended over the years, and in particular the attendees at the two very productive conferences on multiculturalism, which led to significant changes in my thinking. James Chamberlain and Andrew Fagan, both of whom I know from my time studying Human Rights at Essex, have been steadfast supporters, interlocutors and friends, as have their respective partners, Stasha and Julia. I am also hugely thankful for the friends I have made through the Political Science Department at UC Berkeley: Ali, Alice, Athmeya, Andrius, David, Ellen, Jason, Jesse, Katie, Tim, Toby, Mark, Nathan, Nina, Paul, Rachel, Rochelle, Rosie, Sibbyl, and Terry. You made grad school happier, and you helped me grow, as a thinker and as a person. I have also been lucky enough to find good people in the Bay Area outside of the academy, who have provided some much-needed perspective: Brad, Erica, Karen, Sarah D., Sarah F., and Zoe. (A particular thanks to Erica and Prince for all the dinners and pep-talks.) I would also like to thank my former partners, Hannah and Kristi, who were a part of this journey too.

Getting through the occasionally Byzantine Berkeley bureaucracy as an international student is a challenge, and there's no way I could have done it without the hard work of the staff who actually run this university. I have had the best graduate advisors in the business, who have gotten me out of a jam or three: in Political Science, Nicole Rucinski, Michelle Dylla, Maria Castelli,

Introduction

Multiculturalism, Liberal Democracy and Cosmopolitanism

Cultural diversity is a defining feature of the modern world. Although cultures have come into contact with each other throughout history, the problem of how to manage these interactions between and within states has become especially prominent since 1945. The parallel processes of decolonization and globalization set in motion the movement of both people and ideas on a mass scale, leading to a more interconnected, cosmopolitan world. Yet this globalization has not simply overridden local attachments and understandings, with the spread of human rights and liberal democracy across the globe coinciding with the rise of indigenous movements and identity politics. An increased awareness of the plight of minority groups has followed, particularly those who were situated in societies that had hitherto been—or understood themselves to be—racially, ethnically or culturally homogenous. While there have been cases of cultural convergence within and across nations and states, in many instances the juxtaposition of radically different forms of life has led to local attachments and identities becoming more salient and more dearly-held, which in turn has put pressure on states to adapt their forms of governance accordingly. The complexity of these challenges is reflected in the varied political and legal responses to cultural diversity in different countries, which range from robust attempts to accommodate and even valorize cultural difference, through policies that facilitate reciprocal adaptation and integration, to the deliberate—and often coerced—assimilation or exclusion of minority groups.

The term "multiculturalism" refers to both the sociological fact of this postwar cultural diversity, and the legal, political and philosophical responses designed to accommodate it. Relevant policy changes started in the immediate aftermath of World War II, but became more popular and wide-ranging in the 1970s, when both Canada and Australia adopted official state multiculturalism. In the following decades multiculturalism enjoyed a steady increase in prominence and support, but this growing consensus has been fractured by events in the new millennium, leading to vocal repudiations of it by public figures in many liberal democracies. The precise nature and scope of the "retreat" of multiculturalism is still unclear, but nevertheless recent events have made it apparent that multiculturalism—and arguably liberal democracy, perhaps even the postwar global order itself—is undergoing a period of reevaluation.

Standard forms of liberal-democratic governance assume similarly situated individuals should be treated the same regardless of, religion, race, and other similar characteristics. This traditional "difference-blind" approach has been called into question by multiculturalism, as have long-standing majority cultural practices, and aspects of national identity. Defenders of multiculturalism stress the importance of cultural attachments to all individuals, and therefore advocate rights for members of minority cultures that are not granted to members of the wider society. Multiculturalists thus assign normative weight to local differences, even if the ultimate justification for these differentiated rights is sometimes grounded in more universalist discourses.

"Liberal multiculturalism" is best understood as an adaptation of traditional forms of liberal democracy in order to make it more friendly towards cultural difference, and supportive

of minority cultural groups. Liberal multiculturalists see special rights for cultural minorities as instantiating equality and autonomy, and so fulfilling the philosophical and political promises of liberalism and democracy rather than being in conflict with them. Yet other strands of liberal theory, such as cosmopolitanism and human rights, pull upwards away from the local towards the global, and therefore are potentially in tension with liberal multiculturalism. This is in part because cosmopolitan accounts of the relationship of the individual to culture emphasize the fluidity and plurality of our experiences of it. Rather than advocating the preservation of particular cultures, cosmopolitans stress the worth of access to a wide variety of cultural material. Although these cosmopolitan accounts of culture are primarily descriptive, they are usually embedded in defenses of robust moral obligations that apply to all individuals irrespective of particular attachments and identities. Normative philosophical defenses of multiculturalism and cosmopolitanism are thus usually seen as antithetical, both to each other, and to standard forms of liberal democracy located within nation-states.

The issues raised by cultural diversity therefore stretch far beyond the confines of the philosophical literature on multiculturalism, calling into question fundamental forms of liberal-democratic political thought and practice. While the core of this dissertation concerns the political theory of liberal multiculturalism, its overall goal is to speak to broader concerns both inside and outside the academy. This aim is supported by my underlying methodological approach, which is postfoundational and holistic, and therefore does not attempt to isolate philosophy completely from history, nor political theory from practice. Focusing *primarily* on the philosophical rather than empirical literature will, however, provide conceptual clarity regarding the issues raised by multiculturalism, which is itself comprised of many heterogenous strands, and subject to political and philosophical contestation.

In this dissertation I argue that the relationship between multiculturalism, liberalism and cosmopolitanism is even more complex than is commonly supposed by advocates and critics alike. Tracing their philosophical connections will help to draw out the deeper and wider implications of cultural diversity for our forms of governance, and the structure of the modern world itself. Its primarily philosophical—but historically inflected—approach points towards a novel, coherent and potentially fruitful response to cultural diversity. Ultimately, I will advocate a new form of "multicultural" governance that is defensible in both theory and practice. My dissertation will point to ways of productively harnessing the complexity of our modern, diverse world, and in so doing will make an important contribution to the literature on multiculturalism, liberal democracy, and cosmopolitanism.

Scope, Structure and Import

The political theory debate regarding cultural diversity in liberal democracies is dominated by the work of the Canadian political philosopher Will Kymlicka, the first contemporary thinker to present a systematic theory defending multicultural rights. His early work arose in the twin contexts of a Canadian politics that valorized multiculturalism, and a political theory dominated by the debate between John Rawls and his communitarian critics. Kymlicka's theory was an innovative and important response to these twin contexts, and was so influential that it colored subsequent responses to cultural diversity in both theory and practice, creating a path dependency for both modern liberal and non-liberal thinking on this topic. Whilst both the

political and philosophical contexts are important for understanding the shape and overall trajectory of Kymlicka's thought, I argue that his theory is conditioned at a deep level by his interpretation of the liberal/communitarian debate. His form of "luck egalitarianism," which draws on Rawls, Dworkin and GA Cohen, has profound and overlooked implications for his theory, and the liberal multiculturalism it helped shape.

The core of Kymlicka's argument for multicultural rights is the contention that each individual relies upon their particular culture to provide them with a context of meaningful choice within which they decide how to live their lives. It follows from this that disparity in matters of cultural security undermines the key liberal values of personal autonomy and equality. Some of the most trenchant criticisms of Kymlicka's theory have come from thinkers who identify themselves as cosmopolitans, who see culture as fluid, contested and overlapping. They argue that because liberal multiculturalists try to locate individuals primarily in a single cultural "structure," they essentialize and reify minority cultures in the very act of trying to aid them. Yet cumulatively these critics rarely proffer a positive account of culture as an alternative, and frequently move directly from the simple accusation of essentialism, to the conclusion that a general normative theory of multiculturalism is chimerical. For his part, Kymlicka denies these charges and, despite concerted criticism over twenty-five years, he has defended the broad sweep of this position from cosmopolitan and other attacks. His theory therefore still sets the agenda for multiculturalism within Anglophone political theory, continuing to influence the trajectory of the literature. Any critique of Kymlicka therefore has potentially profound implications for the wider political theory debate over multiculturalism in liberal societies that his work helped cause.

This dissertation will examine the "cosmopolitan critique" of this dominant theoretical paradigm of liberal multiculturalism, showing the critique is a trenchant one, but that its import is frequently misunderstood. I demonstrate that Kymlicka does reify and essentialize culture, and therefore that his theory of multiculturalism is philosophically unsatisfactory, and too rigid to deal with the complexity of cultural diversity as it manifests in the modern world. I argue that attempts to modify Kymlicka's position within his overall luck-egalitarian framework are doomed to fail, and that a retreat back into more overt forms of liberal nationalism, or "political" or "contextual" forms of liberalism, are rendered implausible by the same arguments that undermine liberal multiculturalism. Nevertheless, I will also argue that a "cosmopolitan" account of culture is only contingently related to other prominent forms of postnationalism, which either valorize universalist moral duties and globalist forms of governance, or advocate minimizing the role the state and ignoring the claims of culture almost completely. Instead, this dissertation will demonstrate that a holistic analysis of the role of culture in human life suggests both a more modest cosmopolitanism, and a more robust state, than is usually defended by postnational liberal theorists. Ultimately, I will make the case for governance that is polycentric in structure and pluralist in orientation, which will address the variety of our cultural experiences without being rigidly rooted in any one of them.

I will proceed through a combination of historical analysis and philosophical argument, dividing the dissertation into three main parts. The first part looks at the broad trends, issues and events in both history and philosophy that led up to the multiculturalism debate, helping to delineate the scope of multiculturalism as a political and theoretical issue, and demonstrating why it is that multiculturalism is a particular problem for liberal democracies. It also outlines the

relevant literature, paying particular attention to the political theory of liberal multiculturalism, tracing how Kymlicka's intellectual context influenced the form of his argument and the subsequent literature. Ultimately this intellectual history uncovers the precise manner in which Kymlicka's theory is conditioned by his interpretation of the debate between Rawls and the communitarians, leading him to cast his theory of multiculturalism in terms of Dworkin's form of "luck egalitarianism."

In the second part of the dissertation, I argue Kymlicka's underlying philosophical framework necessitates the reification and essentialization of cultures within the terms of his theory as stated. This claim will be demonstrated by using cosmopolitanism to interrogate Kymlicka's theory. The core cosmopolitan claim regarding culture, the claim that makes it a distinctively *cosmopolitan* account, is that our experience of and location in culture is characterized by a diversity of cultural material and degree of instability and flux. This part of the dissertation begins by briefly outlining the key aspects of the cosmopolitan critique of liberal multiculturalism. This philosophical analysis will unfold in a series of interrelated stages, examining the ways in which Kymlicka has defended—or could defend—himself against this critique. I start with the claims that lie on the surface of Kymlicka's theory, regarding the identification of cultures and the location of individuals within them. I will show that each plausible response renders his argument vulnerable to a further version of the cosmopolitan critique that operates at a deeper level. The central part of the dissertation will therefore proceed via a logic of question and answer from the outer layers of Kymlicka's theory to his core suppositions regarding the nature of the self and culture. I will show that Kymlicka's theory is conditioned by his luck egalitarianism in such a way that the cosmopolitan critique has even more devastating consequences than even his critics realize. Ultimately, it requires a rearticulation of his multiculturalist position that either commits it to an untenable account of culture, or collapses it back into the communitarianism he is responding to. Finally, I will show that Kymlicka's more recent work on multiculturalism does not, despite initial appearances, circumvent the key aspects of the cosmopolitan critique, and where it has been adapted it has become indistinct from other forms of liberal-democratic theory that are not specifically "multicultural" in orientation.

In the final part of the dissertation I will unpack the ramifications of my version of the cosmopolitan critique for other forms of liberal and egalitarian theory that address cultural diversity, including forms of cosmopolitanism itself. I will demonstrate that attempts to adapt Kymlicka's basic luck egalitarian framework to circumvent these criticisms by Kasper Lippert-Rasmussen, GA Cohen, and Alan Patten are ineffective. Next, I argue that a retreat into more traditional forms of liberal nationalism are caught by the same arguments that undermined liberal multiculturalism, and so we must look elsewhere for an effective liberal response to the dilemmas posed by cultural diversity. I sketch the broad outlines of other relevant forms of liberalism, including political liberalism, deliberative democracy, and forms of contextualist theory, arguing that all are found wanting. Finally, I will examine two more plausible liberal responses to the problems with liberal multiculturalism: the cosmopolitan Arash Abizadeh, who looks upwards beyond the nation and state to global and universal principles and practices; and the libertarian Chandran Kukathas, who argues for a radically decentered state. I will argue that both of these theorists raise important issues, but that the modes of analysis and substantive arguments developed in the dissertation so far reveal fundamental flaws in their positions, and

in fact point to an alternative response to cultural diversity that combines their strengths without their weaknesses.

By exposing the philosophical foundations of liberal multiculturalism to the full force of the cosmopolitan critique this dissertation will expand our understanding of the precise nature and import of the relationship between liberal democracy, nation-state, multiculturalism and cosmopolitanism. It will therefore not only demonstrate conclusively for the first time that Kymlicka's theory of multiculturalism is guilty of reification and essentialism, but will also show precisely how and why this occurred. Yet in so doing it will also show that that the ramifications of these problems stretch far beyond Kymlicka's theory into other forms of liberal multiculturalism, and liberal democratic theory and practice more broadly.

As part of the process of examining the impact of the cosmopolitan critique on liberal multiculturalism this dissertation will go beyond pure criticism, however, and provide the pieces from which we may build a coherent philosophical account of the nature and role of culture in human life. Such an account is notably absent from the literature, and in the final chapter of the dissertation I will use it to make positive arguments for an alternative theory of governance that is both "multicultural" and "cosmopolitan." The dissertation will conclude with an outline of my own theory of multiculturalism, a schema of polycentric and pluralist governance predicated on the value of diversity for individual choice, communal governance, the generation of moral knowledge, and productive social change. This position is distinct from Kymlicka's liberal multiculturalism, his critics, and the other liberal positions we have encountered.

My dissertation will provide an important intervention into the literature in several ways. The most salient contribution to the multiculturalism debate will be to show definitively that despite disputes over textual interpretation, Kymlicka's theory of multiculturalism logically requires an essentialist or reified account of culture. Yet, I go beyond that in showing how the problems with liberal multiculturalism highlighted by the cosmopolitan critique affect other prominent forms of liberal-democratic theory and practice. Most importantly, by building a substantive non-essentialist account of culture out of the critique itself I am able to ground a novel normative theory of multiculturalism that moves it beyond current debates within liberalism. In doing so, I provide an alternative to most recent multicultural political theory, which has tended towards detailed studies of particular cases in their immediate historical and political circumstances, reflecting the wider shift in Anglophone political theory from universalist to contextualist forms of theorizing. I hope to show, therefore, that most political theorists have been over-hasty in abandoning the search for a general theory of multiculturalism that is both context-sensitive and normatively persuasive. This mistake is partly due to the failure to scrutinize the relationship between multiculturalism, liberal democracy and cosmopolitanism more broadly, which has led to the widespread presumption that a non-essentialist cosmopolitan account of culture cannot be used to support a normative multicultural theory. We may, in effect, have been looking in the wrong place for a general normative theory of multiculturalism.

The overall position set out at the end of the dissertation will to some degree resemble John Stuart Mill's famous defense of "experiments in living" in *On Liberty*. Liberal arguments for multiculturalism that draw directly on the value of diversity are (surprisingly) unusual in the literature, and I will attempt to rehabilitate them. Yet my postfoundational commitments sever my account from both Mill's liberal philosophical foundations and romanticized cultural essentialism, in turn suggesting that we look beyond liberalism for answers to the dilemmas

posed by cultural diversity. The dissertation will therefore close by suggesting that we turn for inspiration instead to overlooked aspects socialism—in particular the Guild Socialism of GDH Cole—which emphasize the important relationships between politics, economics and culture, but which also see these as best instantiated—and transformed—through action below the level of the state.

As well as forming a diagnosis of—and corrective to—the liberal multiculturalism debate, this dissertation therefore also has implications for the literature on cosmopolitanism. As the primary focus here is multiculturalism, my intervention into the cosmopolitan literature will necessarily be partial, and constraints of space mean that we cannot deal with every philosophical intricacy raised in the overlapping arguments that constitute it. I shall therefore focus on what is distinctive in my account and how that relates to the debate on multiculturalism, whilst gesturing towards the way my argument should be situated in broader debates. For example, much modern liberal-democratic theory and practice assumes governance is something that primarily takes place—and should take place—within and between nations embodied in sovereign states that are themselves subject to international law. Yet tracing the connections between multiculturalism and wider issues in contemporary politics undermines such assumptions. Claims that the cultural or political nation is functionally necessary for liberal democracy are venerable, but unpersuasive. These articulations of the nation are at best homogenizing, possibly incoherent and, as recent events in the UK, US and Eastern Europe have shown, often collapse into racial or ethnic nationalism. In any event, the multiple layers of identity and governance challenged by cultural diversity stretch across individual countries. Modern polities are not closed communities, but rather are related parts of an interdependent global system. Yet as well as challenging the long-standing association between liberal democracy and the nation-state, I also suggest that the link between a cosmopolitan account of culture and moral universalism has been misconstrued, and that both multiculturalism and cosmopolitan should be reconceived and renegotiated. Perhaps the most unusual feature of my argument will be the marriage of a cosmopolitan account of culture with a postnationalism that, rather than moving immediately upwards to global and transnational obligations and institutions, instead emphasizes local political life. This dissertation therefore links multiculturalism to broader questions in relating to the nature and scope of liberal democracy, and the source of our moral and political obligations.

Contents

The first chapter, *Multiculturalism and the Modern World*, looks at the historical and philosophical background to the multiculturalism debate. It provides a working definition of "multiculturalism" as a political and philosophical issue, drawing out the particular dilemmas cultural diversity poses for liberal democracy in both theory and practice. It also unpacks the relationships between multiculturalism, liberal democracy and cosmopolitanism in more detail. It explains why these are best approached through the political theory literature, which it briefly outlines, focusing on liberal multiculturalism and Kymlicka. Lastly, it sets out my methodological commitments in more detail, suggesting that philosophical holism is particularly suited to analyzing the issues raised by the theory and practice of multiculturalism. Overall, this chapter

fleshes out the claims made in this Introduction, and helps to orient the reader for the rest of the dissertation.

The second chapter, *Liberal Multiculturalism: Context, Content and Kymlicka*, shows that liberal multiculturalism in political theory arose in the context of Anglophone philosophy dominated by the debate between Rawlsian liberals and the communitarians. In this chapter I will show how this intellectual context influenced Kymlicka's theory of multiculturalism and, through that, the trajectory of liberal multiculturalism in political theory. I will demonstrate that Kymlicka's understanding of the liberal/communitarian debate posed certain philosophical problems. These dilemmas both gave rise to his theory of liberal multiculturalism, but also shaped it in ways that render liberal multiculturalism vulnerable to the cosmopolitan critique. This chapter therefore has several functions in the context of this dissertation. Firstly, it will set out the main features of Kymlicka's theory, focusing on the central "equality" argument that runs though both *Liberalism, Community and Culture* and *Multicultural Citizenship*. Secondly, it will demonstrate the ways in which Kymlicka's luck-egalitarian interpretation of the liberal/communitarian debate influenced the form of this equality argument. Thirdly, it will outline some key continuities and differences between *Liberalism, Community and Culture* and *Multicultural Citizenship*, indicating which are relevant to Kymlicka's core argument, liberal multiculturalism, and to the cosmopolitan critique of them. Overall, this chapter will set up the analysis of the cosmopolitan critique that forms the center of this dissertation by exposing the philosophical roots of Kymlicka's theory.

The third chapter is titled *The Cosmopolitan Critique of Liberal Multiculturalism*. I will start the chapter with a sketch of different forms of cosmopolitanism, outlining the primary issues and thinkers in the literature, and how it relates to culture. I will then set out a broad version of the cosmopolitan critique, and why it poses dilemmas for liberal multiculturalism. The most wide-reaching version of the cosmopolitan claim is that individuals belong to, or have affiliations with, multiple groups, institutions, and associations, and that each of these can be plausibly said to have a "culture" in some sense. I explain why this "many cultures" critique is a problem for Kymlicka, who tries to avoid these problems and exclude these sorts of groups by focusing on what he calls "societal cultures." I will then turn to Waldron's famous version of the cosmopolitan critique, which potentially undercuts Kymlicka's central claim that individuals exist in a single societal culture as their context of meaningful choice, and casts doubt on our ability to even identify separate cultures with confidence. I will examine the exchanges between Waldron and Kymlicka, demonstrating that Kymlicka's responses are unconvincing. There is, however, a possible reply that Kymlicka could make to Waldron but does not, which is to argue that meaning is contextual. Contextualism would entail that the meaning of the individual "fragments" of culture Waldron refers to is derived from our current cultural context, not the original source, and so our current culture is necessarily our context of *meaningful* choice.

Given Kymlicka's emphasis on societal cultures as meaningful contexts of choice, it is surprising that he gives no clear account of his philosophy of language. Yet it is clear that a contextualist account of meaning dovetails with his overall approach and the apparent particulars of his theory. In the fourth chapter, *Multiculturalism and Meaning,* I will examine "contextualism" of meaning, and how it might protect Kymlicka from the cosmopolitan critique. I will show that a "strong" contextualism is deeply problematic in and of itself, and in any event incompatible with some of the most fundamental premises of Kymlicka's theory. I will also

present an alternative, holistic, analysis of meaning, out of which I will start to build the positive account of account of culture that will underlie my own normative arguments in the latter stages of the dissertation.

The fifth chapter, *Luck, Equality and Essentialism: The End of Kymlicka's Multiculturalism?*, will bring together the different threads of the cosmopolitan critique that structures the middle part of the dissertation. As part of this process, I will flesh out the account of culture, meaning and identity started in the previous two chapters, which will form the basis for my defense of polycentricity and pluralism in the Conclusion. I initially focus on the claim that Kymlicka's theory damages minority cultures and their members in the very act of trying to grant them security against the majority. I will start by looking at the this "essentialist" critique as laid out by Waldron, and again will examine the way that Kymlicka has, or could, defend himself against it. In so doing I will demonstrate that Kymlicka's luck-egalitarian theory logically requires either essentializing or reifying cultures if he is to avoid collapsing back into the communitarianism he is responding to. I will also address Kymlicka's work on multiculturalism after *Liberalism, Community, and Culture* and *Multicultural Citizenship*. This work is less overtly normative in orientation, largely ignoring philosophical issues and focusing on concrete political and historical concerns. Yet I will demonstrate that Kymlicka's shift on focus and method fails to mitigate key aspects of the cosmopolitan critique, and where it does renders his position indistinct from other approaches to cultural diversity in liberal political theory.

The sixth chapter, "*Liberal Multiculturalism*" *after Kymlicka: Culture, Nation-State and Beyond*, explores other responses in liberal political theory to the dilemmas posed by cultural diversity. It will remove potential rivals to my theory set out in the next chapter, and explain how my form of postnational and "cosmopolitan" approach to multiculturalism differs from similar-looking theories. There will be five main sections. First, I will demonstrate that the most prominent liberal and/or luck egalitarian reformulations of Kymlicka's liberal multiculturalism do not circumvent the critique, or only do so in such a way that they actually support the polycentricity and pluralism that I will explore in the Conclusion. Second, I examine theorists that argue modern cultural diversity within liberal-democratic states can only be properly accommodated within the context of an overarching form of liberal nationalism centered on a single state. These theorists therefore reject the liberal-multiculturalist focus on sub-state political autonomy for minority groups, yet I demonstrate that "traditional" liberal nationalism is found wanting on the same grounds as liberal multiculturalism. Third, I examine liberal theories that move beyond overt nationalism but maintain the focus on governance at the level of a single polity, such as political liberals, contextual political theorists, and some deliberative democrats. Again, I show that my postfoundational version of the cosmopolitan critique highlights serious problems for these accounts. Fourth, I will look at postnational forms of cosmopolitanism that look upwards towards global forms of governance, distinguishing my form of "cosmopolitanism" from theirs. And lastly, I will look at libertarians who reject nation, state and global governance in favor of radical decentralization, showing how holism suggests a much more robust version of the state is necessary. I will analyze each set of thinkers through the lens of the philosophical holism that underpins my version of the cosmopolitan critique, arguing that this helps to highlight their shortcomings and also points to the potential value of polycentric and pluralist governance as a response to cultural diversity.

In the final chapter, *Recentering Multiculturalism: Polycentricity and Pluralism*, I will argue that this postfoundational view of culture points towards a democratic and multicultural cosmopolitanism that prioritizes—initially at least—the local over both the national and international, and thus supports radical local democracy and other forms of social experimentation. In doing so I elaborate on the postfoundationalist account of meaning and culture that I have been building during the dissertation, elucidating how it relates to my underlying philosophical commitments. I argue that a radical restructuring of governance is required in order to accommodate the diversity that constitutes our social world, and the dilemmas it presents. I see these reforms as having two main aspects, which are themselves interrelated but nevertheless identifiable as separate concerns. We must alter our structures of governance to make them more polycentric, but also alter our forms of governance—and the cultures in which they are embedded—to be more pluralist. Polycentric institutions, and an emphasis on pluralism within them, would better be able to accommodate the fluid, interrelated, and mutually constructing nature of the relevant issues and groups. These twin aspects of social reform will help to recenter our forms of governance on individual human beings in fruitful and justifiable way. Ultimately, I will ground this "multicultural cosmopolitanism" in the fact and value of human diversity, which is an approach liberal multiculturalism typically dismisses. This form of pluralism is distinctive, drawing on a variety of intellectual traditions, yet is still "multicultural" in a meaningful sense.

My position bears a passing resemblance to John Stuart Mill's "experiments in living," yet philosophical holism severs my account from the a-historical individualism, romanticized cultural essentialism and/or substantive autonomy central to Mill, but which also can be seen in some form in much contemporary liberal, multicultural and cosmopolitan theorizing. In addition, my historical and philosophical narrative undercuts the explicit or implicit progressivism that informs modern liberalism. In fact, the position developed here is best understood as a philosophical and historical development of non-statist, but non-utopian, aspects of the socialist tradition that draw on anarchism, such as the guild socialism of GDH Cole, and the radical local democracy of Stuart Hall.

Conclusion

Multiculturalism, liberal democracy and cosmopolitanism are thoroughly intertwined in the world inside and outside of the academy, yet their mutual significance is not properly understood. This dissertation will help unravel these central aspects of the modern world, and in so doing will highlight previously hidden implications for political theory and practice. The normative theory presented here will therefore draw on all three, but will attempt to mitigate the tensions between them through holistic philosophical and historical analysis. Yet this attempt to decouple the way we analyze and describe our experience of culture from its usual normative companions is only preliminary, and certainly controversial. My aim is not to settle matters here. Far from it, as the complex relationship of multiculturalism, liberal democracy, cosmopolitanism, and governance may not be something that can ever be "solved" once and for all. Rather I ask that we look afresh at both the compelling claims of the global and the inevitable pull towards

local life, and consider whether the path to the former might lie through allowing more open-ended and far-reaching ways of expressing culture in the collective lives of individuals.

Chapter 1

Multiculturalism and the Modern World[1]

This chapter looks at the historical and philosophical background to the multiculturalism debate. It provides a working definition of "multiculturalism" as a political and philosophical issue, drawing out the particular dilemmas cultural diversity poses for liberal democracy in both theory and practice. It also unpacks the relationships between multiculturalism, liberal democracy and cosmopolitanism in more detail, explaining why these are best approached through the political theory literature—which it briefly outlines—focusing on liberal multiculturalism and its leading advocate, Will Kymlicka. Lastly, it sets out my methodological commitments in more detail, suggesting that philosophical holism is particularly suited to analyzing the issues raised by the theory and practice of multiculturalism. Overall, this chapter fleshes out the claims made in the Introduction, brings into focus the key issues, and helps to orient the reader for the rest of the dissertation.

Multiculturalism and Liberal Democracy

To call a society "multicultural" is to claim it contains multiple cultural groups rather than just one. In the abstract, therefore, multiculturalism is simply the opposite of cultural homogeneity. In more concrete terms, however, the term "multiculturalism" evokes a series of discourses regarding the appropriate way to respond to cultural and other forms of difference. These debates cover a wide variety of topics, including appropriate modes of dress, land rights, anti-racism, religious freedom, court procedure, immigration, language and educational policy, the scope of human rights, and even the basic structure and aims of the polis. It thereby touches on fundamental issues in political theory, including freedom, equality, justice, the role of the state, and the nature of culture, community and the self. Multiculturalism provides a meeting point for a variety of scholarly disciplines, including social science, law, history, anthropology, philosophy, and public policy. Nevertheless, in the academy it is most closely associated with political theory, and with thinkers from the "Old" Commonwealth countries of Canada, Australia and New Zealand, which led the world in adopting official forms of bi- and multiculturalism. Discussion of multiculturalism is not limited to academia, however, but is also prominent in political and popular discourse, where is largely construed in relation to the integration of postwar immigrants, even in the Old Commonwealth.

In common use, therefore, the term "multiculturalism" can relate to a number of connected phenomena. For example, it may simply refer to the basic sociological fact of diversity, or alternatively to the challenges this diversity presents to our modes of thinking and governing. Sometimes it will directly invoke the policy or legal responses to these challenges, and some uses indicate normative approval of multicultural goals. "Multiculturalism" may be used as a catch-all term for the claims of marginalized groups, such as those who identify as LGBTQIA, people with disabilities, racial, ethnic and religious minorities, and women. A slightly different but overlapping

usage refers to issues facing minority immigrants, and it is also frequently invoked in relation to minority national groups and indigenous peoples. Given the variegated nature of multiculturalism, its meaning, application and value are inevitably contested, and subject to appropriation for different purposes in different contexts. This means we must guard against the temptation to reduce multiculturalism to a list of essential features which override its historicity. Any simple definition of multiculturalism will therefore be potentially misleading. Yet we must make some attempt to delineate the scope of our enquiry.[2] The different multicultural debates bear a family resemblance to one another, and so it is possible to identify certain recurring situations which may usefully be labeled "multiculturalism."

A common form of multiculturalism occurs where the practices of a previously dominant cultural group are challenged by the presence of a minority. Often the minority seeks tolerance for behaviors that clash with majority norms, particularly if those norms have a disproportionate impact on their well-being. This may be accompanied by requests for exemptions from relevant legal provisions (e.g. regulations on animal slaughter), for reforms that facilitate the inclusion of the minority group (e.g. adapting rules on dress, language policies, or altering evidential procedure in courts), or for social policies aimed at promoting intra-societal understanding and inclusion (e.g. educational policy, reforming public symbols/holidays, or funding community activities). Running through all of these instances is a desire for societal recognition of the existence and value of minority cultures through adjustments on the part of the majority.[3]

Multiculturalism is not limited, however, to issues stemming from the interaction of minority and majority norms, and frequently engages broader issues in governance. For example, sometimes a minority will demand control of a practice, institution or resource, such as the ability to conduct legal marriages, a separate religious court, or rights over land or language. Multiculturalism is thus also implicated in debates regarding fundamental aspects of the polis, including constitutional structures, national identity, immigration restrictions, basic rights, and forms of special political representation or self-rule. Importantly, these questions can occur when there is no clear majority, but rather where multiple groups co-exist within a polity. The precise scope of the term "multiculturalism" therefore varies across different contexts, but always involves the basic problem of how to manage deep-seated diversity, and consideration of the implications of this diversity for governance.

The presence of cultural diversity poses particularly acute dilemmas for liberal-democratic governance that operates primarily within nation-states, calling into question standard methods of governance, the assumptions that underlie them, and the principles that inform them. Justifications for both liberalism and mass democracy are typically cast in terms of freedom, equality, and some form of moral universalism, all of which typically assume similarly situated individuals should be treated the same regardless of, *inter alia*, religion, race, sex, gender, culture and sexual orientation. This traditional "difference-blind" approach has been called into question by claims for special "group-differentiated" rights for members of minority cultures, as have connected doctrines such as political equality and state neutrality. This uncertainty been compounded by other factors. The postwar immigration attendant on decolonization has threatened dear-held aspects of collective identities, including understandings of the nation, and other forms of postwar globalization have challenged the political, economic and legal hegemony of the state. Multiculturalism therefore consistently

challenges the validity of basic liberal-democratic norms and narratives, and so is a central issue for those polities committed to them.

Liberal Democracy, the Nation-State and Empire

If "multiculturalism" is primarily a problem for liberal-democratic polities, it is also largely a modern phenomenon. While the interaction of different cultural groups is not new, multiculturalism as we understand it arose after World War II as part of a broader remaking of domestic and international governance. This is in part because it is causally related to the mass immigration attendant on decolonization, which has led to a degree of demographic diversity in many Western liberal democracies that would have been scarcely imaginable in the middle of the previous century. This forced many countries to reform their domestic policies and law to deal with the challenges presented by greater racial, ethnic and cultural diversity, leading to the institution of anti-racism legislation and immigration liberalization in most liberal democracies. This demographic transformation was accompanied by the expansion of liberal democratic governance to include economic and social rights, including the creation of modern welfare states.

These domestic changes took place as part of a wider transformation of the global order following World War II. The Nazi atrocities and subsequent collapse of European imperialism required a fundamental remaking of the international system, leading to *inter alia* the creation of the UN and a regime of international law grounded in universal human rights. Anti-racism and anti-colonialism were fundamental principles of the new international legal framework, with decolonization and the plight of indigenous peoples taking center stage.[4] These international discourses have contributed to significant legal changes within countries, such as the renewal of indigenous treaty claims, the creation of domestic human rights legislation, and forms of political devolution. In turn, these legal reforms influenced domestic debates over immigrant multiculturalism, national identity and even state sovereignty. Decolonization therefore not only created multiculturalism as a set of social facts and dilemmas, but was also part of a more general crisis in postwar liberal-democratic governance.[5] Multiculturalism must therefore be primarily situated within the postwar restructuring of both domestic governance and the global system.

Yet while "multiculturalism" is essentially a postwar phenomenon, its factual and philosophical roots go back much deeper, to the gradual, haphazard and contested rise of the nation and state as the dominant forms of social organization in the West. In the early modern period the shift from smaller feudal and sacral communities to larger modern society gave rise to new forms of governance with which to manage the inevitable social upheaval. As the modern liberal and bureaucratic state developed it impinged on longer-standing forms of governance, which inevitably provoked resistance, fueling conflict between the central and local. These tensions were exacerbated by the Reformation and the rapid socio-economic change driven by capitalism, with the rise of nationalism partly attributable to the dislocating effects of these changes. The modern nation-state thus evolved partly in order to manage greater social diversity, yet simultaneously facilitated forms of social and political cohesion operable on a far larger scale than in previous eras.

The domestic development of liberalism, democracy, nation and state coincided with the heyday of European imperialism, with both domestic and international policy during the 19th century primarily narrated through developmental histories which valorized Enlightenment liberalism and rationalism. Simple progressivist narratives became unsustainable after the unprecedented violence of the first half of the 20th century, however, which undercut assumptions regarding the superiority of the West, contributing directly to the series of postwar civic resettlements in both Europe and her former colonies described above. "Multiculturalism" as I have narrated it here is therefore part of the wider story of the development the modern state through liberal-democratic governance, domestic nation- and state-building, the rise and fall of imperialism, the postwar civic resettlement, and recent globalization.

I have explored in detail elsewhere the ways in which experiences of multiculturalism in different countries has been conditioned by both local factors and these different factors, in particular the legacy of "liberal" imperialism.[6] The crucial point here is that multiculturalism straddles the boundaries of nations and states, undercutting traditional accounts of their relationship to liberal democracy. There is a clear historical correlation between the rise of liberal democracy and the development of the modern nation-state, and associated forms of national culture and identity.[7] There are also important philosophical connections between liberal democracy and the nation-state. Most obviously, difference-blind individual rights are central to the theory and practice of liberalism. J. S. Mill famously argued that a common culture is essential for the functioning of a liberal society marked by the diversity that flows from the individual liberty they protect. Many modern thinkers have made claims that build on Mill's position, arguing that the cultural nation implicitly plays a key role in the functioning of liberal-democratic governance, for example by aiding trust, reciprocity and deliberation.[8] This "liberal nationalism" is directly challenged by postwar cultural diversity.

Likewise, prominent narratives in the social sciences, humanities and law see the formation of modern nations, states and liberal democracy as taking place within Europe, and only then exported to other parts of the world. Yet this story is a myth, and an unhelpful one at that.[9] Foregrounding the intersection of liberalism, democracy, colonialism and multiculturalism shows that modern polities are not—and never have been—closed political, economic, or moral communities. They are part of a globalized world and international system of governance constructed out of the interwoven legacy of imperialism and liberalism, in which the domestic and international arenas constantly remake each other. The multiple layers of identity and governance engaged by multiculturalism stretch across individual countries, all of which are putatively subject to the claims of universal human rights. Modern multiculturalism thus challenges longstanding assumptions that liberal democracy is located primarily within sovereign and separate nation-states. Any discussion of multiculturalism must therefore also involve cosmopolitan forms of thinking, which also challenge the geographical and normative scope of traditional liberal democracy.

Cosmopolitanism and Multiculturalism

Whilst the idea of cosmopolitanism, of being in some sense a "citizen of the world" is a venerable one, going back to the ancient Greeks, there has been a resurgence of interest in the concept in

recent years, both outside and inside the academy. The term can be understood in a variety of ways, but there seems to be a common understanding that it involves an orientation in and towards the world that prioritizes the general over the particular, the global over the local, and the plural over the singular. Cosmopolitanism downplays the importance, or even the existence, of local attachments to entities or groups such as one's country, nation, city, community, culture and even family. It emphasizes rights, interests and obligations that apply to individuals as human beings, not because of their allegiance to, or membership in, those particular entities or groups. The renaissance of cosmopolitanism may be at least partly explicable in terms of a broader trend of globalization post World War II, which can plausibly be seen as facilitating and perhaps encouraging a change in focus from the local to the general, particularly in terms of the source and bearers of rights and obligations.

The phenomena of multiculturalism and cosmopolitanism are thus intimately related. They are clearly related in a causal sense, as the cosmopolitanization of the world in the postwar era created the conditions for the rise of multiculturalism. Yet they are connected not just by this fact of sociological diversity, but also by a mutual assumption that it may require reshaping traditional forms of liberal-democratic theory and practice. They also share a general orientation of openness towards diversity: multiculturalism is predicated on both the fact and value of diverse cultural identities, and cosmopolitanism suggests receptiveness to a plethora of overlapping cultural influences even whilst it militates against an absolute commitment to any one of them. This leads to a common theoretical focus on the nature and value of difference, although their normative reaction to that difference can diverge; multiculturalism seems to pull towards locally situated values and attachments, whereas cosmopolitanism has historically prioritized global identities and duties. They are therefore interrelated, overlapping and potentially competing discourses, which are centered around diversity, difference, and the relationship of identity to morality and politics. Multiculturalism and cosmopolitanism therefore present a common—but not united—challenge to prevailing accounts of moral obligation and political sovereignty focused on liberal democracy within self-contained nation-states. Yet both multiculturalism and cosmopolitanism may also be employed in the service of liberal democracy, as well as in critique of it. The rise of liberal democracy can be cast in overtly cosmopolitan terms which emphasize the international spread of liberal-democratic values through human rights and international organizations such as the UN, the economic growth driven by trade and developmental economics, and which advocate global forms of justice.

Critics of these progressivist narratives, allege, however, that universal human rights and/or economic globalization may themselves be forms of neo-colonialism that exacerbate problems in the developing world.[10] Some argue that globalization undercuts vital aspects of liberal democracy within nation-states such as the welfare state, either directly through erosion of the political sovereignty and economic independence of states, or indirectly through weakening social cohesion and trust.[11] Yet still others argue that it is multiculturalism itself that weakens these social bonds and thus undercuts the practice of democracy, and that demands for differential treatment of minorities should be trumped by the universalist principles of liberalism in any event. Other (usually non-liberal) critics also allege that even if multiculturalism has some value, it is inadequate as a response to the claims of some "minorities," especially indigenous peoples, minority racial groups, women, and other marginalized groups.

Through all of this, liberal multiculturalists argue that cultural rights are not just warranted by liberal democracy, but actively required to protect equality, autonomy and self-respect. And in response, cosmopolitan critics continue to argue that culture is characterized by a diversity of material and degree of instability and flux, and that liberal multiculturalism harms minority cultures in the very act of trying to protect them. If this critique is right, liberal multiculturalism is insufficiently sensitive to difference even on its own terms, and also incompatible with both traditional liberal democracy within nation-states, and globalized forms of liberalism such as cosmopolitanism. Multiculturalism, cosmopolitanism, and liberal democracy are thus entangled politically, philosophically and historically, as are the dilemmas they pose each other, and the modern world more broadly. This means to understand the issues and debates properly, we must assess the relationship between multiculturalism in political theory and practice, and its implications for both our objects and methods of study.

Multiculturalism in Theory and Practice[12]

We have seen that contemporary multiculturalism in liberal democratic polities lies at the nexus of wider global trends and deeper historical currents, straddling debates in policy, law and political theory, and domestic and international discourses. Decolonization and globalization have led to the movement of both people on a vast scale, creating in many societies a substantive rise in cultural diversity, and increased focus on it. The postwar cosmopolitanizing of the world—of which multiculturalism is a central part—has contributed to a transformation of liberal-democratic governance. Liberal democracy is now widely understood to have expanded its scope beyond the provision of civil and political rights to include economic, social and cultural ones, and beyond the borders of nation-states to include more robust forms of international law. Heightened awareness of the presence of minority cultural groups has also revealed the contingency of cherished national narratives and traditional forms of governance, and challenged identities grounded in the former, as well as norms relating to the latter.

Modern multiculturalism thus presses directly on potential cleavages in the modern world between culture, nation, state, liberalism and democracy. Increased cultural diversity highlights tensions within liberal democracies that were masked by greater homogeneity; such as, for example, those between individual rights and majority rule, positive and negative liberty, and between nation and state. Multiculturalism calls into question whether the nation-state in fact facilitates liberal democracy, and whether it is even viable in its traditional form. It highlights divides within liberalism and democracy, between, for example, sameness and difference, public and private, local and central, individual and community, and particular and universal. Multiculturalism therefore inevitably poses dilemmas that that span political theory and practice, and so to analyze it properly we must also think about the relationship between the two.

While there are different senses of "theory" and "practice" relevant to multiculturalism as I have cast it in this dissertation, the two most relevant are the different understandings of multiculturalism in politics and academia. The dominant understanding of multiculturalism in political practice and public discourse is in terms of the accommodation and integration of minority immigrants. In response to the dilemmas postwar immigration has posed, many states have granted cultural minorities exemptions from putatively neutral and difference-blind laws,

complemented by more positive assistance, such as language rights, education reforms, and funding for minority cultural activities. The explicit or implicit aim of these multicultural "regimes" is to help immigrants integrate into a polity which is understood as having a dominant cultural group/majority. These policies and laws are therefore aimed primarily at minority racial/ethnic/religious immigrant groups rather than national/sexual/gender minorities, who usually fall outside the scope of public/political debates over "multiculturalism."

I have argued at length elsewhere that comparative historical study of multiculturalism demonstrates that casting multiculturalism in terms of immigrant integration is unduly narrow.[13] In part, this is because appears to be conditioned by historical experiences in the Old Commonwealth, which are considered world leaders in their approach to cultural diversity. Yet many polities in the developing world encompass a degree of cultural diversity which dwarfs that present in these countries, and so their forms of "multiculturalism" inevitably diverge from the policy and legal approaches developed there.[14] Many developing countries were not pre-existing liberal democracies with a clear majority or dominant social group that underwent mass postwar immigration. Instead, many were created as independent states by decolonization, and have had to address cultural diversity as part of the process of building new polities.[15] Such post-colonial nation/state building outside of the West has often occurred without a clear cultural majority to form the core of the new country, which suggests that integration is not a single or primarily *cultural* process. Rather integration takes place across a number of different "spheres" that span the public and private, and a variety of social groups, not just immigrants.

Comparative study thus suggests that attempts to separate immigrant multiculturalism clearly from other groups and issues may be problematic, and this is borne out by the detail of the cases. The cross-cutting political, economic and cultural issues raised by cultural diversity are not cleanly separable from each other, which suggests neither are the different "types" of multiculturalism.[16] Immigrant multiculturalism is inevitably embroiled in public debates over national identity, and government attempts to treat immigrants, national minorities and indigenous peoples separately in law and policy are thus problematic. The legion legal disputes arising from multicultural policy-making mean that domestic courts have to analyse different cultural traditions as part of the process of deciding whether—and precisely how—to grant rights to different groups. Yet this process inevitably runs the risk of misunderstanding cultures, or taking sides in internal disputes between members of minorities cultures, and thereby altering the trajectory of their development. Not only does this gloss over problems that are prominent in the philosophical literature, it has also resulted in unhelpful politicization of social debates over multiculturalism, and of the law itself.[17]

Just as multicultural "issues" cut across politics, economics and culture, the different groups mutually construct each other, even as they try to justify their particular claims for recognition, rights and resources.[18] Cultural diversity inevitably engages aspects of domestic politics and law that stretch far beyond immigrant integration, including a vast arrays of social groups and issues, and raises questions regarding the basic structure and composition of the polis. The dominant understanding of "multiculturalism" in policy and law is therefore historically specific, and government attempts to "silo" immigrant multiculturalism from other issues/groups are ineffective in practice.[19] This in turn suggests that in order to fully understand the historical and philosophical issues raised by modern multiculturalism, we must look beyond political practice. The most obvious place to turn is the political theory of multiculturalism; political

theorists are more conscious of the wider issues raised by immigrant integration and cultural diversity, have better analytic tools with which to address them, and consequently have a broader and more flexible understanding of "multiculturalism."

In the academy, multiculturalism is most closely associated with political theory, which itself has multiple strands and can be characterized in a variety of ways.[20] Many of these accounts are complementary rather than competing, but nevertheless different theorists frame the debates according to their particular concerns.[21] For instance, multiculturalism can be seen both a debate *within* liberalism between strands of universalism and contextualism, and a debate *between* liberalism and its communitarian, republican, and post-colonial critics. Multiculturalism is often associated with the identarian "politics of difference," yet this can be sub-divided into "positional" and "cultural" difference, as it is by Iris Marion Young.[22] The "politics of difference" is closely related to the "politics of recognition," which is broken down by Charles Taylor into the "politics of equal dignity" and the "politics of difference."[23] In turn, multiculturalism as the "politics of recognition" is often contrasted—albeit controversially—with the "politics of redistribution" more closely associated with mainstream liberal-egalitarian and social-democratic theory.[24] Feminist theory arguably cuts across all of these debates, with different theorists falling on different sides of the various divides.[25]

Despite this diversity, it is nevertheless possible to identify some features within political theory that are broadly accepted by advocates and opponents of multiculturalism alike. The core debates revolve around the ability of liberalism to respond suitably to minority groups in both theory and practice. It seems generally accepted that the early association of multicultural political theory with the claims of minority groups that were not overtly cultural (e.g. women or those with disabilities) later shifted to a focus on issues relating to immigrants and national minorities, in part because of Kymlicka's influence.[26] Kymlicka utilized a typology of groups and rights that framed multiculturalism as an issue pertaining to both immigrants and minority national groups, but allocated different forms of rights to these groups. Under his theory, immigrant groups are usually only allocated "polyethnic" rights aimed at integrating them into the host society. In contrast, "national minorities" such the Québécois and indigenous peoples are frequently seen as entitled to some form of political autonomy, with the latter also having a right to historical reparations.

Kymlicka's central claim is that that culture forms the context of meaningful choice within which individuals choose how to live their lives, and thus must be protected by the liberal state.[27] He argued that state "neutrality" in matters of culture is illusory and potentially harmful, advocating special cultural rights primarily on the basis of the role of culture in meaningful individual choice and self-respect. He suggests that individuals interpret their environment through the "spectacles" provided by the "societal culture," which forms the context of meaningful choice within which they choose how to live their lives.[28] Kymlicka argues that a secure and vibrant culture is a precondition of autonomy and that individuals should be assumed to want to remain in their "own" culture because movement between cultures is difficult.[29] This functional account of the role of culture in individual identity and meaningful choice grounds his defence of multicultural rights.

Unlike domestic political and legal discourses surrounding multiculturalism, political theorists generally do not assume that the polity contains a cultural majority into which immigrants and other minorities must integrate. Rather, prominent advocates—and sometimes

even critics—of multicultural rights support altering political structures in order to support some "cultural" groups.[30] The structural changes advocated for liberal-democratic governance are often supplemented with multicultural rights aimed at integrating—but not assimilating—some minority groups into the dominant culture. [31] The overarching issue of which groups and rights fall within the ambit of "multiculturalism," and how they relate to one another normatively and empirically, thus connects contemporary public/political debates with the political theory literature. Political theory considers this problem more directly and systematically, in part because of its philosophical methods, and in in part because of the influence of Kymlicka's early work on the trajectory of the literature, which is structured around his typology of groups and rights.[32]

Kymlicka's typology clearly fits the dilemmas facing settler colonies such as Canada better than other Western nation-states or countries in the developing world. Nevertheless, because of Kymlicka's influence, the typology runs through much of the political theory literature, particularly work by liberal supporters of multiculturalism. Most multicultural theorists utilize these categories of groups—albeit with varying levels of endorsement and rigidity—with the majority seeing them as entitled to different bundles of multicultural rights (or no special rights at all).[33] Even those theorists who do not fall squarely within the liberal tradition seem to share key many of Kymlicka's central assumptions regarding culture and governance. For example, Charles Taylor defends the right to cultural survival in perpetuity, and thus shares a commitment to the cultural group as the primary locus of governance, especially when it coincides with the nation.[34] Taylor's politics of recognition draws on Herderian accounts of culture that have also influenced the descendants of Millian liberalism, and in so doing overlaps with liberal multiculturalism as it relates to identity and self-respect. Even post-colonial theorists such as Tully and Coulthard, who are critical of mainstream multiculturalism in theory and practice, nevertheless advocate self-rule for indigenous groups historically subject to colonization, albeit that this does not turn squarely on the role of culture.

Admittedly, some actors in the debate do not neatly follow the mainstream typology of groups and rights. For example, Iris Marion Young is broadly sympathetic to a multicultural politics of difference, but nevertheless rejects the focus on ethno-religious groups and the distribution of rights in favor of critiquing underlying structures of social power and domination. Even so, her radical form of deliberative democracy contemplates local political autonomy in a way that is arguably compatible with—or at least parallel to—Kymlicka's work in some respects. Alternative accounts of freedom from domination draw on civic republicanism, and thereby emphasize the quality of social and political relations within and across groups, likewise opening spaces for accommodations based on culture and some group self-government that is not.[35] Liberal and conservative critics of Kymlicka such as Brian Barry, Susan Moller Okin and Roger Scruton reject most "multicultural" rights on principle, including robust political autonomy for minority groups, on the basis of universal liberal principles or social cohesion. Chandran Kukathas, however, takes a contrary view, granting self-rule to any group or association that desires it, albeit it not directly on the basis of culture or equality but rather on the basis of conscience and freedom. Nevertheless, most political theorists still utilize some form of the typology of drawn from the Old Commonwealth, and therefore the focus on immigrant groups and national minorities remains.[36] So does the clear tendency of advocates of multiculturalism to limit claims to self-government to the latter, largely on the basis of the varying historical

experiences of the relevant minorities, or the putatively different role culture plays for the members of each.

On the face of it, therefore, this means political theory supports my claim that the political understanding of multiculturalism purely in terms of immigrant integration is unhelpful. Public and political discourse underplays historical interactions between different "multicultural" groups, and the way these have influenced the way they understand themselves and each other, and the policy/legal frameworks applying to each.[37] This suggests in studying multiculturalism we should not focus on the integration of immigrants into specific spheres of public life, such as the majority culture or national identity, or through narrow mechanisms, such as policy and law. Current practices of multiculturalism therefore have something to learn from the philosophical issues addressed in multicultural political theory, and its wider scope. It is clear that multiculturalism stretches far beyond the challenges posed by postwar immigrant integration, directly calling into question the theory and practice of "traditional" liberal democracy, and potentially justifying a radical remaking of the state, including grants of political autonomy to national minorities.

Comparative historical study suggests, however, that even the more expansive understanding of multiculturalism in political theory is too rigid, ignoring the fluidity of the different groups and issues in practice, and the ways they have become historically entangled.[38] For example, multiple cases indicate that the relevant groups are not fixed and stable entities which play a predictable role in liberal democracy, but rather are dynamic and contested, changing across time and social context.[39] The cases also suggest that the "civic" nation that straddles different cultures may not be robust enough to resist thicker forms of nationalism.[40] Analyzing multiculturalism historically therefore suggest that multicultural theorists cannot simply assume "shared" values or identities rooted in culture or nation are identical at a deeper level.[41] Yet political theorists—particularly liberal ones—consistently rely explicitly or implicitly on functionalist accounts of the relationship between culture, identity, meaning and governance.[42] Therefore, while comparative study therefore undermines political, public and legal discourses that cast "multiculturalism" in terms of immigrant integration, it also supports prominent critiques of liberal multicultural theory that allege it—and thereby the literature more broadly—implicitly relies on an account of culture that is too simplistic to map onto the real world.[43]

This "cosmopolitan" critique will be unpacked in detail in Chapters 3, 4, and 5. The key point here is understanding why it has traction on the political theory of multiculturalism, and how this impacts the methodological approach I will take in this dissertation. The central cosmopolitan claim regarding culture is that individuals simultaneously participate in multiple and overlapping forms of culture and identity. These critics argue that all forms of identity and culture are plural, contested and mutually constructing, and therefore assigning rights to *particular* minority cultures risks essentializing or reifying those cultures. Briefly put: essentialism is the view that a particular thing such as a concept or an object has a list of necessary properties that make it the thing that is in terms of identity or function; and reification is the act of treating something abstract or non-material such as an idea, word, or belief as if it is a real concrete entity with existence independent of human beings.[44]

In combination essentialism and reification pose several problems for multicultural political theory.[45] For example, if ascribing multicultural rights to particular groups essentializes

culture, liberal attempts to support minority cultures may be insufficiently sensitive to internal contestation within them, unknowingly taking sides in internal disputes. Additionally, even without ascribing formal rights, public discourse or social practice may embody underlying presumptions about the nature and worth of other cultures, and thereby construct both minority and majority groups as social realities.[46] All of this might alter the development of a minority culture, or even or even "freeze" that culture in place artificially. And reifying a culture would potentially imbue it with an artificial aura of necessity, and so hamper attempts to challenge and reform the culture from within. Critics of liberal multiculturalism thus allege that identifying and supporting minority cultures necessarily involves attributing essential features to them, which might encourage us to reify cultures by thinking of them as natural rather than social objects. Problems of essentialism and reification thereby open "liberal" multiculturalism to accusations of neo-colonialism, or complicity in problematic constructions of social roles, particularly as they relate to gender and race.

Accusations of essentialism and reification of culture are often leveled at Kymlicka's dominant theory and, through that, the liberal multiculturalism it has shaped. This "cosmopolitan critique" may also have traction on Taylor and others who draw on Herderian accounts of culture and nation, and perhaps even those who foreground the claims indigenous groups on the basis of their *cultural* distinctiveness.[47] Kymlicka himself rejects such criticisms, arguing they misdiagnose the issues, and that they misconstrue the relationship between theoretical and practical argument.[48] I will demonstrate in detail in later chapters that Kymlicka's overall response to the cosmopolitan critique is unconvincing, in the main because he fails to acknowledge fully the ramifications of his underlying luck egalitarian framework for his theory.

The relationship between theory and practice is therefore central to debates over multiculturalism, and to the issue of essentialism and reification in particular. Yet Kymlicka himself does not provide an adequate account of the relationship between theory and practice. This is in part because when he does discuss theory and practice his organizing vocabulary revolves around the distinction between philosophical approaches, actual policies and real-world outcomes, rather than theory and practice per se.[49] It is partly because, as we have seen in this chapter and will discuss in more detail later, the typological separation of multicultural groups and rights that underlies his theory of multiculturalism seems to be unstable.[50] And it is partly because his underlying concepts draw on Anglophone philosophy committed to the analytic/synthetic distinction, and thus are ill-suited to examining the interaction of theory and practice.[51] Instead, the narrative in this chapter indicates that assessment of multiculturalism should also be holistic, requiring both historical and philosophical investigation, and a more systematic analysis of the relationship between theory and practice. Before concluding this chapter and responding directly to Kymlicka and other liberal theorists of cultural diversity in the rest of the dissertation, it is therefore necessary to examine theory and practice in more abstract terms, and to explore the methodological implications for the study multiculturalism.

Holism, Culture and Political Theory

We have seen that the modern multiculturalism has deep, and interrelated, historical and philosophical roots stretching back through the postwar remaking of the world to the early

modern period. We have also seen that attempts to separate the various groups and issues relevant to multiculturalism in political practice and theory are unconvincing. Given the tangle of theoretical and practical issues raised by multiculturalism, it is unsurprising that the academic literature—in particular political theory—has fed into political and legal approaches to both immigrants and national minorities, and that theoretical understandings of multiculturalism have evolved in the light of political/legal practice as well as philosophical concerns.[52]

Furthermore, questions of theory and practice are not easily separated from each other even analytically. In broad terms, theory relates to how we understand the world, and practice about how we respond to the world by acting. Yet understanding and action inevitably feed into one another, and are therefore mutually constructing. Their interrelationship is especially clear in the case of multiculturalism, where theory and practice cut across each other *because* cultural diversity poses both pressing social questions and complex philosophical puzzles. In fact, multicultural adaptations to liberal-democratic governance are themselves attempts to mediate normative claims derived from abstract principles and the historical specificity of particular groups and issues. The challenges multiculturalism presents therefore vary in relation to the different political institutions, national histories, intellectual traditions and forms of diversity present in each case. These contexts themselves alter how liberal democracy itself is understood in each country, feeding back into the ways practical problems and philosophical questions are tackled.[53]

I propose that the interrelated nature of theory and practice is not, however, just an empirical feature of multiculturalism in postwar liberal democracies, but rather should be a basic presumption that informs its study. My underlying philosophical approach is postfoundational, which leads me to utilize holistic methods of argument and analysis. Holism is founded on the idea that we cannot approach facts or propositions in an isolated, atomistic way, as is typical in analytic philosophy or positivist social science. This means there are no such things as entirely tautologous statements, pure facts, or any self-evident truths which could serve as unassailable foundations for our beliefs. Holism shows that our theories and observations—moral, political and empirical—form an intertwined and mutually constructing set. Within these individual "webs of belief" our theories condition our observations and our experiences challenge our theories, which means any of our commitments are potentially open to revision. Holism shows that all knowledge arises within the contingent world-view of particular individuals, who are in turn embedded in a nexus of traditions and practices constituted by the beliefs and actions of others. It indicates that all meanings are the historical products of human beings, which makes culture a necessary background to the behavior of individuals, but something that cannot form an absolutely limiting framework.

Holism therefore pushes us towards interpretivist forms of the human sciences, and away from the logical positivism that still dominates modern social science research and government policy-making.[54] We should therefore privilege description and explanation rather than prediction, and prefer certain types of empirical evidence over others. For example, holism indicates we should be wary of formal models that treat their data as atomized units of information to be processed. Instead we should on constructing continuous and coherent narratives which help to bring into focus the relevant issues, as I have done here. As holism commits us to the basic presumption that theory and practice constantly remake each other, it also implies that historical investigation and philosophical analysis are not separate activities, but

rather must go hand in hand, and may productively inform one another. For instance, holism suggests that the application of existing theoretical frameworks is necessary for ordering and analyzing historical data, even if these frameworks must remain open to revision in the light of new information.[55] Nevertheless, while holism indicates that theory and practice are mutually constructing, it also suggests that this is a dynamic process that will take place in myriad different ways, constantly reshaping the beliefs and actions of particular actors. Detailed historical study, including examining the relevant intellectual traditions and arguments, will be needed to recover these changes, and even so, clear causation may be hard to establish.[56]

Ultimately, therefore, holism foregrounds the importance of an integrated approach to studying multiculturalism. Abstract argument and empirical investigation are open-ended, and are undertaken by historically situated individuals against a background of overlapping influences. Particular beliefs, theories or practices are not plucked from the ether by pure reason, nor revealed to consciousness by unmediated experience, and so are only intelligible within an appropriately defined context. This context must not only delineate the relevant concepts and modes of reasoning, but should also foreground the dilemmas that have spurred a reevaluation—and potential reconstitution—of a set of beliefs and, through them, the broader theories and practices in which those beliefs are embedded. In order to understand multiculturalism in both its philosophical and empirical aspects we must therefore situate it within its relevant political, historical, and theoretical contexts. In this chapter I have covered all three, with particular emphasis on the first two. In the next chapter I will focus on the latter, placing Kymlicka within his intellectual context, which in turn will enable me to unpack the full implications of the cosmopolitan critique for liberal multiculturalism.

It is worth noting, however, that holism is a particularly suitable mechanism for analyzing the broader methodological debates in Anglophone political theory as they pertain to multiculturalism, liberal democratic theory and cosmopolitanism. Early multicultural theory tended to employ the universalist style of reasoning prevalent in Anglophone liberal philosophy, and adopted by Kymlicka in his adaptation of Rawls. Subsequently there has been a shift towards more context-sensitive and politically-oriented forms of theorizing.[57] "Context-sensitive" covers a broad range of theoretical approaches, ranging from utilizing historical examples to illustrate abstract points to more radical approaches that use historical context to generate normativity itself. This has led to qualification of the more robust normative claims associated with Kymlicka's early philosophical multiculturalism, and a recent focus in Anglophone political theory on particular cases in their immediate historical circumstances. Using philosophical holism may therefore help to mitigate a broader tension between universalist and contextualist approaches that pose risks for the study of multiculturalism. For example, abstract normative argument without an understanding of historical context falsely homogenizes real-world difference, yet methodological contextualism in turn has difficulty avoiding a relativism that loses normative purchase altogether. Holism is not—cannot be, by its very nature—committed a priori to either universalism or contextualism, but rather tries to speak productively to both.

Holism is capable of accommodating historical modes of analysis, as we have seen in this chapter, yet is also philosophically robust enough to bring conceptual clarity to the key issues in liberal multicultural political theory. My form of postfoundational holism ultimately provides compelling reasons to reject essentialist or reified accounts of culture, and is therefore particularly useful for unpacking the relationship between multiculturalism and

cosmopolitanism. The political theory of multiculturalism itself forms a microcosm of much wider debates both inside and outside the academy, and holism will help us analyze the interrelationships between these various forms of liberal-democratic theory and practice. It is therefore a fruitful philosophical approach to use in this dissertation.[58] My holistic argument will marry form, function and focus: the overall philosophical position helps to clarify the nature of the issues at hand; the dynamic and contested reality of multiculturalism requires modes of analysis and substantive arguments that can accommodate its fluidity; and my methodological approach dovetails with both the choice of topic, theoretical framework employed, and the central issues of essentialism and reification.

Conclusion: Liberal Multiculturalism and the Modern World

In this chapter we have seen that the precise scope of the term "multiculturalism" varies across different contexts, but always involves the basic problem of how to manage deep-seated diversity, and consideration of the implications of this diversity for governance. Multiculturalism poses particularly acute dilemmas for liberal-democratic governance located primarily in nation-states, calling into question its standard theories and practices. We saw that multiculturalism is primarily a postwar phenomenon, yet its roots go back much deeper, to the development of the modern world through the expansion of liberal-democratic governance, domestic nation- and state-building, the rise and fall of imperialism, and the domestic and international changes that followed World War II. We saw that multiculturalism, liberal democracy and—through imperialism—the nations and states of the postwar world are all intertwined in our modern globalized world. Multiculturalism, liberal democracy and cosmopolitanism are therefore entangled with each other both historically and philosophically.

This chapter cast doubt on standard ways of understanding multiculturalism both inside and outside the academy. I have suggested that the dominant accounts in philosophy and politics are fundamentally flawed in their conceptualization of multiculturalism. Political, legal and public discourse tends to cast multiculturalism in terms of immigrant integration, yet we have seen this is does not adequately track the actual groups, issues and behaviors raised by attempts to accommodate postwar cultural diversity. The understanding of multiculturalism in political theory is wider, and its modes of analysis are more philosophically rigorous, which makes it a better template for studying multiculturalism and its entanglement with liberal democracy and cosmopolitanism. This chapter has highlighted, however, that the standard typology of groups and rights in political theory is also problematic. Comparative historical study of postwar multiculturalism shows the typology is tailored primarily to the countries of the "Old" Commonwealth, and thus may have limited traction in other national contexts.[59] In turn, this historical investigation foregrounded problematic philosophical presumptions behind the ascription of different rights to different groups, particularly those grounded in functional accounts of the relationship between culture, liberal-democratic governance and the nation-state.

The key philosophical issue to be addressed is whether, as cosmopolitan critics of liberal multiculturalism allege, any systematic response to the issues raised by diversity for liberal democratic governance risk essentializing or reifying cultures, and thereby constructing minority

groups in problematic ways. The various "multicultural" issues and groups are interrelated and mutually constructing in *both* theory and practice, and therefore attempting to separate them cleanly is fraught with difficulty. Our analysis of multiculturalism in theory and practice indicated, therefore, that our response to cultural diversity must be holistic. I then demonstrated why philosophical holism this is a particularly fruitful approach to take when studying multiculturalism. It provides methodological and conceptual clarity to the relevant debates in political theory, which itself acts as a microcosm of wider substantive and methodological debates.

This chapter has shown that the political theory of liberal multiculturalism lies at the nexus of multiple different strands of the modern world. This literature has been shaped by the theory of Will Kymlicka, and we therefore now turn to the detail of his theory, placing it in its intellectual context. This will in turn help us unpack the ramifications of cultural diversity for liberal democracy, of the cosmopolitanism critique for liberal multiculturalism and, ultimately, of all three for the modern world they have shaped.

References

[1] This chapter contains material from the following co-authored publications: Richard T. Ashcroft and Mark Bevir, "What is Postwar Multiculturalism in Theory and Practice?", in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in Britain after World War II: Immigration, Nationality and Empire," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in contemporary Britain: policy, law and theory," *Critical Review of International Social and Political Philosophy*, Vol 21, Issue 1, 2018: 1-21; Richard T. Ashcroft and Mark Bevir, "Liberal Democracy, Nationalism and Culture: Multiculturalism and Scottish Independence," *Critical Review of International Social and Political Philosophy* Vol. 21, Issue 1, 2018: 65-86; Richard T. Ashcroft and Mark Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in Contemporary Britain: Policy, Law and Theory*, Routledge (2019); and Richard Ashcroft and Mark Bevir, "Pluralism, National Identity and Citizenship: Britain after Brexit," *The Political Quarterly* Volume 87, Issue3, July–September 2016: 355-359.

[2] For another discussion of the scope of multiculturalism, see Jacob T. Levy, *The Multiculturalism of Fear* (Oxford: Oxford University Press, 2000), Chapter 5. I share his view that "[u]sefulness, not truth, is the goal" (125) of such accounts; imposing a rigid typology of multicultural groups of rights is unhelpful, as I argue later.

[3] Charles Taylor, "The Politics of Recognition," in Amy Gutmann, ed., *Multiculturalism: Examining the Politics of Recognition*, (Princeton: Princeton University Press, 1994.)

[4] James Crawford *The Rights of Peoples* (Oxford: Clarendon, 1988) and Andrew Sharp *Justice and the Māori: Māori Claims in New Zealand Political Argument in the 1980s* (Oxford: Oxford University Press, 1990) form a bridge between the legal literature on indigenous peoples and the early political theory literature on multiculturalism. See Anaya, J. S., "International human rights and indigenous peoples: The move toward the multicultural state," *Arizona Journal of International and Comparative Law*, Vol. 21, 2014: 13, for a useful survey of law relating to indigenous peoples. See also Fagan, A., *Human rights and cultural diversity: Core issues and cases*. (Edinburgh: Edinburgh University Press, 2017).

[5] See Eisenberg, A., "Multiculturalism in a context of minority nationalism: The Canadian case," in Ashcroft and Bevir, *Multiculturalism in the British Commonwealth*; Fagan, *Human rights and cultural diversity*; and Smits, K.,

"Multiculturalism, Biculturalism and National Identity in Aotearoa/New Zealand," in Ashcroft and Bevir, *Multiculturalism in the British Commonwealth*. It is therefore unsurprising that there are debates in international law regarding colonialism and liberalism that parallel domestic legal disputes. A central point of controversy amongst legal and academic practitioners of human rights is whether or not IHRL is grounded in "Western" universalist and "difference-blind" values. Critics claim that IHLR, and the broader postwar international system in which it is embedded, are themselves expressions of a particular culture or cultures, and thus open to accusations of neo-colonialism (see Mutua, M., *Human Rights: A Political and Cultural Critique*, University of Pennsylvania Press, Philadelphia, 2002). This has led to conflict within the IHLR institutions and wider community between those who see some traditional cultural practices as fundamentally incompatible with human rights ideals, those who seek to expand the reach of rights to culture within an overall human rights framework, and those who advocate a much more variegated regime of "relative universality" which allow for substantial variation in the scope and content of human rights in different areas (Fagan, *Human Rights and Cultural Diversity*).

[6] See Ashcroft and Bevir "Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice," and Ashcroft and Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond." It is clear that colonial governance at least partly constructed the social issues and groups in each locale, and its legacy affected attitudes towards, and interpretations of, liberal democracy. In turn, this altered the trajectory of nation and state building in each case, and conditioned understandings of postwar multiculturalism in theory and practice.

[7] The most famous accounts are by Ernst Gellner and Benedict Anderson.

[8] See, for example, David Miller's *On Nationality* (Oxford: Oxford University Press, 1995). For a series of excellent discussions see Arash Abizadeh, "Does Liberal Democracy Presuppose a Cultural Nation? Four Arguments." *American Political Science Review*, Vol. 96, No.3 (2002): 495-509, and "Does Collective Identity Presuppose an Other? On the Alleged Incoherence of Global Solidarity," *American Political Science Review*, Vol 99, No.1 (2005): 45-60. Kymlicka's liberal defense of multiculturalism has clear historical and philosophical links to cultural nationalism, as do recent public debates about "muscular liberalism" and national identity in the UK and elsewhere.

[9] For similar criticisms from historians and sociologists, see, for example, see the work of Gurminder K. Bhambra, in particular *Rethinking Modernity: Postcolonialism and the Sociological Imagination* (Basingstoke: Palgrave Macmillan, 2007), Stuart James Ward, *Australia and the British Embrace: The Demise of the Imperial Ideal* (Melbourne: Melbourne University Press, 2001), and "The 'New Nationalism' in Australia, Canada and New Zealand: Civic Culture in the Wake of the British World," in Darian-Smith, Kate, Grimshaw, Patricia, and Macintyre, Stuart, Eds., *Britishness Abroad: Transnational Movements and Imperial Culture* (Melbourne: Melbourne University Press 2007) 231-263, and Catherine Hall, "British Cultural Identities and the Legacy of Empire" in David Morley and Kevin Robins, Eds., *British Cultural Studies: Geography, Nationality and Identity* (Oxford: Oxford University Press, 2001), 27-39.

[10] This has led human rights practitioners to adapt even this hegemonic and universalist discourse to the fact of cultural diversity through creating forms of a "right to culture," and to calls for the reform of international economic institutions and practices.

[11] See Miller and Abizadeh *supra*, and, from a different perspective, Wendy Brown's *Undoing the Demos: Neoliberalism's Stealth Revolution* (Zone Books, 2015; 4th printing, 2017) and *Walled States, Waning Sovereignty* (Zone Books, 2010, 2nd printing with a new Preface, 2017).

[12] For a differing account of the relationship between the theory and practice of multiculturalism, see Will Kymlicka, "The Essentialist Critique of Multiculturalism: Theories, Policies, Ethos," in Varun Uberoi and Tariq Modood, eds., *Multiculturalism Rethought: Interpretations, Dilemmas, New Directions* (Edinburgh: Edinburgh University Press, 2015), 209-249. I will address this article more directly later on, but for now we should note that Kymlicka's organizing vocabulary in "The Essentialist Critique" is different from mine, revolving around the distinction between philosophical approaches, actual policies and real-world outcomes.

[13] See Ashcroft and Bevir, "Comparative perspectives on the Theory and Practice of Multiculturalism*"* and "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond,"

[14] I use "Old" and "New" Commonwealth to distinguish the white-settler colonies of Canada, Australia and New Zealand from other colonies in the Empire which were never intended to be permanently settled by the British, and whose relationship to Great Britain was marked by more nakedly extractive practices. These terms are more common in Britain than elsewhere and historically they have functioned as thinly-veiled proxies for race. Nevertheless, I find the distinction helpful as shorthand. Also, I do not include South Africa and Zimbabwe within the former, for two main reasons. Firstly, their histories of institutionalised racial apartheid were not attempts to integrate immigrants or grant genuine self-rule to minorities, but simply attempts to control and oppress a majority

racial "group." They are therefore part of the broader story of post-colonialism, but do not sit easily within a discussion of genuine attempts at accommodating cultural diversity (see Will Kymlicka *Liberalism, Community, and Culture* (Oxford: Oxford University Press, 1989, Ch. 13). Secondly, both of these countries were so aberrant in their forms of governance that they were expelled from the Commonwealth in the 1960s, albeit that they later re-joined (and in Zimbabwe's case, left again). Their forms of governance were therefore deeply isolationist for a long period of the 20th century, and have very little overlap with the policies of bi- and multiculturalism developed in Canada, Australia and New Zealand.

[15] See Wale Adebanwi, "Contesting Multiculturalism: Federalism and Unitarism in Late Colonial Nigeria," in Ashcroft and Bevir, *Multiculturalism in the British Commonwealth*; Rochana Bajpai, "Multiculturalism in India: An Exception?" in Ashcroft and Bevir, *Multiculturalism in the British Commonwealth*, Farah Godrej, "Secularism in India: A 'Gandhian' Approach," in Ashcroft and Bevir, *Multiculturalism in the British Commonwealth*; Daniel PS Goh, "Arrested Multiculturalisms: Race, Capitalism and State Formation in Malaysia and Singapore," in Ashcroft and Bevir, *Multiculturalism in the British Commonwealth*; and Viranjini Munasinghe, "The Cunning of Multiculturalism: A Perspective from the Caribbean," in Ashcroft and Bevir, *Multiculturalism in the British Commonwealth*. Malaysia, Singapore, India, and Trinidad and Tobago have all struggled to blend different cultural groups together, yet of these states only Malaysia and Singapore have received significant numbers of postwar immigrants, many of whom are treated akin to guest workers who do not require permanent integration. The Nigerian case provides the clearest illustration, however, that framing multiculturalism in terms of immigrant integration may be unhelpful. Nigerian independence was shaped by political competition between three main groups, none of which formed an overall majority, with no clear way of integrating the groups into a single cohesive polity.

[16] Ashcroft and Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism."

[17] Eisenberg, "Multiculturalism in a context of minority nationalism," and Fagan, *Human Rights and Cultural Diversity*.

[18] Ashcroft and Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism," Eisenberg, "Multiculturalism in a context of minority nationalism," Bajpai, "Multiculturalism in India: An Exception?," Munasinghe, "The Cunning of Multiculturalism," and Smits "Multiculturalism, Biculturalism and National Identity."

[19] Ashcroft and Bevir "Comparative Perspectives on the Theory and Practice of Multiculturalism," Bajpai, "Multiculturalism in India," Munasinghe, "The Cunning of Multiculturalism," Eisenberg, "Multiculturalism in a context of minority nationalism."

[20] For a series of "histories" of the multicultural debate see "Introduction" and "Part I: Trajectories" of Anthony Simon Laden and David Owen, eds., *Multiculturalism and Political Theory* (Cambridge: Cambridge University Press, 2007). These histories emphasize different aspects of the debates, but are broadly compatible with each other and my account. While the connection to decolonization is widely acknowledged, I differ by foregrounding the ways in which the intersection of liberal, colonial and multicultural governance conditioned the various forms of postwar multiculturalism, and in my suggested response of polycentricity and pluralism.

[21] For useful introductions to, and summaries of, the political theory literature along these lines see: Sarah Song, *Justice, Gender and the Politics of Multiculturalism*, (Cambridge: Cambridge University Press, 2007); Laden and Owen, *Multiculturalism and Political Theory*; and Sarah Song, "Multiculturalism" Stanford Encyclopedia of Philosophy, ed. Edward N Zalta, Winter 2010 https://plato.stanford.edu/archives/spr2017/entries/multiculturalism

[22] See Iris Marion Young, "Structural Injustice and the Politics of Difference," in Laden and Owen, *Multiculturalism and Political Theory*, 60-88.

[23] Taylor, "The Politics of Recognition."

[24] See Nancy Fraser's "From Redistribution To Recognition? Dilemmas Of Justice In A 'Post-Socialist' Age," *New Left Review*, I/212, July-August 1995, and Brian Barry's *Culture and Equality*, (Cambridge: Polity Press, 2001)

[25] Song, *Justice, Gender and the Politics of Multiculturalism* and "Multiculturalism." See also the Introduction to Laden and Owen, *Multiculturalism and Political Theory.*

[26] Laden and Owen, *Multiculturalism and Political Theory*.

[27] See Laden and Owen, *Multiculturalism and Political Theory*, 7. Prominent respondents to Kymlicka include Charles Taylor, Iris Marion Young, Susan Moller Okin, Brian Barry, Chandran Kukathas, Bhikhu Parekh, James Tully, Roger Scruton, Jacob T. Levy, Seyla Benhabib, Kwame Anthony Appiah, Jeremy Waldron, and Sarah Song.

[28] Kymlicka *Liberalism, Community, and Culture*, 97. Societal Culture is defined in terms akin to a fully functioning and self-contained society which shares a common culture across public and private spheres. In his early work, Kymlicka is explicit and consistent in his close association between societal cultures and national culture: "just as societal cultures are almost invariably national cultures, so nations are almost invariably societal cultures' (Kymlicka,

Multicultural Citizenship 80, 75-76, 93ff, 105ff and 125). In his later work Kymlicka utilizes a thinner conception of societal culture closer to a civic/political nationalism (see Clare Chambers, "Nation-building, neutrality and ethnocultural justice: Kymlicka's liberal pluralism," *Ethnicities*, 3(3), 295–319 2003 for a helpful discussion). I believe the thicker and earlier account of culture is a necessary part of Kymlicka's distinctive defence of multicultural rights for national minorities.

[29] This central "equality" argument is therefore built in two stages, with the first stage concentrating on autonomy and the second on self-respect, although the two run into each other to some degree. First, Kymlicka argues that "individuals………need access to a societal culture" in order to effectively choose how to live (my emphasis). Second, he argues that "access to one's culture" is something to which individuals are "reasonably entitled" due to their "deep bond" to it, which stems from both its role in providing meaningful options and its link to self-respect/identity (my emphasis). See Kymlicka, *Multicultural Citizenship*, 83-89.

[30] This is clearly true of Kymlicka and of Charles Taylor, but also the libertarian Chandran Kukathas, post-colonial theorists such as James Tully and Glen Sean Coulthard, and non-liberal thinkers such as Iris Marion Young.

[31] While I think this is clearly true of Kymlicka and Taylor, and thereby forms the dominant view in the theoretical literature, it is nevertheless subject to caveats and critiques. Multicultural political theory therefore tends to emphasize the relationship between culture and governance, but unlike some liberal nationalists such as Miller, both Kymlicka and Taylor disconnect the "cultural" nation or group from the state. Post-colonial theorists tend to share the presumption that some minority cultural groups, particularly indigenous peoples, should be self-governing: see James Tully, *Strange Multiplicity: Constitutionalism in the Age of Diversity* (Cambridge: Cambridge University Press, 1995), and Glen Sean Coulthard, *Red Skins, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014). Likewise, Iris Marion Young endorses claims to self-government by indigenous peoples, albeit "more as a means to the achievement of structural equality……than an end in itself" (Iris Marion Young, "Structural Injustice," 60-88, quote at 61). Even Chandran Kukathas, who does not think culture grounds specific rights, grants self-rule to any group or association that desires it, and thus allows for the possibility of self-governing cultures (*The Liberal Archipelago: A Theory of Diversity and* Freedom, Oxford: Oxford University Press, 2003). I therefore suggest think it is uncontroversial to state that the norm in theoretical accounts of multiculturalism is to focus on immigrants, national minorities and indigenous peoples as separate groups, and only seriously to contemplate substantive self-rule for the latter two.

[32] This has provoked a variety of philosophical responses, ranging from broadly sympathetic replies from post-modern and neo-Hegelian forms of the politics of difference, through a mixed reception from various liberal thinkers—universalists, feminists, cosmopolitans—to criticisms from more conservative thinkers. The most recent multicultural theory has focused to a greater degree on particular cases in their immediate historical and political circumstances, reflecting the wider transition in Anglophone political theory from universalist to contextualist theorising. Song (2007) is an example of work on multiculturalism that reflects, but is not conditioned by, the contextualist turn. For more general contextualist theory see Joseph Carens, *Culture, citizenship and community: A contextual exploration of justice as evenhandedness* (Oxford: Oxford University Press, 2000). For a useful overview in relation to multiculturalism see Jacob T. Levy, "Contextualism, Constitutionalism, and Modus Vivendi Approaches" in Owen and Laden, *Multiculturalism and Political Theory*, and Song "Multiculturalism." It must be noted, however, that post-colonial theorists such as Coulthard who are critical of mainstream multiculturalism in theory and practice nevertheless advocate self-rule for groups historically subject to colonization, such as indigenous peoples. This has been accompanied by a greater concentration on the integration of minority ethnic immigrant groups, and the latest debates often revolve around radicalisation, feminism, intercultural dialogue, and post-colonialism. For useful introductions to, and summaries of, the political theory literature see Song, *Justice, Gender and the Politics of Multiculturalism*, "Multiculturalism," and Laden and Owen, *Multiculturalism and Political Theory*. The most notable interlocutors of Kymlicka were Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), Taylor, "The Politics of Recognition," Susan Moller Okin, *Is multiculturalism bad for women?* (Princeton, NJ: Princeton University Press, 1999), Barry, *Culture and Equality*, and Kukathas, *The Liberal Archipelago*. Kymlicka's later work, such as *Multicultural Odysseys: Navigating the New International Politics of Diversity* (Oxford: Oxford University Press, 2007) has also followed the contextual turn and become noticeably more empirical and comparative in orientation.

[33] Prominent claims made in support of these multicultural rights are that culture facilitates individual autonomous choice, supports self-respect, and grounds shared identities vital for democratic governance. I argue elsewhere that

Kymlicka's theory of multiculturalism is part of a broader family of liberal positions—along with, for example, Miller's *On Nationality*—that see the cultural nation as vital for the functioning of modern democracy (Ashcroft and Bevir, "Liberal Democracy, Nationalism and Culture."

[34] See the report he co-authored with Gérard Bouchard, *Report of the Commission on Accommodation Practices Related to Cultural* Difference, Quebec: Government of Quebec, 2008; Charles Taylor, "The Politics of Recognition," and for an excellent discussion of the "Herderian" aspects of Kymlicka's argument that push him closer to Taylor see Helder De Schutter, "The Liberal Linguistic Turn: Kymlicka's Freedom Account Revisited," *Dve Domovini/Two Homelands*, No. 44, 2016, 51-65. For an overview of "cultural nationalism" broadly compatible with mine see Abizadeh, "Does Liberal Democracy Presuppose a Cultural Nation?"

[35] Song, "Multiculturalism."

[36] Even Barry, for example, finds himself inevitably drawn into making a series of "exceptions" to his robust universalist liberalism that have the effect of demarcating various different ethnic, religious and other groups as deserving of special treatment on grounds of distinctiveness. See Paul Kelly, ed., *Multiculturalism Reconsidered*, (Cambridge: Polity 2002) for a series of useful discussions.

[37] The politicization of public discourse surrounding multiculturalism and national identity also discourages groups from framing their claims in multicultural terms, glossing over important philosophical problems and deeper connections between different issues. In public debates over national identity the overarching goal is to articulate an inclusive form of it that can integrate a multicultural citizenry. Yet current popular discourse fails to address the pressing question as to whether non-exclusionary forms of identity can have the desired effects, not just on immigrants but on the wider populace. Integration is not a unitary process but rather takes place in different ways, across many locales and into multiple groups.

[38] These philosophical concerns, articulated below and explored in detail in the rest of this dissertation, are also borne out by comparative historical study; see Ashcroft and Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism."

[39] See Ashcroft and Bevir "Comparative Perspectives on the Theory and Practice of Multiculturalism."

[40] Ibid.

[41] Ibid.

[42] Ashcroft and Bevir "Liberal Democracy, Nationalism and Culture."

[43] Ashcroft and Bevir, "Pluralism, National Identity and Citizenship" and "Liberal Democracy, Nationalism and Culture."

[44] Or culture!

[45] For the broader political theory debates regarding essentialism see Andrew Mason's "Multiculturalism and the Critique of Essentialism" in Owen and Laden, *Multiculturalism and Political Theory*, 221-243, and Song "Multiculturalism."

[46] I will show in later chapters that the problems with liberal multiculturalism exposed by cosmopolitanism go deeper than this, however. The functionalist accounts of culture which underlie liberal multicultural political theory rely (often implicitly) on claims regarding the relationship between meaning and culture, and the effects of these for political autonomy and self-respect. I will argue that this also seems to essentialize and reify meanings for individuals in a way that is impossible to sustain.

[47] They may have traction on Taylor insofar as he espouses a form of liberal nationalism, although in places he defends cultural and other rights on different grounds, which may not be affected (see Song, *Justice, Gender and the Politics of Multiculturalism* for a clear discussion of Taylor's arguments that rights to culture are intrinsically social goods). Theorists who focus on indigenous peoples such as Coulthard and Tully tend not to valorize culture in the same way as liberal nationalists and multiculturalists, and often make arguments on more directly historical grounds, as Kymlicka does in *Multicultural Citizenship*. However, any claim that indigenous peoples are materially distinct from other groups on the basis of their different historical and social experiences risks collapsing into a claim about distinctiveness of culture in practice, if not in theory. See Kukathas *The Liberal Archipelago* for a helpful discussion of the problems of trying to ascribe clear boundaries and common experiences to indigenous peoples in modern socities, many of whom no longer live traditional forms of life.

[48] See Kymlicka, "The Essentialist Critique of Multiculturalism," 212. The postfoundational position I develop later in the dissertation would qualify as "post-multiculturalist" in Kymlicka's sense, although I dispute that his critique of postmulticulturalism gains any significant traction on mine. I will analyze the cosmopolitan/essentialist critique of liberal multiculturalism at greater length in later chapters, responding directly to Kymlicka's arguments. There are

several key differences between my position and "post-multiculturalism" as Kymlicka articulates it. Firstly, my critique of liberal multiculturalism does not turn purely on a rejection of "culturalist aspirations," which I accept as a social reality—albeit one I think has problematic effects, particularly at the level of the cultural nation—and try to accommodate through polycentricity. Secondly, my critique does not leave "all real-world practices of [liberal multiculturalism] untouched," but rather engages with the effects of "siloing" multicultural issues/groups in both theory and practice, and points towards a radical remaking of the state and liberal-democratic norms/practices far beyond that typically envisaged by liberal multiculturalists. Thirdly, I identify interconnected forms of essentialism in political theory, policy/law *and* public discourse. I trace these back to the real-world entanglement of liberal and colonial governance, overly-narrow policy approaches and resulting public discourse, and philosophical flaws in dominant forms of multicultural theory. My holistic diagnosis of the problem, and radical solution to it, addresses all three of Kymlicka's "levels" simultaneously, unlike the post-multiculturalists (*ibid* 221-233). And lastly, my approach addresses the shortcomings Kymlicka identifies relating to temporary migrants, nationalism and non-geographically concentrated religious groups (*ibid* 239-244).

[49] I will address Kymlicka more directly in the remainder of the dissertation, but for now I would like to note that his organizing vocabulary in "The Essentialist Critique" is different from mine, revolving around the distinction between philosophical approaches, actual policies and real-world outcomes. By multicultural "policy" he means government responses to the full range of issues/groups covered by the political theory of multiculturalism. By "practice" he generally means the social outcomes of those policies, although he alleges his critics blur the distinction between the results of government policies and the philosophical justifications behind them (*ibid.,* 225-229). In contrast, I use "policy" or "political practice" to mean government attempts to integrate minority immigrants, and the accompanying public debates. I distinguish multicultural policy/practice in this sense from the broader scope of the term "multiculturalism" in political theory. Nevertheless, my commitment to philosophical holism means at some points I use "practice" as a more general contrast to "theory" in order to distinguish theoretical "webs of belief" from the social practices in which they are instantiated. In any event, the different uses of the terms are either specified or (I hope) clear from the context.

[50] For example, granting only some groups political autonomy, the standard typology prioritizes the role of culture for some individuals over others by granting different rights to different groups.

[51] See Bevir, *The Logic of the History of Ideas* (Cambridge: Cambridge University Press, 1999).

[52] The influence of practice on theory can be seen in Kymlicka's later work (e.g. *Multicultural Odysseys* and "The Essentialist Critique") which is more empirical and comparative than his earlier more philosophical work.

[53] Ashcroft and Bevir "Comparative Perspectives on the Theory and Practice of Multiculturalism."

[54] See Mark Bevir, *A Theory of Governance* (Oakland: University of California Press, 2013).

[55] Historical investigation may help to foreground these processes, thereby illuminating the dilemmas that have spurred reconstitution of beliefs, the traditions those beliefs draw on, and the practices through which they are expressed. Philosophical analysis of the normative issues raised by practical examples may thereby highlight overlooked similarities between different concrete cases, suggesting a change in how we approach these in practice. Inversely, a comparative historical examination may help to clarify the normative issues at stake, thereby problematizing existing philosophical frameworks and pointing to towards the value of a new set of philosophical questions and political arrangements, as I argue later in this dissertation.

[56] We must therefore be circumspect, as Kymlicka suggests, of broad-brush claims regarding the precise effects of multicultural theory and practice, even as we acknowledge these effects must exist. I agree with Kymlicka that clear evidence of the effects of multicultural policies in liberal-democracies is "not easy to locate," and is both "tentative" and "preliminary" ("The Essentialist Critique," 216-217). It is notable, however, that Kymlicka attempts to assess the effects of multiculturalism on sub-state national minorities, indigenous peoples and immigrant groups separately, and through the traditional tools of positivist social science, rather than (as I have done here) historical and philosophical analysis inspired by postfoundational holism.

[57] "Context-sensitive" covers a broad range of theoretical approaches, ranging from utilizing historical examples to illustrate abstract points to more radical approaches that use historical context to generate normativity itself. For a fuller discussion see Levy, "Contextualism." By "politically-oriented" I mean approaches that prioritize actual political processes, in particular democratic deliberation, in determining outcomes. For a helpful discussion see Anthony Simon Laden, "Negotiation, deliberation, and the claims of politics," in Owen and Laden *Multiculturalism and Political Theory*, 198-217. For a fuller account of the effect of the contextual turn on multicultural political theory

see Song "Multiculturalism," and for an example of work that is sensitive to both contextual and political strands without being conditioned by them see her *Justice, Gender and the Politics of Multiculturalism*.

[58] First, holism points towards the utility of employing both philosophical and historical modes of analysis and reasoning, thereby supporting my method of combining intellectual history and abstract philosophical argument. Second, multiculturalism, liberal democracy and cosmopolitanism present between and within them a nexus of theoretical and practical issues, and holism's account of theory and practice as mutually constructing provides an analytic frame with which to untangle these. Third, the postfoundationalism that underlies my holism constitutes a philosophical position and method of inquiry that is systematically anti-essentialist, and is therefore particularly useful for diagnosing and critiquing the cultural essentialism/reification that lies at the heart of the debate. Fourth, this philosophical approach cumulatively facilitates a substantive account of culture which allows us to disconnect cosmopolitanism of culture from other normative commitments typical of cosmopolitanism, enabling us to view the issues with fresh eyes. Fifth, it will also support my account of polycentric political structures, and an emphasis on pluralism within them, by clarifying the interaction of institutions and wider social norms and practices.

[59] In both Singapore and Malaysia the forms of multiracial consociationalism adopted around independence have political, economic and cultural aspects which affect each other, and thereby "multiculturalism," in various ways. There are political tensions, as the ascription of individual citizenship rights only operates within the context of an overarching group politics. Yet political competition is itself entangled with cultural practices, as seen in the community processions and parades that helped trigger the Malaysia/Singapore split. And economics has demarcated these different ethno-cultural groups even further by way of programs of development seen as necessary for political stability and cultural harmony.

The entanglement of politics, economics and culture can likewise be seen in India, where the adoption of western liberal secularism has exacerbated political conflict between religious groups. The constitution adopted at independence also recast issues that are ostensibly religious or cultural—such as discrimination against the Scheduled Castes—in socio-economic terms, embroiling multiculturalism even further in interest group politics. These cases show that multiculturalism raises cross-cutting issues which affect the way groups relate to each other and the state. In turn, this suggests that "integration" is not a unitary process, but takes place across a number of different "spheres," including the political and economic, and through process that span the public and private, and individual and group. We therefore should not automatically prioritize cultural integration above all other forms, or assume it can/should take place in splendid isolation. Nor can we simply assume that integration in one sphere inevitably aids integration in another, or even that this would be desirable.

Although the cases cited above are from the "New" Commonwealth, the underlying point has traction elsewhere. For example, in the UK recent public discourse has been dominated by calls for immigrants to integrate into British culture more completely. Yet this ignores both the historical specificity of articulations of the cultural nation, and the long-term degradation of the welfare state that aids integration. The pluralistic nature of integration thus suggests that even in cases such as the UK which seem to fit the paradigmatic model of immigrant multiculturalism, we must be conscious of the historical nuances of particular "regimes" of integration, and how modern debates may gloss over underlying factors that are not overtly cultural. In turn, this reinforces the need to ensure that multicultural policy frameworks and the accompanying public rhetoric are open and holistic, rather than rigid and totalizing, in their approach to integration. For example, while the welfare state remains an important part of the UK's bifurcated form of multiculturalism, it has also become a central aspect of postwar British national identity. Part of the reason for the Brexit vote was the widespread perception that this national identity is threatened by immigrant multiculturalism, which is itself valued differently in different parts of the UK. The dominant public understanding of British multiculturalism in terms of immigration and race therefore masks direct political connections to issues involving national minorities, in particular Brexit and renewed pressure for Scottish independence.

In New Zealand "multiculturalism" is also understood primarily in terms of immigrant integration, yet again it is entangled at a deeper level with issues relating to national minorities. Its multiculturalism is shaped by debates over civic values and national identity, which take place against the background of official biculturalism. The neo-liberal reforms which created immigrant multiculturalism threatened key aspects of New Zealand's national identity rooted in social justice, provoking a public backlash. Related government attempts to co-opt communal values based in indigenous culture were resisted by the Maori, who distinguished themselves from immigrant groups by articulating their claims in terms of binationalism. Yet in recent years the Maori have softened their stance on

immigration, seeing immigrant groups as potential allies in their struggle to resist racism and maintain a robust biculturalism.

Both the British and New Zealand cases therefore illustrate the inevitable entanglement of multiculturalism in contests over national identity, which means immigrant multiculturalism cannot be neatly separated from issues relating to national minorities and indigenous peoples. This process occurs in both Britain and New Zealand, but is perhaps clearest in Canada. Canada's reputation as a world-leader in multiculturalism is in part built on features of its legal system which have helped to accommodate a variety of groups and claims. Ironically, however, this has had negative consequences. A crucial effect has been the siloing of discourses surrounding Quebec, indigenous peoples and the integration of non-white immigrants, with "multiculturalism" in public discourse construed predominantly in terms of the latter. Not only does this gloss over connections prominent in the philosophical literature, it has also resulted in unhelpful politicization of debates. Multiculturalism is presented as a mechanism by which Anglophone Canada can intrude in Quebec's political and cultural autonomy, and as potentially undercutting the distinctive claims of indigenous peoples. These difficulties are exacerbated by the legal doctrine of "reasonable-accommodation," which facilitates opportunistic resistance to liberal egalitarian norms by local majorities, and by the potentially essentializing treatment of indigenous cultures by the courts. Variegated legal arrangements and constitutional protections therefore interact with interest-group politics in Canada, meaning that even as the different groups and issues are perceived as separate in law and policy, they interact at a deeper level.

Attempts to treat immigrants groups, national minorities and indigenous peoples separately are also ineffective in the New Commonwealth. We have already seen that in Malaysia, Singapore and India multiculturalism raises political, economic and cultural issues which cut across each other, and that this has contributed to its politicization. A similar process can be seen in in Trinidad and Tobago, where the recent adoption of "official" multiculturalism draws on policy discourses that construe it primarily in terms of integration. Yet this multiculturalism has disturbed the precarious balance between the organically developed commonality aligned with Afro-Trinidadian interests, and the self-conscious cultural diversity favored by Indo-Trinidadians. Overall, therefore, the cases show that even narrow conceptualizations of multiculturalism are implicated in contests over state resources, national identity and cultural recognition. "Multiculturalism" thereby helps to construct competing groups as social entities through policy, law and public discourse, even as they try to keep themselves separate.

Lastly, cases in the New Commonwealth highlight that the association of integration with immigration is contingent. Malaysia, Singapore, India, and Trinidad and Tobago have all struggled to blend different cultural groups together, yet of these states only Malaysia and Singapore have received significant numbers of postwar immigrants, many of whom are treated akin to guest workers who do not require permanent integration. The Nigerian case provides the clearest illustration, however, that framing multiculturalism in terms of immigrant integration may be unhelpful. Nigerian independence was shaped by political competition between three main groups, none of which formed an overall majority, with no clear way of integrating the groups into a single cohesive polity.

The cases thus highlight that integration is a key issue even in the absence of mass immigration or a dominant majority. See Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press, 2019, for a fuller discussion.

Chapter 2

Liberal Multiculturalism: Context, Content and Kymlicka[1]

Kymlicka's theory of multiculturalism arose in the context of an Anglophone political theory dominated by the debate between Rawlsian liberals and the communitarians. In this chapter I will set out the keys ways in which this intellectual context influenced his theory of multiculturalism and, through that, the trajectory of liberal multiculturalism in political theory. I will demonstrate that Kymlicka's understanding of the liberal/communitarian debate posed certain philosophical problems. These dilemmas both gave rise to his theory of liberal multiculturalism, but also shaped it in ways that render liberal multiculturalism vulnerable to the cosmopolitan critique.

This chapter therefore has several functions in the context of this dissertation. Firstly, it will set out the main features of Kymlicka's theory of multiculturalism, focusing on the central "equality" argument that runs though both *Liberalism, Community and Culture* and *Multicultural Citizenship*. Secondly, it will demonstrate the ways in which Kymlicka's luck-egalitarian interpretation of the liberal/communitarian debate influenced the form of this equality argument. Thirdly, it will outline some key continuities and differences between *Liberalism, Community and Culture* and *Multicultural Citizenship*, indicating which are relevant to Kymlicka's core argument, liberal multiculturalism, and to the cosmopolitan critique of them. Overall, this chapter will set up the analysis of the cosmopolitan critique that forms the center of this dissertation by exposing the philosophical roots of Kymlicka's theory. In Chapters 3 to 5 I will argue that Kymlicka's interpretation and adaptation of his intellectual inheritance ultimately undermines his position. I demonstrate that a postfoundational analysis of the cosmopolitan critique, and Kymlicka's actual and possible responses to it, either commits him to an incoherent essentialism and reification of culture, or collapses his position into a less persuasive version of the communitarian critique he is responding to.

In this chapter I will focus on Kymlicka's two key philosophical works, *Liberalism, Community and Culture* (1989) and *Multicultural Citizenship* (1995). Whilst Kymlicka has written a great deal on multiculturalism, these two books are his most influential, contain the overwhelming majority of his philosophical arguments on this issue, and are the works that have had the greatest influence on the basic trajectory of the debate.[2] In some instances I will supplement them with material from Kymlicka's *Contemporary Political Philosophy: An Introduction*, which sometimes amplifies and clarifies his position. I will argue that the influence of the Rawlsian context is most clearly seen in *Liberalism, Community, and Culture*, but can still be felt in the more famous *Multicultural Citizenship*, and that a thorough study of the former is essential for understanding the latter. This will chapter is therefore organized broadly chronologically, examining the two texts in order and noting important continuities and differences between them. I will start, however, by providing an overview of Kymlicka's arguments for liberal multicultural rights, which I will (following his terminology) call the "equality" argument.

The Equality Argument

Kymlicka's theory of multiculturalism draws on aspects of both liberalism and communitarianism, attempting to mediate them by adapting "Rawlsian" liberalism to make it more amenable to communal attachments. Whilst he shares the communitarian concern with cultural communities and their relation to self-respect, he rejects their claim that our cultural attachments constitute the self and provide our unchosen ends and values.[3] Instead, Kymlicka sides with Rawls' view of the self as a "rational reviser" which can choose its ends and values, and endorses the connected claim that a crucial aspect of individual well-being stems from the process of choosing our plan of life. Unlike Rawls, however, Kymlicka argues that culture is crucial for liberalism because of its instrumental value to individuals for choice and self-respect. This view of the self and its relation to culture underlie his central argument for multicultural rights, which turns primarily on the need for all individuals to have equally secure and vibrant cultures as "contexts of choice."[4] This "equality" argument appears in an early form in *Liberalism, Community and Culture* and is clarified and expanded upon in *Multicultural Citizenship*.[5] I will explore it in more detail below and in the chapters that follow, but provide a brief summary here.

The equality argument has two main parts, with the first part concentrating on autonomy and the second on self-respect.[6] First Kymlicka posits that "individuals.........*need* access to *a*.....culture" in order to choose effectively how to live meaningful lives.[7] Second he argues that "access to *one's* culture" is something to which individuals are "reasonably entitled" due to their "deep bond" to it, which stems from both its role in providing meaningful options and its link to self-respect and identity.[8] The central philosophical claim is therefore that individuals are located in a *particular* culture that plays a necessary role in autonomy. This primary claim partly underpins the secondary argument that we are closely bound to our *own* culture and so should not be forced to assimilate to a different one.[9]

A central part of Kymlicka's theory is therefore predicated on the importance of culture for individual choice. His argument assumes that a culture provides its members with a "context of choice" that provides "meaningful options" as to how they should live their lives. This means he sees a strong culture is a "precondition" of rational revision and thereby well-being, stating: "[p]ut simply, freedom involves making choices amongst various options, and.......culture not only provides these options, but also makes them meaningful to us."[10] This means a "weak" culture has a negative impact on the ability of individuals within it to choose and act on their plan of life.[11] He sees this disadvantage as an unchosen circumstance and therefore as morally arbitrary, meaning that liberal egalitarianism requires any cultural disadvantage is corrected for by the state.

The "group-differentiated" rights required to achieve this will only be provided to the members of the minority culture and so cut across standard universal rights such as freedom of speech, assembly and religion.[12] Nevertheless, Kymlicka argues that these rights do not conflict with key liberal commitments to equality, autonomy and state neutrality, but are actually required by them.[13] He thinks that the typical conception of liberal state neutrality draws on traditional approaches to freedom of religion, whereby the state refuses to privilege one form of the good over another.[14] He argues that this "benign neglect" is illusory because the state cannot help but promote some cultures over others, for example by dress codes or public holidays.[15] Kymlicka therefore rejects "strong" benign neglect in favor of a "weak" liberal neutrality which

does not promote different ways of life over others on the basis of their intrinsic worth.[16] This permits state action to promote certain aspects of culture on purely instrumental grounds—such as the promotion of an official language for practical reasons—even if this has unequal effects on different cultural groups. Kymlicka argues this type of state action has historically formed part of projects of "nation building," and that his GDRs are required in order to counteract the unequal effects of these policies on members of minority cultures.[17]

The equality argument forms the centerpiece of *Liberalism, Community and Culture* and, whilst it is expanded on in some respects in *Multicultural Citizenship*, I will demonstrate below that the core features and the basic logic remain constant. In the next section I will show that the basic form of the equality argument flows directly out of, and is conditioned by, Kymlicka's interpretation of contemporaneous debates regarding the nature of the self, community, and liberalism.

Liberalism, Community, and Culture

The book was published in 1989, against the background of an Anglophone political theory still dominated by the debate between Rawlsian liberals and the communitarians. The influence of this context can be seen in the way the book is structured, the detailed account of the debate that surrounds Kymlicka's own argument, and its mechanisms of philosophical analysis. The book is organized into three parts. The first section "Liberalism" comprises a chapter on Kymlicka's understanding of liberalism and a chapter examining the famous debate on the relative priority of the Right and the Good. The following section on "Community" looks first at the communitarian critique of the Rawlsian self, then Charles Taylor's critique of "atomistic" liberalism, and lastly examines Marxist critiques of liberal justice. The final section "Liberalism and Cultural Membership" sets out Kymlicka's analysis of culture and positive arguments for multicultural rights, and positions his theory in relation to different strands of the liberal tradition and communitarianism. The basic structure of *Liberalism, Community, and Culture* therefore shows that Kymlicka's theory of multiculturalism attempts to synthesize seemingly opposed strands of the liberal/communitarian debate into a coherent but distinct position.[18]

This reading is reinforced by a closer examination of the text, the bulk of which is comprised of a detailed analysis of the terms of the liberal/communitarian debate rather than an account of Kymlicka's own theory. The first full chapter and most of the second part of the book are taken up with responses to communitarian criticisms of liberalism, the liberal view of the self and its relationship to society, and a discussion of the role of the state.[19] Kymlicka defends a conception of the self as a "rational reviser" and argues liberalism is defined by its concern with freedom of choice, anti-paternalism, anti-perfectionism and moral equality. He states that this view is both compatible with and indebted to Rawls and Dworkin,[20] and explicitly articulates it as a repudiation of communitarian critiques of liberalism.[21] He rejects the communitarian view of the self as "embedded" in social roles in a way that renders it incapable of choosing its ends.[22] This is partly accomplished by presenting his "rational reviser" model as an alternative, and partly on the basis of intuitive arguments.[23]

Kymlicka also tries to refute Charles Taylor's allegation that liberal state cannot produce the social conditions necessary for individual choice.[24] He argues that this "social thesis"

underplays liberalism's commitment to a "culture of freedom" and diversity, connecting his vision of the self as a "rational reviser" with an anti-perfectionist defense of "weak" state neutrality. It is only *after* this extensive narrative in Chapters 1 – 6 that he sets out his equality-based argument for multicultural rights in Chapters 7 – 9. There Kymlicka argues that the liberal antipathy to rights based on group membership is misplaced,[25] and that his theory of multicultural rights is staunchly individualist and liberal, contrasting it with communitarian and collectivist defenses of minority cultures.[26]

In between the sketch of liberalism and the liberal self in Chapter 2 and the defense of this against communitarianism in Part II of the book, Kymlicka has an entire chapter devoted to a discussion of perhaps the most famous point of contention between Rawls and the communitarians, the relative priority of the Right and the Good. The fact that one of the first two full-length chapters of *Liberalism, Community and Culture* is concerned exclusively with this debate is striking to the reader. Whilst the rhetorical effect is plain to see, the connections with the following chapters are much less clear at first glance.[27] Upon further examination, however, we can see in this chapter key aspects of Kymlicka's interpretation of Rawls that color his theory of multiculturalism in crucial ways.

Kymlicka argues that Rawls' treatment of the Right versus the Good unhelpfully conflates three distinct issues, and that this conflation is carried over into the debate with the communitarians.[28] He thinks Rawls' defense of the priority of the Right over the Good primarily stems from three commitments: first, Rawls is anti-utilitarian, where utilitarianism is understood as having a commitment to the maximization of the Good;[29] second, Rawls is anti-perfectionist, in that he is neutral between rights-respecting forms of the Good;[30] and third, Rawls is concerned with equality of resources not equality of welfare.[31] Rawls describes all three of these positions in terms of the single Right versus Good distinction, yet Kymlicka argues that one's stance on each of these three issues need not be driven by a commitment to either the priority of the Right or the Good as that distinction as articulated by Rawls. Instead, he argues that parsing these three issues in terms of the Right versus the Good actually obscures what is at stake in each case.[32]

There seem to be three key points Kymlicka wishes to make about the relationship between the Right and the Good. First, he argues that some forms of utilitarianism are deontological rather than teleological according to Rawls' own criteria because they are based on the principle of equal concern and respect, and it is this commitment that leads these utilitarians to weigh preferences equally. They do not define the Right as the maximization of the Good; instead the maximization of the Good (defined as preference satisfaction) is actually a by-product of the equal weight of preferences, itself derived from the deontological commitment to equal moral worth. He therefore concludes that this form of utilitarianism does not conflate the separateness of persons in the way Rawls suggests, in fact it is predicated on it.[33]

Second, he argues that Rawls' anti-perfectionism (and by implication his own) still involves a "thin" account of the Good. This is because the primary goods Rawls defends presuppose an account of human nature and human goods, albeit one that is different from a perfectionist's because it is not tied to a particular conception of the Good. Therefore Rawls' neutrality is only between the forms of the Good that are rights-respecting; it is not a complete repudiation of the Good nor an attempt to design a theory without any view of the Good in the way that Sandel suggests.[34]

Third, Kymlicka argues that Rawls' defense of equality of resources rather than welfare is best articulated as a commitment to the principle that people are responsible for the consequences of the choices they make, but not their unchosen circumstances. Thus, if people choose to develop expensive tastes (e.g. a taste for Château Margaux, say, as opposed to Charles Shaw), justice does not require that they be given extra resources to make up for it. People are entitled to an equal share of resources, not equal welfare.[35] Kymlicka thus interprets Rawls' liberalism as requiring that unchosen circumstances must be corrected for by primary goods and the Difference Principle,[36] but that individual choices are not subsidized so as to ensure an equal satisfaction of preferences.[37] Again, he thinks that this crucial point is obscured by the Right and Good terminology.

The crucial question is how these three key points relate to the rest of *Liberalism, Community, and Culture*, and to Kymlicka's theory of multiculturalism. Whilst Kymlicka does not explicitly outline the relationship of the chapter on the Right and the Good with the rest of the book, there seem to me to be three key connections. First, his interpretation of utilitarianism as predicated on the principle of equal moral worth allows Kymlicka to move the focus away from questions about the Right and the Good and onto the issue of how to best instantiate equality, the value that informs his central argument multicultural rights.[38] Second, his argument that liberal anti-perfectionism is compatible with and, in fact, requires, a conception of the good life allows him to side-step much of Sandel's critique of Rawls, yet also to make the issue of state neutrality a central one, dovetailing with his discussion of Taylor's social thesis. Third—and most importantly for this dissertation—Kymlicka's rearticulation of equality of resources versus equality welfare in terms of responsibility for choices, and thence into a contrast between choices and (unchosen) circumstances, leads directly into the specific arguments he makes for multicultural rights, which turn on the choices/circumstances distinction.

As well as forming the context and inspiration for Kymlicka's theory, the liberal/communitarian debate also provides the philosophical framework through which he analyses that debate, and thereby conditions his positive argument for multicultural rights. *Liberalism, Community, and Culture* is a revised version of the thesis he completed for his doctorate at Oxford under the supervision of GA Cohen, who later wrote extensively in defense of a "luck-egalitarian" approach to redistributive justice.[39] I will discuss luck egalitarianism in more detail in later chapters but, in basic terms, it is a species of liberal political theory that seeks to minimize the influence of bad luck on an individual's life—particularly as it pertains to the social position they were born into, and the natural talents they have—whilst still allowing an individual to bear the consequences of their actions.[40] The idea emerged from Rawls' discussion of social and natural lotteries in *A Theory of Justice*, and his attempts to mitigate their effects via his two principles of justice (although it remains controversial to apply the term—which was not coined until much later—to Rawls *simpliciter*). For present purposes, however, I wish to make two points which are in themselves uncontroversial: firstly, Kymlicka clearly interprets Rawls in luck-egalitarian terms, likely influenced by Cohen;[41] and secondly, Kymlicka's luck egalitarianism is not Cohen's welfarist variety, but is rather derived from Ronald Dworkin's resource-based account set out in his two 1981 articles "Equality of What?"[42] This form luck egalitarianism is vital for understanding the particular arguments Kymlicka makes in defense of multiculturalism and, ultimately, why his theory is vulnerable to the cosmopolitan critique.

An examination of the text of *Liberalism, Community, and Culture* therefore makes it clear that Kymlicka's argument for differentiated groups rights flows directly out of his analysis of the liberal/communitarian debate. His theory of multiculturalism is explicitly framed as both a rejection of communitarian treatments of the issue, and an adaptation of a liberalism that mistakenly undervalues cultural community. The first two sections of *Liberalism, Community, and Culture*—particularly Kymlicka's discussion of the Right and the Good—allow him to reframe the debate between liberals and the communitarians so as to set up his theory of multiculturalism. His analysis of that debate focuses it on issues that flow into his treatment of multiculturalism, framing his argument for multicultural rights in luck-egalitarian terms.

This brings us to the crux of the book, Kymlicka's analysis of culture and his defense of certain multicultural rights for members of minority cultures, which are concentrated in chapters 7, 8 and 9 of *Liberalism, Community, and Culture*. These are both explicitly formulated in terms derived from Kymlicka's interpretation of Rawls, Dworkin and the communitarians, and completely philosophically dependent on luck-egalitarian premises.[43] In these chapters Kymlicka sets out the understanding of culture as the "context of choice" for individuals, a context which contains our various options for living, and renders these options "meaningful" to us through "cultural narratives."[44] It is also in these chapters that Kymlicka sets out his argument for differential rights for the members of minority cultures on the basis of equality. We met both of these aspects of Kymlicka's theory at the start of this chapter, where the general thrust of Kymlicka's argument was apparent. A more detailed examination, however, of the way Kymlicka sets out his theory in *Liberalism, Community, and Culture* shows that these arguments arise directly out of Rawls' liberalism understood in luck-egalitarian terms. This means they are articulated in a particular way and come with certain philosophical baggage.

The most obvious connection between Kymlicka's arguments for multiculturalism and Rawls is that Kymlicka self-consciously styles his position as an adaptation of something like a Rawlsian liberalism. He argues that since culture is crucial to individual choice, it must be added to the list of "primary goods" that play a crucial role in Rawls' account of liberal justice.[45] These primary goods are the result of Rawls' "thin" account of the Good, and as such are designed to be of value to individuals whatever their plan of life, and are therefore distributed according to, and constrained by, the principles of justice agreed by individuals in the original position. Kymlicka thinks that Rawls' failure to see culture as a primary good perhaps stems from an assumption that the polity is cultural homogenous, so the potential inequality of belonging to a minority culture does not occur to him.[46] Kymlicka argues, however, that whilst Rawls should, on his own terms, adapt his theory so as to add culture to the list of primary goods, were he to do so it would require substantial revision of other parts of his theory. For instance, he thinks that Rawls' priority of the basic rights/liberties over the other rights/goods subject to the difference principle is not compatible with multicultural rights. This is because the differential rights that culture as a primary good would require would override the basic liberties of members of the majority culture in some circumstances.[47]

Nevertheless, Kymlicka argues that given Rawls' various commitments, particularly his commitment to rational revision and his defense of liberty on the basis it is crucial to securing

the self-respect he so highly values, Rawls should see culture as a primary good and amend his theory accordingly:-

> "Rawls' own argument for the importance of liberty as a primary good is also an argument for the importance of cultural membership as a primary good.........If we view cultural membership as a primary good within Rawls' scheme of justice, then it is important to remember that it is a good in its capacity of providing meaningful options to us, and aiding our ability to judge for ourselves the value of our life-plans."[48]

It therefore seems fair to say that for Kymlicka not only is culture a primary good, it is possibly the most important primary good because of the way in the way it filters and interprets all the others, and thereby is necessary to secure freedom and choice and self-respect.[49]

Kymlicka's conceptualization of culture as a primary good sets up his equality argument, which is cast explicitly in luck-egalitarian terms. Using the idea of responsibility and the distinction between choices and unchosen circumstances, he argues that the state of one's culture is an unchosen circumstance not an individual choice, and therefore, given that individuals in some sense need a rich, vibrant and secure culture for individual choice, those in weak or vulnerable minority cultures should receive special multicultural rights aimed at supporting that culture.[50] His equality argument is in reality based in individual equality of opportunity, which leads to rights aimed at securing equality of outcome of cultures in terms of security and vibrancy.[51] His argument therefore turns on the choices/circumstances distinction, which Kymlicka needs to be able to articulate in terms of his understanding of the nature of culture.

Kymlicka directly maps the choices/circumstances distinction onto the distinction he makes between the character of a culture and the existence of a cultural structure.[52] He defends the existence of a cultural structure as a primary good, not the particular character of a culture at any one time. The character of a culture is the result of the choices of its members as to how they live their lives, whereas the state of the cultural structure (understood as the context of choice) is not itself an object of choice. A weak or vulnerable culture is therefore an unchosen circumstance that equality requires be corrected for, and doing so does not involve unfairly subsidizing the choices that go into shaping its character,[53] which would be incompatible with liberal neutrality and its stress on responsibility.[54] It is at this point Kymlicka makes his secondary argument that we are closely bound to our own culture in such a way that movement between cultures is difficult, painful and often demeaning, concluding that "it seems that we should interpret the primary good of cultural membership as referring to the individuals' own community."[55]

This use of the character/structure distinction means that Kymlicka's account of culture is, on the face of it, non-essentialist, in that he does not identify a culture with the particular beliefs, institutions and practices that constitute it at any one time. This means changes in the character of the culture do not constitute a loss of that culture, but rather a transformation of it, as the existence of the cultural structure remains constant throughout the process of change.[56] Therefore it seems Kymlicka is concerned to protect the collapse of a minority cultural structure as the result external factors, such as the choices of those in the majority culture, and has no

objection to a change in the character of a minority culture as a result of internal factors, such as the choices of its members.[57] It is partly his differentiation between the character of a culture and the existence of a cultural structure that allows Kymlicka to distinguish internally versus externally driven change. And the character vs structure distinction is clearly driven primarily by his luck-egalitarian commitment to the choices/circumstances distinction, and thereby his debt to Rawls, Dworkin and Cohen.

I suggest this aspect of Kymlicka's account of culture also takes the particular form it does because of his rejection of communitarianism in the first half of the book and the way this interacts with his luck egalitarianism. A key part of Kymlicka's rejection of communitarianism is his contrasting view of the self and its relationship to society. His view of the self as an entity which chooses and revises its ends, values and form of life is in stark contrast to what he sees as the communitarian contention that our values and ends are not objects of choice. In order to distinguish his view of the self from the communitarian one, Kymlicka must therefore ensure that an individual's beliefs and values are chosen rather than given.[58] In order to make his luck-egalitarian argument, however, he must be able to paint culture as an unchosen circumstance that can legitimately be corrected for by the liberal state without unfairly subsidizing people's choices. The obvious way to do this would be to define culture in such a way that it has little or no connection to the beliefs, values and practices of its members. This, however, would seem to be in tension with how we commonly conceive of culture and, in any event, would seem to be problematic for Kymlicka given that his argument is predicated on the role our cultural structure plays in making the options we are presented with "meaningful." It is partly this "meaning" aspect of his argument that requires Kymlicka to make what appears to be a qualitative distinction between the particular beliefs about value held by members of minority cultures, and the role that he says the cultural structure plays in making beliefs about value possible. He sees the structure as providing the "spectacles through which we identify experiences as valuable," which is clearly a direct claim about the relationship between culture and meaning for individuals.[59]

Kymlicka thus faces a philosophical dilemma, one that is driven by the combination of his rejection of the communitarian self and his commitment to luck egalitarianism. He must make beliefs and values objects of choice, and he must give culture a role in facilitating beliefs and values, but he cannot simply identify a culture with those beliefs and values. To do so would put culture on the wrong side of the choices/circumstances distinction, thereby ruling out any luck-egalitarian support for minority cultures. I suggest that this is what leads to the character/structure distinction, where Kymlicka puts the "character" part of culture on the side of choices, and the "structure" part of culture on the side of circumstances. On the one hand, this move allows him to identify the character of a culture with the particular beliefs about value which are the result of the choices of individuals. On the other hand, it allows him to describe the cultural structure as an unchosen circumstance that functions so as to make beliefs and values "meaningful," without simply identifying a culture with its character and collapsing the character and structure into one another. If he doesn't make such a move, it would be impossible for him to get his equality-based argument for multicultural rights for minority cultures off the ground.

Overall, therefore, we can see that *Liberalism, Community, and Culture* is heavily conditioned by Kymlicka's intellectual context, particularly contemporary debates in Anglophone political theory.[60] Whilst the book does deal with concrete political issues, it is strongly

philosophical in tone, and takes the form of a largely abstract and general argument for multicultural rights.[61] *Liberalism, Community, and Culture* should be seen, therefore, as defending a Rawlsian-inspired liberalism against the communitarian critique, both directly and through Kymlicka's luck-egalitarian argument for multicultural rights.[62] In order for Kymlicka to respond adequately to the communitarian critique of Rawls within a luck-egalitarian framework, however, he is forced to adopt a conception of culture that puts it half on the side of choices and half on the side of circumstances. I will argue in later chapters that it is this structure/character distinction that renders Kymlicka vulnerable to accusations that he essentializes and reifies culture. Before turning to the detail of these critiques, however, we shall examine Kymlicka's most famous work on multiculturalism, *Multicultural Citizenship*, and its relationship to *Liberalism, Community, and Culture*, and to his luck egalitarianism.

Multicultural Citizenship

As we saw in the previous chapter, multiculturalism is simultaneously a concrete social problem for postwar liberal democracies, and a theoretical problem for Anglophone liberal political theory accused of an indifference to community. In the first part of this chapter we have seen that Kymlicka's theory of multiculturalism first articulated in *Liberalism, Community, and Culture* was shaped at a deep level by the debates in Anglophone political theory at the time he was writing. He was, of course, also influenced by the Canadian political context, as can be seen in his choice of political and legal examples, and his particular focus on indigenous peoples. Nevertheless, *Liberalism, Community, and Culture* is primarily a philosophical work, and its structure and content are driven by philosophical concerns, even if the examples used to illustrate the theoretical arguments are taken mainly from the Canadian political context.

In contrast, the influence of the political theory context on *Multicultural Citizenship* is less apparent than it is on *Liberalism, Community, and Culture*, whilst the effects of Kymlicka's political context seem more pronounced.[63] The relative paucity of abstract philosophical argument in *Multicultural Citizenship* in comparison to *Liberalism, Community, and Culture* is, however, misleading. In fact, it is because there is no significant change in the fundamental philosophical framework between the two works that Kymlicka does not need to reiterate or defend it at length.[64] This is not to say that there was no evolution in Kymlicka's view and approach to the issue of multiculturalism between the two works. On the contrary, there is a great deal of new material in *Multicultural Citizenship* which alters Kymlicka's overall position, as we will see below and in later chapters. Nevertheless, the majority of the differences are on the surface, and appear to be driven by political concerns and how they interact with Kymlicka's underlying theory of luck egalitarianism, rather than by an abandonment of the luck-egalitarian approach itself.

The most obvious difference between the two works is that *Multicultural Citizenship* is not cast as an adaptation of Rawlsian liberalism in response to communitarian critiques. Kymlicka still distinguishes his position from the communitarian one[65] and characterizes it as liberal and individualist.[66] Yet tries to move the issue of multiculturalism beyond the liberal/communitarian debate and the individual versus collective rights debate, which he argues is an unhelpful way of conceptualizing the issues raised by cultural diversity.[67] It is also in *Multicultural Citizenship* that

Kymlicka' first introduces the typology of groups and rights we met in the previous chapter, and a related move whereby he refines his theory to apply to what he calls "societal cultures." Another notable change is that, in *Multicultural Citizenship* Kymlicka makes three main arguments for GDRs, only one of which is explicitly based in a philosophical account of equality, and one of which seems at first glance to be derived primarily from principles of international law.[68]

Nevertheless, the equality argument is still Kymlicka's central argument for liberal multiculturalism—trumping the other two in most circumstances—and is essentially the same as the argument put forward in *Liberalism, Community, and Culture*.[69] He utilizes the same view of the self, liberalism, culture and the state, and the normative weight still comes from luck-egalitarian premises. This is clear from a careful reading of Chapters 5 and 6, where Kymlicka's precise choice of words serves both to echo his extensive discussion in *Liberalism, Community, and Culture*, yet also to obscure slightly the degree to which that discussion grew out of the Rawls/Communitarian debate and also relies on luck-egalitarian assumptions. For example, whilst Kymlicka articulates his understanding of liberalism on the basis of the central value of "autonomy," a word not used with any frequency in *Liberalism, Community, and Culture*, he still defends his view of the individual and liberalism in terms of the freedom to lead "a good life" which must be led "from the inside," and sees liberalism as committed to the principle that individuals should be able to "rationally….assess [their] conceptions of the good…..and to revise them," closely tracking the argument and language of *Liberalism, Community, and Culture*.[70] He also similarly links this view to Rawls and Dworkin, albeit only in passing, and with the slightly misleading remark that he will rely heavily on their arguments in the rest of their chapter "[b]ecause of their prominence."[71]

Likewise, Kymlicka again refers to culture as the "context of choice" which provides "options" for individuals and makes these options "meaningful" and, whilst he objects to Dworkin's use of the term "cultural structure" as "overly formal and rigid,"[72] this cannot be taken as a repudiation of the character/structure distinction. Kymlicka reiterates this distinction, referencing the full discussion in *Liberalism, Community, and Culture*,[73] and even uses the term "cultural structure" again shortly afterwards in summarizing his view of culture.[74] As we saw in the discussion of *Liberalism, Community, and Culture*, the character/structure distinction maps directly onto the choices/circumstances distinction, the conceptual distinction that underpins the entire luck-egalitarian framework. The luck-egalitarian logic of the argument is made clear when Kymlicka briefly employs the language of "choices" and unchosen "unequal circumstances" in making his equality-based argument. He states that the liberal state should not intervene to protect particular cultural practices as that would be to unfairly subsidize people's choices, again referencing his earlier extended discussions of the issue.[75] He also refers to secure cultural membership as a "good" that must be distributed equally, although he noticeably doesn't use the specifically Rawlsian term "primary good" in the main body of the text, relegating it to an endnote.[76] All of this leads to the same conclusion regarding the equality argument as in *Liberalism, Community, and Culture*: differential rights for members of minority cultures[77] but only as so far as they are necessary[78] to secure individual equality of opportunity through something like equality of outcome for minority cultural groups.[79]

The similarities between the equality argument in *Multicultural Citizenship* and its predecessor in *Liberalism, Community, and Culture* are thus not just superficial and linguistic,

they are fundamental and logical as well.[80] All of the basic components of the luck-egalitarian framework remain: rational revision, a weakly neutral state,[81] culture as the context of choice, choices/circumstances, character/structure, external versus internal change, and differential rights. It is clear that the equality argument in Chapters 5 and 6 of *Multicultural Citizenship* is substantively the same as the luck-egalitarian argument in *Liberalism, Community, and Culture*, even if this influence has retreated into the background. While there are many differences between the two works that I have not discussed in detail in this chapter,[82] for now, it is sufficient to note the key philosophical continuities between the two works as they relate to the central equality argument and luck egalitarianism.[83]

Conclusion

In this chapter I have stressed the continuity between *Liberalism, Community, and Culture* and *Multicultural Citizenship*. We have seen that the influence of the Rawlsian political theory context so apparent in the former work endures into the latter, as does the underlying luck-egalitarian philosophical framework, and the central substantive aspects of the equality argument.[84] I demonstrated that the luck-egalitarian framework is derived from Kymlicka's reading of the liberal/communitarian debate, itself influenced by GA Cohen's views. Kymlicka's central claim is that the state of one's culture is an unchosen circumstance not an individual choice, and therefore, given that individuals in some sense need a rich, vibrant and secure culture for "meaningful" individual choice, those in weak or vulnerable minority cultures should receive special multicultural rights aimed at supporting that culture. His equality argument is based in individual equality of opportunity that leads to rights aimed at securing equality of outcome of cultures in terms of security and vibrancy.

Kymlicka's argument therefore turns on the luck-egalitarian "choices/circumstances" distinction, which he needs to be able to articulate in terms of his understanding of the nature of culture. The choices/circumstances distinction maps directly onto a distinction Kymlicka draws between the character of a culture and the existence of a cultural structure. The character of a culture is the result of the choices of its members as to how they live their lives, whereas the state of the cultural structure (understood as a context of choice) is not itself an object of choice. He defends the existence of a cultural structure as a primary good, not the particular character of a culture at any one time. A weak or vulnerable culture is therefore an unchosen circumstance that requires compensation in the form of multicultural rights. Under Kymlicka's theory these rights do not involve unfairly subsidizing the choices that go into shaping the character of a culture, which would be incompatible with liberal neutrality and individual responsibility, and would risk essentializing and/or reifying that culture. In the next three chapters, we shall assess whether Kymlicka is able to maintain this luck-egalitarian framework under pressure from the cosmopolitan critique, to which we now turn.

References

[1] This chapter contains material from the following co-authored publications: Richard T. Ashcroft and Mark Bevir, "What is Postwar Multiculturalism in Theory and Practice?", in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in Britain after World War II: Immigration, Nationality and Empire," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in contemporary Britain: policy, law and theory," *Critical Review of International Social and Political Philosophy*, Vol 21, Issue 1, 2018: 1-21; Richard T. Ashcroft and Mark Bevir, "Liberal Democracy, Nationalism and Culture: Multiculturalism and Scottish Independence," *Critical Review of International Social and Political Philosophy* Vol. 21, Issue 1, 2018: 65-86; Richard T. Ashcroft and Mark Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in Contemporary Britain: Policy, Law and Theory*, Routledge (2019); and Richard Ashcroft and Mark Bevir, "Pluralism, National Identity and Citizenship: Britain after Brexit," *The Political Quarterly* Volume 87, Issue3, July–September 2016: 355-359.

[2] *Liberalism, Community, and Culture* (Oxford: Oxford University Press, 1989) marks the inception of the multiculturalism debate in contemporary Anglophone political theory and *Multicultural Citizenship* (Oxford: Oxford University Press, 1995) is seen as the core text.

[3] Communitarians often see our attachment to local groups, including cultural ones, as a valid and vital source of moral claims and duties, and thus the recognition of these groups and their importance to their members as crucial. This communitarian attitude to minority cultural groups turns largely on arguments about the nature of the self and society, and flows out of a rejection of what they see as liberal "atomism" and a conception of the self as an abstracted entity which chooses its ends. Michael Sandel's *Liberalism and the Limits of Justice* (New York: Columbia University Press, 1982) is the most famous example of this line of critique aimed directly at Rawls. Much of the work of Charles Taylor and Alisdair MacIntyre is sympathetic with this line of critique.

[4] See Sarah Song *Justice, Gender, and the Politics of* Multiculturalism (Cambridge: Cambridge University Press 2007), 22ff. Whilst it is not the only argument Kymlicka makes in favor of rights for minority cultures, this "equality" argument is his central and most well-known one, and he is clear that his "historical" and "diversity" arguments for GDRS are not intended as free-standing arguments but rather should supplement the primary equality argument based in autonomy and self-respect: See Kymlicka *Multicultural Citizenship* Ch 6 in general, but 120-122 specifically.

[5] See *Liberalism, Community, and Culture* Ch's 8 and 9, and *Multicultural Citizenship* chs 5 and 6, particularly 108-115.

[6] The relationship between the two is slightly muddled, and arguably the two run into each other to some degree, perhaps due to an ambiguity in Kymlicka's account of the link between identity, culture and self-respect that stems from Rawls. Rawls counts "self-respect" as one of his primary goods, but seems to have several distinct (albeit possibly related) accounts of self-respect as a primary good, two of which are relevant here. The first account is that self-respect is a primary good because it plays an important role in helping us see the value of the goals and ends that we choose and therefore facilitates our pursuit of them in some way: he writes "[s]elf-respect is not so much a part of any rational plan of life as the sense that one's plan is worth carrying out." The second account of self-respect as a primary good relates it to the sense of one's own value (as opposed to the value of one's plan of life) and that this result of a proper ordering of the basic structure, primarily the recognition of equal moral worth through equal rights and liberties of citizenship, but also through the provision of a certain level of material well-being. See John Rawls *A Theory of Justice*, Cambridge Mass: Harvard University Press, 1971) 178-179. Also, at 440 Rawls has another related aspect of self-respect, which is the confidence that one has the ability, broadly put, to fulfill one's plan of life, as secured by the basic structure set up under the two principles of justice.) Kymlicka argues for something akin to both of these understandings of self-respect at different points. His dominant argument is that culture is a primary good primarily because of its link to self-respect in something like Rawls' first sense, that is because of its role in facilitating meaningful choice, in giving us a sense that our activities are "significant" and valuable, in that it "renders

vivid" the point of an activity, and comprises the "spectacles" through which we see things as valuable (see Kymlicka *Liberalism, Community, and Culture*, 97, 164-166, and 192-193, and *Multicultural Citizenship*, 89). Thus Kymlicka ties the way in which we see our activities as having value (Rawls' first sense of self-respect) with his account of culture as the context of meaningful choice, and this part of Kymlicka's account of "self-respect" is simply a manifestation of that meaning-related part of his argument. I will argue in this dissertation that given the weaknesses of that aspect of his theory, this account of the importance of culture for self-respect now seems unavailable to him, and all the weight will have to fall on the second sense of self-respect, which for Kymlicka depends a strong link between self-respect and the status/recognition of one's culture. This seems to come through more strongly in *Multicultural Citizenship* (89): "Hence cultural identity provides an 'anchor for [people's] self-identification and the safety of effortless secure belonging.' But this in turn means that people's self-respect is bound up with the esteem in which their national group is held. If a culture is not generally respected, then the dignity and self-respect of its members will also be threatened." This pushes his position back towards to the communitarians, as I will argue later.

[7] Kymlicka *Multicultural Citizenship*, 83 (my emphasis).

[8] Kymlicka *Multicultural Citizenship*, 86 and 89-90 (my emphasis).

[9] Kymlicka accepts the possibility of movement between cultures, but he argues it is difficult and painful and so individuals should be assumed to want to remain in their own culture. He considers the role of *a* societal culture as a context of meaningful choice and the bond with *our* culture to be separate claims (see Kymlicka, *Multicultural Citizenship*, 83-94), but the implication of the arguments developed here is that the distinction may be illusory. Ashcroft and Bevir, "Liberal Democracy, Nationalism and Culture," argue that Kymlicka's overall theory commits him to a "strong" cultural nationalism, mainly via his need to locate individuals in only one societal culture as a shared context of meaningful choice at any one time. This is a presupposition of his luck-egalitarian attempt to equalize cultures as (unchosen) contexts of meaningful choice. This in turn creates the need to identify and bound cultures in such a way as to raise the problems of essentialism and reification we discuss later. In any event, if the claim that we are located in <u>a</u> single societal culture as our context of meaningful choice is not tenable on the terms in which it is stated, Kymlicka has lost the central plank of his core argument, and must rely on the link between self-respect, identity and culture to do all of the work in grounding his multiculturalism.

[10] *Liberalism, Community, and Culture*, 165-6 and *Multicultural Citizenship,* 83 for the quote.

[11] It is unclear precisely what Kymlicka thinks a "weak" as opposed to "strong" culture is, but he clearly values cultural "security" and "vibrancy" and wishes the nature and status of the culture to be the result of the choices of its members not the choices of those in the majority culture.

[12] I shall refer to these standard universal liberal rights, which treat all people the same regardless of their differences, as "difference blind" rather than the phrase used by Kymlicka "colour-blind" (see *Liberalism, Community, and Culture*, 141ff), where Kymlicka makes it clear that the multicultural rights he is advocating will trump the equal citizenship rights defended by Rawls. See *Liberalism, Community, and Culture*, 163; similar material can be found in *Multicultural Citizenship*, 108-115.

[13] See for example *Liberalism, Community, and Culture*, 189-190 and *Multicultural Citizenship*, 113. Kymlicka argues that the liberal state can be considered neutral provided it does not promote different ways of life over others on the basis of their intrinsic worth, thus allowing for policies (such as regulation or taxation) which have unequal effects on different ways of life, and for the promotion of different ways of life on instrumental rather than intrinsic grounds (e.g. the promotion of an official language for practical reasons). This seems to be the case in *Liberalism, Community, and Culture*, although the fact that much of Kymlicka's discussion occurs during his chapter arguing against Charles Taylor's "social thesis" (from his famous essay *Atomism*) confuses the issue somewhat. Nevertheless, I think this position can fairly be attributed to Kymlicka in *Liberalism, Community, and Culture*, 76 to 78 generally and particularly his discussion of neutrality and the allowable justifications for state action in *Liberalism, Community, and Culture*, 96-97 Note 2, and also see his discussion of acceptable forms of state activity aimed at promoting cultural pluralism at 81. The discussion of these issues is clearer in his *Contemporary Political Philosophy: An Introduction*, (Oxford: Oxford University Press, 2002, 2nd Edition) 217-219, 247-252 and Ch 8.

[14] The clearest discussion of this aspect of "benign neglect" actually comes in the *Contemporary Political Philosophy* chapter on multiculturalism (new to the second edition published in 2002) at 343 to 347, although the idea is first raised in *Multicultural Citizenship*.

[15] This usually forms part of a project of "nation building" that is unjust to minority cultures unless counter-balanced by GDRs (see *Multicultural Citizenship*, 113-116 and *Contemporary Political Philosophy* 345 to 347).

[16] This allows for policies (such as regulation or taxation) which have unequal effects on different ways of life, and for the promotion of different ways of life by the state without breaching neutrality, even if most of this is to be left to "civil society." See above for further details.

[17] See *Multicultural Citizenship*, 113-116 and *Contemporary Political Philosophy*, 345-347. This means that his GDRs are compatible with weak neutrality and required by justice because they secure equality of opportunity. See *Contemporary Political Philosophy*, 344-347, and *Multicultural Citizenship*, 113.

[18] *Liberalism, Community, and Culture*, 5 "I hope to show that the relationship between liberalism and minority rights is more complex, and less antagonistic, than is normally supposed. Here, as elsewhere, the resources available within the liberal view of community and culture have been misdescribed, and underestimated."

[19] This rejection of communitarianism seems to straddle both Chapter 4 on communitarianism and the self and Chapter 5 on Taylor's "Social Thesis." Kymlicka's rejection of the communitarian self undercuts much of the overall communitarian account of the relationship of the self and society, but throughout the second part of the book (on "Community") he goes to great lengths to argue that the communitarian characterization of liberalism generally as "atomistic" (and thus as ignoring the social conditions necessary for the development and protection of the capacity for choice) is grossly inaccurate (see the Introduction, 15-16, and Chapter 5 generally).

[20] The fairly brief Chapter 2 on "Liberalism" makes this clear; there are legion references to Rawls and Dworkin and much of the chapter argues that critics such as Jaggar, Unger and Sullivan has substantially misunderstood the nature of contemporary liberalism. Kymlicka also takes the time to argue that any apparent disagreement with Rawls (and Marx!) regarding whether individuals as having an "essential interest" in rational revision is illusory.

[21] See *Liberalism, Community, and Culture* Chapters 4 and 5. It should be noted that, whilst the Rawls that Kymlicka is defending is the comprehensive liberalism of *A Theory of Justice* Kymlicka's sympathy with Rawls should not be taken to be a wholesale appropriation of Rawls' position. Kymlicka's view of the self is broadly Rawlsian, but he is not setting out a comprehensive system of justice and does not tie his position to the particular Rawlsian apparatus, such as the thought experiment of the original position. This means he is able to side-step the aspects of Sandel's critique aimed directly at that aspect of Rawls, such as when he states that individuals can revise any end or goal in principle over time but accepts this happens in a piecemeal rather than wholesale fashion. (He also makes a similar move in his discussion of the social thesis, distancing himself from a strong commitment to the "primacy of rights" in a conceptual sense that can be attributed to Nozick and the early Dworkin, but retaining a practical commitment to liberal rights.) Nevertheless, Kymlicka's debt to Rawls is apparent throughout his discussion of the self and arguments against communitarianism; even the manner of Kymlicka's defense of the self seems to owe something to the Rawlsian approach to political theory, as Kymlicka uses mainly intuitive arguments to reject the communitarian arguments for a view of the self as "embedded," albeit without Rawls' supporting structure.

[22] The whole of Chapter 4 is devoted to this task, which seems primarily aimed at Sandel's critique of Rawls; see particularly 53-58. Some might argue that the communitarians generally (and Sandel particularly) do not claim that we have no degree of agency in relation to our ends and goals, but rather that any agency we do possess is the result of a process of self-reflection rather than choice. Kymlicka argues persuasively, however, that Sandel trades on an ambiguity in his position whereby he sometimes seems to make a strong claim that self-discovery of fixed ends completely replaces choice but at other times seems to make the weaker claim that self-interpretation can actually reconstituted the self and its ends. Kymlicka rejects the former as untenable on grounds that it does not accord with our self-perceptions, and argues that the weaker claim is actually indistinguishable from the liberal position, in which case it has not purchase as a critique of that position. Kymlicka's rejection of the communitarian view of the self is thus really a rejection of the "strong" version of Sandel's argument.

[23] See for instance *Liberalism, Community, and Culture*, 53-54, where Kymlicka argues that the view of the liberal self he is defending accords with our self-perceptions in a way that the communitarian view of the embedded self does not. Later in the same chapter seems to reject Rorty's account of moral language on similarly intuitive grounds (see *Liberalism, Community, and Culture*, 64-66). Throughout his work Kymlicka is very clear of his debt to Rawls, and in *Liberalism, Community, and Culture*, 67-68 takes time to stress the fact that he sees Rawls' theory as strongly intuitive in nature. Whilst Kymlicka doesn't address the issue of intuition head-on in *Multicultural Citizenship*, perhaps due to the fact that the Rawlsian framework has receded into the background somewhat, there is no evidence he has significantly altered that aspect of his philosophical approach. That a strong commitment to intuitive approaches to political theory runs throughout Kymlicka's philosophy is very clear from his other work; he is even

clearer about his commitment to intuitive approaches to political theory in his *Contemporary Political Philosophy* than he is in *Liberalism, Community, and Culture* (see, for instance, 5-7).

[24] This takes up the vast majority of Chapter 5, where Kymlicka responds in detail to Taylor's famous essay *Atomism*. Taylor's key contention is that, even if liberals are right about the self's capacity for choice, they ignore the social conditions necessary for the development and exercise of that capacity. Taylor argues that liberalism is unable to account conceptually for the duty to preserve and promote the required free and diverse society that its own valorization of choice requires, and also that the anti-perfectionist liberal state cannot bring about the requisite social conditions as a matter of fact. Taylor therefore concludes that liberalism's commitment to the neutral anti-perfectionist state must be replaced with a politics of the common good aimed at securing a culture of freedom and diversity. In response, Kymlicka argues that liberalism both can and will maintain the necessary diversity and "culture of freedom" as this sort of cultural structure is "valuable for all people" and therefore "should be supported by all," whatever their conceptions of the good life, because "everyone has an interest in having an adequate range of options when forming their aims and ambitions," and even those who rebel do it against the background of convention (*Liberalism, Community, and Culture*, 81). He also goes to some lengths to try to show that Rawls and Dworkin both accept the need for liberalism to produce certain sorts of social conditions and provide arguments as to why their systems will do so (*Liberalism, Community, and Culture*, 79-80). Kymlicka therefore rejects the communitarian "politics of the common good" on the basis that, as conceived of by the communitarians, it will engender a regression to small scale social organization that is impractical in the modern world and will naively endorse historically conditioned exclusionary and oppressive practices (*Liberalism, Community, and Culture*, 85-88). Arguably this version of an argument based on diversity is more convincing than the more famous one in *Multicultural Citizenship*.

[25] This suspicion is partly motivated by an individualistic moral ontology which leads to a suspicion of "collective" rights the basis that these rights help venerate the group over the individual and sometimes even facilitate oppression of individual group members by the collectivity (see *Liberalism, Community, and Culture*, 137-138 and 150). He thinks that this suspicion is misplaced in that his theory is a defense of multicultural rights on the basis of their importance to individuals (which he notes has roots in pre World War II liberalism – see *Liberalism, Community, and Culture*, Ch 10), even if these rights are sometimes exercised collectively (*Liberalism, Community, and Culture*, 139-140, 144, and 194-197).

[26] See Chapter 12 generally, but particularly his discussion of Charles Taylor's views on p241 to 242, rejecting communitarian defenses which interpret culture in terms of shared ends, or which appear to give the group independent moral status. Kymlicka also devotes an entire chapter to an insightful discussion of why Walzer's theory in *Spheres of Justice* (New York: Basic Books, 1983), which on the face of it looks to valorize and protect cultural communities as the producers of "shared meanings," in fact allows the majority cultural community to override the wishes of a minority cultural community (*Liberalism, Community, and Culture*, Ch 11).

[27] On a first reading the chapter has the feel of a stand-alone piece and, in fact, was published as a separate journal article (see Will Kymlicka "Rawls on Teleology and Deontology" in *Philosophy & Public Affairs*, Vol. 17, No. 3 (Summer, 1988), pp. 173-190). The argumentation in this chapter is very complex, and I cannot provide a comprehensive summary and analysis in the space I have here; suffice it to say that the article version is well known and has provoked several responses, mainly approving. See, for instance, Miriam Ronzoni, "Teleology, Deontology, and the Priority of the Right: On Some Unappreciated Distinctions" in *Ethical Theory and Moral Practice* Volume 13, Number 4 (2010), 453-472, and Samuel Freeman, "Utilitarianism, deontology, and the priority of the right" in Philosophy and Public Affairs 23:313–34 (1994). Also, for our purposes it matters less whether all of the arguments that Kymlicka makes are correct and more what his conclusions are and how these conclusions are used in the rest of *Liberalism, Community, and Culture* and his theory of multiculturalism more broadly.

[28] At the start of the chapter Kymlicka actually states that Rawls conflates two issues, which he characterizes as (a) "the *definition* of people's essential interests" (21); and (b) "the *principles of distribution*" which follow from equality (22). However, he introduces a third issue, relating to equality of resources versus welfare and responsibility towards the end of the chapter (see 37 to 39), and his treatment of that issue is the same in that he accuses Rawls of inaccurately labels this issue as one that turns on the Right/Good distinction (37). Whilst his articulation of the first two issues is in terms of the definition of interest and the principles of distribution, I find this terminology slightly unhelpful, preferring to characterize (a) as an issue turning on anti-perfectionism and its conception of the good,

and (b) in terms of the relationship between Rawlsian liberalism, utilitarianism and moral equality. In any event, as the chapter unfolds, Kymlicka clearly explicates the two issues in terms of the distinction and terminology I am using.

[29] See *Liberalism, Community, and Culture*, 22-24.

[30] See *Liberalism, Community, and Culture*, 33.

[31] See *Liberalism, Community, and Culture*, 37.

[32] See *Liberalism, Community, and Culture*, 21-22 for example. Kymlicka also provides convincing reasons to suppose that the three positions actually turn on different issues and thus do not necessarily (although they may sometimes in practice) form a single contrast i.e. there can be a number of different permutations of being pro or anti each of these positions, and being pro one does not necessarily entail being pro on one or both of the others (*Liberalism, Community, and Culture*, 35-36).

[33] See *Liberalism, Community, and Culture*, 22-33.

[34] See *Liberalism, Community, and Culture*, 33-36.

[35] *Liberalism, Community, and Culture*, 38.

[36] See *Liberalism, Community, and Culture*, 37ff. Kymlicka doesn't actually use the language of primary goods and the Difference Principle, but that is clearly the relevant part of Rawls theory. Kymlicka will make this clearer in his arguments for multicultural rights in Ch.'s 7 to 9.

[37] See *Liberalism, Community, and Culture*, 37ff, and Note 2 on 96 to 97.

[38] This is made clearer in the relevant chapters of *Contemporary Political Philosophy*.

[39] See G. A. Cohen, "On the Currency of Egalitarian Justice," Ethics (1989), 906-944.

[40] As Cohen puts it in reference to Dworkin's seminal version, luck egalitarianism can incorporate "within it the most powerful idea in the arsenal of the anti-egalitarian Right: the idea of choice and responsibility."See G. A. Cohen, *On the Currency of Egalitarian Justice, and Other Essays in Political Philosophy*, (Princeton, NJ: Princeton University Press, 2011), 32.

[41] It also seems likely that Cohen's analytical Marxism influenced Kymlicka's own understanding of Marxism, both in Liberalism, Community, and Culture and in Contemporary Political Philosophy, published a year later.

[42] Ronald Dworkin, "What is Equality? Part 1: Equality of Welfare" in *Philosophy & Public Affairs* Vol. 10, No. 3 (Summer, 1981), 185-246, and "What is Equality? Part 2: Equality of Resources" in *Philosophy & Public Affairs* Vol. 10, No. 4 (Autumn, 1981), 283-345.

[43] I will not discuss Chapter 6 "Marxism and the Critique of Justice" as it is ancillary to the main thrust of my argument here and in the dissertation more broadly. In short, Kymlicka's analysis of the Marxist critique of liberalism offers an account of Marxism that seems to reduce it to another species of left-leaning normative political theory alongside liberalism concerned with equality, and closer to liberalism than it is to communitarianism. This account of Marxism is controversial, and no-doubt influenced by G.A. Cohen's work and Analytical Marxism more broadly, which at this time were themselves transitioning into socialist-informed luck-egalitarian normative political theory. This reading of Kymlicka on Marxism is reinforced by the relevant chapters in *Contemporary Political Philosophy* (the 1st Edition of which was published a year later in 1990), which focus exclusively on Analytical Marxism and track the abandonment of historical materialism (and along with it the empirical assumption of the inevitability of communism) and movement to socialist-informed normative argument cast predominantly in luck-egalitarian terms. Ultimately, therefore, the apparently anomalous chapter on Marx in *Liberalism, Community, and Culture* does not undermine my reading of the book as primarily influenced by Rawls, the communitarians, and luck-egalitarianism, in fact it adds to it.

[44] See particularly 164 -166.

[45] See *Liberalism, Community, and Culture*, 166-170.

[46] *Liberalism, Community, and Culture*, 166 and 177.

[47] *Liberalism, Community, and Culture*, 163-164.

[48] *Liberalism, Community, and Culture*, 166.

[49] I will argue later that Kymlicka's conceptualization of culture as a primary good affects his conception of culture in philosophically problematic ways.

[50] See *Liberalism, Community, and Culture*, 184-190.

[51] See *Liberalism, Community, and Culture*, 182-194.

[52] See *Liberalism, Community, and Culture*, 166-167.

[53] See for example *Liberalism, Community, and Culture*, 169ff and 186ff.

[54] Although Kymlicka doesn't explicitly link his concept of "weak" liberal neutrality with a requirement that the state does not subsidize choices here, the two are clearly interrelated, as he makes clear in one of the End Notes to his discussion of Taylor's social thesis (see Note 2 on 96 to 97). The upshot means that Kymlicka's understanding of state neutrality in *Liberalism, Community, and Culture*, allows for unequal effects of state policies provided these are not the result of state judgments of their worth, but also rules out state subsidy of choices i.e. Kymlicka's understanding of state neutrality is also tied to his luck-egalitarian commitments.

[55] See *Liberalism, Community, and Culture*, 175-177.

[56] See *Liberalism, Community, and Culture*, 167ff.

[57] See *Liberalism, Community, and Culture*, 167-198. Kymlicka does not use the vocabulary of internal versus external change that we see in *Multicultural Citizenship*, but that is clearly what he has in mind.

[58] This point is particularly clear in Kymlicka's discussion of communitarian attitudes to cultural rights in Chapter 12. There he explicitly contrasts his view of ends as chosen to the communitarian view of ends as unchosen in order to show that his position allows him to restrain choices of ends to those that respect the rights of others (e.g. by excluding racist preferences) but still defend cultural rights on the basis a weak culture is an unchosen circumstance. See 239-241 in particular.

[59] See *Liberalism, Community, and Culture*, 97 Note 4, where Kymlicka approvingly quotes Dworkin on this point, a quote that will be repeated in *Multicultural Citizenship*.

[60] Most obviously, the book is structured primarily around the debate between Rawls and the communitarians. Kymlicka's account of that debate drives the detail of the narrative, bringing into focus his central normative concern, which is how to adapt liberal egalitarianism in the light of the communitarian critique to accommodate the needs of cultural minorities. The philosophical weight of Kymlicka's positive argument for liberal multicultural rights is also derived directly from his luck-egalitarian interpretation of the liberal/communitarian debate, itself clearly influenced by his DPhil advisor GA Cohen. Kymlicka interprets Rawls as being committed to what would later be called luck egalitarianism and therefore to the value of equality, a concept of the self as a "rational reviser," a thin theory of the good and an anti-perfectionist liberal state, all of which are commitments Kymlicka shares. Kymlicka argues that the cultural structure provides the meaningful context of choice for individuals, and therefore concludes that true equality of opportunity requires that culture be added to the list Rawls' "primary goods." Kymlicka's also shares what he sees as Rawls' and Dworkins' focus on equality of resources not welfare, which leads him to make a distinction between choices and unchosen circumstances. This in turn underpins a distinction between the character of culture at any one time and the existence of a cultural structure, and between internally and externally driven cultural change. It is this philosophical framework that justifies differential rights for the members of minority cultures to the extent necessary to correct for their unchosen circumstance of a "weak" cultural structure. All of this is contrasted with the communitarian conception of the self and society, and with collectivist (as opposed to individualist) justifications for minority cultural rights Walzer. This means that Kymlicka sees the self as being able to choose its ends and values and likewise views the character of a culture as being the result of the choices of its members. The cultural structure on the other hand, whilst it provides meaningful choice, is not entirely constituted by the chosen beliefs, ends or values that form its character at any one time.

[61] Thus the overall shape of the book and the particular arguments made arise directly out of the debate between Rawls and the communitarians, which leaves the chapter on Marxism as something of an outlier, although even there we can see the influence of the political theory context through the analytical Marxism and luck egalitarianism of G. A. Cohen.

[62] It should be noted that, whilst the Rawls that Kymlicka is defending is the comprehensive liberalism of *A Theory of Justice* (he disavows Rawls' retreat from it that was already underway in the 1980s (see *Liberalism, Community, and Culture*, 57 to 59) and which concluded with *Political Liberalism* (New York: Columbia University Press) in 1993. Kymlicka's clear debt to and sympathy with Rawls should not be taken to be a wholesale appropriation of Rawls' position in *A Theory of Justice*. Kymlicka's view of the self is broadly Rawlsian, but he is not setting out a comprehensive system of justice and does not tie his position to the particular Rawlsian apparatus, such as the thought experiment of the original position. This means he is able to side-step the aspects of Sandel's critique aimed directly at that aspect of Rawls, such as when he states that individuals can revise any end or goal in principle over time but accepts this happens in a piecemeal fashion, where we can imagine ourselves without a particular end or goal, rather than wholesale fashion where we could imagine ourselves without any ends or goals at all (see *Liberalism, Community, and Culture*, 52 to 53).

Nevertheless, he shares with the Rawls of *A Theory of Justice* (who he prefers to the Rawls of *Political Liberalism*, see *Liberalism, Community, and Culture*, 58 and 60-61, and *Multicultural Citizenship*, 162-163) the view that any end or goal is potentially up for revision. (He also makes a similar move in his discussion of the social thesis, distancing himself from a strong commitment to the "primacy of rights" in a conceptual sense that can be attributed to Nozick and the early Dworkin, but retaining a practical commitment to liberal rights – see *Liberalism, Community, and Culture*, 75 to 76.) Nevertheless, Kymlicka's debt to Rawls is apparent throughout his discussion of the self and arguments against communitarianism; even the manner of Kymlicka's defense of the self seems to owe something to the Rawlsian approach to political theory, as Kymlicka uses mainly intuitive arguments to reject the communitarian arguments for a view of the self as "embedded," albeit without Rawls' supporting structure (see *Liberalism, Community, and Culture*, 53-54, 58, and 70).

[63] His underlying philosophical framework and approach are essentially the same, however, and so the predominance of political concerns in *Multicultural Citizenship* is best understood as a result of the direct influence of his political context, and not as a self-conscious and systematic adoption of the "political" or "contextual" approaches to political theory that were becoming more prominent at this time.

[64] In fact, it is the continuity of the basic luck-egalitarian structure between *Liberalism, Community, and Culture* and *Multicultural Citizenship* that enables Kymlicka to put more emphasis on real-world issues informed by his political context and to allow the philosophical issues that dominated the earlier work to recede into the background.

[65] See *Multicultural Citizenship*, 91 to 93 for instance.

[66] This is clear overall, but see Chapter 5 for a concise and straightforward summary.

[67] This is not to say he does not address that debate at all; he still paints his individualist liberal defense of multicultural rights as a response to and in contrast with communitarian (and feminist and Marxist) critics of liberalism (see 26 for instance, 91-93, 163), but the debate is given far less prominence than in *Liberalism, Community, and Culture*, so much so that the reader would perhaps not realize the extent to which Kymlicka's early work arose directly out of it. Even where Kymlicka says specifically that it is a "mistake to subsume the issue of minority rights" under "the debate between 'individualists' and 'communitarians'," the liberal/communitarian debate is just one of a series of debates in political theory that Kymlicka wishes to distinguish the multiculturalism debate from (e.g. "rationalists" vs "postmodernists," "universalists" vs "contextualists," or "impartialists" vs "difference theorists"); no real indication is given of the crucial role of the liberal/communitarian debate in the genesis of Kymlicka's theory of multiculturalism. This reading of the Kymlicka of *Multicultural Citizenship* is bolstered by some of his other work of the late 1990's and early 2000's, where he narrates the progression of the multicultural debate as having moved past the original formulation in terms of liberalism and communitarianism into a debate within liberalism (see "The New Debate on Minority Rights" in Wayne Norman and Ronald Beiner (eds.) *Canadian Political Philosophy: Contemporary Reflections* (Oxford University Press, 2000) and the Chapter on Multiculturalism in the 2nd Edition of *Contemporary Political Philosophy*. Whilst Kymlicka is explicit that he thinks the individual versus collective rights debate is "irrelevant" and "morally unimportant" for his purposes (see, 45 to 47) and potentially misleading because the GDRs he defends on the basis of their value for individuals can take the form of either collective or individual rights (see, 34-35, and 45-47) he is less clear (at least in *Multicultural Citizenship*) about the relationship between the individual/collective rights debate and the liberal/communitarian debate. Nevertheless, he seems to come very close to collapsing the former into the latter. For instance, he segues straight from the liberal/communitarian debate into his discussion of collective rights, and argues that the debate over GDRs (and by implication the multiculturalism debate more directly) is not "equivalent" to "the debate between individualists and collectivists over the relative priority of the individual and the community. Although Kymlicka doesn't actually use the liberal/communitarian terminology, the implications for anyone versed in contemporary Anglophone political theory are obvious, and this is reinforced in the at 129 and in the endnotes (see Note 20 at 207) where he explicitly links the collective/individual debate with the liberal/communitarian one.

[68] See *Multicultural Citizenship*, for a discussion of Kymlicka's "historical agreement" argument and its conceptual basis.

[69] See *Multicultural Citizenship*, 108. It is also the argument with the greatest influence on liberal multiculturalism, and which most directly engages the crucial philosophical issues of essentialism and reification.

[70] See *Multicultural Citizenship*, 80 to 82.

[71] *Multicultural Citizenship*, 81.

[72] See *Multicultural Citizenship*, 82 to 84.

[73] See *Multicultural Citizenship*, 104 and Note 31 at 219.

[74] See *Multicultural Citizenship*, 84.

[75] See *Multicultural Citizenship*, 113.

[76] See *Multicultural Citizenship* Note 10 at 214.

[77] This is definitional for GDRs, but see *Multicultural Citizenship*, 109 for a clear stipulation that the rights granted to the members of the minority culture are differential and may require restrictions on the basic rights of those in the majority culture.

[78] This is Kymlicka's distinction between external protections for the minority culture against the majority culture, which are required by the equality argument, and internal restrictions by the group against its members, which re prohibited by it (see *Multicultural Citizenship* Ch. 3 for a full discussion). Whilst the language of internal restrictions and external protections is not used in *Liberalism, Community, and Culture*, the idea seems to be almost identical to the idea of "built in limits" in that work (see *Liberalism, Community, and Culture*, 196 to 198). Also, I should point out this limitation applies to the equality argument only; in Kymlicka's "historical agreement" argument, he seems to allow for internal restrictions in some circumstances.

[79] The connection between the two is made explicit at 113, where Kymlicka writes: "we should aim at ensuring all national groups have the opportunity to maintain themselves as a distinct culture, if they so choose. This ensures that the good of cultural membership is equally protected for the members of all national groups."

[80] Even some of the differences between the articulation of the two versions of the equality argument in *Liberalism, Community, and Culture* and *Multicultural Citizenship*—such as the polemic against benign neglect, the shift to societal cultures and the creation of the typology of groups and rights—can be interpreted as compatible with, or even driven by, luck-egalitarian concerns, as I will show in the next chapter.

[81] Kymlicka seems to be committed to a weakly neutral state in *Liberalism, Community, and Culture*, although the fact that much of Kymlicka's discussion of these issues arises his discussion of Charles Taylor's "social thesis" (from his famous essay *Atomism*) confuses the issue somewhat. Nevertheless, I think this position can fairly be attributed to Kymlicka in *Liberalism, Community, and Culture*, see 76-78 generally and particularly his discussion of neutrality and the allowable justifications for state action in Note 2 at 96-97 of *Liberalism, Community, and Culture*, and also see discussion of acceptable forms of state activity aimed at promoting cultural pluralism at 81. The discussion is much clearer (and more compact) in the *Contemporary Political Philosophy* chapter on communitarianism (see, 217-219). See also See *Contemporary Political Philosophy*, 344-347, and *Multicultural Citizenship*, 113 which seem to make the relationship to his views on weak neutrality and justice and equality fairly clear. Kymlicka's arguments against "benign neglect" in Chapters 5 and 6 of Multicultural Citizenship, does not involve a significant amendment of his views on "weak" state neutrality and anti-perfectionism outlined in *Liberalism, Community, and Culture*. Rather it simply provides a difference in emphasis, as is made clear in the relevant passages from the 2nd Edition of *Contemporary Political Philosophy*. Kymlicka attacks on what he sees as the dominant contemporary liberal conceptualization of the issue of state neutrality and culture in terms of a "strong" "benign neglect" modeled on freedom of religion. He rejects this view on the grounds it is "incoherent" and illusory given what he would later come to call liberal "nation-building" (*Multicultural Citizenship*, 108). Thus his rejection of benign neglect is based in the empirical conclusion that liberal states do in fact promote particular cultures on implicitly instrumental grounds during the process of nation-building, and so these states are, in Kymlicka's terminology, only "weakly" neutral. The question then becomes whether there are other reasons stemming from equality that support rights for minority cultures, which would of course also be compatible with Kymlicka's version of weak liberal neutrality. This rejection of benign neglect as it applies to culture seems to be based at least partly on the unacceptability of its unequal effects (see *Multicultural Citizenship*, 108 to 115), which seems slightly at odds with his defense of "weak" neutrality in his earlier work as allowing for state policies with unequal effects (this stems from his defense of equality of resources not welfare), but should not be taken as a move towards state (or other) perfectionism a la Raz (see End Note 2, at 96-97 of *Liberalism, Community, and Culture* for a brief discussion of Raz). Kymlicka's view of the self and his commitment to freedom of choice remain constant; it is this that underlies his critique of the unequal effects of supposed cultural neutrality on various cultures as the contexts of choice, as those unequal effects will circumscribe or limit the ability of those in minority cultures to act as effective rational revisers. In other words, the rejection of state neutrality on matters of culture in Multicultural Citizenship is not driven by a move to perfectionism but rather

flows from his defense of anti-perfectionism. In any event, the passages cited from *Contemporary Political Philosophy* in the note above make it clear that Kymlicka's conception of "weak" liberal neutrality hasn't altered significantly, rather he thinks a weak liberal neutrality that allows promotion of some forms of the good and some forms of culture on instrumental grounds does not address the issue of minority cultures adequately – it shows what can be done without breaching state neutrality but it does not show what should be done. Instead, we must ask what equality requires, which in the case of minority cultures, is GDRs. Kymlicka's rejection of benign neglect is in fact the flip-side of his form of liberal neutrality, and therefore compatible with either version of the equality argument.

[82] For example, the new typology of groups and rights that Kymlicka employs, his arguments for group differentiated multicultural rights based on historical agreements and diversity, the shift to the concept of societal cultures, and whether *Multicultural Citizenship* represents a turn away from a theoretical and universalist approach to political theory towards the more contextual and/or political approaches. Many of these will be discussed in the remainder of the dissertation as we assess the cosmopolitan critique.

[83] This means that the approach in *Multicultural Citizenship* is, at least in part, still strongly theoretical in orientation in that a large part of the normative weight is still drawn from an abstract philosophical argument aimed at producing a general theory of justice which is universal in scope, even if some of the rights it justifies apply only to those in minority cultures. In fact, Kymlicka explicitly rejects the Rawls of Political Liberalism in his discussion of toleration in Chapter 8, stating that he remains committed to the "comprehensive" liberalism of the early Rawls because he believes Rawls' "political" liberalism, which restricts the operation of the value of autonomy to the political sphere, is an insufficient defense of the liberal commitment to autonomy and, in any event, is incapable of providing reasons for illiberal minorities who reject autonomy in their private lives to accept it in their public lives (he thinks they would instead prefer the millet-type system Kukathas proposes, see *Multicultural Citizenship*, 154 and p163-168). This link to the approach found in the Rawls of *A Theory of Justice* and Kymlicka himself in *Liberalism, Community, and Culture* is reinforced during Kymlicka's discussion of "voluntary" and "involuntary" immigration, where he states that his argument "should be limited to what Rawls calls 'ideal theory'—that is, what would the claims of immigrants be in a just world" (*Multicultural Citizenship*, 99), which seems to indicate that this part of his argument is abstracted from the actual real world context to some degree rather than entirely determined by it.

[84] Kymlicka's use of his political context in *Multicultural Citizenship* is more prominent than in *Liberalism, Community, and Culture* and arguably more pervasive. Certainly the general feel and structure of the book seems to be less beholden to abstract Rawlsian political theory, even if there is an element of continuity in the underlying theoretical framework. Although Kymlicka does not provide an extended methodological discussion of his use of the political context in *Multicultural Citizenship*, a comparison of the introduction with that of *Liberalism, Community, and Culture* is instructive. Whilst in the earlier work Kymlicka is clear that minority rights are a concrete issue facing liberal democracies (*Liberalism, Community, and Culture*, 3) the very first sentence of the book refers to "[l]iberalism as a political philosophy" and its relation to ideas about the state, the individual and the community (*Liberalism, Community, and Culture*, 1). Immediately following that Kymlicka explicitly states that one of his "main motivations for undertaking this project" is his "discomfort" provoked by the communitarian critique, which is itself a discussion about liberal political theory not within liberal politics more broadly, and he describes the first chapter proper as a defense "of liberal political theory."

In *Multicultural Citizenship*, however, Kymlicka begins by listing some of the issues that arise within the political debate over multiculturalism (such as land, self-government, language and immigration claims) and then stating that "[f]inding morally defensible and politically viable answers to these issues is the greatest challenge facing democracies today," a twin goal which is repeated almost verbatim during the discussion of the typology of groups and rights in Chapter 2 (*Multicultural Citizenship*, 26). This impression is immediately reinforced when he makes it clear he is focusing on real-world cases which have their "own unique history and circumstances that need to be taken into account" but that he will also "present a more general view of the landscape" in order "to identify some key concepts and principles" and thereby to "clarify the basic building blocks for a liberal approach to minority rights" (*Multicultural Citizenship*, 1-2). It therefore appears that unlike the earlier book Kymlicka's stated aim in *Multicultural Citizenship* is two-fold; he wants to outline a position that is both defensible in terms of liberal political theory and also possible as an actual political solution in concrete cases. Nevertheless, a careful reading of Chapters 5 and 6 of *Multicultural Citizenship* shows that Kymlicka's "equality" argument is based in the same abstract luck-egalitarian theoretical framework that was used in *Liberalism, Community, and Culture*.

Chapter 3

The Cosmopolitan Critique of Liberal Multiculturalism[1]

The first part of this dissertation examined the issues raised by modern cultural diversity, starting with the broad trends in modern philosophy and history that feed into it, but gradually refining our understanding of "multiculturalism" until we were focused on the political theory of liberal multiculturalism, which lies at the nexus of much wider debates over cultural diversity, liberal democratic governance, and cosmopolitanism.

We started by examining the background to the debate over multiculturalism in postwar liberal democracies. We sketched the key issues it raises in theory and practice, finding that that postwar dilemmas can be traced back to tensions in early-modern liberal theory and practice. "Multiculturalism" in contemporary public discourse and political practice is cast in terms of immigrant integration, but we saw that this is too narrow, ignoring more fundamental questions that cultural diversity raises for our forms of governance and identity. Liberal multiculturalism in political theory has been shaped by theorists and concerns from the "Old" Commonwealth, and by the early work of Will Kymlicka in particular. The understanding of multiculturalism in Anglophone political theory therefore conceives it as touching on a much wider range of issues than in political discourse, but nevertheless typically attempts to separate groups into different categories and ascribes different rights on that basis. Yet comparative historical study of multiculturalism suggests that this typology is blurred in public discourse, policy and law, with different cultural groups and issues interacting and constructing each other even as they try to keep themselves separate. This adds plausibility to claims that the political theory of liberal multiculturalism relies on an overly-rigid account of cultures, implausibly attempting to separate the world into distinct cultural contexts of meaningful choice.

We saw that the political theory literature on multiculturalism is vital for understanding both the technical philosophical issues regarding the nature of culture, and their wider ramifications for liberal democratic governance. Within this literature, "cosmopolitan" critics allege that cultures are fluid, contested and overlapping, and that a liberal multiculturalism derived from Kymlicka's early work ignores this, and in so doing reifies and essentializes minority cultures. The fact that philosophical debates regarding the nature of culture and the problems of essentialism and reification are central to multiculturalism in *both* theory and practice raises important methodological questions. I argued that we must tailor our approach accordingly, outlining a holistic form of analysis based in postfoundationalism that is philosophically rigorous but also sensitive to historical context. We then turned to the detail of Kymlicka's dominant theory of liberal multiculturalism, and the intellectual and historical circumstances in which it arose. We saw that his theory—and through it, liberal multiculturalism—was shaped at a fundamental level by the communitarian critique of liberalism, and by his luck egalitarian commitments.

While liberal multiculturalism was shaped at its inception by the communitarian critique of Rawlsian liberalism, its subsequent trajectory has been heavily influenced by the cosmopolitan

critique. The middle part of this dissertation will therefore examine this critique, assessing whether Kymlicka can adequately defend himself against it, before returning in the last part to the wider debates that are implicated by liberal multiculturalism.[2] Just as the first part of this dissertation started with a broad understanding of multiculturalism and tailored it to our specific concerns, in this part of the dissertation we will start with a broad understanding of cosmopolitanism and gradually refine it through engagement with liberal multiculturalism. I will contextualize the critique of liberal multiculturalism within the broader literature on cosmopolitanism, which will clarify its particular nature and import. I will sketch the key aspects of the critique, identifying two main strands. We will examine these in lexical order, starting with the more prominent strand, which argues that individuals exist in many cultural contexts simultaneously, before focusing on the claim that liberal multiculturalism inevitably reifies and essentializes minority cultures in the very act of trying to help them. We start with the "many cultures" critique in its most general terms, examining how it might cause problems for Kymlicka's theory, and thereby liberal multiculturalism. We shall trace the different ways Kymlicka could defend himself against this critique, finding that each response opens him up to a more refined version of it. Thus, although we will start at the outer edges of Kymlicka's theory, we will proceed through a logic of question and answer to criticism of his fundamental premises. In so doing I will demonstrate that it is impossible for Kymlicka to avoid cosmopolitan accusations of reification and essentialism without either abandoning luck egalitarianism, or collapsing his liberal multiculturalism back into communitarianism.

What is "cosmopolitanism" in political theory?

Whilst multiculturalism is predominantly a modern concept, the idea of cosmopolitanism is a venerable one, going back to the ancient Greeks. Yet there has been a resurgence of interest in it in recent years, both outside and inside the academy, in part because of the forms of postwar globalization we met in Chapter 1.[3] In general terms, cosmopolitanism involves an orientation in and towards the world that prioritizes the general over the particular, the global over the local, and the plural over the singular. Cosmopolitanism thus downplays the importance, or even the existence, of local attachments to entities or groups such as one's country, nation, city, community, culture and even family. Nevertheless, as one might expect, "cosmopolitanism" is itself cosmopolitan, and so the term can be understood in a variety of ways. In colloquial terms, for example, "cosmopolitan" usually refers to those who have been exposed to a wide variety of cultural material, or the locales within which such cultural interaction takes place. In academic discourse, cosmopolitanism evokes a philosophical and political orientation toward the global and universal, traditionally based in the idea of "world citizenship." In moral and political philosophy it is therefore often associated with a rejection of local claims in favor of principles that apply to individuals in virtue of their common humanity, not because of their membership in particular groups. Cosmopolitan theorists therefore usually foreground universal principles and discourses, such as human rights, global economic justice and an increased role for—and democratization of—international institutions.[4]

Nevertheless, there is also a distinct form of cosmopolitanism that focuses on the role of culture in human life. Cosmopolitan accounts of the relationship of the individual to culture stress

the fluidity and plurality of our experiences of culture, and the possibility—or even virtue—of access to a wide variety of cultural material. These accounts of culture are primarily descriptive, in that they are based in arguments about the nature of culture and identity, yet inevitably raise the question of how individuals, groups and states should respond to cultural identities.[5] They therefore have important implications for a liberal multiculturalism that is itself grounded in an account of the role of individual cultures in liberal equality, autonomous choice and self-respect. These cosmopolitan accounts of culture are usually embedded in defenses of robust universal moral obligations, and so normative philosophical defenses of multiculturalism and cosmopolitanism are typically seen as antithetical. Recently some cosmopolitan thinkers have attempted to reconcile them into forms of "rooted cosmopolitanism," but nevertheless the general thrust towards universalism remains.[6]

As Samuel Scheffler suggests, there are two clearly identifiable strands of cosmopolitanism relevant to liberal multiculturalism, a "justice" strand grounded in a normative commitment to universal principles, and a "culture" strand grounded in a descriptive account of culture and identity as fluid, contested and overlapping. Scheffler argues that the two strands of cosmopolitanism are linked on the conceptual level and so must be considered together as part of a broader debate regarding whether culture and other local attachments can give rise to special rights and duties that conflict—or at least moderate—universal ones.[7] I will address that debate more directly elsewhere, and in Chapter 6 as part of my discussion of Arash Abizadeh's form of cosmopolitanism. Nevertheless, it seems clear to me that the two strands are importantly different, and should be considered separately in relation to the political theory of multiculturalism.

Scheffler outlines argues that the justice and culture aspects of cosmopolitanism, which he sees as going back to a common root in the idea of world citizenship, and therefore as conceptually connected. Without prejudice to the claim the justice and culture strands of cosmopolitanism are conceptually connected, it is apparent that the connection between world citizenship and cosmopolitan justice is more direct than between world citizenship and cosmopolitanism in culture. This is primarily because the claim that we are "citizens of the world" is not purely descriptive. The concept of citizenship has normative claims built into it; assigning an individual the status of citizen requires assigning them distinctive rights/duties on that basis if it is to have any meaning. Cosmopolitan claims about justice, which are variants of the idea that we owe allegiance "to the worldwide community of human beings," are in effect an articulation of the idea of world citizenship.[8] Yet cosmopolitan claims regarding multiculturalism seem less directly connected to world citizenship, and are thus not inherently normative. They are primarily descriptive claims regarding the nature of the self, and of the role of culture in human life. These descriptive claims may share a common *orientation* with cosmopolitan claims regarding justice, and may have important ramifications for those claims, but on the face of it they do not in and of themselves commit one to a strong or weak moral cosmopolitanism. The cosmopolitan critique of multiculturalism is therefore conceptually separable from broader cosmopolitan claims regarding justice, although it need not be separated.[9] We will therefore leave the precise connections between cosmopolitan "justice" and "culture" open for now.

Within the context of the political theory debate over multiculturalism, cosmopolitan examinations of culture are cast as a critique of liberal multiculturalist—and sometimes communitarian—claims regarding the importance of cultural communities to individuals. Yet,

just as cosmopolitan multiculturalism can be related to cosmopolitan justice but need not be, the cosmopolitan account of culture can give rise to separate normative claims about culture but need not do so. For example, one might argue that a cosmopolitan account of individuals existing in many cultures simultaneously undermines normative support for liberal multiculturalism without making the further argument that access to a diverse range of cultural material is a good thing. We will therefore initially focus on the cosmopolitan account of culture understood as a descriptive claim which potentially undercuts the communitarian and liberal multicultural position, delaying consideration of the positive normative arguments regarding culture that sometimes flow from it.

The core cosmopolitan *descriptive* claim regarding culture, the claim that makes it a distinctively cosmopolitan account, is that our experience of, and location in, culture is characterized by a diversity of cultural material, and degree of instability and flux. A cosmopolitan account of culture thus focuses on the nature/role of culture and its relationship to individuals. It is concerned with the ways that the self and personal identity are formed and constituted; how separate is the self from its ends, how does the individual relate to their cultural background, and how much choice do we have in relation to both? It addresses the related question of the nature of culture, and the relationship of culture to self-respect and individual choice; whether cultures are closed or open, inward or outward looking, homogenous or diverse, and how culture informs, frames or influences choice. It raises the problem of how to locate individuals within particular cultures; do individuals exist in a single cultural framework at any one time or do they exist—and move between—multiple cultures? And it addresses the connected question of whether it is possible—and, if so, in what circumstances—to identify and pick-out distinct cultures without essentialism or reification, and/or without causing them or their members harm. The positions taken on these issues have clear ramifications for the way a given theorist responds to cultural diversity, with the account of the relationship between self, ends, choice and culture conditioning their normative views on multiculturalism.

As we have seen, Kymlicka's central claim is that being a member of a vulnerable culture undercuts autonomous choice and self-respect, and therefore that equality requires that cultural vulnerability is corrected for via GDRs. He must therefore establish a plausible account of the role of culture in meaningful choice and self-respect that doesn't clash with his account of the self or luck egalitarian premises.[10] His account of the self has to allow for culturally-mediated choice of ends in a way the communitarian one does not, yet must remain culturally embedded to a greater degree, and with greater specificity, than cosmopolitans typically allow. Likewise, his luck egalitarianism requires that the insecurity of a culture, and the location of individuals within it, is not the result of choices by its members, but rather that culture is an unchosen circumstance. Kymlicka's argument also assumes that individuals are located within a *particular* culture which functions as their context of meaningful choice and basis for self-respect, and thus that individuals can be located within separate identifiable cultures that can be supported, and made equal, by differential rights. As we shall see, the cosmopolitan critique potentially undercuts each of these aspects of Kymlicka's argument.

Cosmopolitan critiques of liberal multiculturalism can take a variety of forms, and can be cast in strong or weak terms, but within them there are two clear (albeit related) strands.[11] The first is a claim that individuals are located within multiple cultural contexts simultaneously, and therefore that attempts to render these cultures equally secure are misplaced, either because

they are based in the assumption individuals need a single cultural context or because any attempt to equalize this plethora of cultures is doomed to fail. The second is that attempts to aid minority cultures via GDRs in and of themselves may harm those cultures in various ways. For example, by essentializing or reifying them, by interfering in internal disputes, or by rendering them less desirable or stable contexts of choice.

In this chapter and the next we will primarily focus on the first of these, which I shall call the "many cultures" critique, before focusing completely on what I will call the "essentialism" critique in Chapter 5. It must be noted, however, that the overlap between the issues they address means that the two are not cleanly separable at all points.[12] Nevertheless, the two aspects of the critique are distinct and are best tackled in this order. The many cultures critique is broader, more intuitive, and operates from the outside of Kymlicka's theory inwards. Starting with it will therefore enable us to refine our understanding of the philosophical issues—including the relationship between the two strands of the cosmopolitan critique—as we proceed towards the core of Kymlicka's argument.[13]

The "many cultures" critique of liberal multiculturalism

As we have seen, the general thrust of the "cosmopolitan" account of culture is that our experience of and location in culture is itself a cosmopolitan one, characterized by a diversity of cultural material and degree of instability and flux. This translates into the specific claim that individuals exist in more than one cultural framework, with many of these overlapping and even competing with one another for our attention and loyalty. The strongest and most wide-reaching version of this claim, and therefore the one we will examine first, is that individuals belong to, or have affiliations with, multiple groups, institutions, and associations, and that each of these can be plausibly said to have a "culture" in some sense.[14] Groups such as the working class, speakers of a particular language, institutions such as a schools, universities and churches, and associations like clubs, political parties and unions, all seem to have something that can plausibly be described as a "culture."[15]

This version of the cosmopolitan critique is a problem for Kymlicka in three key ways.[16] First, it would mean that Kymlicka would be unable to locate individuals in a particular culture as their context of choice, which is a prerequisite of his claim that minority cultures should be supported by Group Differentiated Rights. It is only because Kymlicka sees culture as facilitating choice and self-respect that he is able to make an instrumental argument for its support on the basis of its worth to individuals. It is only because he sees individuals as situated in a single identifiable culture that he is able to advocate support for these particular cultures, aimed at producing something like equality of outcome in matters of culture. If we exist in more than one "culture"—as we must do if all of these different groups have a culture or are cultures in some sense—then we lose a key reason for even attempting to equalize cultures.

Second, if the context of meaningful choice for individuals is made up of these multiple, overlapping cultures, each individual's context of choice will result from a unique combination of cultural influences. This raises two further problems. Firstly, it means that if we assign rights to particular cultures in an attempt to render them as secure and vibrant as the majority culture, we cannot simply assume that in doing so we also equalize contexts of choice for any given

individual. Secondly, attempting to implement Kymlicka's theory would lead to an "unworkable proliferation" of claims,[17] many of which will be incompatible with each other.[18] There would simply be too many "cultures" to grant them GDRs.

Third, in order to distinguish himself from the communitarians Kymlicka must allow individuals to choose their ends and goals. Yet membership in at least some of the of the groups, institutions, and associations we are concerned with is voluntary. If those groups can be said to have (or to be) a culture, then individuals have *chosen* to participate in and belong to those cultures. Yet this would be incompatible with Kymlicka's underlying luck-egalitarian philosophical framework, which only allows for state support to correct for unequal unchosen circumstances and cannot subsidize freely made individual choices. Our location in culture must be akin to an accident of birth, and so "arbitrary from a moral point of view," if the state is to correct any inequality that stems from it.[19] As Kymlicka needs culture to be an unchosen circumstance he cannot allow that voluntary groups have a "culture" for the purposes of his theory.[20] It is therefore unsurprising that Kymlicka does try to exclude these sorts of groups. He does so primarily via his concept of "societal culture," which potentially circumvents this initial version of the "many cultures" critique.

Societal Culture

In *Liberalism, Community, and Culture* Kymlicka did not offer a systematic account of the sort of cultures, groups and rights he was concerned with, although he primarily focused on indigenous peoples in Canada. In *Multicultural Citizenship*, however, Kymlicka explicitly limits the focus of his theory to what he calls "societal cultures."[21] The shift in focus to societal culture can plausibly be seen as at least partly an attempt to circumvent the version of the "many cultures" critique outlined above.[22] Kymlicka sees societal cultures as "typically" associated with national groups, and indicates at the start of the book that he will be focusing on the multiculturalism "which arises from national and ethnic differences."[23] He uses the terms "nation," "people" and "culture" almost interchangeably to refer to "an intergenerational community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and history."[24] He amplifies this definition in Chapter 5, when he writes:

> "The sort of culture that I will focus on, however, is a societal culture—that is, a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres. These cultures tend to be territorially concentrated, and based on a shared language….I have called these 'societal cultures' to emphasize that they involve not just shared memories or values, but also common institutions and practices……covering most areas of human activity."[25]

Kymlicka thus defines societal cultures in concrete terms, and as comprehensive; they must, in effect, be fully functioning and self-contained societies that share a common culture.[26] As he admits, this account is clearly biased to national (and often ethnic) groups who share a

common language and geographical area.[27] This excludes from Kymlicka's definition of culture the sort of "non-ethnic social groups" and "lifestyle enclaves, social movements, and voluntary associations" that we met in the previous section, although he admits many of these groups have their own culture in a "common sense" of the word.[28] He admits that the marginalization of these groups cuts across ethnic and national lines, that it is unjust, that an "adequate" multicultural theory "must be compatible with the just demands of disadvantaged groups.[29] Kymlicka argues, however, that societal cultures are "particularly relevant to individual freedom" because they are the cultures that form a context of meaningful choice for individuals, and membership in one's own culture is crucial for self-respect.[30] He then suggests that because only institutionalized societal cultures are able to maintain themselves as distinct entities in the modern world societal cultures must be the primary focus for liberals concerned with equality, autonomy and self-respect.[31]

As Clare Chambers points out, in his later work Kymlicka utilizes a thinner conception of societal culture closer to a civic/political nationalism.[32] I will focus, however, on his initial, much thicker account of societal culture here, for several reasons. First, it is this account of culture that informs his most influential work, *Multicultural Citizenship*, and through that liberal multiculturalism and political theory more broadly. Second, the thinner conception of societal culture that appears in his later work pushes Kymlicka's position much closer to other forms of liberal theory, such as the liberal nationalism of David Miller and forms of political liberalism, and so will be considered alongside them in Chapter 6. Third, I demonstrate below—and have argued elsewhere—that Kymlicka and other "cultural nationalists" are implicitly committed to the thick account of societal culture, and strong claims regarding contextual meaning, if they are to avoid collapsing into communitarianism on the one hand and cosmopolitan on the other.[33] Overall, therefore, Kymlicka's original account of societal culture is central to his distinctive theory of multiculturalism.

The concept of "societal culture" apparently avoids the sorts of problems raised by the widest version of the "many cultures" critique. Many of the "lifestyle" groups we met previously lack the concrete and institutional elements of the concept, and therefore few, if any, will be comprehensive enough to fit the definition.[34] The stress on concrete and institutional elements will—on the face of it—also make identification of the societal cultures easier. These minority cultures will therefore plausibly be distinct from one other, which will allow them both to be supported and rendered "equal" via GDRs, and facilitates the ascription of self-government rights for certain groups. The fact that societal cultures are akin to fully-functioning and distinct societies also means that individuals could plausibly be said to be located in only one societal culture at a time. Individuals may be part of multiple and overlapping groups and associations, but these are only part of the single societal culture in which an individual lives, and therefore the problem of an unworkable proliferation of cultures does not appear to arise. Finally, as societal cultures are essentially national (or quasi-national) groups that individuals are born into, they can plausibly be seen as unchosen circumstances.[35] In turn this means the liberal state is allowed to correct for inequalities between societal cultures on luck egalitarian grounds. On the face of it, therefore, Kymlicka's shift in focus to societal cultures avoids this initial version of the cosmopolitan critique. As we will see below, however, this still leaves him vulnerable to narrower version of the cosmopolitan critique made by Jeremy Waldron.

The most prominent cosmopolitan critic of Kymlicka's multiculturalism has been Jeremy Waldron, and his most famous articulation of that critique is in *Minority Cultures and the Cosmopolitan Alternative*.[36] That article was written in response to *Liberalism, Community, and Culture*, with Kymlicka's primary reply set out in *Multicultural Citizenship*. Waldron therefore does not refer to Kymlicka's concept of societal cultures, which only appears in the latter work. Waldron's focus in the article is, however, on the types of cultures that closely match what Kymlicka calls societal cultures, namely national and ethnic (and sometimes religious) communities that share a common history, language, institutions and geographic area. Early in the article he says he will pay "special attention" to these sorts of communities, which will act in his argument as a "counterpoint… to the cosmopolitan ideal,"[37] taking them as the a paradigmatic example of the type of cultures making claims for support via multicultural rights.[38] Although he makes brief references to the sorts of non-national/ethnic "sub-cultures" we met in the previous section these are clearly not the focus of his critique, nor is he arguing that Kymlicka's theory is flawed because these sorts of sub-cultures should count as minority cultures for the purpose of allocating multicultural rights. Waldron in effect concedes a focus on societal cultures, but argues that this focus still does not avoid the cosmopolitan critique.

Waldron's central point of contention with Kymlicka is not the types of cultures he focuses on, but rather whether or not individuals exist in more than one of these cultures at any one time. Waldron concedes that the different values, ends and ways of living that Kymlicka's rational revisers choose between are made "meaningful" by culture.[39] He disputes, however, that individuals need to exist in a single cultural framework which provides meaningful options. Waldron argues that "it does not follow that there must be one cultural framework in which each available option is assigned a meaning…….[m]eaningful options may come to us as items or fragments from a variety of cultural sources"[40] and that whilst this "shows the importance of access to a variety of stories and roles...it does not...show the importance of *membership* in a [particular] culture."[41] Instead Waldron posits that individuals can (and often do) live in a "kaleidoscope of cultures" composed of different "cultural fragments" and so they are not rooted in the "particular culture in which they and their ancestors were reared."[42] Waldron argues that if a cosmopolitan life is possible, and perhaps even rich and satisfying, this completely undercuts the claim that we *need* a particular culture, and/or that we need *our* particular culture, whether as a context of meaningful choice, or as a basis for self-respect.[43] He therefore concludes that individuals "need to understand our choices in the contexts in which they make sense, but we do not need any single context to structure all our choices"[44] and therefore that, whilst we may *want* our culture, it is not "a necessary presupposition of rational and meaningful choice."[45] If this is correct, a liberal right to culture would therefore look more like a traditional liberal difference-blind right, such as freedom of religion, than Kymlicka's claim for positive support.

The cosmopolitan vision of individuals as moving between and within a variety of cultures also leads Waldron to conclude that it is not possible to individuate cultures in the way Kymlicka supposes.[46] This is partly because of the constant overlap and exchange between them, and partly because to insist that all the cultural fragments of different provenance are in fact "part of the same matrix" just because they are "available" to individuals in some sense "would trivialize the individuation of cultures."[47] In other words, Waldron believes it would require the

proposition that simply knowing about a cultural fragment would make it part of an individual's culture, and therefore we would end up with the absurd-sounding conclusion that each individual has their own "culture."[48] Waldron's overall conclusion is that we should abandon the attempt to maintain distinct societal cultures via GDRs and instead promote a cosmopolitan range of cultural meanings and options from different sources.

The narrower version of cosmopolitan critique of Kymlicka as articulated by Waldron still has potentially devastating effects on Kymlicka's theory. As we have seen, Kymlicka's luck-egalitarian argument presupposes that individuals are situated in unchosen identifiable and distinct cultures which form their context of meaningful choice, and that these cultures can feasibly be allocated GDRs to the degree necessary to equalize cultures as contexts of choice. If Waldron is correct, all of these assumptions are untenable. For example, Waldron undermines Kymlicka's claim that individuals exist in a single societal culture as their context of meaningful choice, and casts doubt on our ability to even identify separate cultures with confidence in a non-trivial fashion. In which case, even if Kymlicka is right about the role of culture in rendering ends and options for living meaningful, he cannot advocate GDRs for minority cultures on the basis they form an exclusive context of meaningful choice.

The crux of Kymlicka's response to Waldron in *Multicultural Citizenship* is to assert that what Waldron sees as the individual existing in a variety of cultural frameworks is in fact an individual living in a single diverse culture. Kymlicka argues that the different cultural elements Waldron cites in his example, even though they originated in different cultures, are now all part of the single societal culture of the United States, and therefore individuals do not move between cultures in the way Waldron suggests. The relevant passage is worth quoting in full:

> "However, Waldron's conclusion is, I think, mistaken. It is true that the options available to the members of any modern society come from a variety of ethnic and historical sources. But what makes these options 'available,' or meaningful, to us? After all, there are limits on the 'cultural materials' which people find meaningful. I have argued that options are available to us if they become part of the shared vocabulary of social life—i.e. embodied in the social practices, based on a shared language, that we are exposed to. Indeed, I think Waldron's examples support this view. For surely one of the reasons why *Grimms' Fairy-Tales* are so much a part of our culture is precisely that they have been translated and widely distributed in English. Were *Grimms' Fairy-Tales* only available in the original language, as is the case with the folklore of many other world cultures, they would not be available to us. It is often possible to trace the path by which our culture incorporates the cultural materials of other nations. The works of other cultures may become available to us through translation, or through the influx of immigrants who bring certain cultural narratives with them as they integrate. That we learn in this way from other cultures, or that we borrow words from other languages, does not mean that we do not still belong to separate societal cultures, or speak different languages."[49]

This response is not tenable as stated, primarily because Kymlicka shifts between two senses of the word "available." First, he seems to state that the idea that options are "available"

to individuals is equivalent to them being "meaningful" to those individuals, and that for options to be "available" to us they must be embodied in social practices, which would seem to indicate a hard link between cultural meanings and concrete options for living. On the other hand, a few sentences later he refers directly to *Grimms' Fairy-Tales* as being "available" to us because they have been absorbed into our culture through translation. He argues that if they were "only available in the original language, as is the case with the folklore of many other world cultures, they would not be available to us." Yet the clear implication of this is that as long as they are translated and disseminated, they are "available" to us. The first use of "available" therefore seems to mean something like "options for living we can actually adopt because they are embodied in our societal culture," whereas the second use of "available" seems to mean something like "things we know about because they have been disseminated in our societal culture." Kymlicka thus muddles up two distinct elements of societal culture, the "option we can take part" with the "provides meaning" part. Obviously *Grimms' Fairy-Tales* don't provide us with a practical option for living which we can literally take, what it provides us with are different examples of the "understandings," "narratives," and "perspectives" that Kymlicka refers to elsewhere as being part of a culture.[50] In other words, *Grimms' Fairy-Tales* provide "stories" as opposed to actual concrete roles; they provide different understandings of human life and relationships, and perhaps new ways of valuing and evaluating these.[51] I shall call these non-concrete but still meaningful stories "examples" in order to distinguish them from the concrete "options" for living that we can actually take.[52]

Once we see that "examples" are different from, and can be disconnected from, concrete "options," then it is apparent that Kymlicka makes a fundamental mistake in trying to cover Waldron's objection in this way. In stating that examples such as those provided by *Grimms' Fairy Tales* are not examples from a *different* societal culture, but rather are part of *our* societal culture once they are translated, he seems to trivialize the idea of our own, distinct culture, to the point of meaninglessness in precisely the way Waldron suggests.[53] If all that is required to make something part of a culture is translation of it then we have moved a long way from Kymlicka's initial explanation of societal culture as shared language, conventions, traditions, practices and institutions which structure our different options for living. The definition of culture now also includes non-shared and non-concrete examples that we as *individuals* know about.

As Waldron points out, if knowing about something is enough to make it part of my culture, it would be "logically impossible for an individual to have access to more than one cultural framework."[54] We would therefore end up with a near infinite range of "personal" cultures, which is a vision that directly contradicts Kymlicka's understanding of societal cultures as shared, and which undercuts his overall argument.[55] Kymlicka is caught in a dilemma: either simple knowledge of examples renders those examples part of our societal culture, which takes us down the path of personal cultures; or we can have knowledge of examples that are from other cultures without them being part of our societal culture in the full sense, in which case Waldron is right in his claim that we can exist in more than one cultural context.

The obvious response if one wishes to defend Kymlicka's position is to focus on the criterion of "wide distribution" he builds into his treatment of the *Grimm's Fairy-Tales* example. He states that for something to become part of a societal culture it must not just be available in the sense of being translated and known about by individuals, but must also be "widely distributed."[56] This would seem to undercut Waldron's individuation of cultures point in that it

would mean that a particular individual knowing about a particular example from another culture would not automatically make it a part of an individuated culture possessed only by that person. Instead, the example would need to be known about widely before being part of the societal culture, thereby reintroducing the "shared" element that seemed so crucial a part of Kymlicka's concept.

The problem with this response is that Kymlicka provides no clear guidance as how many of the population need to know about something for it to be "widely distributed." Clearly it cannot be required that everyone knows about it, as almost nothing would pass that test. For the sake of argument, however, suppose we could fix the number, a bare majority of those in the culture, say.[57] Yet even then this would seem to mean that Kymlicka is only able to resist Waldron's individuation point at the price of placing himself in the other half of the dilemma we identified above. It defends him against the charge that simple knowledge of an example renders it part of our societal culture, but at the cost of acknowledging that we can know about an example that originates in another culture without it being part of our societal culture.[58] Given that we saw these examples are plausibly the parts of a culture that provide "meaning" to concrete options in some sense, this means that the individuals who know about these examples from a foreign culture exist in or have access to more than one culture as Waldron suggests. In which case we cannot be said to require a single societal culture as the context of meaningful choice in the way Kymlicka's supposes. Overall, therefore, it seems that Kymlicka's adoption of the concept of societal culture does not protect him against the "many cultures" critique after all.

Conclusion: Multiculturalism and Meaning

There is, however, another plausible response Kymlicka could make to this form of the cosmopolitan critique. Instead of relying primarily in the institutionalized aspects of his definition of societal culture to avoid the critique, Kymlicka could emphasize the role of culture in constructing meaning for individuals. Demonstrating that "meaning" is entirely—or perhaps even primarily—dependent on our societal culture would provide a defense against the cosmopolitan critique. If the manner in which human beings understand the particular options for living, examples, and ends they choose between is dependent on the meanings provided by the cultural framework in which they are currently located, then their original provenance is unimportant. The particular "pieces" of our culture may come from a variety of different historical sources, but it is our societal culture as an overarching framework of *meaning* that renders them intelligible. In other words, if Waldron's isolated cultural fragments derive their meaning from the societal culture in which they are currently located and not the culture they arose in, then an individual may still be said to be located within a particular societal culture as a context of *meaningful* choice. The manner in which culture affects meaning for individuals could, in theory, provide the necessary coherence to the societal culture.

Whilst Kymlicka does not explicitly respond to Waldron in this way, it is a plausible response, and one which flows directly from the way Kymlicka sets out his argument in both *Liberalism, Community, and Culture* and *Multicultural Citizenship*. Kymlicka thinks that for individuals to choose how to live their lives they need actual ways of living they can adopt, but

that they also need to be able to assess these options and choose between them, and that culture plays the key role in this. He suggests that a culture helps define "the boundaries of the imaginable" for its members,[59] and in both *Liberalism, Community, and Culture* and *Multicultural Citizenship* Kymlicka specifically endorses Dworkin's characterization of culture as not just providing options, but also "the spectacles through which we identify experiences as valuable."[60]

Kymlicka thus views the meaning-producing parts of culture as rendering intelligible the different concrete ways of living our lives that are defined by and embodied in our societal culture.[61] In turn this indicates that his conception of the "meaning-producing" aspects of societal culture is at least partly functionalist; part of the reason we have these cultural narratives and "shared vocabulary of tradition and convention" is to render concrete options and ways of living intelligible, which in turn allows us to assess their value.[62] In other words, for the "rational revision" Kymlicka sees as central to liberalism to take place, individuals must be able to choose from a secure and vibrant context of choice that presents various options for living. Without the concrete options being rendered *meaningful* by our culture in some way we are not able to exercise true autonomy, and if this meaning is derived from our particular societal culture then we could still be said to need it as a context of meaningful choice.

In fact, Waldron seems to anticipate this move in *Minority Cultures and the Cosmopolitan Alternative*, where he notes that a critic may object to his cosmopolitanism by saying "[d]oesn't each item take its full character from the integrity of the surrounding cultural context, so that it is a distortion to isolate it from that cultural context and juxtapose it with disparate materials?"[63] Waldron's response is to argue that whilst we could take such an "anthropological" approach, and attempt to understand these cultural "fragments" on their original terms, this is an "absurd" account of how these cultural materials enter the lives of individuals. He thinks we encounter these materials "as more or less meaningful fragments, images, and snatches of stories" which have been "misread and misinterpreted," and "[s]ince this is in fact is the way in which cultural meanings enter into people's lives…[it] is at least as authentic as Kymlicka's insistence on the purity of a particular cultural heritage."[64] This response from Waldron is somewhat puzzling. His stated position is that simple knowledge of examples from other cultures is not enough to make them part of our societal culture, but he also maintains that they come with "culturally defined meanings." [65] Yet, if these culturally defined meanings are not from the original culture then surely they must be from the recipient culture, or at least the recipient culture as enriched in some way by the new example? But that would seem to be to concede the point, and thereby severely undercut the cosmopolitan critique of liberal multiculturalism.

Kymlicka's next line of defense against the cosmopolitan critique therefore turns on a particular understanding of the way our individual culture acts as a meaningful context of choice. Given the important that meaning plays in Kymlicka's theory, it is surprising that he has no clear account of his philosophy of language.[66] It is apparent, however, which type of theory of meaning Kymlicka would need to adopt to defend himself against the cosmopolitan critique in this way. He would have to argue that the meaning of individual aspects of culture is drawn from the wider cultural context in which they are located. He would need to argue that meaning is primarily contextual. In the next chapter I will analyze this potential response to the cosmopolitan critique, arguing that the contextual account of meaning that Kymlicka would need to adopt to protect himself from the cosmopolitan critique opens him to accusations that he reifies and essentializes culture, and is unsustainable within the context of his theory in any event.

References

[1] This chapter contains material from the following co-authored publications: Richard T. Ashcroft and Mark Bevir, "What is Postwar Multiculturalism in Theory and Practice?", in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in Britain after World War II: Immigration, Nationality and Empire," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in contemporary Britain: policy, law and theory," *Critical Review of International Social and Political Philosophy*, Vol 21, Issue 1, 2018: 1-21; Richard T. Ashcroft and Mark Bevir, "Liberal Democracy, Nationalism and Culture: Multiculturalism and Scottish Independence," *Critical Review of International Social and Political Philosophy* Vol. 21, Issue 1, 2018: 65-86; Richard T. Ashcroft and Mark Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in Contemporary Britain: Policy, Law and Theory*, Routledge (2019); and Richard Ashcroft and Mark Bevir, "Pluralism, National Identity and Citizenship: Britain after Brexit," *The Political Quarterly* Volume 87, Issue3, July–September 2016: 355-359.

[2] As we have seen, multiculturalism lies at the nexus of many different theoretical and practical debates, but the full scope of these are best left for later chapters, when we have clarified the key philosophical issues.

[3] As we saw in the first part of this dissertation, postwar globalization has facilitated a change in focus from the local to the general, particularly in terms of the source and bearers of rights and obligations. As well as decolonization, the postwar period has seen the creation of the United Nations, the rise of human rights discourse, mass migration and travel, and an explosion of media and communications technology that transmits information around the world in a moment. In many locales this created the societal "fact" of widespread cultural diversity for the first time, and consequently there has been a much higher degree of cultural interaction and mixing than ever before. Yet this cosmopolitanism has not simply overridden local attachments and understandings, but rather has created the conditions for a myriad novel interactions between different cultural groups, with correspondingly unpredictable results. Whilst there have been cases of cultural convergence, in many instances the juxtaposition of radically different forms of life has led to local attachments and identities becoming more salient and more dearly-held. As a result, we live in a world that is both thoroughgoingly cosmopolitan and deeply multicultural, yet we seem unsure of how to respond to these interlinked aspects of it.

[4] At one time cosmopolitanism was closely associated with a political commitment to a world state, but this is less frequent in contemporary thinkers, although most argue for an increased role for international institutions.

[5] For example, whether (and if so how) we should have any multicultural rights or whether we should adopt a "cosmopolitan" attitude to other cultures and even to our own.

[6] For example, some argue for the instrumental use of local attachments and institutions to achieve global distributive justice; others employ universal claims of justice to delimit the scope of local duties; still others argue that epistemic constraints mitigate the scope and purchase of global claims; and many thinkers attempt to balance the universal and particular as independent sources of moral value. Within cosmopolitanism there are a wide number of cross-cutting positions labelled as "weak," "moderate," "strong" and "extreme," which can be arranged in a variety of contrasting pairs depending on what is at stake. The particular arguments made will alter the precise nature of the obligations.

[7] Samuel Scheffler, "Conceptions of Cosmopolitanism," in *Utilitas* Vol 11 No.3 Nov 1989: 255 to 276.

[8] Likewise Jeremy Waldron tries to link cosmopolitan claims about justice with cosmopolitan claims regarding culture in a different way through a discussion of Kant's account of cosmopolitan right as the area of jurisprudence "concerned with people…sharing the world with others" and the ramifications of both for how we understand personal identity (see "What is Cosmopolitan?," *The Journal of Political Philosophy*, Vol 8 No. 2 2000: 227-243). Even if this link is fruitful, however, the Kantian cosmopolitanism is not a full-blown theory of justice, but rather stems from a more pragmatic concern with managing contact between people (and cultures) on a crowded planet. Again, here the cosmopolitan examination of culture is not a direct claim about the nature and scope of justice, but rather

a descriptive analysis of culture, identity and human life that may have ramifications for other claims about justice, and which therefore suggests a different understanding of multiculturalism from the standard communitarian and liberal accounts. I will consider Waldron's arguments in more detail in this Chapter and the next two.

[9] For example, it is possible separate the negative critique of multicultural positions from the positive arguments regarding the appropriate cosmopolitan response to culture. This can be done without doing violence to the issues because the first stage, the descriptive account of the self and culture and an analysis of the ramifications of this for the standard communitarian and liberal defenses of multiculturalism, seems like a necessary step for the second, the positive normative arguments regarding the correct response to this analysis. This second step may be a logical one to take, and may be strongly implied by the first, but it is not required by the first.

[10] As we saw in Chapter 2, the relationship between the two is slightly muddled. Arguably the claims regarding culture as a context of meaningful choice run into each other to some degree, perhaps due to an ambiguity in Kymlicka's account of the link between identity, culture and self-respect that stems from Rawls. Nevertheless, there is clearly some aspect of the claim that culture is important for self-respect that is not dependent on the claim that culture acts as a context of meaningful choice. In any event, Kymlicka clearly considers the claims regarding the role of a societal culture as a context of meaningful choice and those regarding the bond with our culture conceptually separate. He makes one then the other in different sections in *Multicultural Citizenship* (Oxford: Oxford University Press, 1995) Ch 5, 83-94, and explicitly says that he needs the second claim to support the contention that individuals need their culture rather than any single individual culture.

[11] Scheffler *supra*.

[12] For example, in the next chapter I will argue that claiming our cultural context limits the range of meanings available to us requires reifying meanings in some way, and that attempting to separate cultures cleanly from one another risks essentializing them. Likewise, in Chapter 5 I will argue that Kymlicka's twin goals of external security and internal diversity require cultural essentialism, or the acknowledgment that members of minority cultures may have such radically different relationships to "their" culture it that is better to understand them as existing in different cultural contexts for the purposes of meaningful choice.

[13] This lexical ordering of Kymlicka's argument can be seen if we set out clearly the things he needs to do in order to distinguish himself from the communitarians on one hand and the cosmopolitans on the other, yet still make his positive argument. He needs to be able: (1) to give an account of the self that differs from both the communitarian and cosmopolitan accounts in relation to its cultural embeddedness and choice of ends; (2) to establish a plausible account of the role of culture in meaningful choice and self-respect; (3) to show that it is possible to pick out a particular culture which can act as a context of meaningful choice and ground self-respect, and which can be made equal to other cultures via GDRS; and (4) to show it is possible to locate individuals within that single cultural framework that does act as context of meaningful choice for individuals and basis for their self-respect. Just as the logical development of Kymlicka's position seems to be to go through steps (1) to (4) in that order, the way the cosmopolitan critique of Kymlicka operates is in reverse, from step (4) through (1). I will argue below that the critique not only has bite, but operates on a much deeper level than even its proponents seem to realize. I will show that the only plausible defenses against it on points (4) and (3) require Kymlicka to make commitments that would undermine his claim at point (2), and would require him to either sanction essentialism/reification of culture, abandon his luck egalitarianism, or adopt a position on point (1) which looks almost identical to the communitarianism he is attempting to distinguish himself from.

[14] There is no single thinker who leaps out as making a clear and concise version of this argument, although there are several scholars writing on (or around) multiculturalism who put forward arguments in this vein. Jeremy Waldron who, as we shall see below, is the most prominent thinker who clearly self-identifies as a "cosmopolitan" and addresses Kymlicka's work directly, gestures at this argument in "Minority Cultures and the Cosmopolitan Alternative," *U. Mich. J.L. Reform*, 25, 1991: 751-794; although the main thrust of that paper seems aimed more directly at the type of national/ethnic culture that Kymlicka subsequently described as "societal" cultures. Likewise, Iris Marion Young can be interpreted (and seems to be by Kymlicka in various places, see *Multicultural Citizenship*, 26, 145-146, 198-199 (Note 10) as making a version of this claim, advocating a "politics of difference" that recognizes, celebrates and protects group-based identities, including the sort of groups we are discussing here. Finally, and as we shall see below, Sarah Song levels a criticism at Kymlicka on this point (see Sarah Song, *Justice, Gender and the Politics of Multiculturalism*, (Cambridge: Cambridge University Press, 2007), 23-28 especially Note 16), arguing that

many individuals have these sorts of multiple and overlapping identities and associations, and that they may play a role in providing the context of meaningful choice that Kymlicka assigns to culture. Although these last two thinkers would probably eschew the label "cosmopolitan," their accounts of culture and criticisms of Kymlicka show clear affinities with what I am calling the "cosmopolitan critique," albeit that their underlying philosophical orientations are different, and they both seem primarily concerned with the socially constructed nature of culture and identity rather than making sweeping normative arguments.

[15] In fact, as Kymlicka notes, the characterization of these sorts of groups as having a "culture" may itself have arisen as a response to the sort of defense of GDRS by minority cultures he makes. Some liberals see (rightly or wrongly) some minority cultures as "illiberal" (e.g. certain religious groups or indigenous peoples) and fear that these groups may oppress, for example, women or homosexuals. Characterizing the potentially oppressed group as a culture enables one, however, to advocate for the protection of that culture as a counter-weight to the protection of the "illiberal" minority culture (see *Multicultural Citizenship*, 198-199 Endnote 10).

[16] In the previous section I outlined various issues in the multiculturalism debate that were important for Kymlicka, the third and fourth of which related to identifying distinct cultures and to the location of individuals within cultures, and noted that it is these two issues the cosmopolitan critique addresses most directly we saw Kymlicka needed to be able to demonstrate: (3) that it is possible to pick out a particular culture which can act as a context of meaningful choice and which can plausibly be supported, and made equal to other cultures, by GDRS; and (4) it is possible to locate individuals within that single cultural framework by showing that the context of meaningful choice for individuals is a single culture and that this unequal and unchosen circumstance needs to be corrected for.

[17] See *Multicultural Citizenship*, 141 and 145-146. Kymlicka makes this comment in response to Iris Marion Young's *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), which was published the year after *Liberalism, Community, and Culture* (Oxford: Oxford University Press, 1989) which reinforces my argument below that the move to "societal culture" in *Multicultural Citizenship* is at least partly motivated to avoid what I am calling the broad version of the cosmopolitan critique. Young's book was primarily a critique of the Rawlsian paradigm of "impartial" distributive justice, arguing that Rawlsian distributive justice is not in fact neutral in the way liberals tend to suppose and ignores difference and the broader social bases of oppression, advocating instead for a form of justice that applies to all social structures and practices and attempts to end all forms of domination, oppression and assimilation, rather than simply distribute material goods. Young sees part of the "difference" that she wishes to protect and celebrate as being based in group-based identities, and therefore argues for a "politics of difference" that celebrates and recognizes these identities. In her later work she advocates a difference-friendly form of deliberative democracy which allows for the expression and recognition of these group differences through a variety of forms of discourse. Whilst *Justice and the Politics of Difference* is clearly a response to Rawls, it quickly became apparent that Young's difference friendly and group-based approach had important implications for the nascent multiculturalism debate started by *Liberalism, Community, and Culture*, and much of her later work is self-consciously part of that debate. In some senses Young would seem to be a natural ally for Kymlicka as they both advocate group-specific political and legal arrangements which cut across universal liberal difference-blind rights in order to protect cultural (and perhaps other) differences, a point Kymlicka acknowledges near the beginning of *Multicultural Citizenship* (26). Nevertheless, whilst he agrees with the general thrust of Young's position, Kymlicka disagrees markedly on the specifics, particularly regarding the form and scope of the special representation rights for groups that Young advocates, arguing that Young's definition of "oppressed groups" is over-inclusive and that this will lead to an "unworkable proliferation" of claims. Young's list of groups that would receive special representation rights includes groups who would fall under Kymlicka's definition of minority cultures, such as many racial, ethnic, and linguistic groups, but also includes groups such as women, homosexuals, the elderly, the poor, and the mentally and physically disabled, who do not seem to fit so easily into Kymlicka's understanding of minority cultures as set out in *Multicultural Citizenship* (145-146).

[18] This would also lead to a practical difficulty for Kymlicka's argument, which is that if the variety of groups, institutions, and associations we have identified have (or are) cultures, even the attempt to support them via the GDRS seems implausible. Self-government rights are much less suited to groups that are not territorially concentrated, primarily making sense for national groups, as Kymlicka admits. In any event, if individuals belong to multiple different cultures there would be legion competing claims for self-government that would be mutually incompatible. Special representation rights, howsoever conceived, would seem to suffer from the same sort of

problems; if there are multiple groups that one belongs to, one would need to receive special representation in respect of all of them, which would lead to an unworkable proliferation of claims (again, as Kymlicka admits). Polyethnic rights are perhaps a bit more promising, as public funding and support, and perhaps exemptions from general laws, could in principle be given to a variety of different groups. Nevertheless, even here, the sheer number of potential claims would seem to be a problem, as would the fact that people might be able to generate claims simply by grouping together in some form of voluntary association. Also, given that many of these groups might be competing with each other in some sense (i.e. as different voluntary associations or political organizations) equality of outcome of these groups understood as cultures may be an impossibility as a matter of fact.

[19] John Rawls *A Theory of Justice*, (Cambridge Mass: Harvard University Press, 1971).

[20] To do so would be to admit two things that would be fatal to his luck egalitarian argument: first, that as individuals can belong to more than one group or association they may be part of multiple and overlapping cultures; and second, that as voluntary associations have cultures individuals who join them can legitimately be said to choose their culture in some sense.

[21] *Multicultural Citizenship*, 76.

[22] Kymlicka's focus on societal cultures and his use of a typology of groups and rights in his later work can may also be driven partly by political concerns derived from the Canadian context, and partly from a pragmatic concern to delineate the scope of his theory so as to make it more manageable (See for instance *Multicultural Citizenship*, 18-19 and 80). Whether or not this is correct is, however, irrelevant for our purposes. For Kymlicka to make a valid normative argument, and thereby justify GDRS for minority cultures in the terms he suggests, his decision to limit the scope of his theory to societal cultures must be philosophically compelling. It must be compatible with, and flow from, his underlying philosophical premises and the terms of his argument. That is what I will assess in this and the following chapters.

[23] See *Multicultural Citizenship*, 18-23, but note this is not a race/descent criterion, although presumably it maps on to ethnicity, and he admits some groups will have "unjust" descent criteria.

[24] *Multicultural Citizenship*,11, 18, and 75-76.

[25] *Multicultural Citizenship*,76.

[26] These last two aspects of the definition seem to me to be particularly important; a societal culture must have both the concrete aspects of institutions and practices and less concrete aspects such as "shared memories or values." It seems clear that the actual options between which people choose as to how they live their lives will be largely provided by the concrete elements of the societal culture (i.e. by the different roles, jobs, lifestyles etc that are embodied in practices and institutions) and that that the meaning of the concrete options that form part of the societal culture are provided by the less concrete elements of that societal culture, such as the "shared memories or values" mentioned above.He clearly says that understanding "the meaning of a social practice.......requires understanding this shared vocabulary [and] the shared language and history which constitute that vocabulary," a comment which is immediately followed by the statement that "our culture not only provides options" but also "provides the spectacles through which we identify experiences as valuable." See *Multicultural Citizenship*, 83. Therefore Kymlicka seems to admit that it is the "shared vocabulary" of a culture that provides the meaning of options, rather than the institutional elements per se, which presumably provide the actual concrete option of a way of life.

[27] *Multicultural Citizenship*, 18-19.

[28] By which he means use of the term culture that "refers to the distinct customs, perspectives, or ethos of a group or association" *Multicultural Citizenship*, 18.

[29] *Multicultural Citizenship*, 19. Kymlicka says, however, that he is not excluding the other groups because they are unimportant: "On the contrary, I take it as a given that accommodating ethnic and national differences is only part of a large struggle to make a more tolerant and inclusive democracy."

[30] He provides little in the way of proof that only societal cultures form a context of meaningful choice for individuals. I find his arguments unconvincing in this respect. There are four key aspects of Kymlicka's definition of societal cultures as contexts of meaningful choice, none of which, taken either singly or jointly, are sufficient to prove his point. These are: institutional embodiment, the "encompassing" nature of societal cultures, the provision of "options" for living, and the role of culture in providing "meaning" to these options. First, the requirement that to qualify as a societal culture a culture must be "institutionally embodied" is not sufficient to distinguish societal

cultures from some of the other "sub-cultures" we are concerned with. Voluntary associations are necessarily institutionally embodied to some degree, and even some more nebulous groups, such as the working class or homosexuals, may have aspects of their "culture" that are embodied in common but informal practices. Most problematically, as Song, *Justice, Gender, and the Politics of Multiculturalism* points out (23 Note 16), many of the immigrant ethnic groups in western liberal societies self-consciously try to recreate and embody their home cultures through schools, churches, voluntary associations, businesses and even the media, yet these groups are not classified as societal cultures by Kymlicka. Kymlicka's claim that in order for cultures to survive in the modern world they must be societal cultures is, even if true, irrelevant here, as the normative claim that we should support cultures as contexts of meaningful choice, would seem to apply to all cultures that form a context of meaningful choice, whether or not they are viable long-term. The second requirement, that societal cultures be "encompassing" in that they must provide a range of meaningful options "across the full range of human activities" is unpersuasive for much the same reasons. Again, as Song points out, many ethnic immigrant groups who attempt to recreate their culture in their new country through various institutions and associations may be "encompassing" enough to serve as a context of choice for their members even on Kymlicka's own terms. Even if we can grant that an individual's context of choice must be comprehensive, it is unclear why it must be a single culture that reaches across the full range of human activities to form a context of meaningful choice, rather than that context of choice for any given individual being formed from a nexus of overlapping and complementary "cultures." If that is the case, one's context of choice would seem to be idiosyncratic in the way the cosmopolitan critique supposes, and Kymlicka has failed to justify why we must try and equalize societal cultures. The fact that a societal culture would seem to contain all of these various sub-cultures in some sense does not in and of itself show that it forms the sole context of meaningful choice for any given individual; to claim it does appears to be circular reasoning that already assumes comprehensiveness to be a relevant criterion. The final two aspects of the definition will be discussed in more detail in the next section as part of our examination of Jeremey Waldron's narrower version of the cosmopolitan critique. Yet even if we grant concrete options for living between which individuals can choose how to live their lives is a constituent part of being a context of meaningful choice, it is at least plausible that these options are provided, and made "meaningful," as much by the various sub-cultures as the societal culture. Again, the criteria provided by Kymlicka do not clearly apply to only societal cultures and, even if they did, this does not show that these are the relevant criteria.

[31] *Multicultural Citizenship*, 75ff, 80 and Ch. 5 in general.

[32] Clare Chambers "Nation-building, neutrality and ethnocultural justice: Kymlicka's liberal pluralism," *Ethnicities*, 3(3), 2003: 295–319.

[33] Ashcroft and Bevir, "Liberal democracy, nationalism and culture."

[34] Those that do, such as religious groups like the Hutterites and the Amish, are unproblematic, as they tend to be small, isolated from the wider society, and predominantly inward looking, so their members are firmly located within them and them only, and do not participate in the sort of voluntary associations etc that cause Kymlicka problems.

[35] Kymlicka's luck egalitarian commitments can thus also be seen at work in the influential typology of groups and rights introduced in Multicultural Citizenship. In this typology there are two primary types of groups, national minorities and immigrants, with the only the former receiving self-government rights, the latter primarily receiving polyethnic rights, and special representation rights cutting across both groups. Kymlicka's discussion of the differences between immigrants and national minorities makes it clear that a key reason the former do not get self-government rights is that they chose to move between countries. Although he does not state this explicitly, excluding immigrants from the full range of GDRs maintains the compatibility of the typology of groups and rights with Kymlicka's underlying luck egalitarian framework. It is the weakness of a minority culture vi-a-vis the majority that is an unchosen circumstance requiring compensation on egalitarian grounds via external protections; the internally-facing choices of members of minority cultures do not, and so are restrained by egalitarian concerns. Immigrants volunteer to move to a new country, with a different social culture, and therefore the inequalities they suffer there are a choice not a circumstance, and so do not require compensation via self-government rights that would allow them to recreate their original societal culture *in toto* in their new home. Likewise, the new distinction between external protections that allow minority cultures to control the way their cultures change, and internal restriction which do not, also dovetails with Kymlicka's luck egalitarian concerns. It is the weakness of a minority culture vi-a-vis the majority that is an unchosen circumstance requiring compensation on egalitarian grounds via external protections; the internally-facing choices of members of minority cultures do not, and so are restrained by egalitarian concerns. This will be discussed in more detail in Ch.'s 4, 5 and 6.

[36] Waldron, "Minority Cultures and the Cosmopolitan Alternative."

[37] Waldron, "Minority Cultures and the Cosmopolitan Alternative," 756.

[38] Also, almost all the sources of the "cultural materials" (784-785) that Waldron uses to illustrate the crux of his argument are themselves societal cultures (see for instance, his talk of being "reared" in the same culture as our ancestors, at 762). He also returns again and again to the example of indigenous peoples: see for instance 763, and 779-80, and 754 where Waldron describes a cosmopolitan as being a San Franciscan of Irish ancestry who "learns Spanish, eats Chinese, wears clothes made in Korea, listens to arias by Verdi sung by a Maori princess on Japanese equipment, follows Ukrainian politics and practices Buddhist meditation techniques." And again, at 756, where all the examples (Rome, Germany and First-Century Palestine) are drawn from societal cultures.

[39] Kymlicka *Multicultural Citizenship*, 102 Waldron "Minority Cultures and the Cosmopolitan Alternative," 783-784.

[40] Waldron "Minority Cultures and the Cosmopolitan Alternative," 783.

[41] Waldron, "Minority Cultures and the Cosmopolitan Alternative," 783.

[42] Waldron, "Minority Cultures and the Cosmopolitan Alternative,"762.

[43] Kymlicka *Multicultural Citizenship* p86, Waldron, "Minority Cultures and the Cosmopolitan Alternative," 762. If the claim that we need our particular culture is flawed, and so we can only be assumed to want it, which is a substantially weaker claim. There is a second thread to Waldron's critique in Waldron, "Minority Cultures and the Cosmopolitan Alternative," which alleges that attempts to secure minority cultures leads to an obsession with cultural "authenticity" and thereby restricts the possibility of cultural change in a way that actually obviates arguments that the culture forms a context of meaningful choice for its members. This, less famous, aspect of Waldron's critique will be considered in Chapter 5.

[44] Kymlicka *Multicultural* Citizenship, 85 and 102 and Waldron, "Minority Cultures and the Cosmopolitan Alternative," 762, 783-784, and 786.

[45] Waldron "Minority Cultures and the Cosmopolitan Alternative," 786.

[46] See *Multicultural Citizenship*, 101 for Kymlicka's admission that he assumes this, and Waldron, "Minority Cultures and the Cosmopolitan Alternative," 783 to 785.

[47] Waldron "Minority Cultures and the Cosmopolitan Alternative," 784-785 and Kymlicka *Multicultural Citizenship*, 102.

[48] Waldron, "Minority Cultures and the Cosmopolitan Alternative," 784-785 and Kymlicka *Multicultural Citizenship*, 102.

[49] Kymlicka *Multicultural Citizenship*, 103.

[50] I'm fairly sure wearing glass slippers and marrying a prince isn't a viable career option for me, unfortunately. Thanks, Meghan.

[51] In fact, this seems to be the precise way Kymlicka phrased his original articulation of this point in *Liberalism, Community, and Culture*, which is the iteration of Kymlicka's theory that Waldron is responding to. See Waldron, "Minority Cultures and the Cosmopolitan Alternative," 782-783, where he quotes Kymlicka *Liberalism, Community, and Culture*, 165 "The physical movements only have meaning to us because they are identified as having significance by our *culture*, because they fit into some pattern of activities which is culturally recognized as a way of leading one's life. We learn about these patterns of activity through their presence in stories we've heard about the lives, real or imaginary, of others....We decide how to lead our lives by situating ourselves in these cultural narratives, by adopting roles that have struck us as worthwhile ones, as ones worth living (which may, of course, include the roles we were brought up to occupy)."

[52] The point seems to be that these "stories" can therefore change our self-understandings and possibly our actual behavior, even if they do not necessarily provide literal models for those self-understandings and behaviors. In this sense these "stories" can lead to different understandings or evaluations of the concrete options provided by a societal culture, and so potentially alter the "meaning" of these options for the individuals within that culture. In fact, this is at least partly Waldron's point, as he sees the influence of "fragments" from other cultures potentially operating as some sort of critique of the existing practices of a culture, see Waldron, "Minority Cultures and the Cosmopolitan Alternative," 786ff.

[53] Kymlicka *Multicultural Citizenship*, 103.

[54] Waldron, "Minority Cultures and the Cosmopolitan Alternative," 785.

[55] Kymlicka *Multicultural Citizenship*, 101 to 105.

[56] Kymlicka *Multicultural Citizenship*, 103.

[57] In addition, there would seem to be an epistemological problem of sorts, in that even if the percentage of dissemination could be fixed at the "correct" level, it would be very difficult to tell how many people actually knew about the relevant example. Therefore in and of itself this vagueness would seem to rob Kymlicka's rejoinder of any real philosophical force; if Kymlicka's attempt to sidestep the individuation of cultures point turns on a criterion of wide distribution, being unable to specify that criterion and apply it accurately would seem to render his response otiose.

[58] If "widely distributed" is taken to mean knowledge of an example by fifty one percent of the entire population, then if fifty one percent know about an example it is part of a societal culture. This necessitates the claim, however, that if forty nine percent of the population know about an example it is still not part of the societal culture, which means we must also accept that people can know about examples from societal cultures that are not their own.

[59] In fact, on 89 Kymlicka approvingly quotes Margalit and Raz who use almost that exact phrase, stating "cultural membership provides meaningful options, in the sense that 'familiarity with a culture determines the boundaries of the imaginable.'"

[60] Also *Multicultural Citizenship,* 83.

[61] He clearly thinks that there is a necessary and close connection between the concrete options supplied by the "societal" part of societal culture and the "culture" aspects that make them meaningful. See for instance, *Multicultural Citizenship*, 81, where we writes that liberalism is committed to the "precondition is that we be free to question those beliefs, to examine them in light of whatever information, examples, and arguments our culture can provide," which seems to suggest the close connection between the meaning-producing parts of culture and the concrete options for living. See also at 83, where he writes "Put simply, freedom involves making choices amongst various options, and our societal culture not only provides these options, but also makes them meaningful to us" and that the shared vocabulary of tradition and convention "underlies a full range of social practices and institutions." He makes similar points in *Liberalism, Community, and Culture*, see for example at 165.

[62] This seems to follow from the logic of Kymlicka's argument, but there is abundant textual evidence too. For instance, on 76-77 of *Multicultural Citizenship* Kymlicka states that the creation of a common societal culture "is a functional requirement of a modern economy, with its need for a mobile, educated, and literate workforce" and that it also meets the "need" for the social solidarity required by the welfare state. Whilst Kymlicka doesn't state that the meaning-producing aspects of culture play a necessary function in making options meaningful, the above at least shows that Kymlicka does countenance functionalist explanations of culture at some points. I have argued elsewhere that Kymlicka is committed, along with some other liberal theorists, to a functionalist account of culture which is ultimately unsustainable.

[63] Waldron, "Minority Cultures and the Cosmopolitan Alternative," 785ff.

[64] Waldron, "Minority Cultures and the Cosmopolitan Alternative," 785ff.

[65] Perhaps this move by Waldron is motivated by his desire to undercut any idea of cultural "authenticity" and offer a more cosmopolitan account instead, but nevertheless it seems at odds with some of his other commitments regarding cultural meaning.

[66] In fact, there would seem to be a degree of ambiguity in how he understands the role of culture in constructing social meanings. From the texts it is unclear whether the cultural "meaning" of a cultural practice (and hence option for living) is different from its point or purpose, or the way it is commonly evaluated within a culture. And if culture makes concrete options for living "meaningful" in that it is unclear whether culture fixes the "meaning" of individual cultural options, or provides a fixed range of meanings which cannot be gone beyond. These ambiguities plausibly stem from the fact that the role of culture in making options "meaningful" would itself seem to span both the character of a culture (which is the result of choices) and the structure of the character (which is an unchosen circumstance). All of these problems will be examined in the following chapters.

Chapter 4

Multiculturalism and Meaning[1]

We saw in the previous chapter that the cosmopolitan claim that individuals subsist in many cultural contexts simultaneously has potentially devasting consequences for a liberal multiculturalism conditioned by Kymlicka's theory. The broadest version of this critique suggests that there are a plethora of groups and associations in society that have their own "culture." Yet Kymlicka cannot allow that these sorts of groups and associations have culture in the sense relevant to meaningful choice and self-respect, as to do so would be to admit two things that would be fatal to his argument: first, that as individuals can belong to more than one group or association they may be part of multiple and overlapping cultures; and second, that as voluntary associations have cultures individuals who join them can legitimately be said to choose their culture in some sense.

We saw that Kymlicka's focus on societal cultures in *Multicultural Citizenship* potentially circumvents the broadest form of the cosmopolitan critique, but that he must still reply to the narrower version espoused by Jeremy Waldron. Waldron argues that individuals typically exist in a "kaleidoscope of cultures," and therefore that individuals cannot be said to need a single societal culture to provide meaningful options. Kymlicka's attempts to avoid this critique in *Multicultural Citizenship* are unconvincing, but we saw that both he and Waldron overlook a plausible defense, namely that the manner in which human beings understand things as culturally meaningful is dependent on the entirety of their current cultural context. In other words, that cultural meaning is contextual. This would rescue Kymlicka's claim that individuals exist in, and need, a single societal culture which acts as context of meaningful choice.

What I will call a "contextualist" view of meaning has been expressed in a number of different ways and defended on a variety of philosophical bases. Nevertheless, there are some common commitments, the key one being that understanding meaningful productions in human life is dependent on understanding the relevant context. Most frequently this is understood to be the linguistic context, although for our purposes we are also thinking of the cultural context. Whether we are dealing with forms of postmodernism or history influenced by structuralism, Quentin Skinner's conventionalist account of the "illocutionary force" of particular utterances, Kuhn's account of paradigm shifts in the history of science, or Tyler Burge's externalist occasionalism, the central claim that is relevant to us stays the same: the conventional socio-linguistic framework in some sense determines the meaning of particular utterances, beliefs or practices, rather than the intentions of those producing or observing them. This is often accompanied by the claim that any individual "unit" of meaning derives its meaningfulness from its relationship to the other parts of the overall "framework" of meaning. For example, that the meaning of an individual word is dependent on its place within the overall language, and only by looking at the entire linguistic context can the meaning of a particular word or utterance be understood and articulated.[2] For brevity's sake we will refer to all these sort of arguments as "contextualism."[3]

Contextualism could rescue Kymlicka's his theory of multiculturalism from the cosmopolitan critique as it would indicate that it is our individual societal culture that imposes meaning on the diverse materials it contains, and thus would form our exclusive context of *meaningful* choice. For reasons discussed in the previous chapter, however, in order for this response to work, however, meaning would have to come *entirely* from the current cultural context.[4] This is because any "meanings" that come from outside of a cultural context that are unaffected by it (e.g. from culture in which the "fragment" originated) would give individuals access to more than one culturally meaningful context of choice in the way Waldron suggests. This would mean that Kymlicka's underlying claim that individuals *need* access to a single societal culture as a "precondition" of meaningful choice would fail, severely weakening his argument for liberal multiculturalism.[5]

The key claim I will defend is that linguistic or cultural context does not determine meaning, but rather that meaning is the result of the intentions of individual actors. The core (and commonsense) intuition behind "intentionalism" is that "[w]hen we say something, we normally assume we are communicating our thoughts" and that we normally assume the same thing of others. This would indicate that meaning is derived from the intentions of actors not from the linguistic context.[6] I start by elucidating this intuition and reasons in support of it, which will help highlight a common contextualist mistake and provide a way into the debate. I will then examine and critique possible replies by the contextualist, exploring how these relate to Kymlicka's theory.

Contextual Meaning and Intentions

A mistake that is common between the arguments for contextual meaning is to confuse the standard meaning of an utterance abstracted from its particular context with the actual meaning of a particular utterance in its context. A useful example of this cited by Mark Bevir in *The Logic of the History of Ideas* is Mrs Malaprop's famous line from Sheridan's *The Rivals*, where she defends her use of English by saying that she is able to present "a nice derangement of epitaphs."[7] What she means, of course, is "a nice arrangement of epithets," which is the entire point of the joke. The linguistic meaning of "a nice derangement of epitaphs" is, however, "a nice derangement of epitaphs," not "a nice arrangement of epithets." The *linguistic* meaning and what *Mrs Malaprop* means differ, and the latter can only be understood by reference to what she intended to communicate. The conventional linguistic meaning is therefore not always sufficient to fix the meaning, which comes from intentions.

A plausible contextualist response to the above example would be to argue that whilst the meaning of Mrs Malaprop's utterance "a nice derangement of epitaphs" is clearly "a nice arrangement of epithets," the fact that we understand that is a result of the occasion on which it was used. Mrs Malaprop is having a conversation with Captain Absolute during which it is related that a third party has accused her of using words she doesn't understand, at which point she asserts to the contrary that she can make "a nice derangement of epitaphs." Thus one could argue that the broader linguistic context and the occasion of her utterance make it intelligible. It is because words have been previously used conventionally on a particular occasion that we can

grasp her deviation from linguistic meaning, and therefore the meaning of her utterance is still contextual.

It is possible, however, to design a set of circumstances in which the linguistic context and particular occasion does not enable us to decipher meaning in this way. This is because on some occasions the linguistically correct use of a word or phrase cannot be used to fix the meaning of a particular use of it. The word bat, for instance, can refer to a wooden object generally used to hit balls or to a small flying mammal, but not both at the same time. The linguistic meaning of "bat" is one of two alternatives, and thus cannot be used by itself to fix the meaning of a particular utterance. The occasion of the use of the word bat will normally enable us to determine which referent is intended, but this is not always the case. If you are in a room with one other person and nothing else but a wooden cylindrical object and a small flying mammal, and you are told to "pick up the bat," there is no way of telling conclusively from either the linguistic context or the occasion which object is being referred to.

The fact that linguistic contexts and occasions are often a reliable guide to meaning does not require that the meaning intended by the speaker is entirely derived from, or dependent upon, the linguistic context or occasion. If we are to reject the idea that the meaning of "bat" is derived in this instance from the intentions of the speaker, we would also seem to be committed to the position that the speaker did not in fact mean either object, that her utterance is either meaningless or that the meaning is indeterminate. Both of these seem implausible, as the speaker was clearly asking us to pick up one of the two objects. Likewise, when we acknowledge Mrs Malaprop *said* "a nice derangement of epitaphs" but *meant* "a nice arrangement of epithets," we assume that what she means has to do with what she intends to communicate, which is not identical with the conventional linguistic meaning of the words she uses. This "hermeneutic" meaning of the sentence stems from her intentions, not its form, and without an understanding of her intentions will we will not understand what the sentence means.[8] To understand what was meant, we must understand the intentions of the speaker.

A plausible response from the contextualist would be to argue that the intentional state of the speaker, whilst sometimes necessary for understanding the meaning of an utterance, is ultimately conditioned by the broader context. For example, the contextualist can admit that we may need to recover the intentions of the speaker in order to understand the meaning of an utterance, but still maintain that the context gives form and meaning to the intentions, even if it does not necessarily determine mind *per se*. To make this claim, the contextualist would therefore have to argue that the relevant context is not just the linguistic context, or the details of the occasion on which an utterance is made, but a wider sociological framework of meaning that enters into both the occasion and linguistic context, and thereby intentions.

However, whilst the broader occasion on which an utterance is made, including the cultural one, may have an effect on the intentions of the speaker, and thence on meaning, it does not necessarily follow from this that meaning is ultimately contextual. I will demonstrate this through three related arguments, which I set out in lexical order. The first is to argue that whilst the broader socio-linguistic occasion of an utterance is relevant to the formation and recovery of intentional meaning, the relevant occasion is the "subjective" one, the occasion as understood and perceived by the speaker, not the "objective" one, that exists in a particular form independently of the speaker. The second is to argue that since the wider context affects

intentions through the "subjective occasion" we have no reason to suppose that the relevant context for producing meaning is the cultural one unless we were to define culture in a way that makes it incompatible with the role it plays in Kymlicka's theory. The third is to argue that even if we could clearly delineate the broader cultural context and locate the individual within it in the way Kymlicka supposes, the claim that this context forms intentional meanings would seem to rule out the possibility of linguistic/cultural change or movement between cultures, which is unsustainable.

The Objective Occasion and Externalism

My first claim is that the crucial form of the occasion for understanding the intentional meanings of the speaker is the occasion as perceived and understood by the speaker (what I will call the "subjective occasion"), not the features of the occasion that pertain to the utterance yet subsist independently of the subjective mental state of the speaker (what I will call the "objective occasion"). The first point leads us to the internalism/externalism debate in the philosophy of mind and language, a full account of which is impossible here.[9] Instead we will focus on the crucial aspect for theories of contextual meaning as they are relevant to Kymlicka and Waldron, which is the relation of the particular belief states and meaningful utterances of individuals to factors external to the individual, such as the physical environment or the socio-linguistic context. For our purposes, internalism is the position that the contents of intentional states (including concepts and beliefs) and meaningful utterances can be individuated (i.e. identified and understood solely by reference to the internal states of the person concerned), and therefore that at any one moment particular "meanings" depend only on the mind of the specific individual who gives rise to them. In contrast, externalists hold that intentional states and meaningful utterances depend on factors external to the individual's mind in such a way that they cannot be individuated, and so their recovery requires knowledge of the external context.[10]

Externalism should not be confused with the banal observations that languages are communal constructs and therefore part of the social world, and that factors external to the individual may precipitate particular thoughts or utterances. Rather externalism is the more dramatic claim that factors about the external world in fact *constitute* (and therefore constrain) the content and meaning of the beliefs and utterances of individuals in such a way that, to use Hilary Putnam's phrase, "'meanings' just ain't in the head."[11] We will examine this debate through one of the most prominent arguments in support of externalism, the "arthritis" thought experiment of Tyler Burge.[12] Burge extends Putnam's version of "physical" externalism that applies to linguistic meaning into a "social" externalism that affects the use of all terms and concepts within a socio-linguistic community.[13] Externalism has become something of an orthodoxy in analytic philosophy, and Burge's version would therefore seem to offer a robust defense of the contextualist position. It potentially shows that individuals are so reliant on the frameworks of meaning and belief constructed by their particular community that the concepts and beliefs they have are in fact constituted by their cultural framework.[14]

Burge's thought experiment is a Twin Earth experiment, looking at two patients (let us say "P" and "TP"), both of whom believe they have arthritis and go to their doctor. P has a number

of correct beliefs about arthritis, but has the mistaken belief that he has arthritis in his thigh bone. This belief is mistaken because in P's linguistic community (which is the same as ours) arthritis can only occur in joints, not in bones. When P states "I have arthritis in my thigh" he is therefore corrected by his doctor who states that he cannot have arthritis in his thigh because arthritis is a rheumatoid disease that affects only the joints and not the bones. P accepts the correction. P's twin TP goes also thinks he has arthritis in his thigh and visits the doctor. P and TP are physically identical (including their brain states), they have had the same series of experiences and interactions up until the time they go to their doctor, and therefore their first-person perspectives and understandings are also identical.[15] Their respective Earths are also identical, save for the fact that in TP's linguistic community "arthritis" includes rheumatoid diseases of the bones as well as the joints, so when he states "I have arthritis in my thigh," the doctor doesn't correct him.

The only relevant difference between them (aside from the alleged difference in mental content) and their versions of Earth is therefore the way that "arthritis" is used in their socio-linguistic communities. Burge concludes that despite the fact that P and TP are internally indistinguishable in the ways noted above,[16] TP does not possess our concept of arthritis but instead possesses a different concept (say "tharthritis"), and that P does possess our concept of arthritis but only understands it incompletely and therefore misapplies it in this case.[17] Burge acknowledges that this involves attributing "beliefs and thoughts to people even where they incompletely understand [the] contents of those very beliefs and thoughts," arguing that this sort of "literal" interpretation is justified "wherever the subject has attained a certain competence in large relevant parts of his language and has (implicitly) assumed a certain general commitment or responsibility to the communal conventions governing the language's symbols."[18] He supports his contention by pointing out that the literal interpretation fulfills a key social function in providing information about what people think and intend, and thus is "essential" for much explanation and prediction and for "fulfilling many of our cooperative enterprises."[19]

Burge's thought-experiment purports to show that despite P and TP being internally indistinguishable, their mental contents differ when they say "I have arthritis in my thigh" because the term "arthritis" in their socio-linguistic communities have different extensions, and so delineate two different concepts. Despite being *internally* indistinguishable in some sense, P and TP *mean* different things when they say "I have arthritis in my thigh," as the meaning of the term and content of the concept are conditioned by the social context.[20] Therefore Burge claims that the concepts individuals can/do employ, and thus the content and meaning of their beliefs, would seem not to depend on their internal properties or even their own first-person understandings of the terms and concepts they use. Rather they are commonly dictated and constituted by external social factors such as their socio-linguistic context.[21] This would seem to show that in order to individuate and understand meaningful mental content it is not enough to examine just the individual, instead knowledge of the external environment is required. This a conclusion that could clearly be used as a "contextual" account of meaning in defense of Kymlicka, supporting the contention that the cultural context as part of the "objective occasion" gives form and content to intentional meanings.

Burge's thought experiment, however, does not prove his social externalism. This is primarily because there is often a distinction between the "public" linguistic meaning of a word

and the concept a user of the language intends to express via that word. It follows from this that the literal interpretation of the speaker's words should not be attributed to them, but rather a "private" concept that is deviant from standard use. In this instance, we would say that both P and TP share a concept with the same extension, namely arthritis (a rheumatoid disease that affects both the joints and the bones), as well as sharing the belief that the correct term to refer to such a concept is "arthritis." The difference between them is simply that P is wrong about the use of the term and TP is right. We would thus attribute to P the dual beliefs: (a) "I have the disease tharthritis in my thigh," and (b) that "arthritis is the correct word to express this belief about the perceived disease in my thigh." It is these two beliefs that lead him to make the linguistically false statement: (c) "I have arthritis in my thigh." Burge anticipates this move, but maintains that there is a strong presumption on the facts of his thought experiment (and in general) for making the literal attribution. This is incorrect, as the way Burge has designed his thought experiment seems not only to make it possible that P has the concept tharthritis, but actually probable that he does. This follows from three things.

First, as Tim Crane points out, it is impossible to use words to express first order beliefs without also having second order beliefs about the meaning of the terms used to express those first order beliefs. In order to express the belief "I have arthritis in my thigh" I need to have a belief that I have a disease in my thigh and that the term "arthritis" is the correct term to use to refer to it.[22] Burge's rejection of this "metalinguistic" move as one that would only be made by those with philosophical training as part of "rearguard defenses of a vastly overextended model" is deeply unconvincing.[23] To use a word in an attempt to express a concept necessitates having a belief that the use of that term communicates that concept.

Second, Burge's thought experiment relies on the fact that P has incomplete understanding of the concept "arthritis" due to a lack of mastery of the standard meaning of the term, yet this seems to provide good reason for attributing the dual beliefs rather than the concept in its entirety.[24] This incomplete understanding typically occurs in cases of technical terms which experts understand completely but layman do not, what Putnam calls a consequence of the "division of linguistic labor."[25] In setting up the facts of the thought experiment, both P and TP have to be placed on the non-expert side of the of the division of linguistic labor; if they were both doctors they would fully understand the concept of arthritis and its use as a term, and thus P could not make his mistake, which is necessary for the thought experiment to go through.[26] That P is a layman and therefore doesn't fully understand the concept of arthritis or the correct use of the term seems, however, to be a reason to attribute Crane's dual beliefs. P clearly has beliefs about rheumatoid diseases and his thigh, he must have a belief that arthritis is the correct term. Yet as someone who is specified to be "competent in English, rational and intelligent"[27] it would seem fair to assume that he is also aware that he is not an expert on rheumatoid diseases and the use of the term arthritis, and that he may be wrong about either or both.[28] Given Burge's own stipulations it is therefore plausible to attribute the dual beliefs proposed by Crane, which undercuts the thought experiment.

Third, until P has acquired the correct linguistic usage there is no reason to suppose he can discriminate between the concepts of arthritis and tharthritis and therefore no reason to attribute the narrower concept to him.[29] An inability to discriminate between the two concepts seems to undermine the ability of individuals to know their own thoughts, which in turn

potentially undercuts their ability to reason and make sense of their own or another individual's cognitive perspective, essential parts of human life and practice.[30] As Åsa Maria Wikforss points out, it is clear we can use *words* that we don't understand, but whether we can possess and employ *concepts* that we only partly understand, the content of which could not be made clear to us by any degree of introspection (no matter how perfectly rational), is much less obvious.[31] If P thinks and reasons (in line with his own understanding) as if he is employing the concept tharthritis, the natural conclusion is not that he possesses and employs the socially determined concept of arthritis but incompletely understands it, but rather that he was using the concept (if not the term) "tharthritis."[32]

All of the above means that Burge's contention that "literal" interpretation is a communal practice that fulfills key social functions has to take almost all the argumentative burden, which it cannot bear.[33] Wittgenstein's Private Language argument demonstrates that the existence of conventional rules are necessary for a language to exist, but the conventional nature of language can't justify collapsing all cases of intentional meaning and content into linguistic meaning. Conventional use is often good shorthand for meaning and belief, but sometimes not, as the case of Mrs Malaprop demonstrates. Even if Burge is right that we often make "literal" attributions because they serve a social function, this does not prove that the "literal" interpretation is entirely correct as an actual attribution of content, rather that in most cases it is "good enough." In any given linguistic community there may in fact be a degree of "conceptual fragmentation" whereby numerous individuals have the sort of deviant concepts and usages we have been examining.[34] The fact that we often make literal attributions yet our society still functions doesn't mean such attributions are always right. Rather it suggests that they usually map well enough onto the world to fulfill our "cooperative enterprises," and when they don't we tend to adjust our private concepts not the public ones for reasons of practicality.

Burge's complementary notion of an individual's "responsibility" to socio-linguistic practice is also deeply problematic. First, it is unclear how/why the normativity is generated and acquired. If the commitment is a matter of choice it can be rejected, but if it is automatic then Burge must provide a separate argument as to why/how the *normative* notion of "responsibility" ensures the *fact* that concepts are socially determined, otherwise it is mere assertion.[35] Second, Burge attempts to distinguish the example of non-speakers of English saying "arthritis"—yet having no associated socially determined concept—from an individual like P partly on the basis of the latter's "mastery of the language and responsibility to its precepts." Yet this implies the view that mastery of language is an either/or state, when it is plainly a question of degree. This prompts the question why, if language acquisition is a matter of degree and thus marked by *partial* absorption of communal linguistic norms, we should consider concept acquisition to be an either-or state marked by *absolute* absorption of communal linguistic norms.[36] Again, this presupposes an unacceptable disconnect between our linguistic practices and our concepts, and between our understandings and our beliefs.

Burge's social externalism is therefore unconvincing; we cannot use the "objective" socio-linguistic occasion of an utterance as a form of contextual meaning that can defend Kymlicka against Waldron. We shall now turn to a consideration of the "subjective" occasion.

The Subjective Occasion and Culture

We are assessing the contextualist claim that a wider framework of meaning (such as a cultural one) influences intentions in such a way that these intentional meanings are ultimately derived from the context, and therefore that meaning is still contextual. In this section, we will examine whether the "subjective" occasion, the occasion as it is understood or perceived by the individual, could be influenced by culture in such a way as to make it plausible that culture enters into the intentional meanings of an individual. I will argue that although the subjective occasion is strongly related to intentional meaning, this fact does not commit us to a fully contextual account of meaning. In so far as it does, the account of contextual meaning either becomes indistinguishable from intentionalism and thus not truly "contextual" in key ways, or collapses Kymlicka's position back into Waldron's "personalized culture" critique.

The contextualist alleges that the intentional meanings of an individual are ultimately derived in some way from their wider cultural framework of meaning. If so, this framework of meaning must also influence the way an individual understands the occasion on which she makes an utterance. As the speaker's perception of the occasion is part of their intentional state, to recover their intentional meaning we must understand it, at least to the degree that the speaker's perception of the occasion is actually part of the meaning of the utterance.[37] To return to our previous example, if the only object in the room were a tennis racket and the speaker told me to "pick up the bat," I would grasp her intention provided I realized that she thought the tennis racket was in fact a type of bat, or if I in fact thought a tennis racket was a type of bat. I would grasp the meaning of the utterance if I understood or shared her perception of the occasion.

The occasion as understood by the listener, or even the occasion described "objectively," cannot help us understand the intentional state of a speaker unless it also coincides with or influences that speaker's intentions in some way. This is true even if alternative understandings of the occasion are more "accurate" than the speaker's understanding. The speaker may well be wrong in how she perceives the occasion, but pointing that out gets us no closer to understanding her intentional state. The fact that a tennis racket is not a bat is irrelevant to understanding the speaker, what matters is what she thinks the object is or should be called. All utterances are responses to the speaker's perception of their current situation, and we have seen we must recover intentions to recover meaning. Therefore if the contextualist holds that intentional meanings are ultimately derived from a wider framework of meaning such as the cultural context, they must also hold that the wider context influences the occasion understood subjectively as part of those intentions.[38] The next question is to what *degree* culture must influence the subjective occasion. I suggest that culture will have to influence all aspects of the subjective occasion if it is to be a plausible candidate for contextual meaning, but in order to have this influence culture must be understood in such a way as to either collapse the contextualist position back into the intentionalist one, or so as to be incompatible with Kymlicka's account of culture. In the remainder of this section we will deal primarily with the first two claims, leaving the bulk of the third until later.

A contextualist cannot insulate any part of the subjective occasion from the influence of the wider framework of meaning, because this would potentially allow the intentional state that gives rise to the meaning of the utterance to be independent of the broader cultural context,

which is fatal to the argument that meaning is, ultimately, contextual.[39] This is because utterances express, *inter alia*, beliefs about the occasions on which they are made, and if these beliefs are uninfluenced by the cultural context, then part of the meaning of the utterance is also uninfluenced by that context. In which case Kymlicka would have to admits that "fragments" from other cultures might still bear their original meanings, and thus that individuals subsist in more than one culture as a meaningful context of choice. If cultural meaning is to in a way that protect Kymlicka from the cosmopolitan critique, then as part of the intentional meaning expressed beliefs cannot be beyond the influence of the cultural context.

A plausible contextualist response would be to ask why, if it is only the beliefs about the subjective occasion as expressed in the utterance that form part of its meaning, we need to be concerned with the *whole* of the subjective occasion. Surely there are aspects of the speaker's perception of the occasion that will not form part of the utterance, and therefore do not need to be influenced by the cultural context? It is true that the speaker will have a vast number of beliefs that are not expressed in the utterance.[40] Yet, because *any* aspect of the understanding of the occasion as understood by the speaker can potentially enter into the meaning of an utterance, we can't *a priori* privilege some aspects over others. If any aspect of the subjective occasion is beyond the influence of culture, then an individual can make an utterance that is partially constituted by an intentional meaning underived derived from the context. Given any aspect of the subjective occasion can enter into any utterance, the entirety of it is potentially relevant and so we cannot (at least without further argument) privilege some aspects of it over others.[41]

This leaves two obvious moves for the contextualist, the first of which, whilst plausible, seems to conflate their position with the intentionalist one in such a way that it is no longer "contextualist" in any significant sense, and which is unavailable to Kymlicka on the terms of his theory. The second, which analyzes cultural meaning in terms of shared beliefs that stand behind the subjective occasion, will be considered later in this chapter. The first move would be to attempt to turn the intentionalist argument against itself by positing that the speaker's perception of the subjective occasion, which forms part of their broader theoretical construct of the world, is itself the relevant context for determining meaning, and thus an account of meanings as intentional is ultimately "contextual." If this is taken as the claim that the subjective occasion as the "context" must *determine* meanings, this is incorrect.[42] Nothing we have seen so far requires that the entire subjective occasion (or anything else for that matter) determines intentions and meaning rather than just providing a context for free intentional meanings. The subjective occasion is the necessary context for the development of the intentions, but shows no more than intentions must be formed *in* a context, it can't show in and of itself that they are formed *by* that context. In any event, characterizing the subjective occasion itself as the context that conditions meaning also seems to significantly alter the way a contextualist uses the term, robbing the criticism its force. This subjective "context" is part of the intentional state, so isn't context in the sense the defender of contextual meaning has been using the term hitherto, which is as an external context that influences and gives meaning to the utterances of individuals, such as the linguistic framework, the objective occasion, or a culture.

Without a separate argument for determinism of mind the contextualist and intentionalist seem to be describing two sides of the same coin; intentional meanings are formed within the context of the subjective occasion, which is itself a subset of the individual's entire

intentional state, and as such we can recover meaning from the subjective occasion as part of that wider intentional state.[43] That seems of limited import, however, as it amounts to little more than saying we know what the speaker means if we know what the speaker means. An attempt to articulate the subjective occasion as the context that forms meaning seems to slide inevitably into the claim that an individual's entire mental state is the context that forms meaning, as it is this mental state is the context for the subjective occasion. Yet this makes the contextualist and intentionalist claims indistinguishable from each other. In fact, it seems to be akin to Waldron's supposition of "personal" cultures, which is the very critique we are trying to circumvent.

We will therefore now turn to the most intuitively plausible variant of the contextualist position, which is that the subjective occasion is in some sense the context of an utterance, but that this is determined by some *shared* aspect of the external context, such as culture, entering into this internal context. This is a more familiar form of contextualist argument than the above, and would avoid the problem of individuals each having their own "culture." Culture would at least seem to be a plausible candidate for this role, as it does seem to be some sort of shared framework of meaning that influences how we see the social and even physical world.

Culture as a Shared Framework of Meaning

If Kymlicka wants to maintain the contextualist position in support of his multiculturalism yet avoid the problem of personal "cultures," he could define the cultural context as the beliefs, perceptions or understandings that are *shared* by individuals, which enter into their understanding of a particular occasion, thus ultimately influencing intentions and meaning. Whilst this version of the contextualist claim seems *prima facie* plausible, for same the reasons given above, culture as a shared set of beliefs/framework of meaning must enter into *all* aspects of the subjective occasion. It need not determine the intentional states/meanings of its members *in toto*, but if some beliefs about the occasion are beyond the reach of culture then potentially so are some aspects of meaning.

At face value the claim that a culture colors the entirety of its member's perceptions of a given occasion does not seem problematic, and accords with our colloquial understanding of cultures as frameworks of belief that structure how we understand the world. Once it is married, however, to the claim that culture is a framework of meaning that is shared by its members it seems to necessitate the further claim that members of the culture share their entire subjective perception of any given occasion. If two people in the same culture do not share their perception of the subjective occasion completely, then we have returned to the personal "culture" problem via a different route, as two members of the same culture could have different understandings of the subjective occasion.

If the supposedly shared culture produces radically different understandings of the subjective occasion, this potentially produces intentional meanings that are so different it does not seem accurate or helpful to describe the culture as providing a shared context of *meaningful* choice. This is not to suggest that two different individuals in the same culture must respond to a particular situation in identical ways, but rather that they must *understand* the occasion the same way if they are to be plausibly said to share a context of meaningful choice. Even if there is

some overlap between two individuals within the same culture there seems to be the potential for divergent meanings, and therefore different contexts of meaningful choice in some sense. Yet that begins to look very like the individualized contexts of meaningful choice Kymlicka is trying to avoid. A contextualist could respond by defining culture very broadly, in terms of the aspects of occasions shared by all human beings. Yet his understanding of culture would seem to thin too be of much assistance, and is unavailable to Kymlicka in any event, as he is basing his argument for GDRS for different and separate cultures, not one broad but thin "human" culture.

Even if we were to concede the point, the supposition that members of a culture do perceive the occasion in the same way indicates that it is this commonality that justifies attributing to them a shared context of meaningful choice, which raises a further problem. If a shared perception of the occasion instantiates a common context of meaningful choice, there would seem to be the possibility of two people from different societal cultures sharing their entire perception of a particular occasion, which would seem to indicate, on the contextualist's own terms, that in this instance they share a common context of meaningful choice. Such a context of choice, however, would not seem to map onto cultures as Kymlicka must understand them, because these shared understandings could cut across the boundaries of societal cultures. The relevant shared understandings that determine meaning may be between groups of individuals who would not normally be thought to constitute a culture, and certainly not a societal culture in Kymlicka's sense; they would just be a group who share *these* understandings on *this* occasion. Shared contexts of meaningful choice generated by temporary overlaps in perceptions of the occasion would be so fluid that it would be practically impossible to identify them and locate individuals within them consistently, and to allocate GDRS to equalize them. If the contextualist seeks to *define* culture in terms of the shared understandings of occasions of utterances, the determinant of what is or isn't a "culture" is whether or not the understandings are in fact shared on any particular occasion, not whether the individuals are members of the same societal culture. Kymlicka would have to demonstrate conclusively the two always coincide, which he doesn't, and which seems implausible in any event.[44]

A possible contextualist response would be to argue that shared understanding of the subjective occasion is not by itself enough to put two individuals in the same context of choice given that these shared understandings are part of different intentional states. Yet if having separate experiences/histories that frame the subjective occasion differently is enough to put individuals in different contexts of meaningful choice (despite identical subjective occasions), then we have again collapsed the contextualist position into the intentionalist one in the way we did in the previous section, with the same result. Positing that culture is a shared framework of belief that stands behind but enters into subjective occasions was intended to circumvent the problem of personalized cultures, and therefore disputing that shared subjective occasions constitute shared contexts of meaningful choice on the basis of differing wider individual mental states is self-defeating.

Kymlicka could perhaps respond by arguing (as he seems to in some places) that the nature of societal cultures doesn't require that their members share *all* their beliefs, values, and understandings, but rather that they present a certain *range* of these sorts of understandings that nevertheless allows for a degree of internal diversity.[45] Perhaps members of a culture share an overall framework, not each and every belief or perception or understanding or meaning. This

would mean there were multiple cultural "meanings" available but all the available options rendered meaningful by the culture, and so the individual intentional meanings would still come from a choice within the range provided by our culture. This would mean that the supposition that two members of a culture need to have identical or near identical perceptions of an occasion, or identical belief systems more broadly, is not a requirement of Kymlicka's theory. Instead, they could both have different understandings of the subjective occasion which are conditioned by a shared cultural framework. This would seem potentially to rescue the claim that cultures are the contexts of meaningful choice based on a theory of contextual meaning, circumventing Waldron's critique. Once we admit, however, the need to be able to identify this "range" of meanings provided by a culture, we find ourselves faced with several fundamental questions about the nature of culture that Kymlicka cannot answer without essentializing or reifying culture.

Cultural and Linguistic Change

In this section we will examine this last contextualist gambit, which is to posit a *shared range* of meanings for those in a culture, where we will see that it would commit Kymlicka to positions that are deeply problematic, and which are unavailable to him within the context of his theory in any event. The proposition that cultures provide a shared range of meanings to their members leads inexorably to a series of interrelated questions. To hold that a culture provides a range of meanings for its members we must be able: (i) to identify that limit of that range and analyze how that limit relates to the identification and individuation of cultures; (ii) to articulate in what sense it is a limit, including whether or not members of a particular culture are able to move beyond that limit; and (iii) to assess how this proposed limit relates to cultural change.[46] The answers to these questions are interconnected, and it makes no fundamental difference which order we address them, but for the sake of clarity we will start with the issue (iii), cultural change, and work backwards.

Kymlicka must hold that meaning is entirely (and therefore invariably) derived from context, because any meaning that comes from beyond our current cultural context opens the door to Waldron's critique. My central claim is that trying to identify actual meaning *invariably* with conventional contextual meaning cannot account for change. If the actual meaning is derived *entirely* from the conventional context, how can there ever be deviation from, and changes to, that context?[47] We will start with the clearest example for making this argument, that of linguistic meaning and change, and then explain how this can be easily extrapolated to apply to cultural meaning. If the meaning of a particular utterance comes invariably from its conventional linguistic meaning, then it follows that the author of an utterance cannot use words in any way other than the conventional linguistic usage. This would mean that not only is the actual meaning of an utterance fixed by reference to the linguistic framework at the time it was made, the linguistic framework cannot be altered by the use of old words in new ways, since such use is deemed to be impossible. In which case, how do languages change, which they clearly do?

Advocates of a purely contextual account of meaning are incapable of accounting for internal change of a language, despite protestations to the contrary. They cannot get away from

the fact that languages do change, and that new words are introduced from outside the language, new words are created by those who speak the language, and old words are used in new ways.[48] When we assess a language at any given time it would be possible to reduce it to, *inter alia*, a series of grammatical rules, dictionary definitions and colloquial uses. The fact that we can take a snapshot of a language should not delude us, however, into thinking it is a static structure that exists independently of the people who speak it and so can place an absolute limit on their usage. Languages evolve over time, along with the people who give rise to them; they do not spring fully-formed into the world, nor do they arise containing in nascent form all of the meanings that they will someday come to possess. Linguistic meaning cannot be *purely* contextual; if all meanings were derived entirely from the linguistic context rather than the agency of human beings, languages could not change over time.

The bare fact that this change occurs seems to be fatal to the argument for contextual linguistic meaning in its strong form, as Kymlicka must utilize it. The fact that individuals do use and understand words in new ways implies that we have some sort of creative linguistic faculty, a faculty that allows us, at least in some instances, to create or grasp new meanings by going beyond the conventional context of meaning. The only way a contextualist could resist this would be if they could account for linguistic change in a way that did not stem from people gradually using new words, or using old words to convey a different meaning from the conventional one in use at that time. In other words, they would have to show that a language could change independently of the people who speak it, and to show that they would have to be able to show that a language has *existence* independently of the people who speak it. This proposition seems bizarre; there is no reason to suppose that there is a Platonic ideal of a language that has separate existence.

The analogy between linguistic meaning/context and cultural meaning/context seems particularly strong here. Just as a contextualist account of linguistic meaning must hold that the overall linguistic framework determines the meaning of its individual components and therefore utterances, a contextualist account of cultural meaning must hold that the overall cultural framework fixes the meaning of its individual components and therefore the understanding by members of that culture of the beliefs and practices contained within it. Yet membership in a societal culture cannot rigidly fix the way that individuals approach, evaluate, or even understand the contents of that culture, as Kymlicka seems to assume. Culture may provide an initial set of meanings which are acquired through a process of socialization, and thus provide a reason for initially "placing" an individual in one culture rather than another, but it simply cannot be said to fix the meanings, or range of meanings, that its members attach to these cultural beliefs and practices. Just as we can use language unconventionally, and so the meaning of an utterance is primarily what was meant by an individual, it seems clear that individuals can evaluate or understand cultural artifacts unconventionally, so that their meaning is primarily their meaning for an individual, not the meanings provided by their culture.

This leads us to another important point, which also turns on the analogy between language and culture. Once we appreciate that individuals can go beyond the ways of understanding or evaluating that are conventional in their culture then, just as individuals change a language by using words unconventionally, individuals can change a culture by understanding and evaluating beliefs and practices in a new way, or by acting in a new way. When we refer to

something as a cultural norm all we are doing is making a generalization of the beliefs of historically situated individuals, and the fact that it is a *generalization* necessitates that it will not hold true for all the members of that culture, that some will deviate from the norm. In turn this undercuts the contextualist claim, and poses a particular problem for Kymlicka as it indicates that people in the same culture may have divergent interests in respect to those norms. The simple fact of cultural change would seem to disprove the contextualist claim regarding culture, just as linguistic change disproves the claim regarding language. It is not the culture that determines meaning for the individuals in it, it is the members who determine meaning for the culture.

A further important point follows from this analysis, which leads us to question (ii) above, regarding in what sense the putative "range" of meanings provided by a culture is a limit on its members, and whether movement between cultures is possible. The fact that cultures change and that meaning is intentional rather than contextual also means that individuals can move across cultures as well as changing them from within. If a culture can be transformed gradually over time by individuals creating or grasping new meanings, this provides good reason to think those individuals can grasp meanings from other cultural contexts and thus, over time, move between cultures.[49] Whilst Kymlicka clearly allows that people can move between societal cultures, even though he thinks they do not generally do so, this undercuts any attempt to use contextual meaning to defend himself against Waldron. If individuals can move from their initial culture and adopt the meanings of another culture there seems little reason to suppose that they are limited to the meanings of their initial culture even when in it. In turn, it follows that individuals may "belong" to more than one culture at the same time in precisely the way Waldron suggests.[50]

For this final defense of cultural meanings as contextual to work, Kymlicka must show that cultures somehow limit their members' ability to participate in meanings beyond the range that the culture provides. Without the assumption that the range of meanings act as a real limit on their members we seem to lose the reason to locate individuals within a single culture as a context of meaningful choice with any degree of permanence. Yet the fact of cultural change and movement rules this out. It is not possible to circumvent this problem by a last-ditch attempt to maintain that cultures are limiting frameworks of meaning for individuals we classify as members but *only* whilst they are members, and therefore that it is still possible for cultures to act as a limiting framework of meaning in a weak sense *and* for individuals to move between cultures. The line of argument we have been developing rules this out because we could not offer any positive reason why the limit was in fact a limit, nor demonstrate how the identified limit is actually anything other than our proposed definition of the culture (which we will examine in the following chapter).

This flows from the nature of cultures themselves, and leads us to question (i) above, regarding the identification of the limit of the "range" of cultural meanings, and its relation to the identification and individuation of cultures. Cultures are the meaningful productions of human beings, and are therefore phenomena that are socially constructed rather than being one of Putnam's "natural kinds" that are not themselves created by human consciousness.[51] They exist in the world independently of particular individuals, but not independently of people, as they are emergent properties of certain groups of human beings. As the products of human beings, any boundary we draw around a series of "cultural" beliefs and practices—which is a

conceptually necessary part of identifying a culture, distinguishing it from others, and thus locating individuals within it—is not around something that exists independently in the world a la chemical elements, but rather is itself a form of social construction.[52]

In order to identify the supposed limit we would have to draw a rough boundary to the range of meanings provided by the culture, but this "boundary" would seem to be indistinguishable from an attempt to identify the culture *per se*, as the range of available meanings would be identical with the boundary of the culture. As identifying the limit of the range of meanings provided by the culture is the same thing as identifying the culture, any limit we try to identify cannot in fact act as limit since it is only one of several ways in which we could divide up the social world. We cannot test whether it is a limit, because we have simply stipulatively excluded all the people from the culture who might test the efficacy of the limit and reclassified anyone who moves beyond that range of meanings as leaving the culture and therefore not being subject to it.[53] In which case the argument seems circular: it claims the limit is not a limit in terms of movement, but simultaneously asserts it is a limit in terms of meaning for those who are "in" the culture, yet does so without providing any positive reason for us to accept this.

The socially constructed nature of cultures means that how we delineate them must be justified by our purposes in doing so. Whilst there may be a range of allowable or useful purposes, Kymlicka's stated purpose is identifying contexts of meaningful choice, and so his definition of culture must be driven by that purpose. He should identify cultures in a way that helps us explain/understand/identify them as contexts of meaningful choice for individuals. We have seen, however, that for culture to be a shared framework of belief/meaning it must enter into the entirety of the subjective occasion of its members, and that this indicates that it is the shared understanding of the occasion that places two different individuals within a shared context of meaningful choice, albeit temporarily. We also saw that these "shared understandings" do not necessarily map onto societal cultures as Kymlicka defines them and are likely too fluid and shifting to be of use in his argument. Kymlicka's definition and delineation of cultures thus doesn't meet his own stated purpose, at least not on a contextualist account of meaning. His "institutional" definition of societal cultures is not directly related to do what we are trying to identify, which is contexts of *meaningful* choice. Perhaps another type of argument could be made by Kymlicka for treating societal cultures as contexts of meaningful choice, but this is an argument he does not make in a clear and detailed manner, and would not be related to the arguments from contextual meaning we have been considering.

In summary, if Kymlicka is to fix us to our societal culture as our context of meaningful choice on the basis of a contextual theory of meaning, he would need to be able to maintain that meaning is *purely* contextual. Once he allows for a creative linguistic and cultural faculty whereby we can go beyond our context, he has allowed in a key aspect of the intentionalist account of meaning that undermines the claim. It is difficult to see how he could maintain that we can move between cultures without also maintaining that we possess a faculty that allows us to grasp meanings that come from beyond our cultural or linguistic context, and so a contextual account of meaning that allows for movement between cultures would be unstable. The implausibility of any "limit" we can identify being a real limit on the members of a culture, or perhaps even being any different from simply identifying the culture, flows directly from the fact of cultural

movement and change. In addition, the nature of cultures as socially-constructed objects that must be identified relative to our purposes—which here should be driven by their role in relation to meaning—mitigates against using Kymlicka's rigid and institutionalized account of culture, and point to a degree of fluidity and flux that is incompatible with his theory. Overall, it seems that Kymlicka cannot use a "strong" contextualist account of meaning to defend himself against the "many cultures" version of the cosmopolitan critique.

Conclusion

It is crucial for Kymlicka's theory of multiculturalism that he is able to locate individuals within a particular culture as their context of meaningful choice. His ability to do so was threatened by our initial formulation the "many cultures" critique, which argued there are multiple groups in society that possess a "culture" in a relevant sense. We saw that his shift in focus to *societal* cultures potentially circumvented the problems raised by this broad form of the critique. Yet we also saw that Waldron's narrow form of the "many cultures" critique indicated that the context of meaningful cultural choice for individual's was either composed of fragments of several cultures, or could be reduced to a personalized "culture." Nevertheless, using arguments that cultural meaning is contextual seemed a promising way of defending Kymlicka against Waldron. A strong account of meaning as contextual would entail that the isolated cultural fragments Waldron identifies are given their meaning by the culture in which they are currently located, and therefore Kymlicka could still maintain that we need our current culture as our context of *meaningful* choice.

In this chapter we explored the contextualist defense of liberal multiculturalism against the cosmopolitan critique, ultimately rejecting it in favor of an account of meaning as intentional. We saw that the socio-linguistic external occasionalism of Tyler Burge, whilst promising a robust defense of the contextualist position, was unsatisfactory. We then turned to an examination of what we called the "subjective occasion," the individual's perception of the world at a given time. We found that for a shared culture to influence individual meanings it must be defined in a way that either collapsed the contextualist claim into the intentionalist one, or was incompatible with Kymlicka's understanding of societal cultures. Next we saw that the fact of cultural/linguistic change over time, and the movement of individuals between cultures, rules out the claim that culture or language form a limiting framework of meaning for their adherents.

The strong claim that it is our societal culture that *exclusively* provides meaning for those within it is implausible. Cultural meaning is intentional and driven by individuals, which means we cannot with any assurance say that the context of *meaningful* choice for individuals is *always* a single societal culture. Whilst we may understand the world through the lens of our societal culture, we need not do so, as individuals have a creative faculty that allows them to grasp the meanings of other people from different cultures. Waldron is thus correct when he writes that individuals "we do not need any single context to structure all our choices"[54] and so while we may *want* our culture, it is not "a necessary presupposition of rational and meaningful choice."[55]

Chapters 3 and 4 of this dissertation thus show that the "many cultures" strand of the cosmopolitan critique of Kymlicka goes even further than is commonly supposed. In analyzing

the role of meaning in Kymlicka's theory we have we have cast doubt on a point Waldron concedes, which is that "[o]f course, choice takes place in a cultural context, among options that have culturally *defined* meanings."[56] If meaning is intentional, then it is not a single culture that defines meanings for its members in a strong sense. Rather the multiple cultural traditions into which individuals are socialized provides an initial range of meaningful options which those individuals do not simply choose between, but rather reinterpret over time in novel ways. Processes of reinterpretation and change are thus a key feature of culture and the role it plays in individual lives, which makes analysis of the conditions of cultural change crucial for debates over multiculturalism.[57] The next question then, is where this analysis of meaning and culture leaves Kymlicka's theory and liberal multiculturalism more broadly, and how it relates to the rest of the cosmopolitan critique. As we saw in chapter 2, Kymlicka's equality argument has two different aspects, the first turning on the role of culture in meaningful choice, the second on its role in grounding self-respect. Our analysis of the "many cultures" critique in the last two chapters has shown that a "strong" version of the claim that culture forms a context of meaningful choice for individuals is unsustainable. Yet Kymlicka could still defend liberal GDRs on the basis that culture plays in *some* role in meaningful choice—albeit it that it is not a "precondition" of it—and could place additional emphasis on the relationship between culture and self-respect.

In the next chapter we will assess whether these aspects of his theory can bear this extra weight, and explore the ramifications for liberal multiculturalism more broadly. We shall examine the claim that individuals may *want* cultural security even if they do not *need* it, and that this is a "reasonable entitlement" within a liberal state which should be met by the allocation of GDRs to minority cultures.[58] We shall start with the weaker form of choice-based claim, where we will see that the postfoundational accounts of meaning and culture we have started to build in this chapter bolster and deepen cosmopolitan claims that liberal multiculturalism leads to essentialism and reification of culture. I will demonstrate that "essentialist" strand of the cosmopolitan critique highlights a tension between cultural security and cultural diversity that cannot be solved within the liberal multicultural paradigm. Ultimately, we will see that that Kymlicka and the most plausible variants on his liberal multiculturalism must either essentialize and reify culture, or rely on the link between culture and self-respect to such a degree they collapse back into communitarianism.

References

[1] This chapter contains material from the following co-authored publications: Richard T. Ashcroft and Mark Bevir, "What is Postwar Multiculturalism in Theory and Practice?", in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in Britain after World War II: Immigration, Nationality and Empire," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in contemporary Britain: policy, law and theory," *Critical Review of International Social and Political Philosophy*, Vol 21, Issue 1, 2018: 1-21; Richard T. Ashcroft and Mark Bevir, "Liberal

Democracy, Nationalism and Culture: Multiculturalism and Scottish Independence," *Critical Review of International Social and Political Philosophy* Vol. 21, Issue 1, 2018: 65-86; Richard T. Ashcroft and Mark Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in Contemporary Britain: Policy, Law and Theory*, Routledge (2019); and Richard Ashcroft and Mark Bevir, "Pluralism, National Identity and Citizenship: Britain after Brexit," *The Political Quarterly* Volume 87, Issue3, July–September 2016: 355-359.

[2] This contention would seem to be equivalent to the claim that the meaning of a cultural "fragment" depends on the entire cultural framework of meaning in which it is currently situated, so moving it into another cultural framework will inevitably alter its meaning.

[3] With the obvious caveat that this is a generalization and not a claim that each of these thinkers is committed to all the arguments we will examine.

[4] We met this claim in the previous chapter when we examined Kymlicka's claim that something must be "widely distributed" within a culture before it could be counted as part of that culture, which we found to be an unconvincing response to Waldron.

[5] Will Kymlicka, *Multicultural Citizenship* (Oxford: Oxford University Press, 1995) at 83. That undercutting the link between culture and meanings potentially undermines his theory is explicitly stated by Kymlicka at 127.

[6] Mark Bevir, *The Logic of the History of Ideas* (Cambridge: Cambridge University Press, 1999), 32.

[7] Bevir, *The Logic of the History of Ideas*, 45 to 46.

[8] This idea can, like most things, be taken too far: the meaning of an utterance cannot be absolutely fixed by the prior conscious intentions of the speaker/writer, as the relationship of prior intentions to actual meaning is only contingent. This is why Bevir defends "weak" intentionalism, which equates "authorial intentions with the [final] meaning an utterance has for its author rather than the prior purpose of its author," and which includes unconscious and preconscious intentions as well as conscious ones (Bevir, *The Logic of the History of Ideas*, 62). Bevir also extends his weak intentionalism beyond the author by arguing that meanings can be meanings for the speaker/writer or for the listener/reader (Bevir, *The Logic of the History of Ideas*, 71ff): meanings are not just for derived from the intentions of those who make utterances or participate in practices, but also for those who listen to these utterances or observe these practices, although, as Bevir points out, we can only recover the meaning for the listener/observer in so far as they communicate their thoughts about it through further meaningful expressions (see *ibid* 71-73). Thus it seems that not only is meaning intentional, it depends on the intentions of all individuals who are party to an act of meaningful expression, and is therefore potentially subject to creativity from all sides.

[9] The debate is also sometime referred to as the individualism vs anti-individualism debate, but the two terminologies are essentially interchangeable, and internalism/externalism is more suited to the broader themes and argument of this chapter.

[10] In more formal language the debate can be framed in terms of theses re mind/body supervenience. An internalist will hold that, if there is no difference in the internal/local/intrinsic properties of an individual and an exact internal replica of her, then there will also be no difference in mental content between them, whereas an externalist will hold that you can have difference in mental content across two individuals who are exact internal replicas without a difference in internal/local/intrinsic properties, and this is due to variations in the external environment, whether social or physical. See Susan Nuccetelli's very helpful introduction to her edited volume *New Essays on Semantic Externalism and Self Knowledge* (Cambridge, Mass.: MIT Press 2003) for a fuller discussion.

[11] Hilary Putnam "The meaning of 'meaning'" in *Minnesota Studies in the Philosophy of Science* 7:131-193 (1975), at 144.

[12] This thought experiment is contained in Tyler Burge, "Individualism and the Mental," in *Midwest Studies in Philosophy*, 4: 73–121 (1979), and it is that article I will focus on. This focus is commonplace in the literature as it is this article and thought experiment that most clearly sets out his *social* externalism. Another key article is "Intellectual Norms and Foundations of Mind," *Journal of Philosophy* 83, December 1986: 697-720, which sets out an alternative thought experiment, which some scholars maintain is not vulnerable to many of the criticisms I will offer here (for example see Sarah Sawyer, "Conceptual Errors and Social Externalism," in *The Philosophical Quarterly* Vol. 53 No. 211 April 2003: 265-273, and Sanford C. Goldberg, "Do Anti-Individualistic Construals of Propositional Attitudes Capture the Agent's Conceptions," in *Noûs* 36:4, 2002: 597-621). I will not examine that thought-experiment here, however, as there are persuasive reasons to think that either it is vulnerable to parallel criticisms

to the ones I will present here, or it is not in fact a form of social externalism at all, but rather a form of physical externalism that applies to non-natural kind terms, and thus not directly relevant and subject to alternative problems in any event. See the exchange with Sawyer (*supra*) by Åsa Maria Wikfross in "Social Externalism and Conceptual Errors," *The Philosophical Quarterly* Vol. 51 No. 203 April 2001: 217-231, and "Externalism and Externalism and Incomplete Understanding," *The Philosophical Quarterly*, Vol. 54 No. 215 April 2004: 287-294, and the exchange with Goldberg (above) by Kent Bach and Reinaldo Elugardo, in Bach's "Burge's New Thought Experiment: Back to the Drawing Room," *The Journal of Philosophy* Vol. 85 Issue 2 Feb 1998: 88-97, Elugardo's "Burge on Content," *Philosophy and Phenomenological Research* Vol. 53 No. 2 June 1993: 367-384, and their joint article "Conceptual Minimalism and Anti-Individualism: A Reply to Goldberg," *Noûs* 37:1, 2003: 151-160. Burge has written extensively, however, on this issue, and a whole series of articles are also relevant to greater or lesser degrees. For a useful collation of the key papers along with a helpful introduction and series of postscripts see Tyler Burge *Foundations of Mind* (Oxford: Oxford University Press, 2007).

[13] The original "Twin Earth" thought experiment of Putnam, revolving around the use of the term "water" by identical subjects on alternate Earths where the chemical composition of water is the only difference, is not directly relevant for us. This is because Putnam focuses purely on terms he deems "natural kinds" such as water, gold, and aluminum, and on the truth conditions in the physical world for linguistic propositions containing them, whereas we are concerned more with terms that refer to the objects or practices that we would typically find in a culture, which are themselves often socially constructed, and on the way in which these objects and practices are part of the meaningful intentional states of individuals. Also, whilst Putnam focuses on linguistic meaning, taking as his starting point Fregean assumptions about sense and reference, Burge concentrates on mental content.

[14] As noted above, Putnam focuses on linguistic meaning, taking as his starting point Fregean assumptions about sense and reference, whereas Burge concentrates on mental content. The distinction between meaning and content is important in the context of Burge's wider work, including his scholarship on Frege, but for the purpose of discussion what I have called a contextual theory of meaning it seems acceptable to assimilate Burge's position to something like the contexualist one. As Nuccetelli points out (*New Essays on Semantic Externalism*, 9-10), Burge's work on content flows directly and logically from Putnam's on meaning because "if linguistic meaning and reference do not supervene on local properties of individuals, then neither does propositional attitude content" and additionally "[r]eports of linguistic meaning and reports of propositional-attitude content seem, after all, parallel in their syntax and semantics." Åsa Maria Wikforss makes the same points ("The Normativity of Meaning and Content," http://plato.stanford.edu/entries/meaning-normativity/ retrieved 7/28/2018). Burge really concentrates on the beliefs/concepts of individuals, and the nature and content of these are (according to his argument) constituted by socio-linguistic norms, including the standard linguistic meaning of the terms that designate the concepts. Thus the shift from Putnam's meaning of words to Burge's mental content, whilst significant in other ways, does not take Burge's argument outside the scope of a "contextual theory of meaning" as it is understood in this chapter; Burge purports to show that the beliefs of and concepts used by individuals are dependent on, and derived from, the socio-linguistic structures of meaning in which the individual is situated.

[15] This point can be somewhat confusing. In Putnam's original thought experiment the twins were not just physical replicas they were also completely psychologically identical in that their mental contents were the same. This is a point Burge disputed with Putnam and which Putnam later accepted (see his introduction to Pessin, Andrew &and Goldberg, Sanford, C. (eds.), *The Twin Earth Chronicles: Twenty Years of Reflection on Hilary Putnam's "The Meaning of 'meaning'");* Burge's point is that they cannot be psychologically identical if their mental contents are different. However, it is also clear that the twin's experiences are, from their point of view, identical, and thus their "subjective" psychological states are the same. As Jessica Brown states in her *Individualism and Self-Knowledge* (Cambridge, Mass.: MIT Press, 2004) 38 in the Twin Earth thought experiments, "the counterfactual situation is set up in such a way that things would seem subjectively just the same to the subject if she were in that environment." This inability to discriminate has been taken to potentially undermine knowledge of our own thoughts and the ability to account for the cognitive perspective of the individual (see Brown supra generally and Chapters 2 and 3 in particular, and Åsa Maria Wikforss, "Self-Knowledge and Knowledge of Content," in the *Canadian Journal of Philosophy* Vol. 38 No. 3 Sept 2008: 399-424). We cannot deal with those serious problems here, although we will touch on the discrimination issue in our discussion of incomplete understanding below.

[16] By "internally identical" Burge means to indicate the identicality of the factors mentioned above, even though he maintains there are nevertheless differences in the entirety of their psychological states in the form of differences in mental content. It is therefore important to keep in mind the two different ways of conceiving of psychological similarity/difference referenced above.

[17] Burge, *Individualism and the Mental*, 78-79.

[18] See Burge, *Individualism and the Mental*, 114, although he admits "specifying the conditions under which a person has the relevant general competence in a language and a responsibility to its conventions is obviously complicated" and that in some instances the individual may "fashion his own usage with regard to particular words"

[19] Burge, *Individualism and the Mental*, 116.

[20] The crucial claim for Burge is that a difference in extension/reference of a concept/term necessitates a difference in content/meaning. This flows out of reconsideration of the Fregean sense/reference distinction and on the work on reference by Kripke and Putnam, although Burge's overall position on this issues is complex and cannot be assimilated to their positions. Burge makes the claim regarding extension and meaning unequivocally in several places e.g. *Individualism and the Mental*, 75 in his "Social Anti-Individualism, Objective Reference," in *Philosophy and Phenomenological Research*, Vol. 67 No. 3 Nov 2003: 682-689, at 684, and in "Philosophy of Language and Mind: 1950-1990," *The Philosophical Review*, Vol. 101, No. 1, January 1992: 3-51, at 45-47.

[21] Burge, *Individualism and the Mental*, 85.

[22] See Tim Crane, "All the Difference in the World," in *The Philosophical Quarterly*, Vol. 41, No. 162, Jan., 1991: 1-25. Bevir *The Logic of the History of Ideas,* 62-67 makes a similar point.

[23] Burge, *Individualism and the Mental* p105.

[24] Burge himself is very clear that the thought experiment in *Individualism and the Mental* relies on incomplete understanding, although he has stated that the thought experiment in *Intellectual Norms and the Foundations of Mind* does not, "at least in an ordinary, everyday sense" (22). My reasons for focusing on the former thought experiment are set out above, but in any event, Åsa Maria Wikfross in her exchange with Sarah Sawyer presents compelling arguments that even the later thought experiment relies on incomplete understanding in a problematic way. See also Halvor Norby's "Incorrect understanding and concept possession," in *Philosophical Explorations: An International Journal for the Philosophy of Mind and Action*, 7:1, 2004: 55-70) on this point, although I am unconvinced by his overall argument and think he mishandles the incorrect vs partial understanding distinction, a mistake which seems to be corrected in his later "Mental Content Externalism and Social Understanding," in the *Open Journal of Philosophy* Vol. 2 No. 1-9, 2012).

[25] Burge, *Individualism and the Mental*, 117 Note 2 ,and 80. The term was coined by Putnam.

[26] Thus we see that Burge's specification that P picks up "the word 'arthritis' from casual conversation or reading" and never hears "anything to prejudice him for or against applying it the way he does" is a necessary part of the thought experiment, and one which seems to open Burge up to precisely the sort of objection we are considering - see Burge, *Individualism and the Mental*, 78. Also, Burge's declaration on 97 that "metalinguistic reasoning requires a certain self-consciousness about one's words and social institutions…..[which] emerged rather late in human history" seems particularly odd, as it is the facts of his thought experiment, which rely on something like the division of linguistic labor, that push us towards such an interpretation.

[27] Burge, *Individualism and the Mental*, 77.

[28] That must be part of the reason that he goes to see his doctor, who is, inter alia, arbiter of the correct use of the term arthritis, and part of the reason he accepts the correction of his use of the term. Perhaps Burge could resist this line of argument by specifying that both P and TP, despite being "non-experts," are absolutely certain, in a subjective psychological sense, that they had arthritis in their thigh and could alter their utterances in the thought experiment accordingly (e.g. "I'm sure" or "I'm certain"). Whilst that would seem to mitigate the plausibility of attributing the dual beliefs to P/TP by removing their self-consciousness regarding their own lack of expertise, it does so only at the cost of rendering them somewhat irrational. This irrationality, as well as a breach of the facts as set out by Burge, is fatal to the thought experiment in and of itself, because it would seem to reverse the presumption in favor of a literal interpretation that Burge fights so hard to establish and which he sees as crucial for his argument. Instead of normally assigning a literal interpretation to rational, intelligent, competent speakers of English, we would normally only assign that interpretation when they have demonstrated a degree of irrationality regarding their linguistic expertise. It also seems that attributing a high degree of irrationality to P causes problems for Burge's

premise that he has assumed a "commitment or responsibility" to standard linguistic usage, as it implicitly assigns him a resistance to the division of linguistic labor that undergirds those self-same norms. Say, for instance, that P was so certain of himself, so irrational, that he rejected the Doctor's correction of his usage. That hardly seems a reason for attributing to him a "commitment or responsibility" to socio-linguistic norms, quite the opposite in fact; it seems a good reason to attribute to him the desire to "fashion his own usage with regard to particular words" that Burge allows in some cases (Burge, *Individualism and the Mental*, 114). Ultimately it seems then, that far from demonstrating that we should almost always make a literal attribution, Burge's experiment *at best* seems plausible only in a narrow set of cases where the speaker is generally competent in conventional linguistic meanings yet incompetent in this case, and generally rational yet irrational (but only mildly so) in this instance.

[29] Crane, "All the difference," 19.

[30] For a useful discussion of the issues surrounding self-knowledge and externalism, and their relationship to reasoning and the cognitive perspectives of individuals see Nuccetelli, *New Essays on Semantic Externalism*, and Brown, *Individualism and Self-Knowledge,* and Åsa Maria Wikforss, "Content Externalism and Fregean Sense," in *What Determines Content? The Internalism/Externalism Dispute* P. Parvan (Ed) Cambridge: Cambridge University Press, 2006, at 163-179) and Wikforss, "Self-Knowledge."

[31] See Wikfross, *Externalism and Incomplete Understanding*, 287, and "The Normativity of Meaning and Content."

[32] The fact that P accepts the doctor's correction of his use of the term arthritis does not affect the concept that he previously employed in his thinking.

[33] Burge, *Individualism and the Mental*, 116.

[34] The idea of this sort of conceptual fragmentation seems to terrify even the opponents of Burge (see Wikforss and Crane *supra*) but I fail to understand why. The fact that we do not always understand each other perfectly does not mean we do not understand each other. The question of whether a particular individual's private concept can/should "fit" under a public concept should be justified pragmatically, by reference to the purpose at hand: how close are they, do they help us advance an argument or to understand each other or to achieve the task at hand? Sometimes the "deviant" concept of individuals may be close enough to fall usefully under the standard socio-linguistic concept (itself an abstraction from actual usage), but that doesn't mean they literally *are* that socio-linguistic concept, nor that you can read that concept back into individual mental states. In other words, just as Wittgenstein saw different words in a natural language as having a "family resemblance," something similar may be true of concepts-in-use; in fact, given the obvious parallels between language and abstract thought, this seems natural. Bevir makes a similar point, arguing that whether or not it is appropriate to take the meaning of someone's words literally or to attribute to them a deviant concept or usage depends on our purposes, on what we are doing. If we are having a dialogue, the focus is on understanding what the speaker meant rather than what they said, but in argument we hold people to what they said, rather than what they may have meant. Burge's mistake therefore arguably stems from thought experiments the premise/facts of which decide to treat "utterances as we would in argument…[whilst] their conclusion purportedly applies to how we would treat utterances in dialogue" (Bevir, *The Logic of The History of Ideas*, 65). In terms of the thought experiment, this involves taking P's words as if he is attempting a diagnosis rather than attempting to communicate his symptoms.

[35] See Wikforss, "Meaning and Content" for a fuller discussion.

[36] See Burge, *Individualism and the Mental,* 90.

[37] See Bevir, *The Logic of The History of Ideas* Ch. 4 for a full discussion of the way beliefs enter into meanings, and for a defense of the proposition that meanings are expressed beliefs. For our purposes, if culture as a "context of meaningful choice" provides beliefs about the meaning/value of things in the world, this will always be relative to the particular occasion as the immediate context, which will supply the objects of belief that form the context (or even subject) of an utterance or cultural practice.

[38] Bevir, *The Logic of The History of Ideas*, 66.

[39] Now this seems an easy argument to make in the case of basic sense data that is clearly carrying meaning (e.g. religious or cultural practices) yet it is less clear with some other brute data, such as trees, rocks etc. Nevertheless our perception of the occasion influenced by culture must include perceptions of basic sense data if the argument is to hold. Michael Walzer's observation regarding the multiple understandings of bread in different cultures in his *Spheres of Justice* (Basic Books, 1983, 8) seems relevant: "Bread is the staff of life, the body of Christ, the symbol of the Sabbath, the means of hospitality."

[40] The contextualist might respond that not all utterances contain beliefs about the occasion of the utterance, and therefore the requirement that all beliefs about the occasion be influenced by culture is sometimes irrelevant. Even if true, this move would seem to be a severe weakening of the contextualist claim, and seems questionable in any event. For example, "help!" seems to convey little in the way of beliefs about the subjective occasion, but as a bare minimum (if sincere) expresses a belief that one needs help, which is itself a belief about the occasion, even if the utterance does not include the other beliefs about the occasion that have led the speaker to that conclusion. To grasp its hermeneutic meaning you may need to grasp some other beliefs, even if these are not expressed directly in the utterance itself. In any event, such a move would seem to be of limited use to Kymlicka, as it would only apply to a small sub-set of utterances, excluding many of the sorts of beliefs about the nature, value and meaning of cultural practices he is concerned with. This is not to say we must reconstruct the speaker's entire mental state in order to grasp the meaning of the utterance, but rather that we would have to understand whatever beliefs are expressed in that utterance, and therefore the subjective occasion as expressed in those beliefs. Neither is it to insist that recovering these beliefs about the subjective occasion will necessarily exhaust the meaning of an utterance, nor that attempting to reconstruct the speaker's subjective occasion is an infallible "method" for recovering meaning. None of this should be taken as suggesting the reconstruction of the subjective occasion as some sort of strict method for recovering meaning. It isn't a method because, as Bevir shows supra Ch 3, there is no strict process that could lead us to grasp meaning correctly invariably.

[41] See Bevir, *The Logic of The History of Ideas*, 66-67 for a fuller account.

[42] In any event Kymlicka cannot adopt a determinism of mind that conflicts with his view of the self and commitment to autonomous choice of ends.

[43] In order to push this point it seems likely that the contextualist would have to make an argument in favor of some sort of determinism of mind more broadly, a detailed consideration of which is beyond the scope of this paper, although we will see later that such a determinist account seems to be inherently flawed because it cannot account for change.

[44] Kymlicka does cite some evidence of this, but does not analyze it in any detail, certainly not enough to establish the claim. See *Liberalism, Community and Culture* (Oxford: Oxford University Press, 1989) 175ff and *Multicultural Citizenship*, 82-84.

[45] Kymlicka *Multicultural Citizenship*, 88-89 and Ch 9 generally.

[46] Of course, this is not meant to be an exhaustive list, but rather the key issues for us.

[47] Bevir *The Logic of the History of Ideas*, 48.

[48] See Quentin Skinner, "Some Problems in the Analysis of Political Thought and Action," in *Meaning and Context: Quentin Skinner and His Critics* (Cambridge: Polity Press 1988) at 105. As Bevir points out, Skinner can only account for conventional use of language to make an unconventional point, he cannot account for unconventional and innovative use of language itself, a la Mrs Malaprop, or for new words being invented by members of a linguistic community (Bevir, *The Logic of the History of Ideas*, 49 to 50).

[49] The bare fact that languages and cultures evolve gradually, in a piecemeal fashion, mitigates against extending Kuhn's analysis of sudden "conversions" from one scientific paradigm to another to languages and cultures more generally. For a process of conversion to be possible, as Kuhn clearly thinks it is, we must presuppose a creative linguistic faculty that will enable us to grasp and understand beliefs that have hitherto been incomprehensible. A creative linguistic faculty that allowed for a "conversion" from one conceptual framework to another would therefore seem to undermine Kuhn's claim in so far as it implies that same faculty may facilitate translation and gradual movement. Kuhn's incommensurability thesis is perhaps able to resist this critique because he only makes the claim in respect of the history of different scientific paradigms, rather than a broader claim regarding all human meaning that the advocate of purely contextual meaning would have to make.

[50] Kymlicka, *Multicultural Citizenship*, 84-85.

[51] Many of the objects and practices imbued with meaning by culture are, or utilize, physical objects that exist independently of human beings, but the sense in which they are part of a culture is the degree and manner in which they are imbued with meaning as cultural artifacts.

[52] Arguing that a culture provides a range of meanings that form a limiting context for its members necessitates the claim that this range has (in theory) definable limits i.e. some meanings/beliefs should be identified as falling within the culture and others should not. If this were not the case we would not be able to say where one culture starts

and another stops, which means we could not locate people within particular cultures, itself a requirement of Kymlicka's theory. This is not to suggest that cultures must have clear bright lines between them, but rather that as a matter of conceptual necessity the range of possible meanings provided by a particular culture as opposed to another must be a sub-set of all the possible meanings (cultural or otherwise) that are available to human beings, otherwise there would be no such thing as individual cultures. Also, as a practical necessity we must be able to identify the approximate (and no doubt fuzzy) boundaries of cultures in order to identify those who clearly fall within them.

[53] This is parallel to a point the contextualist might try and make regarding linguistic/cultural change. The contextualist cannot resist that critique by positing that the linguistic/cultural context fixes an absolute range of the meanings that could subsist in a language/culture which cannot ever be gone beyond, because such a claim is non-falsifiable, and the fact of linguistic change married to the creative linguistic faculty that drives linguistic change indicates this is not the case; fixing an absolute range of meanings is still fixing meaning, and cannot account for genuinely new meanings entering the language or culture.

[54] Kymlicka, *Multicultural Citizenship*, 85 and 102, and Jeremey Waldron, "Minority Cultures and the Cosmopolitan Alternative," at 762, 783-784, and 786.

[55] Waldron *Minority Cultures and the Cosmopolitan Alternative,* 786.

[56] Waldron *Minority Cultures and the Cosmopolitan Alternative,*783. Emphasis added.

[57] For example, what is it to provide "security" to a particular cultural group in relation to a cultural majority, and how does this relate to internal cultural diversity, contestation and reform? Questions such as these lead into the second strand of the cosmopolitan critique, which alleges that notwithstanding the "many cultures" critique, liberal multiculturalism inevitably reifies and essentializes minority cultures in the very act of trying to help them.

[58] Waldron *Minority Cultures and the Cosmopolitan Alternative,* 762-763, and 785-786.

Chapter 5

Luck, Equality and Essentialism: The End of Kymlicka's Multiculturalism?[1]

In this chapter I will bring together the different threads of the cosmopolitan critique of liberal multiculturalism. As part of this process, I will flesh out the account of culture, meaning and identity started in the previous two chapters, which will inform both my critique of other liberal responses to cultural diversity in Chapter 6, and my defense of polycentricity and pluralism in the Conclusion. We will initially focus on claim that Kymlicka's theory reifies and essentializes minority cultures in the very act of trying to grant them security against incursions by the majority. I will start by looking at the form of this critique laid out by Waldron, and again will examine the way that Kymlicka has, or could, defend himself against it. In so doing I will demonstrate that Kymlicka's luck-egalitarian theory logically requires essentializing or reifying cultures if he is to avoid collapsing back into the communitarianism he is responding to. I will also address how the Kymlicka's views on multiculturalism have evolved after the publication of *Liberalism, Community, and Culture* and *Multicultural Citizenship*, and show that these changes fail to protect him against my arguments.

The "Essentialist" Critique: Cultural Security, Diversity and Meaning

We saw in the previous chapter that a "strong" account of the relationship of meaning to culture would protect Kymlicka against Waldron's version of the "many cultures" critique by "fixing" in some way the range of meanings attached to different forms of life for members of that culture, thereby locating an individual firmly within one cultural framework of meaning. Yet we also saw that a strong contextual account of meaning is not plausible for several reasons. The undeniable fact of cultural change requires that individuals are able to move between cultures, which in turn implies that they can grasp meanings from beyond their immediate cultural context. Yet this also suggests that individuals can plausibly be located in multiple cultures at any given time, and that the way we identify cultures depends on what is being described, which may shift and change over time and context.

We are therefore left with a "weaker" account of the relationship between meaning and culture, which accepts that culture may play a role in meaning but is not a "precondition" of meaningful choice. Yet culture may still be necessary for meaning in a more limited sense. Without socialization into an initial a framework of language and culture individuals would have no mechanism for interpreting their experiences, and thus would be unable to make sense of the world, or act purposefully within in.[2] Individuals need a theoretical framework with which to interpret their experiences, otherwise consciousness would just be a jumble of meaningless sensations. Holism shows, however, that while our theories construct our experiences, our experiences inevitably feedback into our theories, causing them to adapt and evolve. Yet our experiences cannot determine how our theories change, as there is no part of our theories that are immune from revision. This is why culture cannot be an absolute limit on the understandings

of an individual, and thus must be an initial start-point rather than a limiting framework we cannot go beyond. This fits with a more anthropological understanding of cultures as social adaptations which provide beliefs, concepts and practices that people can employ—and remake—in a variety of ways to help them achieve their individual and collective purposes.

There are therefore two crucial elements to the "weaker" account of culture and meaning: first, the claim that initial socialization into language and culture forms a necessary background for the intentional behavior of individuals; and second, that individuals are able to draw on and remake their inherited understanding of the world in a variety of undetermined ways. In other words, cultural meaning has two key aspects, functioning as both an "inheritance" and as a "toolkit."

The next question is whether this weaker account of culture can support liberal multiculturalist arguments for the equalization of cultures due to their role in facilitating meaningful choice. A conception of culture as an inheritance would seem to fit Kymlicka's schema fairly well. Given the crucial role of culture in providing the primary theoretical apparatus with which we interpret the world, if a particular cultural inheritance is depleted, vulnerable, or widely denigrated, this likely disadvantages those who are socialized into it. As an individual, our interest in culture as "inheritance" is to have one that provides an adequate socialization that also does not disadvantage us unduly against those socialized into other cultures. Since the initial socio-cultural framework an individual is socialized into is not a matter of choice, it can in principle be compensated for on luck-egalitarian grounds. Thus rendering cultures equal via GDRS would potentially enable every individual the same chance of being born and socialized into a secure and vibrant culture. Under a luck-egalitarian framework we therefore seem to have a presumptive reason to favor equality of outcome in culture understood as an unchosen inheritance.

On the other hand, a conception of culture as a toolkit seems more problematic for Kymlicka. If culture is understood as simply providing a series of tools with which to make sense of the world and achieve our purposes, then our most obvious interest is in having as many tools available to us as possible. Even if we take culture to be an unchosen circumstance, arguably our interest is not in equal "toolkits" *per se*. Rather—given we do not know a priori what our conception of the good will be—our interest is in having the richest toolkit we can have, irrespective of whether it is less rich than one that someone else has. Under a luck-egalitarian framework we therefore seem to have a presumptive reason to favor a rich, diverse and "vibrant" culture over equal culture security *per se*, as this would seem to maximize our ability to pursue whatever conception of the good we have, and to evolve it as we see fit.[3]

The next question is whether we can square these two aspects of our account of culture within the framework of Kymlicka's theory. An obvious move would be to say that we have an interest in both: we want a secure culture that is also vibrant and diverse, and since the culture into which we are initially socialized is an unchosen and morally arbitrary circumstance we have an interest in equally secure, vibrant and diverse cultures. This in fact would seem to be something like Kymlicka's position.[4] This assumes, however, that there is no tension between the twin goals of cultural security and diversity. Yet the secondary part of Waldron's response to Kymlicka in *Multiculturalism and the Cosmopolitan Alternative*, which I have called the "essentialism" critique—but which Waldron discusses under the heading "Evaluation and Cultural Security"—suggests otherwise.[5]

Waldron argues that trying to achieve "security" for a societal culture via GDRs involves insulating it against outside influences and therefore cutting off the possibility for both cultural change and greater diversity, which means Kymlicka's claim is "self-defeating."[6] The crux of this aspect of Waldron's critique is that for a culture to operate as a genuine context of choice an individual must not only be able to choose between options, but must also be able to evaluate their worth (as Kymlicka accepts). He argues that this process is primarily comparative; we compare the worth of different options within our culture, but also against the options and understandings available in other cultures. Yet for this to be a "genuine" evaluation, the minority culture must itself be "vulnerable" to the "practical effect" of the evaluation in that it must be capable of being changed by it. Waldron argues that it follows from this that:

> "to insist that it must be secure, come what may—is to insulate it from the very forces and tendencies that allow it to operate as a genuine context of choice..........to cripple [its] mechanisms of adaptation and compromise."[7]

Waldron is arguing here that the attempt to provide cultural security come what may via GDRs actually undercuts the ability of a culture to act as a genuine context of meaningful choice. This argument turns primarily on two related claims: first, that prioritizing the security of minority cultures above all else is to artificially freeze them in place, thereby essentializing them; second, rendering minority cultures impervious to outside influence in this way limits both cultural change and internal cultural diversity, which means the cultures in question cannot actually function as contexts of meaningful choice for their members. If these two claims are correct this would make Kymlicka's attempt to secure minority cultures via GDRs on the basis that they are a context of meaningful choice self-defeating.[8]

Kymlicka attempts to circumvent this aspect of the cosmopolitan critique by making a distinction that Waldron does not, which is between diversification of a culture that is driven by *external* pressure and change that is the result of *internal* factors. The basic thrust of Kymlicka's response is that internally driven change is acceptable (even desirable) because it is a matter of the choices of the members of the culture—albeit usually undertaken in the light of information gleaned from outside the culture—whereas externally driven change is unfair because it is presumptively against the desires of the members of the minority culture. Kymlicka therefore thinks that providing security for minority cultures vis-à-vis the majority culture provides a protected space for internally controlled change and diversification; hence his endorsement of "external protections" but—ostensibly at least—not "internal restrictions." In Kymlicka's luck-egalitarian terms, externally-driven change is an unchosen circumstance that affects the security of the minority cultural structure, and therefore requires that protective GDRs be given to that minority culture in order to correct for any inequality. On the other hand, internally-driven change is the result of the choices of the members within the culture and—given the security provided by GDRs—only affects the character of the minority culture not the existence of the structure itself, and therefore does not result in an inequality that requires correction.

This move apparently diffuses any potential tension between security and diversity. Members of a minority culture have good reason to want cultural "security" versus the majority culture *because* it is this security that will potentially allow for the development of richness and diversity within their culture that is the result of internal choices, and thus both genuine

evaluation and cultural change. Yet in order to for this response to the essentialist strand of the cosmopolitan critique to work, Kymlicka has to make three related moves: first, he has to distinguish between internal and external change; second, he has to relate this distinction directly to the distinction between cultural character and structure, and third, he must in turn map the character/structure distinction directly onto the underlying choices/circumstances distinction necessary for his luck egalitarianism. I will attack these three distinctions in order, eventually pushing Kymlicka's entire position back onto the choices/circumstances position in such a way as to make his theory untenable.

Internal and External Change: The Problem of Boundaries

In order to separate external pressures and sources of change from internal ones we must be able to identify the boundary of a culture cleanly. To identify the boundary of a culture one also has to identify both its content—the relevant beliefs and practices that make it the culture it is, as opposed to another—and its membership. Yet any such account of a culture is itself likely to be controversial, as both membership and content of a social group or culture are inevitably contested, which makes their boundaries inherently fuzzy. There are two obvious responses to this "boundary problem," neither of which are satisfactory.

   The first solution would be to ask the relevant individual which culture they are located in. Yet, while we cannot dispute their subjective sense of belonging to a particular culture, we cannot simply rely on that subjective understanding to demarcate the content and scope of the culture. This is because any given individual will only have imperfect knowledge of their culture at any given moment, and so their understanding cannot be taken as definitive. Even the understanding of a hypothetical "perfectly-informed" member of the culture regarding its content and membership could not be conclusive. Whilst an individual may identify as a member of a culture and have views on its content and membership, others may contest that identification and those views, and that contestation cannot simply be ignored. In the case of religious groups this occurs frequently in relation to disputes over doctrine. For example, an individual may self-identify as a heretic, but in so doing they do not see themselves as outside the religion, but rather as the guardian of its true form. It is unclear, however, if a heretic is a member of the relevant religious/cultural group; they will say yes, the majority of the group, no. To prioritize a particular individual's understanding over other putative members of the culture is not just to take sides in an internal dispute, it is to return to the earlier problem of "individual" cultures. The understandings of particular individuals are thus not, by themselves at least, enough to draw an accurate boundary.

   This leads us to the second obvious solution, which is to ask the group rather than a particular individual. In so doing, we might appeal to the formal rules of the group itself regarding content and membership. For example, heretics may be formally excommunicated, which apparently settles questions of both membership and content simultaneously. This confuses, however, religion as *culture* with religion as *institution*; the latter has clear boundaries, the former does not. For example, during the Reformation Protestants claimed to be Christians, which Catholics denied, partly on the basis Protestants were heretics who had been excommunicated from the Catholic Church.[9] Yet appealing to a Papal decree cannot settle the

question of who is a Christian, as it is the authority of the Pope to make such declarations that is in question. A given religion as *culture* and as an *institution* are both social objects—and are clearly intertwined historically—yet they are not the *same* social object.[10] The simple fact is that cultures, unlike the voluntary associations and other institutions they inform, are not—cannot be—self-defining.

Perhaps it might be possible to effectively bound a culture if a particular social group has been constructed by *other* members of society on the basis of perceived intra-group similarity. In that case we may be able trace the historical and social processes that constructed the group, and thus identify the culture with a degree of precision. This would be clearest if the group has been historically discriminated against, as is clearly the case with indigenous peoples. The state could then correct for their mistreatment by ascribing them rights on the basis of group membership as it has *previously* been constructed. Nevertheless, the same problems of misidentification and dispute will reoccur here. These groups are still social constructions, albeit that they have gained traction on the world through informing beliefs and practices, resulting in oppressive behavior by other social actors. Any social construction, whether from the "inside" or the "outside" is inherently contestable, and as such their boundaries are still unclear.

Even if there has been state-sanctioned discrimination—say by taking children away from their parents, or banning the use of minority languages in public education—on the basis of ascribed cultural membership, these legal provisions cannot be used to bound the culture effectively. Just as a culture cannot be elided with the association in which it is imperfectly instantiated, a cultural group as socially constructed by politics and law is not identical to the culture *per se*. Legal and political discrimination will no doubt have an effect on the group, both in terms of the lives of its members, and in terms of the way it is understood within the wider society. That form of social construction is separate, however, from the broader processes of social construction that affect the group, which are not limited to law and politics. The fact that cultures are social constructions, coupled with their fluid and contested nature as highlighted by the cosmopolitan critique, means that there will never be a single social construction of any given culture operating within society.

This means that any identification of the group and ascription of rights intended to reverse historical discrimination on the part of the state is, at most, a temporary measure. Such remedies would be akin to affirmative action, designed to unwind the particular problems caused by previous laws. More importantly for our purposes, such remedies also run the risk of re-inscribing the reality of the very social construction they are attempting to undermine.[11] If the relevant effects of previous practices towards the group have been adequately compensated for, we would have no reason to keep identifying the group as a group by keeping the compensating measures in place. To do so would be to maintain (albeit in inverted form) the previous social construction of the group for no reason, potentially altering the group's development and/or essentializing it in the way Waldron suggests. Thus, while this form of cultural "affirmative action" may bear a passing resemblance to Kymlicka's argument for GDRs, it is in fact very different, as it is not aimed at providing cultural security for a single cultural group in perpetuity, and does not turn on the role of culture as a meaningful context of choice.[12] This limited and temporary way of identifying the boundary of a culture is therefore not enough to defend Kymlicka's full range of GDRs on the terms stated in his theory.

In any event, even if a definition of the culture in terms of content and membership could be agreed by all concerned, it would only form a "snapshot" of the culture at a particular moment in time.[13] Yet, as we saw in the previous chapter, cultures inevitably change, making such a definition inherently unstable. This instability is potentially problematic if we are using group membership to ascribe special status/treatment, as Kymlicka and other liberal multiculturalists wish to do, because any ascription of rights to the members of the cultural group will need to keep up with the changing membership. It is especially impractical when ascribing legal rights, which are often the result of complex and time-consuming processes of negotiation, deliberation and legislation, and thus cannot be altered at a moment's notice. As we have seen, this problem cannot be solved by delegating the question of changing membership to the group itself, as that would be to elide the cultural group with the formal social associations which draw on it.

Overall, therefore, it seems that drawing an accurate boundary round a culture to serve as the basis for allocating GDRs to it—a precondition of Kymlicka's allocation of rights on the basis of cultures as contexts of meaningful choice—is impossible to do with any confidence. We have seen that individual understandings of a culture, and the group understandings constructed out of them, are imperfect, fuzzy and contested. We cannot rely on imperfect self-identification or self-description, and even in the unlikely event these understandings form a unanimously-agreed and perfectly-informed set, the constantly evolving nature of culture renders cultural membership unstable, and an impractical basis for ascribing legal rights. Drawing a boundary around a culture is a Sisyphean task; every attempt to do so is prone to unclarity, open to contestation, unstable over time, and will likely (re)produce problematic social effects. In any event, even if the boundary problem was in principle soluble, the account we met in the previous chapters of cultural meaning and identity as fluid, contested and overlapping gives us reason to doubt Kymlicka's theory will gain much traction on the world as it is. For many individuals there are simply too many cross-cutting cultural meanings and identities at play to be able to accurately place an individual within the appropriate nexus of their cultural influences, which is itself a prerequisite of assessing the "weakness" of that nexus vis a vis others.[14]

The temptation is, of course, to argue that some versions of the ever-changing and contested culture are a better interpretation of it than others, and therefore should be considered the "real" culture. Yet we cannot say some forms of a culture are correct without appealing to an a-historical criterion of authenticity, which is to treat cultures as natural kinds rather than social constructions, and thus to reify them. Even a snapshot of a cultural group—constituted by an exhaustive list of its beliefs, practices and members at a given moment in time—does not delineate the culture as something that exists independently of the boundary, but rather itself constructs it as a social object. Such a definition is *necessarily* stipulative, and thus we must have a reason to draw the boundary in a particular place, or it will simply be arbitrary. The boundary of a culture is therefore not a matter of objective necessity, but a choice that should be driven by our descriptive, explanatory or even normative purposes.[15]

In the context of Kymlicka's theory this entails a circularity in the way he identifies cultures. In order to ascribe cultural rights in a way that is *normatively* justified on the presumption of equality, he must be able to *explain* why individuals need a particular culture that is equal to other cultures. His *explanation* of why an individual needs culture is that it acts as their context of meaningful choice, and that some individuals are located in cultures that are demonstrably weaker than other cultures. He thus must be able to *describe* culture in a way that

both allows him to locate an individual within a particular culture and support his *explanation* of the *normative* worth of culture as residing in its role in facilitating individual meaningful choice. In order to *describe* that culture he must be able to identify its beliefs, practice and members, and thus delineate its boundaries. But we have no clear and unproblematic way of identifying a particular culture, and thereby being able to assess its weakness vis a vis other cultures, before such a boundary is drawn. And if we cannot identify an individual culture by drawing a boundary we have no reason to suppose a particular culture is a context of meaningful choice, which means we cannot offer an *explanation* as to why an individual might have a *normative* claim to cultural rights in the first place. Kymlicka's explanatory, descriptive and normative purposes are intertwined, but not in a way that is self-supporting. Instead we are left chasing the cultural dragon round and round the social world, as it tries to eat its own tail.[16] It thus seems that the internal/external distinction is not viable in theory or practice, and so cannot defend Kymlicka against the cosmopolitan critique by diffusing the security/diversity tension highlighted by my postfoundational account of cultural meaning.

Beliefs, Choices and the Nature of Culture

The cosmopolitan critique goes deeper than this, however, although neither Kymlicka or Waldron acknowledge this fact. If the internal/external distinction cannot hold because of the boundary problem, then we have no mechanism for separating internally-driven changes from externally-driven ones. If that is true, we have no way of telling apart changes to the character of the culture from threats to the structure. This in turn means that the character/structure distinction cannot map onto the choices/circumstances distinction and still work within the context of Kymlicka's argument without essentializing or reifying culture.

Recall that for Kymlicka, it is the existence of the cultural structure that is the primary good, not the contingent character.[17] He states that the character/structure distinction does not entail freezing in place the particular beliefs and practices that form the character of a culture at any one moment and so, while he does not use the term "essentialism," he is clearly intending to defend himself against such claims. He is correct, of course, that the simple sociological fact of the existence of a culture is only contingently related to the particular form it takes at any given moment. This means that one could hold that cultural structures are made up of the meaningful beliefs and practices of individual members at any one time without insisting that the particular content of these beliefs/practices (i.e. the character of the culture) remain stable over time. As part of the putatively anti-essentialist account of culture which grounds his luck-egalitarian claim to compensation Kymlicka therefore does not seem to be committed to a hard distinction between character and structure.

Yet once the character/structure distinction is mapped on to the choices/circumstances distinction it is apparent that Kymlicka's argument is subject to a contradiction. As we saw in Chapter 2, Kymlicka has to see particular ends and values as objects of choice in order to distinguish himself from the communitarians, but cannot place culture entirely on the choices side of the choices/circumstances distinction without losing the normative traction derived from his liberal luck egalitarianism. His underlying normative framework dictates that it is permissible to correct unequal circumstances but not to subsidize individual choices, and therefore he must

be able to support culture as unchosen structure without subsidizing the choices that make up its character. However, if there is no fundamental ontological distinction between structure and character, then any support for the structure either also provides support to the current character, or it changes that character in some way. If that is the case then GDRs either subsidize internal choices or precipitate externally-driven change, neither of which are acceptable under the terms of his theory.

Kymlicka's central account of culture as enabling value and meaning, but not simply reducible to particular values and meanings seems at least partly to be driven by this problem. He claims that culture is the "spectacles" through which we see *value*, but is not simply reducible to particular *values*. This statement—which appears at key points in both *Liberalism, Community, and Culture* and *Multicultural Citizenship*, and is the clearest account of his theory of meaning that he provides—might seem to protect Kymlicka against the claim that he is unfairly subsidizing the choices of some or all of the members of a minority culture.[18] If culture has a role in providing meaning to *both* aspects of culture, but this role differs between structure and character, he could claim that supporting a culture via GDRs does not, in and of itself, breach his luck-egalitarian principles. In other words, the role of culture in meaning could potentially form a bridge between culture as structure and culture as character *without* collapsing them into each other, and thereby enable him to maintain the choices/circumstances distinction.

Whilst this response appears plausible at first glance, it cannot do the work Kymlicka has assigned to it within his theory without causing even deeper problems. Our examination of contextual meaning has shown that there are two distinct aspects of the way culture relates to meaningful choice: culture as "inheritance," and culture as "toolkit." Kymlicka is correct that culture does enable the existence of meaning in some sense, and that this is distinct from the particular meaningful productions of individuals that make up that culture. The claim that culture *enables* meaning implies that it has a necessary function in relation to meaning. Yet we have seen that the only necessary role culture plays in relation to meaning is in providing an initial framework with which to make sense of the world. The claim that culture forms a pair of "spectacles" that "enables" meaning thus maps onto the claim that individuals must be socialized into an initial cultural inheritance. We have seen, however, that individuals can remake their cultural inheritance in creative ways, and so culture does not form a limit they cannot go beyond. In other words, culture as inheritance provides a start point that enables individuals to use their culture as a toolkit in making sense of the world, but also in creating their own intentional meanings. In so doing they may also adapt, add to or even reject aspects of that toolkit, changing their culture or moving beyond it. Kymlicka's distinction between culture as the "spectacles" that enable meaning and the particular meaningful aspects of culture is not therefore, as it first appears, a defense against the claim he unfairly subsidizes choices. While the two aspects of cultural meaning—inheritance and toolkit—are separate, they do not map cleanly onto the character/structure distinction, but rather onto the tension between cultural security and cultural diversity, which Kymlicka has failed to mitigate via the internal/external distinction. Kymlicka's claims re meaning and culture thus do not avoid the many cultures critique, nor the accusations of essentialism, they are part of the problem itself. The dual account of meaning is a weakness, not a strength, of Kymlicka's theory.

The problem is even worse than it first appears, however. In attempting to provide security for culture understood as an inheritance it is inevitable that you support the particular

character of that cultural inheritance at that time, and the particular nature of this character is the result of the choices of its members. To make matters worse, GDRs inevitably subsidize the choices of *some* members of the minority culture over others. For example, supporting the culture as it is at any given moment in time is subsidizing the choices of current "senior" members over and against those who have just been/are being/will be socialized into that culture. Yet from the perspective of the latter, the current internal cultural character is as much an unchosen circumstance as anything external to the culture, as others have pointed out, and as I will argue in more detail in the next chapter.[19]

Upon deeper inspection, therefore, Kymlicka's argument requires that the liberal state, in attempting to correct for intercultural inequality, and thus institute a "weak" form of neutrality, is necessarily non-neutral between those within the culture. As we have seen, some people will remain in their culture and some will leave (or be happy existing in multiple cultural contexts), and Kymlicka's theory as stated has a clear bias against the latter individuals in favor of the former, prioritizing a particular account of the cultural group over others. Kymlicka cannot help but prioritize security over diversity, and thereby the extant choices of senior members over junior members, and (arguably) current members over future members. This potentially "freezes" a particular version of the culture in place precisely in the way Waldron suggests, and even if it does not, it certainly affects the trajectory of its development. Kymlicka's defense of multicultural rights relies on a mistaken account of meaning, and in so doing breaches his own principle of "weak" neutrality, and clashes with his underlying luck-egalitarian framework. Having started with the broadest version of the cosmopolitan critique of liberal multiculturalism, we have proceeded from the edges of Kymlicka's theory, through a logic of question and answer, right to its center. The question we are now faced with is this: can Kymlicka's theory avoid subsidizing choices without essentializing minority cultures? To put this last, most fundamental question, more philosophically: can the luck-egalitarian choices/circumstances distinction fit with an anti-essentialist account of culture, yet also reject an ontological distinction between character/structure?

The postfoundational account of culture and meaning we have been developing suggests it cannot. Identifying a culture is an act of social construction that is pragmatically justified relative to our purposes, yet such identification—however tentative and subjective—is an abstraction from the intentionally meaningful states of individuals which, in sum, make up the culture. Cultures are the meaningful productions of individuals and as such are ontologically inseparable from the beliefs and values—and the practices those inform—of those individuals. There is literally nothing else for cultures to be made of. For Kymlicka's theory of culture to be acceptable in luck-egalitarian terms, however, he cannot subsidize choices when he supports the cultural structure, and the only way he could avoid doing so would be if the structure and the character are ontologically separate. Yet if they are separate at the ontological level, the particular character of the culture necessarily becomes disconnected from the cultural structure. This in turn would mean that the cultural structure has separate existence from the cultural character that is *constituted* by the beliefs of individuals and the practices they inform. In turn this means that the cultural structure must *exist* separately from the individuals who hold those beliefs. In other words, the only way we can support the existence of the cultural structure without subsidizing the choices that go into it would be if the cultural structure is an a-historical entity.

This then is the heart of the cosmopolitan critique of Kymlicka's liberal multiculturalism, and the place where its two putatively different strands meet. The cosmopolitan claim that we exist in multiple cultures simultaneously ultimately reveals that Kymlicka's underlying normative framework requires him to supervene correct sociological claims about culture with unsustainable ontological ones. He is right that the social fact of the existence of a cultural "structure" is separate from the nature of the "character" of that culture at any one time. Yet his luck egalitarianism requires a hard distinction between character and structure at the ontological level if he is to avoid subsidizing the choices that make up that character. In other words, Kymlicka must collapse the correct claim that character is only contingently related to the existence of structure, with unsustainable claim that the cultural structure is ontologically unrelated to that character. In attempting to avoid cultural essentialism while also maintaining his luck egalitarianism, Kymlicka must reify culture at a philosophical level.

The cosmopolitan critique thus fatally undermines Kymlicka's liberal defense of multicultural rights on the basis of the role of culture in meaningful choice. It does so, once properly understood, by forcing him into a dilemma: if he is to maintain the choices/circumstances and related character/structure distinctions without subsidizing choices or essentializing particular minority cultures, he must reify culture instead, which is philosophically incoherent; but if he abandons his underlying luck-egalitarian principles, most of the normative weight of his theory vanishes, and we have little reason as liberals to care about multiculturalism in the first place. The cosmopolitan critique defeats the central part of Kymlicka's argument as stated, which is that the liberal values of equality and autonomy require support for minority cultures as contexts of meaningful choice.

Culture and Self-Respect

In this section I would like to consider the implication of the cosmopolitan critique as we have unpacked it in this dissertation for this what remains of Kymlicka's theory of multiculturalism. With the collapse of his distinctive claims regarding meaningful choice, Kymlicka has to rely on the second half of his "equality" argument, which is that members of minority cultures are entitled to GDRs because of the important role of culture in supporting identity and self-respect. In *Multicultural Citizenship* Kymlicka argues that remaining in one's own culture is a "reasonable entitlement" because it is difficult and painful to move between cultures.[20] This part of the equality argument does not rely on culture providing a necessary context of meaningful choice, but rather is grounded directly in claims about the relationship between cultural identity, social recognition, and self-respect.

We saw in Chapter 2 that Kymlicka's theory of multiculturalism grew out of his understanding of how the self and personal identity are formed and constituted, which differed from the communitarians and Rawlsian liberals. The communitarians argue that the self is at least partly constituted by its communal attachments, that it thus cannot choose its ends in the way liberals suppose, and therefore that individual identity and self-respect are closely tied to the recognition of our community or culture. Kymlicka on the other hand defends a conception of the self which chooses its own ends, and is therefore not constituted by its communal attachments in the way the communitarians suppose. Nevertheless, he also differs from Rawlsian

liberals, arguing that the recognition and status of our culture is important for the self-respect of the individuals within it, in effect adding culture to the list of Rawls' primary goods. Following the cosmopolitan critique, however, it seems that Kymlicka's claim regarding self-respect has to take the entire weight of his defense of multicultural rights, and in so doing collapses back into something like the communitarianism he is responding to.

This is in part because there is an ambiguity in Kymlicka's account of the link between identity, culture and self-respect that seems to stem from Rawls. Rawls counts "self-respect" as one of his primary goods, although it does not seem to be a primary good that is distributed directly like income, wealth and rights.[21] Rawls seems to have several distinct (albeit possibly related) accounts of self-respect as a primary good, two of which are relevant here. The first account is that self-respect is a primary good because it plays an important role in helping us see the value of the goals and ends that we choose, and therefore facilitates our pursuit of them in some way: "[s]elf-respect is not so much a part of any rational plan of life as the sense that one's plan is worth carrying out."[22] The second account is that self-respect as a primary good is the sense of one's *own* value (as opposed to the value of one's plan of life) and that this result of a proper ordering of the basic structure, primarily the recognition of equal moral worth through equal rights and liberties of citizenship, but also through the provision of a certain level of material well-being.[23]

Kymlicka seems to argue for something akin to both of these understandings of self-respect at different points. His dominant understanding seems to be that culture is a primary good primarily because of its link to self-respect in something like Rawls' first sense i.e. because of its role in giving us a sense that our activities are "significant" and valuable.[24] Kymlicka thereby tries to tie the way in which we see our activities as having value (Rawls' first sense of self-respect) with his account of culture as the context of meaningful choice. In other words, some of Kymlicka's account of "self-respect" is simply a manifestation of his claim that culture forms a context of meaningful choice, which is the central plank of his equality argument. Given the problems caused for this aspect of Kymlicka's theory by the cosmopolitan critique, this account of the importance of culture for self-respect now seems unavailable to him.[25]

Kymlicka does seem in other places, however, to have an understanding of self-respect more like Rawls' second account, which is that it is a manifestation of the proper arrangement of the basic structure on one's sense of self and personal identity.[26] For Rawls, this is achieved primarily through the equal rights and liberties of citizenship, which both instantiate the principle of equal moral worth and help promote a sense one's equal moral worth and thereby self-respect.[27] This is, in effect, a claim about social recognition of one's worth as an equal citizen. For Kymlicka the crucial aspect of this social recognition and related sense of self is the status of one's culture, which is only capable of being protected by overriding the universal rights/liberties of equal citizenship via differentiated rights. The sense in which culture is linked to self-respect available to Kymlicka following the cosmopolitan critique thus relies on a strong link between self-respect and recognition of one's culture.

Something like this "strong" claim appears in *Multicultural Citizenship*:

"Hence cultural identity provides an 'anchor for [people's] self-identification and the safety of effortless secure belonging.' But this in turn means that people's self-respect is bound up with the esteem in which their national group is held. If a culture is not generally respected, then the dignity and self-respect of its members will also be threatened."[28]

If we are correct in our assessment of the impact of the cosmopolitan critique, the whole of Kymlicka's theory is reduced to this claim that identity is so closely related to culture that disrespectful treatment of—and unequal status for—culture has strong negative impacts on individuals. If we take this as an empirical claim regarding how people do, as a matter of fact, feel about their cultural identity, Kymlicka would need to provide substantial empirical evidence in support, which he does not.[29] In any event, I have argued elsewhere that the type of philosophical arguments we have been examining here cast doubt on such empirical claims.[30] This is because, briefly put, the cosmopolitan critique of cultural meaning as fluid, contested and overlapping applies just as much to cultural identities as to particular cultures. We thus have reason to suppose that individuals are located in multiple cultures and have several cultural identities, and therefore that no single culture plays an exclusive role in grounding self-respect.

In any event, a stand-alone liberal claim regarding self-respect also seems like a less persuasive version of the communitarian position.[31] Whilst the communitarian account of the self as constituted by its unchosen ends and attachments may be problematic, it at least flows naturally from this account that respect for, and recognition of, one's culture impacts directly on one's sense of self-respect. Kymlicka on the other hand, if he wishes to maintain his account of the self, has a much harder time making this claim. His account of the self as a rational reviser—which he so painstakingly distinguished from the communitarians in *Liberalism, Community and Culture*—forecloses the obvious way the claim could be supported, which is to stress the role of culture in constituting the self. This problem was putatively mitigated by his account of culture as a context of meaningful choice, as this provided a liberal reason to link culture to individual well-being, but this is no longer available to do the work. All that remains of Kymlicka's "equality" argument is, in effect, the assertion of a communitarian conclusion without the underlying account of the self and social ontology that supports it. In fact, the more Kymlicka asserts the claim, perhaps by fleshing out his empirical support for it, the more he would seem to undermine his *own* account of the self by giving culture an ever larger role in its formation. Far from operating at the margins of Kymlicka's defense of multiculturalism, the cosmopolitan critique has reduced his theory of liberal multiculturalism to a pale shadow of the communitarianism he was responding to.

One final rejoinder to the arguments I have been examining in this middle part of the dissertation is to accept their philosophical bite, but nevertheless question whether that matters for the study of multiculturalism in modern liberal democracies more broadly, or for other responses in liberal political theory to the issues posed by cultural diversity. For example, one might rearticulate the philosophical underpinnings of liberal multiculturalism in more general terms, without a luck-egalitarian framework. Alternatively, one might argue that, since tracing the causal mechanisms by which political theory influences political practice is notoriously

difficult, even if the philosophical critiques of liberal multiculturalism are correct, this does not in itself give us reason to suppose the policies and laws used to manage postwar cultural diversity are negatively impacted. One might even concede that policy approaches have been influenced by approaches in political theory, but argue that flaws in underlying philosophical justifications are irrelevant for the actual practice of multiculturalism, which is able to achieve its liberal democratic goals despite them. Finally, one might argue that the flaws in liberal *multiculturalism* suggest the worth of other liberal approaches to cultural diversity.

I will address these broader responses to cultural diversity in the following section and in the next chapter, arguing that there is reason to think they are unsatisfactory. In so doing I will show that the cosmopolitan critique reaches beyond Kymlicka's early theoretical work to encompass other forms of liberal multiculturalism and political theory. I will start by examining some of Kymlicka's more recent writings on multiculturalism, which are more empirical than philosophical, and at various points put forward some version of the above responses. In the next chapter I will look at various other liberal theoretical responses to cultural diversity, arguing that each has significant flaws that are highlighted by my postfoundational version of the cosmopolitan critique.

The Later Kymlicka: Multiculturalism in Practice as well as Theory

In his later work Kymlicka moves away from the specifics of his philosophical theory of multiculturalism, instead arguing that liberal multiculturalism rests directly in "the assumption that policies of recognizing and accommodating ethnic diversity can expand human freedom, strengthen human rights, diminish ethnic and racial hierarchies, and deepen democracy."[32] He thus steps back from the detail of own early work in order to "identify more general aspects of liberal multiculturalism—its underlying ethos, principles, or strategies—and on this basis to formulate lessons that are potentially universalizable."[33] The later Kymlicka thus claims that the normative basis of liberal multiculturalism is grounded in broad liberal-democratic values, and in its ability to articulate and strengthen these in political and legal practice. Yet if liberal multiculturalism as a practice is not—or need not be—tied to the luck-egalitarian apparatus underlying Kymlicka's early work, then the criticisms I have leveled at his theory seem to be of limited import. We will see, however, that the changes in focus and methodology by the later Kymlicka do not in fact circumvent my critique of his theory. In turn this will show why our seemingly narrow focus on Kymlicka's political theory of multiculturalism has implications for other approaches to liberal multiculturalism, laying the groundwork for critiques of those approaches in the following chapter.

Kymlicka has written a great deal on multiculturalism since *Liberalism, Community, and Culture* and *Multicultural Citizenship*, and so it is impossible to engage with all of this work within the confines of this chapter.[34] Instead, we will focus on two key texts, *The Essentialist Critique of Multiculturalism* and *Multicultural Odysseys*, with the former presenting the relevant theoretical arguments and the latter (in the main) providing empirical support for them.[35] In combination these two works set out the key ways Kymlicka's thinking on multiculturalism has evolved since his early work, addressing directly the type of philosophical arguments I have been making in this dissertation, and also considers in detail the relationship between political theory and practice,

which we have seen is central to both multiculturalism and my holistic approach to it.[36] In "The Essentialist Critique" Kymlicka defends liberal multiculturalism on three levels: (i) philosophically; (ii) in relation to the formulation/implementation of its policy goals; and (iii) in terms of the actual outcomes of these policies.[37] Kymlicka's analysis of multicultural policy thus putatively forms a mid-point between a philosophical justification of multiculturalism and an argument that the actual outcomes of liberal multiculturalism are beneficial.[38] On closer inspection, however, Kymlicka's defense of multicultural "policies" is ambiguous and unstable, either collapsing back into his philosophical arguments or turning entirely on his empirical claims regarding their outcomes.

Kymlicka argues that multicultural policies are justified because they are "inspired" by liberal democratic values.[39] On one interpretation, therefore, Kymlicka is arguing that multicultural policies are justified because they are self-consciously motivated by liberal democratic values. If so, this seems to be little more than a defense of good intentions, which is deeply unconvincing. In any event, such an argument would simply be an inverted form of the "radical" post-multiculturalist position—which Kymlicka explicitly rejects—that multiculturalism is illiberal if it is motivated by a "culturalist" desire to preserve minority cultures.[40] On another interpretation Kymlicka might be arguing that multicultural policies are justified because they have been "framed" and "interpreted" by policy-makers and lawyers to "fit" liberal democratic values.[41] If so, then these policies can only be justified if the underlying values are themselves justified philosophically, or if these policies do in fact instantiate these values in practice. In other words, multicultural policies as Kymlicka defines them are only justified if his philosophical arguments hold, or if his empirical evidence does.[42]

We have seen that the luck egalitarianism that underlies Kymlicka's early work fatally undermines his theory as stated in *Liberalism, Community, and Culture* and *Multicultural Citizenship*. Yet in his later work he seems to rely on different philosophical arguments to ground his multiculturalism in liberal democracy, stating multiculturalism is "a concept that is both guided and constrained by a foundational commitment to principles of individual freedom and equality,"[43] and part of a broader project of "democratization," "liberalization," "citizenization," anti-racism, and the spread of human rights.[44] This is clearly a broader understanding of the relationship between liberal democracy and multiculturalism than was present in *Liberalism, Community, and Culture* and *Multicultural Citizenship*, and therefore potentially helps him avoid my arguments aimed directly at those texts. We cannot simply assume, however, that multiculturalism flows naturally from equality and freedom as understood in liberal-democratic thought; that is itself the claim that his early philosophical work failed to establish. Unfortunately, the later Kymlicka does little to flesh out his conception of liberal democracy on a philosophical level, nor to explain how multiculturalism is grounded in, and justified by, it. Instead, almost every attempt in his later work to establish such a philosophical/normative link evokes the terminology and structure of his early luck-egalitarian argument.[45] For example, the twin criteria of "equality between groups" and "freedom within groups" which Kymlicka uses to structure his analysis in both "The Essentialist Critique" and *Multicultural Odysseys* are simply a recasting of the external protection versus internal restriction distinction. That distinction is vital to Kymlicka's luck egalitarianism, but we have already seen the dichotomy is unsustainable on philosophical grounds, and these grounds do not turn directly on luck-egalitarian premises. The difficulty of drawing a clear boundary round an individual culture applies to *any* attempt to support minority

cultures and render them equally secure, whatever form of egalitarianism it is grounded in. This aspect of the cosmopolitan critique therefore continues to have bite.

The persistence of the boundary problem is compounded by the fact that the later Kymlicka still employs the typology of groups and rights from his earlier work, even as he attempts to problematize it.[46] For example, while he notes that the boundaries between indigenous peoples and other sub-state national minorities are difficult to maintain, he continues to advocate political autonomy for both groups but not for immigrants. This means he must be able to distinguish the different groups cleanly, but the cosmopolitan critique has shown drawing philosophically justified boundaries purely on the basis of culture and its role in meaningful choice is nigh-on impossible. Yet the other ways Kymlicka might make the distinction are either unconvincing or rely implicitly on his luck egalitarianism. As Sarah Song notes, the empirical claim that immigrants groups cannot recreate their societal cultures in their new homelands is simply wrong; immigrant communities can and do create formal and informal institutions that instantiate their culture in the local areas where they are concentrated.[47] Kymlicka's argument that immigrants should not receive self-government rights because they choose to immigrate seems more promising. Yet this argument itself turns on the luck-egalitarian distinction between choices and circumstances, and therefore cannot help Kymlicka distinguish immigrants from other groups in a normatively relevant way.[48]

Kymlicka's modification of his original typology in *Multicultural Odysseys* might appear to mitigate this boundary problem.[49] He argues these categories "cannot do the conceptual work that is required of them" as "the particular way in which target categories have been defined and distinguished is…..arbitrary and unsustainable."[50] Instead, he argues that the particular forms of liberal multiculturalism developed in the West may be counterproductive if they are employed reflexively in Arica, Asia and South America.[51] The central thesis of the book is therefore that the spread of multiculturalism across the globe requires tailoring multiculturalism to local conditions more carefully. Kymlicka's primary recommendation is to increase policies and laws that "target" specific types of group, thereby refining the Western-centric typology by adding new categories of rights and groups. Yet multiplying the number of groups and rights makes the boundary problem worse, not better; there are still no natural kinds to identify, and no stable criteria for choosing one boundary over another, or a particular version of the typology over an even more detailed one. Kymlicka's gloss on the typology in *Multicultural Odysseys* thus seems more like a concession to the cosmopolitan critique than a defense against it.

Nor does he adequately address the criticism that providing multicultural rights essentializes a culture by aiding some versions of its character over others, thereby altering the trajectory of its development. His primary attempt to do so in "The Essentialist Critique" and *Multicultural Odysseys* is largely a reiteration of his earlier discussion of the "liberalising" nature of "The Quiet Revolution" in Quebec, complete with the luck-egalitarian character/structure distinction and the language of autonomy and meaningful choice.[52] The increased emphasis in his later work on the links between multiculturalism and human rights might seem to protect him against accusations of essentialism, in that robust human rights protections for individuals would guarantee spaces for internal minorities to challenge and reform their own culture. Yet, as Song suggests, by itself this amounts to little more than an assertion of traditional individualized liberalism.[53] Without a robust account of the link between either societal culture and meaningful choice, or between multiculturalism and liberal democracy more broadly, Kymlicka is not

defending liberal *multiculturalism* in a meaningful sense. Likewise, his shift to a "thinner" account of societal culture akin to civic nationalism can only protect him against the cosmopolitan critique by blurring his multiculturalism with more generic liberal nationalism and, as Clare Chambers demonstrates, causes technical problems with his theory in any event.[54] Ironically then, just as Kymlicka claims in "The Essentialist Critique" the post-multiculturalists are, in effect, advocating standard liberal multiculturalism on theory and practice, the later Kymlicka's attempt to avoid the cosmopolitan critique arguably collapses his position back into traditional liberalism, or perhaps a liberal nationalist variant on it.

The full weight of the later Kymlicka's defense of liberal multiculturalism therefore seems to fall on the empirical evidence he adduces to support its success in practice. Yet, as he acknowledges, this evidence is at best "tentative."[55] Nevertheless, he suggests that there is "provisional evidence" that multicultural policies have had "beneficial effects" in spreading liberal-democratic values, even if these benefits are "very uneven across different countries and different minorities."[56] He also takes issue with recent empirical work on the "retreat" from multiculturalism in the West, arguing that "they make no effort to identify the differential effect that multiculturalism has on pre-existing dynamics of stereotyping," and that their work "lacks.......[the] data needed to determine the differential effect of adopting multiculturalism."[57] He then argues that those empirical studies which do assesses multiculturalism from a longitudinal or comparative perspective generally suggest that multiculturalism has been beneficial in terms of political participation,[58] trust and social capital,[59] prejudice,[60] solidarity,[61] and psychological well-being.[62]

I argued in Chapters 1 and 2, however, that philosophical holism suggests that we should be wary of the formal, a-historical and atomized use of data that dominates the methods of modern social science, and prefer instead philosophical and historical modes of analysis. Both of these approaches give us reasons to be skeptical of the empirical evidence presented by the later Kymlicka. Even if we ignore the boundary problem, the philosophical arguments we have made give us reason to be doubtful societal culture has the relevant causal effects on individuals. This is because any account of culture is a generalization derived from the particular understandings of individuals. In turn this tells us the very existence of culture as a sociological fact requires a degree of abstraction from individuals that gives us reason to suppose it does not play a predictable and exclusive causal role on individual or collective behavior.[63] As cultures are socially constructed we have reason to suppose that individuals are located in multiple cultures and have several cultural identities, and therefore that whatever role cultures play in meaning will vary across contexts. There may be different levels of overlapping understandings, which would lead to different shared contexts of meaningful choice and varying levels and types of influence, but the bare fact is that there are many different levels of abstraction from individuals. In the absence of unequivocal and persuasive empirical evidence to the contrary—which Kymlicka admits he does not have—this means we have little reason to suppose that a single culture is functionally required by liberal democracy because of its effects on individual behavior.

Likewise, the historical—as opposed to social scientific—evidence gives us reason to be skeptical of Kymlicka's empirical claims. As we saw in Chapters 1 and 2, and as I have argued at great length elsewhere, comparative study of multiculturalism across the postwar Commonwealth demonstrates that the different multicultural groups, issues and rights are so heavily entangled and mutually constructing that attempting to separate them—or their causal

effects on each other and the individuals within them—are impossible.[64] Additionally, I have also shown elsewhere that the recent rise of populism and nationalism in Britain, Europe and the United States flows directly from the philosophical and historical intersection of multiculturalism, liberalism and colonialism, which highlights unresolved contradictions between.[65] Both of these accounts add heft to claims that multiculturalism is subject to a substantive backlash even in the democracies in which it is most embedded, further undercutting the empirical evidence Kymlicka cites of the beneficial effects of multiculturalism on immigrant integration, national solidarity, trust, well-being etc.

Kymlicka's attempts to amend his form of liberal multiculturalism to avoid the cosmopolitan critique therefore fail on both philosophical and empirical grounds. His putative abandonment of his early luck egalitarianism thus does little—if anything—to protect him from the cosmopolitan critique of liberal multiculturalism. The same problems reappear in both theory and practice, and even where they do not, the later Kymlicka's liberal multiculturalism is hard to distinguish from more generic forms of liberal-democratic thought.[66]

Conclusion: The End of "Liberal Multiculturalism"?

We have seen that the "many cultures" cultures critique undercuts Kymlicka's claim that membership of a single societal culture is a "precondition" of meaningful choice. My postfoundational holism showed that the "strong" account of contextual meaning that might protect Kymlicka against Waldron's version of the many cultures critique is unsustainable. Kymlicka was thus left with a weaker account cultural meaning with which to make his claim that a secure societal culture is necessary for meaningful choice. This account of the relationship between culture and meaning had two key elements, culture as "inheritance" and culture as "toolkit," which correlated to an interest in cultural security and diversity for a given individual. When combined with Kymlicka's luck-egalitarian premises, however, these two interests potentially pulled in different directions for individuals who might leave the culture and those who preferred to stay. This left Kymlicka vulnerable to the second strand of the cosmopolitan critique, which alleges that liberal multiculturalism essentializes minority cultures in the act of trying to help them, hurting some members and potentially freezing them in place artificially. Kymlicka responded to Waldron's version of this critique by distinguishing between internally- and externally-driven change, which appeared both to mitigate the tension between security and diversity, and avoid accusations of essentialism, whilst also being compatible with the underlying luck-egalitarian framework.

Yet holism also shows that delineating individual cultures in terms of membership and content—a precondition of Kymlicka's claim that they are contexts of meaningful choice—is fraught with difficulty. We saw that every attempt to solve this "boundary" problem was either prone to unclarity, open to contestation, unstable over time, or likely to result in harmful forms of social construction. As cultures are social constructed they can only be legitimately defined according to our descriptive, explanatory or normative purposes, but we saw that within the terms of his theory this would render Kymlicka's reasoning circular. As the internal/external distinction cannot defend Kymlicka against the essentialist critique, he is unable to distinguish between changes to the character of a culture from threats to its structure. This in turn meant

that the character/structure distinction cannot map cleanly onto the choices/circumstances distinction, and so Kymlicka appears to be guilty of subsidizing individual choices rather than correcting for unchosen circumstances. This meant his final line of defense against accusations of cultural essentialism, which turned on his account of culture as both meaning-enabling and as providing particular concrete meanings, in fact requires that he either reifies culture or abandons his luck egalitarianism altogether. With the collapse of his distinctive claims regarding meaningful choice, Kymlicka has to rely on the second half of his "equality" argument, which is that members of minority cultures are entitled to GDRs because of the important role of culture in supporting identity and self-respect. In so doing, however, his position seems to collapse into something like the communitarianism he disavows.

The later Kymlicka's attempts to avoid the implications of the cosmopolitan critique by altering his liberal multiculturalism are ineffective in both theory and practice. They are inadequate philosophically because he often continues to rely on problematic features of his early work even after abandoning his luck egalitarianism. We also saw that the later Kymlicka utilizes a broader account of liberal democracy and its relationship to multiculturalism that he does little to defend on philosophical grounds. His empirical arguments are also unconvincing. Our philosophical analysis by itself gives us reason to be wary of strong empirical claims re the functional effects of culture on liberal-democratic practice. The social science data suggesting that liberal multicultural policies are productive in practice is ambiguous even on its own terms and, in any event, holism gives us reason to look beyond modernist social science for empirical evidence. Yet historical comparison of different forms of multiculturalism since World War II, and their relation to recent political events across the world, casts even more doubt on Kymlicka's claim that liberal multiculturalism is successful in practice from a liberal-democratic point of view.

The cosmopolitan critique has devastating implications for the theory and practice of multiculturalism. It fatally undermines the most influential theoretical defense of liberal multiculturalism, which is found in Kymlicka's early work. In exploring these issues through holism we have started to build, however, a postfoundational account of culture and meaning that also enriches our understanding of the scope and depth of the cosmopolitan critique. Using philosophical holism as a lens to understand both liberal multiculturalism and the cosmopolitan critique expands the reach of the latter beyond Kymlicka's early philosophical writings into his later more empirical work on multiculturalism. In so doing it highlights the relevance of the cosmopolitan critique to real-world approaches to managing cultural diversity, contemporary political events, the history of liberalism and colonialism, and broader debates in liberal-democratic theory. In the next chapter we shall examine some of these alternative views of the relationship of liberal democracy to cultural diversity, exploring whether they might provide a viable alternative to Kymlicka's multiculturalism from within liberalism, before returning to practical issues of governance in the final chapter.

References

[1] This chapter contains material from the following co-authored publications: Richard T. Ashcroft and Mark Bevir, "What is Postwar Multiculturalism in Theory and Practice?", in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in Britain after World War II: Immigration, Nationality and Empire," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in contemporary Britain: policy, law and theory," *Critical Review of International Social and Political Philosophy*, Vol 21, Issue 1, 2018: 1-21; Richard T. Ashcroft and Mark Bevir, "Liberal Democracy, Nationalism and Culture: Multiculturalism and Scottish Independence," *Critical Review of International Social and Political Philosophy* Vol. 21, Issue 1, 2018: 65-86; Richard T. Ashcroft and Mark Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in Contemporary Britain: Policy, Law and Theory*, Routledge (2019); and Richard Ashcroft and Mark Bevir, "Pluralism, National Identity and Citizenship: Britain after Brexit," *The Political Quarterly* Volume 87, Issue3, July–September 2016: 355-359.

[2] Bevir, *The Logic of the History of Ideas* (Cambridge, Cambridge University Press, 1999).

[3] Perhaps one might reply that if our conception of the good is tied to our culture in some way then we do have a reason to favor cultural security. This is a vague claim, however. If it is to imply our culture forms a "hard" limit on our understandings—or the good, of options for living, or anything else for that matter—then, as we have seen, it is simply wrong. Individuals can move beyond their cultures, as we saw previously and will discuss in more detail below. But if it is the weaker claim that we just want to remain in our culture, or are empirically likely to do so, that is insufficient to defend Kymlicka's theory on the basis of the role of culture in meaning, rather than self-respect, and is still non-neutral between different members of the culture, as I show below.

[4] Will Kymlicka, *Multicultural Citizenship* (Oxford: Oxford University Press, 1995) at 102-105.

[5] Jeremey Waldron, "Minority Cultures and the Cosmopolitan Alternative," *U. Mich. J.L. Reform*, 25, 751-794, 1991, at 786-788.

[6] Waldron, "Minority Cultures and the Cosmopolitan Alternative," at 786.

[7] Waldron, "Minority Cultures and the Cosmopolitan Alternative," at 787-788.

[8] Kymlicka, *Multicultural Citizenship*, 102-105 and Waldron, "Minority Cultures and the Cosmopolitan Alternative," 786-788. Whilst neither Waldron or Kymlicka structure the argument in exactly the way I have, it is a reasonable interpretation of this second strand of the cosmopolitan critique. Certainly Kymlicka responds to Waldron in *Multicultural Citizenship* as if he making something like these claims, albeit he uses slightly different terminology.

[9] A similar problem can occur even within a particular denomination. For example, do we describe are individuals who were raised Catholic but now self-describe as lapsed/non-practicing as "Catholic?" And if so, is it clear whether we mean they are members of a culture or a church?

[10] I say this without prejudice to the underlying metaphysical or soteriological claims.

[11] I will examine this in more depth in the next chapter.

[12] It is, in fact, more akin to Kymlicka's secondary "historical" argument from *Multicultural Citizenship*, save there is no inherent reason to limit it to indigenous groups, even if they are likely to be the primary recipients for historical reasons. Again, I will examine this in more detail in the next chapter.

[13] Waldron, "Minority Cultures and the Cosmopolitan Alternative."

[14] These philosophical claims dovetail with the comparative historical work sketched in Chapter 2, and set out at length in Ashcroft and Bevir, "What is Postwar Multiculturalism in Theory and Practice?" and "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth."

[15] Bevir, *The Logic of the History of Ideas*.

[16] This problem of circularity does not, of course, undercut the claims about culture made by the cosmopolitans, as they are not reliant on being able to draw boundaries round individual cultures, locate individuals within them, and ascribe rights on this basis.

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[17] Will Kymlicka, *Liberalism, Community and Culture* (Oxford: Oxford University Press, 1989) at 166ff especially 172-173.

[18] For example, see Kymlicka, *Liberalism, Community and Culture* at 97, Note 4.

[19] See for example, Kasper Lippert-Rasmussen "The Luck-Egalitarian Argument for Group Rights" in N. Holtug et al. (eds.), *Nationalism and Multiculturalism in a World of Immigration* (Palgrave Macmillan 2009), and Helder De Schutter, "The Liberal Linguistic Turn: Kymlicka's Freedom Account Revisited," *Dve Domovini/Two Homelands*, No. 44, 2016, 51-65.

[20] Kymlicka, *Multicultural Citizenship*, 83-94.

[21] For Rawls, if you have "too much" of a particular private good this does not cause a problem; for example, if you have more wealth than is required for your ascetic lifestyle, you can simply give the extra money away, and if you possess a right you disagree with (e.g. free speech, the right to change religions) you always have the option of not exercising that right. In other words, most of the primary goods under Rawls' schema are divisible, interchangeable in some sense, and can be rejected by the recipients if not desired. Yet if—as Kymlicka maintains—culture is a primary good because of its role in meaningful choice, it is far less clear that different cultures are interchangeable, and arguably if you provide cultural security for one member of a minority culture you provide it for all, which makes it much harder for any given individual refuse to "utilize" culture as a primary good. This would certainly seem to be the case if self-government rights are necessary for such security. Given the tension between security/diversity and Stayers/Leavers this potentially means culture as a primary good is non-neutral in a crucial sense, as we saw above.

[22] John Rawls *A Theory of Justice* (Cambridge Mass: Harvard University Press, 1971) at 178. Also, on 440 Rawls has another related aspect of self-respect, which is the confidence that one has the ability, broadly put, to fulfill one's plan of life. This ability would seem to be secured by the basic structure as set up under the two principles of justice.

[23] Rawls, *A Theory of Justice*, 179.

[24] Kymlicka, *Liberalism, Community, and Culture,* 97, 164-166, and 192-193. In other words culture "renders vivid" the point of an activity, and comprises the "spectacles" through which we see things as valuable

[25] In fact, arguably some of Kymlicka's difficulties noted above flow directly from the primary good formulation, or at least his attempt to treat culture as a distributive good. This is for three main reasons. First, there is a straightforward rhetorical pull of describing culture as a "thing" that can be parceled up and handed out, and there is textual evidence of the bewitching effect of this language on Kymlicka's thinking. Second, there is the underlying philosophical problem that trying to ensure that this primary good is distributed equally in itself requires bounding cultures and placing individuals within a particular one; as we saw earlier, if we can't do that, we can neither justify nor technically execute any equalization of culture. Third, conceptualizing culture as "a primary good" is misleading, because the logic of Kymlicka's argument requires that culture is not a primary good, but rather the supreme primary good. Conceptualizing culture as a primary good because of its role in meaningful choice requires that it enter into and color all of the other primary goods, which will function differently themselves and have different value in different culturally mediated ways of life. Culture is thus the pre-eminent primary good, and the manner in which it colors all of the other primary goods means it operates in a fundamentally different way from those other primary goods. This difference subverts key elements of Rawls' original schema in ways that are problematic for Kymlicka (even though he is not tied to all of the technical aspects of Rawl's scheme) and points towards fundamental problems in his theory of multiculturalism.

[26] Kymlicka, *Liberalism, Community, and Culture*, 175 and *Multicultural Citizenship,* 89-90.

[27] Rawls, *A Theory of Justice* p179.

[28] Kymlicka, *Multicultural Citizenship,* 89

[29] Kymlicka, *Multicultural Citizenship*, 89 -90.

[30] Ashcroft and Bevir "Liberal Democracy, Nationalism and Culture."

[31] Such as that espoused by Charles Taylor in "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, Amy Gutmann, Ed. (Princeton: Princeton University Press, 1994).

[32] Will Kymlicka, *Multicultural Odysseys: Navigating the New International Politics of Diversity* (Oxford: Oxford University Press,* 2007) at 18.

[33] Kymlicka, *Multicultural Odysseys*, 23.

[34] There is a great deal of material, which I will address in more detail elsewhere. Kymlicka, Will. "Ethnocultural Diversity in a Liberal State: Making Sense of the Canadian Model(s)," in *Belonging? Diversity, Recognition and Shared*

Citizenship in Canada, edited by Keith Banting, Thomas J. Courchene and F. Leslie Seidle (Montreal: The Institute for Research in Public Policy, 2007) at 39–87. See also Kymlicka, Will, *Finding Our Way: Rethinking Ethnocultural Relations in Canada* (Oxford: Oxford University Press, 1998); Kymlicka, Will. "The Rise and Fall of Multiculturalism? New Debates on Inclusion and Accommodation in Diverse Societies," *International Social Science Journal*, 61 (2010): 97–112; Kymlicka, Will, *Multiculturalism: Success, Failure, and the Future.* Washington (DC: Migration Policy Institute, 2012); Kymlicka, Will, *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship* (Oxford: Oxford University Press, 2001); Kymlicka, Will, "The Essentialist Critique of Multiculturalism: Theories, Policies, Ethos," in *Multiculturalism Rethought: Interpretations, Dilemmas, New Directions*, edited by Varun Uberoi and Tariq Modood (Edinburgh: Edinburgh University Press, 2015) 209-249; Kymlicka, Will and Baogang He, Eds., *Multiculturalism in Asia* (Oxford: Oxford University Press, 2005); and Kymlicka, Will and Wayne Norman, *Citizenship in Diverse Societies* (Oxford: Oxford University Press, 2000).

[35] Kymlicka, "The Essentialist Critique of Multiculturalism" and *Multicultural Odysseys*.

[36] My commitment to philosophical holism means in this dissertation I often use "practice" as a general contrast to "theory" in order to distinguish theoretical "webs of belief" from the social practices in which they are instantiated. While Kymlicka's arguments in "The Essentialist Critique" against the thinkers he calls "post-multiculturalist" turn on something like the broader theory/practice distinction, his organizing vocabulary is slightly different. By multicultural "policy" he means government responses to the full range of issues/groups covered by the political theory of multiculturalism, and when he refers to political or legal "practice" he generally means the actual social outcomes of governmental actions relating to multiculturalism, broadly construed ("The Essentialist Critique," 225-229), although he alleges his critics blur the distinction between the results of government policies and the philosophical justifications behind them. In contrast I have generally used "policy" or "political practice" to mean government attempts to integrate minority immigrants, and the accompanying public debates, which I have distinguished from the broader scope of the term "multiculturalism" in political theory.

[37] These three levels are parallel to the three forms of the "post-multiculturalist" critique Kymlicka considers: of multiculturalist theories; of multiculturalist policies; and of forms of multicultural activism. I will consider these more directly in the Concluding chapter. My defense of polycentricity would qualify as "post-multiculturalist" in Kymlicka's sense, but is not caught by his arguments in "The Essentialist Critique" for reasons that will become clearer later. For now, though, in brief: firstly, my critique of liberal multiculturalism does not turn purely on a rejection of "culturalist aspirations," which I accept as a social reality—albeit one I think has problematic effects, particularly at the level of the cultural nation—and try to accommodate through polycentricity; secondly, my critique does not leave "all real-world practices of [liberal multiculturalism] untouched," but rather engages with the effects of "siloing" multicultural issues/groups in both theory and practice, and points towards a radical remaking of the state and liberal-democratic norms/practices far beyond that typically envisaged by liberal multiculturalists; thirdly, I have identified interconnected forms of essentialism in political theory, policy/law and public discourse, and trace these back to the real-world entanglement of liberal and colonial governance, overly-narrow policy approaches and resulting public discourse, and philosophical flaws in dominant forms of multicultural theory, and this holistic diagnosis of the problem, and my radical solution to it, addresses all three of Kymlicka's "levels" simultaneously, unlike the post-multiculturalists; and lastly, my approach to accommodating cultural diversity through polycentric governance can address the groups Kymlicka identifies as lying beyond the purview of current forms of liberal multiculturalism i.e. temporary migrants, and both national and non-geographically concentrated religious groups.

[38] When Kymlicka defends liberal multiculturalism at the level of policy he is thus primarily talking about the goals of public policy relating to multiculturalism, and the democratic values they are grounded in, rather than their actual effects.

[39] Kymlicka, "The Essentialist Critique," 214-215.

[40] For example, simply having the right liberal-democratic motivations is enough to justify it (Kymlicka, "The Essentialist Critique," 228-229).

[41] Kymlicka, "The Essentialist Critique," 214-215.

[42] Kymlicka's defense of liberal multiculturalism in Kymlicka, "The Essentialist Critique," thus turns on something like the broader distinction between theory and practice that underlies my holism but, as we shall see in the remainder of this chapter

[43] Kymlicka, *Multicultural Odysseys,* 7.

[44] Kymlicka, *Multicultural Odysseys*, 96.

[45] For instance, he repeats the language of the character of a culture being separate from its structure/existence in "The Essentialist Critique"at p227.

[46] This is a key a recurring theme of *Multicultural Odysseys*.

[47] Sarah Song, *Justice, Gender and the Politics of Multiculturalism* (Cambridge: Cambridge University Press, 2016), 23 Note 16.

[48] Although he does not state this explicitly, excluding immigrants from the full range of GDRs maintains the compatibility of the typology of groups and rights with Kymlicka's underlying luck-egalitarian framework. It is the weakness of a minority culture vi-a-vis the majority that is an unchosen circumstance requiring compensation on egalitarian grounds via external protections; the internally-facing choices of members of minority cultures do not, and so are restrained by egalitarian concerns. Immigrants volunteer to move to a new country, with a different social culture, and therefore the inequalities they suffer there are a choice not a circumstance, and so do not require compensation via self-government rights that would allow them to recreate their original societal culture *in toto* in their new home. Kymlicka also admits there are borderline cases, such as economic migrants and refugees, which complicates matters even further.

[49] Kymlicka, *Multicultural Odysseys*, 24. Part of the aim of Multicultural Odysseys is therefore to rethink "the substantive content of the discourses and norms being promoted."On the face of it, therefore, in *Multicultural Odysseys* Kymlicka side-steps the cosmopolitan critique, at least in so far as it pertains to the actual practice of "liberal multiculturalism," broadly construed. This book therefore represents the second of the possible positions noted at the start of this section i.e. that liberal multiculturalism is able achieve its liberal-democratic goals despite technical flaws in associated forms of political theory, specifically Kymlicka's own influential early work.

[50] Kymlicka, *Multicultural Odysseys*, 8-9.

[51] Kymlicka, *Multicultural Odysseys*, 23-24. He thinks this has led to inconsistencies in the way multicultural policies are enacted in different contexts, and thereby the perception that liberal multiculturalism "lacks a principled foundation." Part of the aim of *Multicultural Odysseys* is therefore to rethink "the substantive content of the discourses and norms being promoted."

[52] Kymlicka, "The Essentialist Critique*,"* 223ff.

[53] Song, *Justice, Gender, and The Politics of Multiculturalism*, 25.

[54] Clare Chambers, "Nation-building, neutrality and ethnocultural justice: Kymlicka's liberal pluralism," *Ethnicities*, 3(3), 2013: 295–319.

[55] Kymlicka, "The Essentialist Critique*,"* 217-218.

[56] Kymlicka, "The Essentialist Critique*,"* 217-218, 233.

[57] He is referring specifically to Paul Sniderman and Luuk Hagendoorn's work on the problems with multiculturalism in The Netherlands, but the point appears to be a more general one.

[58] Irene Bloemraad, *Becoming a citizen: incorporating immi- grants and refugees in the United States and Canada*, (Berkeley, CA: University of California Press);

[59] Kesler, C. and Bloemraad, I., "Does immigration erode social capital? The conditional effects of immigration-generated diversity on trust, membership, and participation across 19 countries, 1981–2000," *Canadian Journal of Political Science* 43:2, 2010; A. Harell (2009), "Minority–majority relations in Canada: the rights regime and the adoption of multicultural values," paper presented at the Canadian Political Science Association Annual Meeting, Ottawa ON; and A. Kazemipur, *Social Capital and Diversity: Some Lessons from Canada* (Bern: Peter Lang, 2009).

[60] Weldon, S., "The institutional context of tolerance for ethnic minorities: a comparative, multilevel analysis of Western Europe," *American Journal of Political Science*, 50:2, 2006: 331–49.

[61] K. Banting and W. Kymlicka, Eds., "Multiculturalism and the welfare state: recognition and redistribution in contemporary democracies" (Oxford: Oxford University Press Oxford, 2006); M. Crepaz (2006), "'If you are my brother, I may give you a dime!' Public opinion on multiculturalism, trust and the welfare state," in K. Banting and W. Kymlicka (eds) Multiculturalism and the Welfare State: Recognition and Redistribution in Contemporary Democracies (Oxford: Oxford University Press).

[62] John W. Berry, Jean S. Phinney, David L. Sam, and Paul Vedder, "Immigrant Youth in Cultural Transition," *Applied Psychology: An International Review*, 55 (3), 2006: 303–332). For further discussion of all this evidence see Will Kymlicka, "Testing the liberal multiculturalist hypothesis: normative theories and social science evidence," *Canadian Journal of Political Science*, 43:2, 2010: 257–71, and Will Kymlicka, *Multiculturalism: Success, Failure, and the Future* (Washington, DC: Migration Policy Institute, 2012).

[63] In turn this means that unless we presume each individual understands their culture in exactly the same way, any generalization from the plethora of idiosyncratic interpretations of it will necessarily be a composite. We therefore have reason to suppose that ceteris paribus the bigger the group the less traction the generalization will have on the understandings of any given individual, and the less accurate it will be to characterize the meanings as shared. Even the features of cultures that do seem to command widespread popularity, understanding and approval—such as the national flag or certain institutions, rituals or pastimes—are not solid evidence that aspects of that societal culture have traction on individual members. Generalized approval of certain aspects of a culture tells us little about how those aspects are understood by particular individuals. Abstract symbols and public rituals may be imbued with all sorts of different and even contradictory meanings, giving the illusion of unity where none actually exists. As Kymlicka admits, cultures are usually internally contested, and being able to find apparent convergence at a certain level of abstraction is no guarantee of there being actual agreement that has a uniform and predictable effect on individual understanding and behavior.

[64] Ashcroft and Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism."

[65] Ashcroft and Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond."

[66] Holism gives us reason to think theory and practice are inevitably intertwined, and thus to expect that theoretical problems with liberal multiculturalism will manifest in its practice. Yet it is important to note that my rejection of the later Kymlicka's liberal multiculturalism relies on philosophical and historical arguments operate independently of each other. Despite initial appearances, the later Kymlicka's philosophical and empirical arguments are unrelated to each other, which means I do not need to demonstrate the precise mechanisms by which theoretical issues of have caused practical problems. Kymlicka's claim in "The Essentialist Critique" that post-multiculturalists muddle together theory and practice in ways that undermine their critiques of liberal multiculturalism are therefore irrelevant to my analysis here.

Chapter 6

Liberal Multiculturalism after Kymlicka: Culture, Nation-State, and Beyond[1]

This chapter starts the final part of this dissertation. In the first part we looked at the broad trends, issues and events in both history and philosophy that led up to the multiculturalism debate. The intertwined historical and philosophical narrative demonstrated that cultural diversity poses dilemmas for liberal democracies that traditionally utilize difference-blind forms of governance within the context of nation-states. We saw that multiculturalists advocate for differentiated forms of citizenship within particular polities, including support special rights for members of minority cultures and forms of local political autonomy. In contrast, cosmopolitans downplay the importance, or even the existence, of attachments to local entities or groups, including culture, nation and state. Multiculturalism and cosmopolitanism are thus interrelated and potentially competing discourses which present a common—but not united—challenge to prevailing philosophical accounts of moral obligation, political sovereignty, and the nature of citizenship. In the second part of the dissertation we turned to the detail of Kymlicka's dominant theory of liberal multiculturalism, and the cosmopolitan critique of it. There we saw that Kymlicka's underlying philosophical framework necessitates the reification and essentialization of cultures within his theory as stated, either committing him to an untenable account of culture, or collapsing his position into the communitarianism he is responding to.

As we saw in Chapter 1, however, multiculturalism poses dilemmas that straddle liberal-democratic theory and practice. In this third part of the dissertation we shall therefore start to return from the narrow confines of the political theory literature on multiculturalism, back towards the broader issues with which we started. In so doing, I hope to show that philosophical holism not only demonstrates Kymlicka's liberal multiculturalism must essentialize and reify culture, but also gives us the tools with which to show that that the ramifications of these problems stretch far beyond his theory into other forms of liberal multiculturalism, and liberal democratic theory and practice more broadly. In so doing, I suggest that tensions between multiculturalism and cosmopolitanism underlie both our current political confusion and the making of the modern world. I will attempt to move the debate over multiculturalism beyond the current impasse between theory and practice identified in Chapter 1, transforming not just our views on multiculturalism, but also our understanding of cosmopolitanism and liberal democracy itself. I argue that philosophical holism points towards a "multicultural cosmopolitanism" that offers a coherent account of culture yet also has clear normative ramifications. Ultimately, I show that we can empower the local while still looking to the global through radical reforms of our structures and practices of governance.

I will start by demonstrating that my critique of liberal multiculturalism has implications far beyond the confines of the literature, ultimately calling into question other prominent forms of liberal democratic theory, including cosmopolitanism itself. Some theorists attempt to retain the basic form of liberal multiculturalism but amend it so as to avoid the accusations of

essentialism and reification criticisms we have encountered so far. Others reject the differentiated rights of liberal multiculturalism, instead arguing that liberal-democratic practice should be focused primarily at the level of a single polity unified by shared culture, political values, or deliberative forms of democracy itself. Still others go even further than this, rejecting the presumption that liberal-democracy is best instantiated within sovereign Westpahlian states, arguing instead for the value of forms of postnational liberal democracy both above and below them. In this chapter I will use the arguments employed against Kymlicka's liberal multiculturalism to critique these other treatments of cultural diversity in liberal and democratic political theory. I will analyze each position through the lens of philosophical holism, arguing that this helps to highlight their shortcomings and also points to the potential value of radical forms of self-governance as a response to modern multiculturalism. In so doing, I will remove potential rivals to my preferred response to cultural diversity as set out in the concluding chapter.

There will be three main sections to this chapter. In the first section I will demonstrate that the most prominent liberal and/or luck egalitarian reformulations of Kymlicka's liberal multiculturalism do not circumvent the cosmopolitan critique. In the second, I examine theorists that reject liberal multiculturalism but retain their focus on the nation/state. I look at theorists who argue that liberal democracy can only function successfully if grounded form of liberal nationalism centered on a single state, and therefore reject the liberal-multiculturalist focus on sub-state political autonomy for minority cultural groups. I also examine liberal theories that move beyond overt nationalism but maintain the focus on governance at the level of a single polity, such as political liberals, deliberative democrats, and contextual political theorists. In the third section of the chapter, I examine postnational forms of liberal-democratic theory, turning first to the cosmopolitans who inspired by critique of liberal multiculturalism, who typically that look upwards towards global forms of governance. In response, I argue that my postfoundational account of cultural meaning suggests we must look embrace local forms of theory and practice as well. I end the chapter by interrogating the libertarianism which rejects nation, state and global governance in favor of radical decentralization, arguing that a postfoundational account conscience indicates a thicker state is required than is typically suggested.

Luck, Equality and Essentialism: The Troubled Legacy of Liberal Multiculturalism

I start by assessing three liberal and/or luck-egalitarian theories of multiculturalism, the first by Kasper Lippert-Rasmussen, the second by GA Cohen, and the third by Alan Patten. These scholars attempt to avoid the sort of criticisms I put forward in the middle part of the dissertation by offering variants on Kymlicka's theory: Lippert-Rasmussen offers a broadly liberal and resource-based luck-egalitarian defense of the multicultural rights defended by Kymlicka; on the other hand, Cohen offers a non-liberal welfare-based luck-egalitarian alternative to Kymlicka's multiculturalism; and Patten sets out an alternative liberal-egalitarian theory of multiculturalism designed specifically to avoid accusations of essentialism. Each of these thinkers thus potentially salvages a defense of multicultural rights that is non-essentialist, philosophically coherent and normatively robust. I will argue, however, that none of these revised versions of multiculturalism avoids my postfoundational version of cosmopolitan critique. Instead, they all point towards the

alternative form of multiculturalism based in polycentricity and pluralism that I sketch in the concluding chapter.

Resourcist Luck Egalitarianism

I shall start with Lippert-Rasmussen, as his argument for multicultural rights is the closest to Kymlicka's original theory of the three. He has written extensively on luck egalitarianism in general, and its relationship to minority rights in particular.[2] His work is rigorous, comprehensive, and technical, and sets out the key philosophical differences between his theory and Kymlicka's very clearly. I will engage the full breadth and detail of his work elsewhere; here I concentrate on the aspects of his form of multiculturalism that are most relevant to the cosmopolitan critique.

Lippert-Rasmussen's version of luck-egalitarian support for minority cultures is markedly different from Kymlicka's.[3] Most importantly for our purposes, he rejects the character/structure distinction, and is therefore happy to support cultural character as well as structure. Nevertheless, he defends a form of luck-egalitarian multiculturalism that is putatively non-essentialist, arguing that the primary good of cultural membership does not require cultural survival in perpetuity. Instead, he thinks culture as a context of meaningful choice and basis of self-respect is secure provided that any given individual has access to a culture that has a "sufficiently similar" character to theirs, and is "sufficiently stable" in (and over) time.[4] He thus specifically allows for (and even encourages) cultural change, offering an ostensibly non-essentialist account of culture that he claims does not fall victim to Waldron's accusation that GDRs "freeze" minority cultures in place.

Lippert-Rasmussen also argues that Kymlicka only looks at the choices/circumstances distinction from the perspective of individuals, whereas it should also be viewed from the perspective of groups. If it was, he suggests, it would be clear that in many instances—particularly involving cultural vulnerability resulting from some members exiting the culture—even national minorities would often not be entitled to "full compensation" through "group rights" such as self-government, but instead would receive partial compensation on an individual-by-individual basis.[5] As Lippert-Rasmussen does not think luck egalitarian multiculturalism requires equality between cultural groups, permanent survival, or even self-government rights, he is not concerned with strict state neutrality. His aim is rather taking into account all relevant individuals from a luck-egalitarian perspective, and to balance their interests against each other. He therefore argues that the interests of both future and current members of cultural minorities are taken into account, and acknowledges these interests might conflict.[6]

On the face of it, therefore, Lippert-Rasmussen's luck-egalitarian multiculturalism circumvents key aspects of my cosmopolitan critique of Kymlicka: he ostensibly does not need the character/structure distinction to maintain a non-essentialist account of culture; he also rejects problematic claim that an individual "needs" their own culture, arguing a "sufficiently similar" and "sufficiently stable" one will suffice; and his consideration of the interests of future members, the role of the right of exit, and preference for individual compensation, potentially circumvents my claim that GDRs inevitably favors current over future members, Stayers over Leavers, and cultural security over diversity.

Lippert-Rasmussen's form of luck-egalitarian multiculturalism is, however, still subject to the central aspects of my critique. Most importantly, Lippert-Rasmussen's amended theory necessarily favors some members of the culture over others, albeit in a way that is different from Kymlicka's theory. This can be seen through a closer inspection of his account of cultural instability, and how it relates to character/structure, Stayers/Leavers, and his attempt to balance the interests of the current and future generations. Lippert-Rasmussen looks at two forms of potential instability in minority cultures, synchronic instability and diachronic instability.[7] He defines "diachronic instability" as the situation where a given culture is changing so rapidly that it is disorienting to its members, and thereby undercuts both rational revision and self-respect. He defines "synchronic instability" as the situation where the range of meaningful options presented by a particular culture at a particular moment in time are in tension with each other. Synchronic instability potentially undermines rational revision and self-respect in two ways: first, the existence of internal "incoherence" makes it difficult for individuals to settle on a particular "plan of life;" and second, this synchronic instability may result in diachronic instability in the future.[8]

Lippert-Rasmussen argues that diachronic instability cannot ground a claim for GDRs to protect a particular cultural structure in perpetuity, but rather only to a degree of temporal stability which is compatible with both meaningful choice/self-respect and cultural change. He claims that once we take into account *future* generations, our focus ceases to be on the protection of existing cultural structures per se. Instead we should ensure that the pace of change is such that no generation lacks membership of a secure cultural structure, and that over time we achieve the least-bad distribution of cultural deficiencies across generations. This means his theory allows that over time the culture may cease to exist or become assimilated into the majority culture.[9] It also means that the state in some cases should use GDRs to decelerate the pace of cultural change, in others to accelerate it. Thus, not only is his form of luck-egalitarian multiculturalism compatible with cultural change, it may even require it.[10]

Lippert-Rasmussen's mistake here is to connect synchronic instability to diachronic instability solely through the former's tendency to lead (in some circumstances) to the latter. Doing so means he focuses exclusively on the speed with which a culture changes. His own account of synchronic instability suggests, however, that we must also pay attention to *how* the culture changes, not just *how fast*. He defines synchronic instability of a culture in terms of its internal "incoherence" at a given moment in time, where this incoherence is due to conflict between the various meaningful options it presents to its members. Yet synchronic incoherence is not just a mismatch between abstracted values and beliefs, it is itself evidence of conflict between *members* of the culture over the worth of different forms of life. Given the inevitability of some cultural change, and the fact that Lippert-Rasmussen's theory requires active management of that change by the state, any synchronic instability that exists at a *given* moment in time will necessarily persist *over time* unless resolved in favor of one faction over another. Such conflict is, in effect, between different-sub groups within the culture over the *direction* that the culture should change, not simply the *speed* at which it changes. And while this conflict could be about *both* direction and speed of change, the two are only contingently related.

Yet the distinction between speed and direction of change means Lippert-Rasmussen's multiculturalism is subject to an inverted form of my arguments against Kymlicka, and so does not circumvent the cosmopolitan critique. Instead of favoring current members over future

members, Lippert-Rasmussen must favor some members of the current generation over other members of the current generation. For example, while internal conflict could be manifested in some staying within the culture and others leaving it, it could also be between two different sorts of "Stayers," "Conservatives" and "Reformers," say. Let us assume that Conservatives want the culture to change as little and as gradually as possible, and Reformers want the culture to change substantially but gradually. They thus agree on the speed of change, but not on the direction. The problem for Lippert-Rasmussen is that in order to avoid problems with Kymlicka's theory he has surrendered the character/structure distinction, thereby making cultural character a relevant primary good. Yet if GDRs affect the viability of the beliefs and practices that constitute this character they will inevitably affect *both* the direction and rate of change. Any attempt by the state to manage the *rate* of cultural change via GDRs therefore potentially influences the *direction* of that change as well.[11] For example, if GDRs make it easier for Conservatives to achieve their aims—by ceding decision making authority to senior members of the community, say—then those rights necessarily make it harder for the Reformers to achieve theirs. Inversely, if GDRs make it easier for the Reformers to get their way—by instituting robust individual rights, public education, and providing funding for internal minorities within the culture—then they must necessarily undercut the goals of the Conservatives.

An obvious response would be to acknowledge the problem, but argue that this is simply a case of balancing the interests of Conservatives and Reformers in the same way we must balance the interests of current and future generations. Lippert-Rasmussen acknowledges re current/future generations that this is a complex task technically, but argues it is nevertheless possible, and normatively justified by his luck egalitarianism.[12] I am unpersuaded by this response, however. The conflict over direction of cultural change situation is akin to a zero-sum game, in that any GDRs that Conservatives and Reformers have opposite interests. Unlike the scenarios Lippert-Rasmussen considers, in my example providing compensation to one party necessarily involves causing the equivalent harm to the other.[13] Unlike these other scenarios, in the case of attempting to influence a particular minority culture via GDRs it is not sufficient to work out who, as a matter of justice, may be owed luck-egalitarian compensation, and then provide it. This is because in my example the currency of compensation is culture itself, yet culture is also the thing being compensated for. In other words, the peculiar nature of culture and GDRs potentially causes a circularity whereby the state is constantly robbing Peter to pay Paul, and then Paul to pay Peter, and so on.

Perhaps Lippert-Rasmussen could argue that a balance could still be found between Conservatives and Reformers where they both had some aspects of what they wanted and a reasonable rate of cultural change, and thus their interests were balanced in a just way. That is essentially an empirical claim, however, which he does nothing to support. And given that the scenario we are considering involves two groups pulling in exactly opposite directions, it seems the ascription of GDRs will necessarily increase rather than decrease instability as Lippert-Rasmussen defines it, which is in terms of the persistence of incoherence and internal conflict. It is therefore possible (perhaps likely), given Lippert-Rasmussen's abandonment of the character/structure distinction, and his own account of synchronic/diachronic instability, that both sides will be deeply unhappy and therefore have an insufficiently stable/similar cultural context.

In any event, Lippert-Rasmussen fails fully to consider the impact of the cosmopolitan critique on his argument in other ways. For example, he accepts that cultural meaning is fluid, contestable, and that the extent to which individuals grasp these meanings a matter of degree, not an either/or state.[14] Yet he still assumes that the sufficiently dissimilar/similar cultural "cut" always falls in the same place as the related distinction he draws between a shallow/deep attachment to culture.[15] We have seen, however, that this will not always be the case. My postfoundational account of culture and meaning suggests that individual preferences will always be filtered through idiosyncratic personal beliefs and experiences, and multiple cultural meanings and identities. This is a problem for Lippert-Rasmussen, because the different interests in relation to culture that he needs to balance flow from directly from these varying individual judgments of it. In turn, this means judging what counts as sufficiently similar/stable from the perspective of any given individual is extremely difficult, perhaps impossible in practice.[16]

As we have seen, Lippert-Rasmussen acknowledges the technical difficulty of balancing the different interests, and this adds another layer of complexity to the calculation. He now needs to balance the interests of not just future and current generations, but also the interests of (multiple) different factions within the current generation, whilst simultaneously being able to judge from outside the culture what counts a sufficiently similar/stable from the perspective of each individual within it. His rejection of the character/structure distinction again makes matters worse, not better, as it multiplies the amount of cultural material that must be taken into account.

Not only that, Lippert-Rasmussen seems to share Kymlicka's assumption that it is possible to place a given individual within a particular culture as a context of meaningful choice, which I have argued is unsustainable without some form of essentialism. The bite of this "boundary problem" might seem to be mitigated by the fact Lippert-Rasmussen does not seek to equalize cultures as contexts of meaningful choice, nor try to ensure their survival in perpetuity. Yet this is misleading, as any attempt to manage the rate of cultural change over time in order to support individual members of *particular* cultures means he suffers from it to some degree. In fact, Lippert-Rasmussen's gloss on Kymlicka arguably makes aspects of the boundary problem more potent, not less. For example, even his "simple" exit/re-entry scenario actually increases the number of "boundaries" that must be drawn between/within groups. In that example Lippert-Rasmussen argues that those individuals who exit a minority culture by emigrating to seek work, and thereby weaken that culture, cannot claim GDRs on the basis of their membership of it should they decide to return. This is because the weakness of the culture from the perspective of these "Repatriates" is the result (or so Lippert-Rasmussen maintains) of their choices considered as a group, even if not the result of each choice considered individually. Instead, he suggests that those who chose to stay in the culture the whole time ("Remainers") are entitled to be compensated individually for the weakness of the culture as a circumstance, rather than by "group rights" such as self-government.[17]

I argue elsewhere that this part of Lippert-Rasmussen's theory has serious weaknesses.[18] Whether or not I am right, it is clear that problems with his gloss on Kymlicka are hidden by the highly simplified scenario he uses to illustrate his claims re collective vs individual choice. Lippert-Rasmussen's example revolves around two groups and exit/re-entry, not multiple groups and purely internal conflict. Not only does he fail to address the situation we are concerned with, he also fails to distinguish between exiting a community, a polity, and a culture, further undermining

his rejection of self-government rights. In fact, the most plausible mechanism for making judgements as to whether a culture is sufficiently similar/stable to function as a context of meaningful choice and basis of self-respect would be the right of exit itself, coupled with local political autonomy for a plethora of cultural groups. This would allow individuals to express their preferences without outside interference, and would help mitigate internal conflict by allowing rival forms of the culture to be instantiated separately. A fuller appreciation of Lippert-Rasmussen's gloss on Kymlcika through the lens of the cosmopolitan critique thus indicates his form of multiculturalism is beset by normative and epistemic problems, problems which are plausibly solved by the attribution of more—and more varied—self-governance, not less.[19]

Welfarist Luck Egalitarianism

Next we turn to GA Cohen's critique of Kymlicka's multiculturalism. This critique flows from Cohen's underlying dispute with Dworkin, from whom Kymlicka derives his resourcist luck egalitarianism.[20] Instead, Cohen advocates instead for a form of luck egalitarianism which includes both resourcist and welfarist aspects.[21] Cohen argues that a desire to support one's own culture is relevantly like an expensive taste, which would exclude it from support under the Dworkonian framework adopted by Kymlicka. Yet he also argues that in certain circumstances it is acceptable to compensate individuals for the cost of satisfying "expensive" tastes, where the expensiveness of that taste is itself the result of arbitrary and unchosen social circumstances, such as economies of scale in production. Cohen therefore concludes that a luck egalitarianism which includes welfarist as well as resourcist elements supports some form of multicultural rights, and in so doing circumvents problems with that Kymlicka's approach.

Cohen makes a series of critiques of Kymlicka's argument (and the underlying Dworkonian framework) that parallel aspects of the cosmopolitan critique as I have articulated it. For example, he argues that the character/structure distinction is relative rather than absolute, and that this means it cannot take the weight assigned to it in Kymlicka's theory. Cohen stresses the role of choice in similar ways to the cosmopolitans, arguing that "frameworks of choice may themselves be chosen," and that even within unchosen frameworks individuals always retain the ability "to go with or against the exogenously imposed grain, at a greater or lesser cost."[22] He also argues that Kymlicka's definition of societal culture is unduly narrow, and that individuals often subsist within other "lifestyle spaces" that are (in Kymlicka's terms) non-cultural, yet are still relevant to autonomous choice. He thinks these putatively non-cultural preferences or "lifeways"—such as rural English forms of life that revolve around post-offices, the village pub, walks in the woods, hunting etc—are usually inherited (and therefore unchosen), and often expensive to maintain for the same reasons as minority cultures. Finally, Cohen also addresses the problem of intergenerational conflict, arguing that even if Kymlicka is correct that some individuals need access to a societal culture that "does not mean that they need their parents' culture."[23] He therefore argues in similar terms to both Waldron and Lippert-Rasmussen that we must be reticent about granting rights that allow the current generation to influence cultural development a long way into the future.

Cohen concludes—contra both Dworkin, Kymlicka and Lippert-Rasmussen—that a luck egalitarianism which includes welfarist aspects justifies compensation for the extrinsic costs of

non-cultural preferences which are both expensive and (in some sense) chosen, provided that the expensiveness of the preference is a matter of unchosen circumstance.[24] He argues, however, that the state should not attempt "individualized subsidies" that distinguish between those who have expensive tastes and those that don't. For Cohen, what justice demands, and what is practical and defensible as a matter of state policy, are separate questions. This means that in some instances a form of "market" solution may be the best approximation of the demands of justice, but that at other times it is better to have a form of "flat" subsidy which renders the relevant goods equal in cost for individuals with different preferences.[25] Cohen argues a general subsidy is required "on commodities where, so one may judge, involuntary expensive taste is likely," as is the case with both minority cultures and English rural lifeways. In these instances Cohen thinks a general subsidy better reflects the demands of justice, and is also more practical, as any attempt by the state to establish the precise degree of welfare and choice in this will necessarily be hugely intrusive, and probably inaccurate in any event.

Given that his criticism of Kymlicka seems to track important aspects of the cosmopolitan critique, Cohen's form of luck egalitarianism putatively rescues a luck-egalitarian defense of GDRs for minority cultures, albeit at the price of compensating some expensive forms of life that are not cultural in Kymlicka's terms. Yet, as with Lippert-Rasmussen, Cohen's argument does not in fact justify support for minority cultures in the way he supposes, but rather supports different forms of state action and a higher degree of decentralization in governance. Crucially, whilst Cohen makes arguments that seem to parallel the cosmopolitan critique by acknowledging that multiple frameworks of choice may be in play, and that individuals have a degree of freedom to move around within and between these, he does not recognize the full import of this. He underestimates the degree of fluidity at play in cultural meaning and identity, and this undercuts his use of a "general" subsidy of GDRs that nevertheless still targets minority cultures and other equivalent forms of life that are "expensive."

We have seen that cultural identities and meanings are potentially fluid, contested, and overlapping, and that any particular individual is therefore likely to have a deeply idiosyncratic set of preferences in relation to them. Yet Cohen's position still involves attempting to interfere *within* groups whose preferences are deemed to be unduly expensive. This is primarily because any *general* subsidy that targets *discrete* groups is still prey to the "boundary" problem that afflicts both Kymlicka and Lippert-Rasmussen. In fact, Cohen's acknowledgement that compensation may be owed to putatively non-cultural ways of life multiplies this problem by increasing the number of groups which may need to be identified. Also, even though Cohen acknowledges there may be different interests at work between different generations within a culture, like Lippert-Rasmussen he does not acknowledge that state support for a given minority culture will inevitably favor some members of the present generation of the culture over others. Given the complexity, fluidity, and contested nature of meaning and identity, any intervention within particular groups will therefore likely be inegalitarian on Cohen's own terms.

In any event, there is simply no way to meet Cohen's own criterion for compensation, which is that the individuals within the relevant cultural group have an "unavoidably expensive preference." This is because the imposition of GDRs "within" a particular group necessarily alters the relative costs for different members in different ways, rendering some preferences cheaper and other much more expensive (e.g. Stayers vs Leavers, Conservatives vs Reformers). This means that in practice Cohen's suggested general subsidy for relevantly expensive tastes creates

as many problems as it solves for individual autonomy. In effect, the general subsidy as envisioned by Cohen inevitably distorts the marketplace of identity and meaning rather than equalizing it. It may well be that an attitude of "benign neglect" on the part of the state is non-neutral in the way that both Kymlicka and Cohen suppose, yet my analysis shows that any direct interference in the "internal" workings of minority cultures is importantly non-neutral or inegalitarian (on any metric) as well. Given the cosmopolitan critique, any attempt by the state to intervene within particular groups has unavoidable and counterproductive effects. Cohen's general subsidy cannot avoid these, as it is still aimed at affecting the cultural character of particular minority groups.

Even if we accept Cohen's luck egalitarianism as correct in theory, the only practical way of implementing his general subsidy is through instituting more flexible forms of governance that can track the underlying complexity and fluidity of the relevant identities, meanings, and preferences. One might plausibly have a general state subsidy that did not attempt to apply *within* groups, but which nevertheless had the effect of reducing the expensiveness of the relevant cultural preferences, no matter what they are. For example, the state could use its resources to minimize, so far as is practical, the transaction costs inevitably involved in moving between the overlapping associations, groups and layers of governance in a highly polycentric system. Doing so would not risk reifying or essentializing cultures in any way, nor would it favor *a priori* any one set of the dynamic and idiosyncratic cultural identities, meanings, and preferences over another. Nor would it *in itself* favor the present generation over future ones, or some current members over others, even if it even if it inevitably influenced them in some way by altering the relative costs of exit so that they are as equal as possible. There is no truly "neutral" position on the part of the state in respect to culture, but a state that concentrates on facilitating movement between cultures rather than internal regulation of them is both *more* neutral.

Liberal Egalitarianism

The last variant on liberal/luck-egalitarian multiculturalism I will consider is that of Alan Patten.[26] I will consider the full scope of his theory elsewhere, here concentrating on the most important claim from the perspective of the cosmopolitan critique, which is that it is possible to defend something akin to standard GDRs for minority cultures without falling prey to essentialism.[27] Patten argues that that culture "is what people share when they have shared subjection to a common formative context……culture in this view is the precipitate of a common social lineage."[28] He uses this to argue that defenders of multiculturalism should concentrate on giving minority cultures control over the major institutions of socialization into their culture, such as schools, media, churches etc. If so, Patten argues, then the minority culture can be said to have control over the transmission of its culture from one generation to another. This would ensure cultural continuity through shared subjection to a common cultural context of socialization, yet would not risk essentializing the cultural group by allocating GDRs on the basis of particular aspects of the character of the culture. If this argument is correct, then Patten seems to have solved the problem of essentialism that is central to the cosmopolitan critique as I have articulated it.

There are several problems with Patten's argument, however. He focuses on a specific set of institutions, which he sees as a condition of the transmission and control of culture by the relevant group. Yet this account ignores the multiple and cross-cutting sites of socialization, meaning, and identity that don't relate to formal institutions. Even if we assume that Patten is right that control of these institutions is a *necessary* condition of cultural continuity, the cosmopolitan critique gives us good reason to think that it will not be a *sufficient* one. We have seen that cannot judge objectively what a particular aspect of culture means to an individual and how they will react to it over time, nor what counts as sufficiently similar or stable culture from the perspective of that individual. Likewise, we have no reason to think that the entirety of cultural transmission takes place through control of a particular set of institutions. Thus, if we reduce the entirety of multicultural rights to control of a particular set of institutions, we are likely still affecting the trajectory of the development of the culture in certain ways. This is because assuming the cultural primacy of particular institutions biases the cultures development towards those aspects embodied and most easily transmitted through those institutions.[29]

Also, Patten's account of a culture over time appears to be purely formal, and so seems to posit temporal connections as a sufficient condition of cultural transmission. Yet such a purely formal account cannot do the work Patten assigns to it. As Bevir demonstrates, there must also be appropriate *conceptual* links for the useful identification of a tradition.[30] It is these that ensure that there is substantive coherence over time even as the culture changes, allowing us to usefully identify a cultural tradition as such, but not to essentialize its content in the process. Yet Patten's account only pays attention to temporal connections, not conceptual ones. This means that he simply assumes what comes out of the process of cultural transmission through institutions is a single tradition, which is unwarranted, and again seems to wish away the process of internal cultural contestation and fracturing. This is part, perhaps, because Patten seems to want to cash out Kymlicka's argument regarding cultures as contexts of meaningful choice in terms of whether the culture gives its members necessary "generic skills," and thus completely ignores the aspects of Kymlicka's argument relating to cultural meaning. Whilst I am critical of Kymlicka's particular account of meaning, culture should nevertheless be understood in terms of meanings, beliefs, values, and practices. Patten underplays the importance of cross-cutting cultural meanings and identities in facilitating individual choice and questioning inherited roles, and this undermines his institutional and formal account.

Patten's attempt to make a non-essentialist case for existing normative multicultural conclusions thus fails, in part because he implicitly accepts some of Kymlicka's presumptions, such as our location in single cultures and some form of the internal/external distinction, yet still attempts support cultures without altering their trajectory of a culture in a problematic way.[31] In effect, he is attempting to use his formal institutional account to both identify the culture synchronically whilst also assuring its diachronic continuity and stability.[32] Yet the fact that Patten wants to cede "control" of cultural transmission via these institutions to the minority culture also makes him subject to the boundary problem, and associated issues regarding Stayers/Leavers and Conservatives/Reformers. All of these problems are still present, they are just run through his particular set of institutions, which the cosmopolitan critique suggests are too rigid and simplistic to do accommodate internal cultural diversity. Patten's formal institutional account tries to control something that can't be delineated or controlled. We cannot decide *a priori* which institutions are sufficient for cultural transmission over time, in part because no formal set of

institutions ever can be. Again, it seems more plausible to suggest that ceding political autonomy to a wider number of groups will achieve Patten's stated aims better. More open, flexible and contestable forms of governance would allow members of minority cultures to prioritize whichever institutional and non-institutional mechanisms for evolving their culture they saw fit, and allow space for those who disagreed to exit and set up rival versions of the culture.

It therefore seems that the cosmopolitan critique as set out in this dissertation renders not only Kymlicka's theory of multiculturalism unsustainable, but also the most plausible liberal and/or luck egalitarian variants of it. In explicating this critique we have also seen that a non-essentialist account of culture points towards a multiculturalism based in a greater degree of polycentricity in our structures of governance. This will be explored in more detail as part of my own positive theory of "cosmopolitan multiculturalism" in the concluding chapter of the dissertation. Before moving on to that, however, I will examine other putatively liberal responses to multiculturalism that do not draw directly on Kymlicka's luck egalitarian premises, in order to assess whether they form viable rivals to either his or my theory.

Cultural Diversity, the Nation, and the State

Next we shall turn to other forms of liberal political theory that address cultural diversity within the context of nation-states, but are not themselves forms of liberal multiculturalism. I will start with the closest position to liberal multiculturalism, which is liberal nationalism, before moving on to political liberalism, deliberative democracy, and which I call "contextual" political theory. Each of these forms of liberal democratic theory suffer problems highlighted by my postfoundational account of culture, thereby suggesting we may have to look beyond the nation-state for an adequate response to modern multiculturalism.

Liberal Nationalism

Liberal nationalists such as Miller argue that the nation uniquely produces the social conditions necessary for the practices, principles and values constitutive of liberal democracy. Liberal nationalists disavow ethnic nationalism as exclusionary but typically conceive of the nation in terms substantially thicker than a pure "onstitutional patriotism" of the Habermassian sort, which is rejected on the basis that it is too abstract to have the desired motivational effects. Their core claim is that shared values, understandings and identities help promote trust and reciprocity between fellow nationals, thereby supporting forms of political engagement and collective action crucial for mass democracy.[33] Cultural commonality across the nation is thus said to facilitate deliberation, the protection of rights, and even economic and social justice, which in turn militates against the use of GDRs to help celebrate and preserve minority cultures below the level of the nation. Liberal nationalism is therefore putatively an alternative liberal response to the fact of cultural diversity from the forms of liberal multiculturalism we have been examining so far. Yet we will see that form of liberal nationalism espoused by Miller (and, in some iterations, Charles Taylor) are not relevantly distinct from Kymlicka's, and so are subject to the same philosophical criticisms.[34]

Whilst liberal nationalists start with claims regarding the national group, these macro level effects on liberal democracy require that the cultural nation also operates on the micro level of the individual, affecting their subjective mental states so as to produce the necessary understandings and behaviors. Thus, although liberal multiculturalism and liberal nationalism approach the issue through different starting points, one through the nation, the other through the individual, they both ultimately rely on culture affecting the motivations and actions of individuals in a way that justifies self-rule for national groups. Liberal multiculturalism and liberal nationalism are therefore overlapping (albeit not identical) discourses grounded in a functional account of culture.[35]

The connections run deeper than this, however, as the arguments made by liberal nationalists are all ultimately rooted in claims regarding the effects of culture on meaning. For instance, liberal nationalists often argue that the nation is demarcated by a range of shared values, and that these—and therefore national culture—play a necessary role in liberal democracy, either by undergirding particular policies or by grounding a useful shared identity.[36] This argument, however, is parasitic on implied claims regarding the relationship of culture to meaning, as "sharing" these values in any sense would require a substantial degree of common understanding regarding their content and import. This link between shared values and common understandings means, however, that the liberal nationalist cannot keep those values—and thence the nation they supposedly define—separate from the broader framework of meanings, narratives and practices that constitute "culture" as we commonly understand it. This is for two reasons. First, for common understandings of shared values to have causal effects on members yet be uninfluenced by other "meaningful" aspects of the culture, there would have to be an implausible separation between the two types of cultural meaning.[37] Second, even if such a boundary existed it would undercut the claim that it is the particular and distinctive *cultural* nation, as opposed to a more generic *political* liberalism revolving around shared political values, that has the relevant causal effects.[38] If shared values are said to define the cultural nation these values must form part of—and be influenced by—a broader framework of common cultural meanings.

Liberal nationalists therefore often subsume shared values into a broader national culture that they believe grounds the trust and reciprocity necessary for democratic politics and distributive justice. Again, however, this argument fundamentally relies on claims regarding meaning. The most plausible version sees trust and reciprocity as sentiments flowing from the mutual respect and affection built through clear communication, which assumes that culture provides a shared framework of meaning that facilitates this. Therefore "trust" arguments merge, as Arash Abizadeh notes, with the thesis that a shared culture is necessary for truly transparent and effective democratic deliberation—typically in a common language—which is itself clearly a claim regarding the role of culture in facilitating shared understandings.[39] In turn, the claim that national culture provides the shared understandings necessary for deliberation at the level of the group logically requires that it play a substantive role in framing meaningful choice at the level of the individual.

Underlying liberal nationalism, therefore, is the assumption that the cultural nation is functionally necessary for individual autonomy or democratic politics because of its role in providing a shared framework of meanings that affect individual understandings. An assumption which is not relevantly distinct from Kymlicka's conception of culture as a context of meaningful

choice.[40] This means that arguments I have mounted against Kymlicka's liberal multiculturalism in this dissertation will also undermine liberal nationalism as a response to cultural diversity. The cosmopolitan critique shows that even Kymlicka's sub-state multiculturalism is too simplistic to deal with the complexity of cultural pluralism. It is therefore implausible—as I have argued at length elsewhere—to respond to the problems with liberal multiculturalism by moving the functional account of the relationship between culture and liberal democracy upwards to the level of the nation.[41]

In addition, there is an overarching weakness in liberal nationalism and related forms of liberal multiculturalism which flows from the nature of culture as revealed to us by holism. Whether cultures are construed as playing a conceptually/empirically necessary, or simply "primary," role in understanding and identity, the fact remains they are social constructions not natural kinds. Cultures can therefore only have contingent rather than inherent features, which makes any effects they have also contingent in two key ways: firstly, any effects must flow from features of cultures that are themselves contingent; and secondly, cultures only produce effects because of the way individuals think about them.[42] As culture—national or otherwise—is a contingent social construction we could therefore in theory create other social objects with the same motivational effects. Any resistance to such a project would have to be articulated in terms of the interaction of contingent features of cultures with equally contingent historical circumstances and the psychological propensities of individuals. It is therefore much more plausible to argue that the purported causal efficacy of the culture at the sociological level is dependent on its individual members reifying the culture, mistakenly experiencing its effects as natural and necessary.

Ultimately, therefore, liberal nationalism and liberal multiculturalism are grounded in a contradiction which holism highlights. They both ostensibly rely on an account of the crucial role that a particular culture plays in creating the shared understandings that facilitate communicative transparency and individual choice. Yet they actually rest on the assumption that nations only have stable beneficial effects if individuals are fundamentally wrong about the nature—and thereby also the content—of their culture. For liberal nationalism or liberal multiculturalism to have any traction in practice they cannot rely on shared understandings at the level of the group, but rather relies on a series of individual misconceptions about the nature of the culture and divergent understandings of its content. To have any chance of being right, the cultural nation has to be the opposite of what the liberal nationalists and liberal multiculturalists say it is. Yet, if it is the opposite of what they say it is, we have reason to suppose we can construct something else in its place.

The final move left to the liberal nationalist is then to say that while we could undertake such reconstruction of the nation, we should not do so, perhaps because exposing the true nature of national culture to the light of day will lead to an irretrievable breakdown in social order or democratic practice. Yet this is an unconvincing argument both normatively and empirically. As Abizadeh argues against Miller, democracy comes with certain normative commitments, such as equal concern and respect, individual freedom, public justification, publicity, and meaningful consent.[43] Yet if we take these demands seriously, basing our democratic practices in national myths is to contradict those very same values in action. Appealing to the utility of doing so irrelevant, as the criticism operates at the level of normative commitment, not practical constraint. Perhaps we can simply ignore these normative problems, for example by making the

questionable empirical assumption that the only way democracy can function is on this basis, and that the normatively compromised version advocated by cultural nationalists is therefore democracy as a "best practice."

Even then the liberal nationalist is nevertheless articulating a historically specific account of democracy as a theory and practice which they must justify, rather than simply assume. They are advocating a form of democracy based in cultural-national myths that will only fulfill the required functions if the vast majority of citizens do not realize that they are myths, and that these myths actually hide profound misunderstandings and disagreements. This only makes sense in a mass democracy that operates primarily on a centralized aggregative basis, rather than one that is decentralized and deliberative. It is also deeply elitist and paternalist to boot; a democratic version of the "noble lie." Also, even if we were to assume that modern democracy must be mass, centralized and aggregative as a matter of fact (which I do not), the liberal nationalist must still provide us with reasons—both historical and philosophical—that not only suggest that these myths have hitherto been functionally necessary, but also demonstrate the relevant background conditions that facilitated that function still pertain. Perhaps this is possible. Yet prominent arguments to this effect, such as Gellner's account of culture and industrial capitalism, or Anderson's imagined communities that revolve around a common language and shared consumption of news media, or even Lenin's account of imperialism and capitalism, have been overtaken by the technological, social and international events of recent decades.

It is therefore unpersuasive to claim that an individual is necessarily located in a single culture which functions as an exclusive context for choice or identity, or that national culture is functionally necessary for democracy. Liberal nationalism is therefore not relevantly distinct from liberal multiculturalism for the purposes of the cosmopolitan critique as I have articulated it, and so is not a viable liberal response to cultural diversity and the dilemmas it poses for governance.

Multiculturalism and the Polis

Next I shall turn to forms of liberal theory that are not directly married to the idea of the nation or culture, and assess whether they can plausibly accommodate modern cultural diversity in theory or practice. The three most plausible forms of liberal theory are Political Liberalism, Deliberative Democracy, and what I will call "Contextualist Politics."

The holism that underpins my version of the cosmopolitan critique gives us both philosophical and historical reasons to be wary of political liberalism. It is a truism that forms of political liberalism require shared political values, yet this in turn implies the need for a common *political* culture. Holism indicates, however, that it is difficult—perhaps impossible—to separate political culture cleanly from "culture" more broadly, even at the level of theory. Just as our theories construct our practices (and vice versa), the intentional meanings of an individual are only recoverable in relation to their entire web of beliefs; meaning itself is holistic, as we saw in Chapter 4. Once this philosophical point is married by political liberals to claims regarding the effects of political values and culture (arguably simply a thinner variant of the functionalism that underpins liberal multiculturalism/nationalism), we have even more reason to be skeptical. For common understandings of shared political values to have causal effects on members of a liberal democracy, yet be uninfluenced by other "meaningful" aspects of the culture, there would have

to be an implausible separation between the two types of cultural meaning as a matter of practice.[44] This is implausible even in theory, and, as I have shown elsewhere, is contradicted by comparative study of different forms of multiculturalism cross the postwar Commonwealth.[45] The historical cases show that the very values and principles of liberalism that are central to political liberalism are themselves subject to political contestation, and colored by their historical intersection with colonialism, meaning that political understandings of the nation are unstable, and often collapse into thicker forms of nationalism.[46]

It might be possible to defend a project of political liberalism more directly normative grounds, such as grounding it in a persuasive conception of democratic equality, as the later Rawls tries to do.[47] But even this is fraught with difficulties, in part because holism also suggests that abstract universalist forms of theorizing may unhelpfully ignore local context and history. Even if Rawls is better understood as engaged in holistic interpretation of our shared historical values, we seem to face a degree of genuine disagreement and difference between the citizens of most liberal democracies that renders political liberalism practically impotent, as Kymlicka himself notes.[48] Other forms of Public Reason theorizing face similar problems as they struggle to balance the twin poles of normative argument and empirical traction. In large part this is because they straddle the boundaries between actual individuals as practical reasoners, idealized persons as rational theorizers, and belief systems construed as abstract viewpoints.[49] In so doing they fail to give a proper account of the relationship between theory and practice, and synchronic and diachronic forms of understanding, mistaking abstract rationality for the actual process of historically situated reasoning, much in the way neo-Hegelians allege. Our philosophical arguments and historical investigations inspired by holism both suggest that the particular nexus of political, economic, cultural and moral concerns prominent in any given polity is likely to vary dramatically, both at any given moment and over time.

My postfoundational cosmopolitanism therefore indicates real-world cultural diversity is not something that can be settled by philosophical argument alone. This in turn suggests the worth of actual political processes as an important counterweight to abstract forms of theorizing, as is advocated by deliberative democrats. Prominent forms of deliberative democracy take certain basic liberal-democratic norms/values as given, and use them to undergird and justify a particular set of political procedures. Yet these forms of deliberative democracy rely on a distinction between substance and procedure that is unpersuasive in both theory and practice. In practical terms, if individuals in a diverse society do not agree on substantive values, we cannot simply presume they can agree on procedures. In philosophical terms, it also seems arbitrary to assume the truth, and thereby bindingness, of certain democratic values such as equality because they are characterized as procedural rather than substantive. In any event, even if these procedural constraints are assumed to justify their outcomes, that raises the question of whether—and of so how—those outcomes can involve amending, or perhaps even rejecting, those very procedures. If particular political communities can abolish the procedures that putatively define them, then the substance/procedure distinction has collapsed and, along with it, deliberative democracy as a distinctive approach. Yet if some aspects of the procedure are held to be inviolable then the justificatory work must be done by abstract theorizing, and deliberative democracy has not solved the shortcomings of political liberalism simply but simply shifted them down a level.

Arguably, therefore, standard forms of deliberative democracy fail to distinguish themselves from political liberalism in a meaningful way. Less rigid forms of deliberative democracy, such as that advocated by Iris Marion Young, perhaps do not suffer from these problems to the same degree. Yet even Young's "communicative" democracy has some constraints on the manner of deliberation, and the more we (rightly) valorize her alternative forms of political deliberation—such as greeting, rhetoric and storytelling—the more we must ask why these should be understood as "procedures" rather than simply cultural and other practices.[50] And if the latter are what is valuable, then the logic of "deliberative democracy" actually points to the value of opening ourselves to the full diversity of these practices in their particular historical, political and cultural context. It points, in other words, to more open, flexible, and polycentric forms of "multicultural" governance.

Walzer's defense of a contextualist form of democratic politics is therefore perhaps more promising.[51] It is clearly interpretivist in orientation, and thereby relies on a similar philosophical methodology to the holism I espouse. It also seems open to the cosmopolitan diversity of culture that marks the modern world. Walzer's attempt, however, to locate shared political meanings primarily (or perhaps only) at the level of the nation seems to be an arbitrary philosophical prioritizing of the political over the cultural, and is thus subject to the same problems as liberal multiculturalism, liberal nationalism, and political liberalism. In any event, our philosophical and historical analysis here and elsewhere casts empirical doubt on Walzer's project. We have seen that meanings are too fluid, plural, contested and overlapping to be stably located in any one particular site in any given polity. So much so, in fact, that they challenge the very boundaries of the polity itself. Perhaps a Walzerean case could be made for a particular understanding of a specific democratic polity within its historical context. For example, a historical-philosophical account of the American Political Tradition that shows how that tradition could be better understood, and why this would have beneficial effects for modern American democracy.[52] Yet holism dictates that any such account must be both normatively coherent, historically robust, and have traction on the current social situation, including how individual citizens are likely to react to proposals for reform.

Holism therefore suggests that the burden of proof lies with those who emphasize "the polity" as a counterweight to/replacement for "the nation," or who advocate contextualist forms of "democratic nationalism."[53] Both of these positions must respond persuasively to my philosophical account of meaning, identity and culture as radically polyvalent, and to the historical evidence (from the Commonwealth and elsewhere) that suggests thinner forms of political identity cannot subsist at the level of the nation/state without collapsing into more exclusionary nationalisms, or losing empirical traction altogether. In the absence of unequivocal and persuasive empirical evidence to the contrary, this means we have little reason to suppose that national or political culture is functionally required for liberal democracy, and can manage the cultural diversity it inevitably overlays.

Political liberalism, deliberative democracy, and prominent forms of contextualist politics therefore seem problematic as a response to cultural diversity in both theory and practice. This pushes us towards forms of postnationalism instead, which I shall consider in this final section.

Cosmopolitanism and Holism

In this sub-section I shall examine the ramifications of a cosmopolitan account of culture and meaning for traditional forms of liberal-democratic governance which, in practice, continue to be located primarily in nation-states. As we saw in the Introduction and Chapter 1, these forms of governance have been directly challenged in theory and practice by both multiculturalism and cosmopolitanism, albeit in differing ways. Multiculturalism emphasizes the importance of local attachments and understandings, and thus suggests forms of citizenship should differentiated within states. Cosmopolitanism stresses the importance of universal duties and interests, and thus suggests forms of citizenship that supervene on national citizenships. In other words, just as multiculturalism suggests the value of governance below the level of the nation and state, cosmopolitanism points to the worth of governance above and beyond it.

At the root of cosmopolitanism is the idea that we are all "citizens of the world" and therefore that our moral and political obligations may extend in principle to the whole of humankind. Opponents, including multiculturalists, frequently argue that such a stance is not just morally or politically mistaken, but is in fact conceptually incoherent. They argue particular identities can only be understood in contrast to other identities, and so there cannot be a global "we" without an excluded "them." This does not follow, however. Although individual identity can only be developed and understood in relation to other individuals, the same is not necessarily true of group identities. Holism indicates that individual identities may find the necessary relations within the group itself, and it is therefore conceptually coherent to posit that the ethical community or political demos is in principle unbounded, as both Mark Bevir and Arash Abizadeh have argued.[54]

Holism also provides other reasons to endorse some form of political and moral cosmopolitanism. My critique of liberal multiculturalism demonstrated that meanings, identities and groups are not natural but rather are socially constructed. This suggests that morality and politics do not instantiate a-historical principles, protect fixed identities, or track objective boundaries between groups. In turn, this indicates that it is problematic to ascribe moral value, or to assign political rights, to particular groups of individuals such as members of a culture or nation without further justification. This is in part because the identification of any specific group to which we might ascribe rights is itself an act of social construction, and the difference between those inside and those outside the group is unclear and contested. We have also seen that there are philosophical *and* historical reasons to be wary of accounts that rely on a functional account of the role of culture—whether in relation to minority cultures or the nation—as the basis upon which special status is ascribed to a particular group.

A cosmopolitan account of culture therefore suggests that identifying different sub-groups of human beings for the purpose of ascribing special rights is an act of social construction

that must be undertaken with great caution. In turn this creates a presumption against the use of special rights—"cultural" or otherwise—save in very limited circumstances.[55] Yet this presumption against attempting to locate individuals within particular cultures and ascribe rights on that basis suggests a countervailing presumption in favor of some form of cosmopolitanism. If allocating sub-groups of human beings differentiated rights is problematic, then it seems to follow that prior to any such attempt all human beings should be objects of moral concern. If so, then prior to any identification and ascription of cultural rights/groups all individuals should be presumed to be equals in some sense. And if we see ourselves as engaged in a distinctively *moral* enterprise, whether through abstract reasoning or through our broader political and social practices, then deviation from this norm of equality will require justification. A cosmopolitan account of culture thus seems to lead naturally to the idea that the moral community or demos is, in principle at least, unbounded.[56]

It therefore seems that the arguments I have advanced hitherto lead inexorably towards endorsing some form of postnational cosmopolitanism. It is thus unsurprising that many of the cosmopolitan critics of liberal multiculturalism and related forms of liberal nationalism, such as Waldron and Abizadeh, also advance robust forms of moral and political cosmopolitanism that operate beyond the confines of the nation-state. Many postnational cosmopolitans thus explicitly reject any significant border restraints at the level of the nation-state, typically attempting to move directly upwards towards robust international obligations and institutions.[57]

Recall, however, that Scheffler identified two strands of cosmopolitanism relevant to liberal multiculturalism, a cosmopolitan account of culture, and a cosmopolitan account of justice. In Chapter 3 I suggested that these two strands were only contingently related on a conceptual level; one could, in principle, accept a cosmopolitan account of culture as multiple, fluid and contested without endorsing the normative claims usually associated with it. I will now flesh out this claim further, demonstrating that my holistic account of culture provides reasons to reject the robust universalism typically associated with cosmopolitan accounts of justice. Instead, as I will argue here and in the concluding chapter, holism points towards the value of responding to cultural diversity through polycentric governance that emphasizes the local as well as the global.

I shall proceed by comparing my position with that of Arash Abizadeh.[58] Abizadeh has written extensively on the relationship between culture, nation and liberal democracy, producing a series of interlocking articles of the course of more than a decade.[59] He argues that rejecting what he calls "cultural nationalism" on the basis of a cosmopolitan account of culture leads directly to a form globalist cosmopolitan democracy.[60] Thus, while his reasons for rejecting cultural nationalism run parallel to the arguments I have advanced against liberal multiculturalism in this dissertation, they lead him to very different conclusions than the ones I draw.[61] The most important arguments for understanding the differences between our two positions therefore do not to relate to his version of the cosmopolitan cultural critique, but rather to his claim that the demos is in principle unbounded.[62]

Abizadeh challenges traditional accounts of democratic legitimacy that ground it in the doctrine of popular sovereignty. The crux of his argument is that *if* one is a democrat committed to the equality and autonomy of individuals,[63] then one is also committed to actually justifying the exercise of political power over individuals to those self-same individuals in terms they can understand.[64] Abizadeh argues this in turn means that the claim that the demos *must* be bounded

is incoherent. This is because trying to bound the demos either collapses into an unsustainable cultural nationalism, or is subject to a circularity due to the lack of a mechanism for identifying and instantiating a prepolitical "will of the people" that itself can justify state boundaries.[65] Given that any form of territorial or civic exclusion is, in itself, a coercive act that affects those its excludes, it is in need of democratic justification.[66] Abizadeh concludes, therefore, that "anyone accepting the democratic theory of political legitimation domestically is thereby committed to rejecting the unilateral domestic right to control state boundaries" which therefore "must be democratically justified to foreigners as well as to citizens."[67] Democracy requires, therefore, global democratic institutions in which deliberation and the justification of state borders can take place. The cosmopolitan critique of cultural nationalism put forward by Abizadeh thus ultimately helps to remove the most plausible defense of the doctrine of popular sovereignty, ensuring that liberal democracy itself suffers from a version of the boundary problem.

Abizadeh's cosmopolitan account of culture appears to lead directly to a postnational cosmopolitanism that operates on the basis of universal duties and at a global level. Yet, while the nature of our critique of liberal multiculturalism pushes us towards cosmopolitan modes of thinking, it also conditions the form of that "cosmopolitanism" in ways that give us reason to be skeptical of Abizadeh's conclusions. My claim here is not that Abizadeh's arguments regarding the unbounded demos are flawed per se—although I will critique these in more detail elsewhere—but rather that his form of global cosmopolitanism does not necessarily follow from a cosmopolitan account of culture.[68] This is because, as Abizadeh himself admits, his conclusions only follow *if* one is a democrat committed to a robust form of political equality and autonomy.[69] The arguments that support the cosmopolitan *description* of cultural meaning give us reason, however, to be wary of these substantive *normative* commitments.

My critique of liberal multiculturalism demonstrated that social constructions such as moral traditions, and the cultures in which they are embedded, are the background required for individuals to make sense of the world at any one moment in time. It also demonstrated that these intersubjective traditions/cultures are ultimately rooted in the beliefs of individuals, which means they are subject to the intentional actions of those individuals, and thus change over time. In combination these two interwoven aspects of cultural meaning gave us reason to think that cultural meaning and identity is contested, fluid, multiple and overlapping. In turn, this means we must assume, *ceteris paribus*, any given individual's experience of, and location in culture, is "cosmopolitan" in the way Waldron suggests. The holism that underpins my postfoundational cosmopolitan critique goes further than this, however. Our philosophical arguments demonstrate that cultural meanings, identities and groups are not natural but rather are socially constructed, and our historical investigations show that in practice our moral and political discourses are embedded in particular vocabularies, self-understandings and collective practices. It indicates that all our theories and observations—moral, political and even empirical—form an intertwined and mutually constructing web of beliefs in which there can be no points that are absolutely fixed and immune from revision. All reasoning takes place in the context of the particular and contingent understanding of the world possessed by an individual at a given moment, which is in turn embedded in a nexus of varied traditions and practices that are themselves constituted by the contingent beliefs and actions of other individuals. Moral reasoning and political practice are therefore embedded in—and partly constitutive of—our contingent and ever-changing social world. As all reason and agency is entangled in its particular

historical context, all of our moral or political judgements are also beset by uncertainty. No matter how general or abstract our principles, deep-rooted our identities, or longstanding our groups, they cannot form completely fixed, foundational points in social discourse. Moral reasoning and political practice are best understood as open-ended activities undertaken by historically situated individuals against the background of a series of overlapping influences. Morality and politics are thus primarily local, resolutely historical, and defiantly provisional.

The close association of cosmopolitanism with forms of liberal-democratic theory which largely assume reason to be a-historical, abstract and universal, is thus problematic from the perspective of holism. Such theorists tend to rely on robust accounts of neutrality, equality and autonomy to ground their arguments, and frequently rely on purely philosophical forms of justification.[70] Even theorists of deliberative democracy, such as Abizadeh, who insist on actual practices of justification between historically situated actors, nevertheless rely on substantive understandings of equality and autonomy to stabilize the procedures within which deliberation takes place. Ultimately, mainstream liberal-democratic theorists assume both the value and content of equality and autonomy, and that they play a constitutive role in individual well-being.[71] Yet holism shows that there are no unshakeable bases for our moral commitments, which must be traced to, and situated within, a series of overlapping moral languages, identities and practices. This is the truth of not just the cosmopolitan critique of liberal multiculturalism, but the kernel of truth behind the communitarian critique of liberalism that preceded it. This gives us reason to be wary in principle of the substantive accounts of equality and autonomy built into Abizadeh's account of cosmopolitan, globalalized, deliberative democracy. If we turn to the detail of some of his arguments regarding the relationship between cultural diversity, state boundaries, and democratic practice, we can see that these arguments are rendered much less convincing when viewed by the light of a postfoundational account of culture as cosmopolitan.

There are several weaknesses in Abizadeh's account of global deliberative democracy. First, it appears to be prone to a theoretical instability. Abizadeh suggests that state borders may serve useful practical functions, and are therefore allowable provided they are justified to all through the relevant global institutions.[72] The difficulty here of course is that the existence of borders will necessary affect the preferences and behavior of those subject to them. It is possible that even the "initial" set of borders is prone to the usual problem of cyclical majorities identified by Condorcet, with no stable solution that satisfies everyone. Even if we assume Abizadeh's *deliberative* democracy is not subject to such a problem synchronically, the fluid and shifting nature of meaning and identity revealed to us by the cosmopolitan critique of culture suggests that the initial distribution will be subject to diachronic instability, much in the same way as attempts to allocate rights to particular cultures or nations. Not only will this be due to people being born into an arrangement of borders into which they had no input, once a set of borders are in place significant international changes—war, natural disaster, mass migration—will likely change the preferences of people in many states, even those not directly affected. Perhaps Abizadeh will just reply that the global deliberative justification of borders is a continuing process. If so, he seems to be placing a great deal of faith in the gradual and stable nature of any relevant changes, and in our ability to engage in deliberation in practice.

This leads to a second, more practical, problem with Abizadeh's global deliberative democracy that is highlighted by the cosmopolitan critique of culture. We have seen that mastery of cultural and other meanings is a matter of degree, which suggests that understanding between

individuals will never be either wholly absent or perfectly transparent, but will also vary across context.[73] This polyvalence could, of course, facilitate diverse forms of deliberation. Yet my postfoundational account of meaning indicates such deliberation would—should perhaps—take place in multiple locales. In so doing it might productively utilize the different ways in which the understandings and identities of individuals overlap and interact. We should therefore be wary of theoretical arguments that absolutely prioritize forms of deliberation at one level over another, whether it be the claims of internationalist cosmopolitans such as Abizadeh regarding the global demos, or communitarians who valorize small-scale traditional communities. Nevertheless, there is something of a pull towards the local understood *primarily* in geographical terms. Even if deliberation does not necessitate perfect transparency of communication, it must require some degree of common understanding, which indicates that it will function better on a smaller scale, where there is a greater likelihood of overlap in understandings between individuals. In addition, practices of deliberation that take place in person rather than through representatives minimize the problem of agency loss, and provide increased opportunities to correct misconceptions, enhance understanding and produce forms of moral and political knowledge through ongoing dialogue. In other words, the very arguments that leads Abizadeh to reject cultural nationalism would seem to indicate that deliberation at the global level will suffer from both miscommunication and agency loss, making it both harder to achieve in practice, and a less secure normative basis for the borders it putatively grounds. A cosmopolitan account of cultural meaning and identity as fluid, overlapping, multiple and contested thus seems to push us downwards, below the level of the state, as much as upwards to a global level.

Perhaps Abizadeh would respond to this point by fleshing out the detail of his global form of deliberative democracy. In so doing, it seems likely that he would emphasize—as is the case with most forms of deliberative democracy—the substantive constraints that equality and autonomy build into the processes of justification. Typically, deliberative democracy does not involve simple real-world agreement between individuals, but rather the assumption that justification must take place to others considered as free and equal moral subjects, in a manner, and on such terms, as they can understand and endorse. The commitment to equality and autonomy that Abizadeh sees as integral to democracy itself might therefore plausibly smooth over, and in some cases even exclude, forms of disagreement within the global demos. In other words, the problems of communication and agency loss noted above might be solved by deliberative procedures that themselves are conditioned by substantive accounts of equality and autonomy.

It seems, in the end, Abizadeh's position relies almost entirely on the value of equality and autonomy, and his account of these (as he himself admits). Yet the huge variety of diversity in meaning and identity revealed to us by the cosmopolitan account of culture gives us reason to be skeptical of such thick accounts of particular values at the level of both theory and practice. The vast diversity I sketched in Chapter 1 shows that equality and autonomy are far from controversial values, and that arguments over their content and import have driven not just debates over multiculturalism, but also the recent rise of populism and nationalism worldwide. If nothing else, this indicates that Abizadeh's cosmopolitan theory of democracy might be too idealized to gain traction on the mixed-up cosmopolitan world we inhabit. Such a practical difficulty does not, in itself, affect his normative conclusions of course. Nevertheless, the

postfoundational account of culture I have developed points to a problem in theory as well as practice.

The problem with liberal multiculturalism is not the claim that cultural meaning and identity affect both an individual's choice as to how they live their lives and their sense of self, but rather that it radically underestimates the cross-cutting, fluid and contested nature of cultural meaning. The consequence of this is, as we have seen, that in attempting to instantiate its claims about the role of culture through group rights, liberal multiculturalism—and related forms of liberal nationalism—inevitably lapse into problematic forms of essentialism and reification. A functional account of cultural meaning and identity at the level of the group is therefore problematic, yet that does not mean a functional account at the level of the individual is also unsustainable. Individuals are embedded in a nexus of cultural influences, moral traditions, and forms of identity, which means that each person's understandings—or themselves, of the world, of the forms of life they wish to pursue—are deeply idiosyncratic. The cultural and moral differences that make up the modern world are profound and pervasive, and if we are to take these seriously we must be extremely wary of imposing an "objective" account of human well-being that relies on robust forms of equality and autonomy, as Abizadeh does. As Kymlicka says in the first few pages of *Liberalism, Community, and Culture*, no life goes better by being forced to live against our deepest moral convictions; a good life—perhaps even a happy one—must always be lived from the "inside." Kymlicka was right in this, and in the claim that our understanding of the good and forms of social life more broadly are culturally mediated. Yet the cosmopolitan critique of his liberal multiculturalism, and the postfoundational account of cultural meaning and identity I have built out of it, show that we cannot judge effectively from the outside the nexus of social influences, cultural traditions, and moral languages operative on any given individual. The world is simply too complex and shifting for such a judgement to be accurate. And if the judgment is not accurate, it is not clear how it can have a justificatory role in either theory or practice.[74]

These epistemic issues undercut Abizadeh's argument as stated. He allows that borders may be drawn unilaterally in one circumstance only, which is to protect an the "character" of an "entrenched minority" from being "overrun" by outsiders.[75] Yet the cosmopolitan account of culture potentially turns this chink in his armor into a gaping chasm. The more we stress the fluid, multiple and contested nature of cultural meaning, the less we have reason to be confident in our "objective" account of human well-being in terms of equality and autonomy. Yet this gives us reason to make a presumption in favor the primacy of an individual's judgement of their own good from their position at the nexus of a range of different social influences. In turn, this indicates cultural "communities of character" should be voluntary and self-defining. And if we cannot confidently cultures that are at risk from the outside, then we have no reason to limit Abizadeh's exception to the rule against unilateral borders only to minorities that we, from the outside, see as "entrenched."[76]

The cosmopolitan account of culture therefore does not lead inevitably upwards, towards proceduralist global democracy based in a thick account of equality and autonomy and a set of moral rules. Instead, it suggests the importance of experimental forms of local social organization based on a thinner account of freedom as non-compulsion, and an ethic of openness to others whose agency is contextualized in radically different ways from our own. Chandran Kukathas

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offers a such liberal account of "multicultural" governance, and so it is to his theory that I turn next.

Libertarian Multiculturalism: Beyond the Nation, Below the State

Kukathas envisions domestic society as a loose collection of diverse communities marked by multiple internal "borders" and migration across them.[77] His theory is grounded in freedom of conscience and association, and the use of a right of exit from minority cultures and other associations to facilitate these. Critics frequently allege that his account of exit provides inadequate protection for the rights, freedoms and capacities of individuals within minority groups. I argue below that the right of exit is in fact even less robust than it first appears, as it does not even require knowledge of the possibility of exit on the part of individuals nor, perhaps, substantive monitoring or enforcement on the part of the state. The primary reasons for the weakness of Kukathas" right of exit lie in his conception freedom of conscience and the way it influences his account of free association and exit. Kukathas" understanding of freedom of conscience is not persuasive as stated, and I offer an alternative postfoundational conception which renders the right of exit much more robust. This expanded right of exit is conjoined with a right of entry, which in turn requires a more substantive role for the state in enforcing and monitoring than Kukathas allows, although less than many of his critics propose.

Kukathas locates himself in the classical liberal tradition, which he sees as focused on political legitimacy rather than justice.[78] He therefore foregrounds the twin principles of freedom of conscience and association, which entail the right to dissociate and the mutual tolerance of associations. The right of exit thus plays a central role in ensuring that individuals within minority associations or groups are not being forced to live against the dictates of their conscience. He argues political society is not coextensive with a culture or a state, and is not a "discrete entity, with firm, impermeable borders."[79] Rather it is "something altogether less clearly bounded, marked by movement within those bounds, and movement across fuzzy boundaries."[80] This leads to a vision of domestic society self-consciously modeled on international law. In this "liberal archipelago" the state functions merely as an "association of associations" and occasional "umpire."[81]

Kukathas starts with an examination of human nature and human interests and uses this to ground the rest of his theory. Taking his lead from Hume, Kukathas sees three basic motives for human action: self-interest, affection toward people and institutions, and conscience.[82] By "conscience" he means an attachment to beliefs about right and wrong rather than the "inner voice" that is central to the Christian tradition.[83] He argues that this moral sense is common to all human beings and is generally pre-eminent in guiding rational conduct, even when an individual only follows it reflexively.[84] Thus he thinks individuals have a basic interest in acting according to conscience, and that this interest is shared by all people in all times in all places.[85] He rejects the idea of humans as "rational revisers," arguing that the good life is not necessarily a chosen life, but rather an uncompelled one.[86]

The freedom of association that flows from freedom of conscience is near absolute: people are free to associate on any terms they like provided that they have a right to exit the association.[87] Those outside the association do not have the right to intervene in its practices

provided they are voluntary, which is demonstrated by the non-exit of members from the association. Kukathas acknowledges that the cost of exit may in some cases be very high, but argues that "[t]he magnitude of the cost does not affect the freedom."[88] A ramification of the freedom of the group to set its own terms of association is that no-one has a right to join a particular group, to force others into joining, or even to impose basic civil and political rights within the group.[89] All of these would violate the members' basic interest in freedom of conscience. He thus defends a "minimalist" view of the right of exit, arguing that it has only three requirements: first, that "dissenters have somewhere to go—other associations which will accept them"; second, that "the authority of their associations to deny them the right of exit not be recognized by the legal and political institutions of the wider society"; and third, that the association "does not prevent that individual from leaving."[90]

Most critics have understood Kukathas' position to be that the state must provide a legally enforceable right of exit.[91] There have been many objections to this "formal" right of exit on the basis that it is not an adequate protection for members of the minority group—especially women and children—from oppressive practices.[92] The general response on the part of these critics has been to try and increase the efficacy of the right by imposing certain conditions within groups and/or conditions on exit.[93] In the main these are "external" critiques of Kukathas' theory, which use substantive values such as personal autonomy to amend his position, an approach we have already rejected. My aim here is to provide a critique of his theory compatible with my postfoundational version of the cosmopolitan critique, in order to explore what would constitute a minimal "multicultural" state and right of exit based in the value of freedom of conscience.[94]

In fact, the right of exit endorsed by Kukathas is even more fragile than it appears at first glance, the reasons for which flow from his underlying account of conscience.[95] In the key passages in *The Liberal Archipelago* he describes the right of exit as "inalienable" but does not explain its precise legal status. Whilst he states that wider legal and political institutions cannot "recognize" denial of the right of exit, he notably avoids an explicit commitment to active monitoring and enforcement by the state.[96] Elsewhere he parses the state's duty in terms that may simply amount to *non-refoulement* of individuals who have left the association, and implies that any guaranteeing or even monitoring of the right of exit by the state is non-neutral, unjustifiable and would constitute interference with freedom of association.[97]

In any event, Kukathas does clearly state that an individual possesses a right of exit even if they are unaware of its existence or of a place that they may exit to.[98] This is because his account of internal freedom of conscience reduces to the absence of external restraint.[99] This means that the state cannot intervene within associations to inform members that they possess the right of exit. This in turn raises epistemic issues regarding what the state can and must know regarding the internal workings of groups, which are not clearly answered. For instance, it is plausible that Kukathas' theory only requires that the state have no good reason to think physical restraint is taking place rather than the duty to insert itself within groups to confirm this.[100] Ultimately, therefore, the knock-on effect of Kukathas' account of conscience as non-compulsion is that the "formal" right of exit amounts to little more than the absence of physical restraint from leaving.[101] We will see below that his account of conscience is unsustainable, and that exploring this has important ramifications for the right of exit and the role of the state.

Kukathas thinks that all individuals have a basic interest in acting according to conscience, and sees that interest in conscience as relative to the agent.[102] Therefore an individual does not

have an interest in what is objectively right, but in doing what they *think* is right.[103] He concludes that individuals have no interest in broader autonomy-enabling rights, such as those favored by Rawls and Kymlicka, because these are not necessary for individuals to follow their conscience.[104] My central contention is that a plausible account of freedom of conscience must require attributing an interest to individuals in understanding the demands of their conscience. This in turn requires some degree of accurate information about the outside world and the conditions necessary to secure this without also imposing on that freedom of conscience. A criticism in this vein was made by Kymlicka, who argues that Kukathas "does not take a proper account of the fact that what is important to people is that they not lead lives based on false beliefs." Kymlicka therefore argues that Fatima, an Indonesian villager who is a devout Muslim, has an interest in accurate information regarding the demands of Islam because she desires "to do what is right, not to live under the illusion that she is doing what is right."[105]

We will examine Kukathas' actual and potential replies to this criticism below, but first we will unpack the philosophical import of his account of conscience. It is my contention that whatever the ultimate metaethical or metaphysical status of our sense of right and wrong, we necessarily develop our understanding of them through socialization into a tradition or traditions.[106] An individual may later reject this inheritance either partially or entirely, but that does not affect the phenomenological need for an initial theoretical framework with which to make sense of the world.[107] This broad framework of traditions will include a basic linguistic and conceptual apparatus and some understanding of right or wrong, which is usually connected to a particular moral or religious tradition. Importantly, an individual who has come to accept the authority of a particular moral or religious tradition such as Islam has thereby tied their conscience to that tradition in some sense. For an individual to follow their conscience successfully, and thus *actually* live according to their conscience, they need some understanding of the demands of that tradition. An interest in freedom of conscience therefore also implies an interest in the conditions for acquiring that information. This means Kukathas' account of conscience in purely subjective terms—which dictates the form of freedom of association and exit—is self-defeating because it cannot secure even the minimal conditions to meet this interest.

Returning to Kymlicka's example, Kukathas' purely "subjective" account of conscience permits an unacceptable disconnection between Fatima's avowed interest in following the tenets of Islam and her basic interest in following her conscience. She has accepted Islam as determinative of her conscience, yet Kukathas deems her to be living in accordance with conscience no matter how mistaken she is about its demands. He therefore maintains that she has no interest in accurate information regarding the tradition, in effect prioritizing the factual over the normative. A mistake of fact regarding the content of normative duties trumps the commitment to the specific tradition which is accepted as the authoritative account of those duties.[108]

My argument turns on a distinction between an individual's acceptance of the authority of a tradition as normatively binding and their empirical understanding of that tradition at any given time. For Kukathas the version of the tradition that is normatively binding and thus gives content to conscience is the tradition as subjectively understood by the individual. He presumes there is a perfect fit between the individual's acceptance of what makes their conscience normatively binding, and their understanding of the content that of conscience. This means at any given moment an individual cannot be mistaken regarding the demands of their conscience.

On the other hand, I suggest that an individual's acceptance of a tradition as normatively binding is distinct from their particular understanding of the content of that tradition at any given moment. I will call the former a *commitment* to the tradition and the latter an *understanding* of that tradition.

A commitment to a tradition requires accepting the normative authority of that tradition, whether self-consciously or by unreflective internalization of its norms and subsequent expression of them in action.[109] A commitment to a tradition thus entails accepting a moral or religious duty to follow it. A commitment to a tradition and an understanding of that tradition are conceptually separate, and from the perspective of the individual believer the normativity is derived from the former not the latter.[110] This undermines Kukathas' theory. If what makes conscience normatively binding for that individual—and hence a distinctive moral sense—is the acceptance of the authority of a particular tradition, then this implies a basic interest in accurately understanding that tradition.

Kukathas' actual and possible responses to this line of argument are unconvincing.[111] For example, the position I am articulating here does not entail ascribing to an individual an interest in rational revision of ends in Kymlicka's sense. I do not require that Fatima has an interest—basic or otherwise—in being able to revise her fundamental commitment to Islam. On the contrary, I rely on the fact and worth of that commitment to ground her interest in understanding it better. Correcting misconceptions she has about Islam would necessarily involve revising her beliefs about what it entails. Yet that is importantly distinct from revising her belief that Islam is an authoritative source of normative demands, and revising the former in and of itself has no bearing on the latter.[112] Thus my argument does not require a commitment to rational revision of ends in Kymlicka's sense.[113]

Kukathas also argues that Fatima does not have an interest in being able to revise her views because "it does not follow that [her] revised views [about Islam] are more likely to be correct than [her] original ones."[114] Whilst it may be correct to say that there is no reason her revised beliefs will *necessarily* be more accurate, this response is puzzling given his later defense of political toleration as partly constitutive of the public practice of reason.[115] One need not be committed to "objective" truth to acknowledge that public contestation provides some epistemic warrant to think our understandings are accurate or valuable, even if that cannot be guaranteed in relation to any single belief/proposition. If this is true on a societal level (as Kukathas seems to accept) it is difficult to see why it should not operate as a basic presumption in respect of any given individual. To adopt the assumption that *any* revised views are no more likely to be correct as a basic principle invites a degree of skepticism that would paralyze action completely.[116] Kukathas' view is particularly problematic in relation to conscience and tradition. Traditions—like cultures—are created intersubjectively, and therefore exist as social objects independently of the mental states of any single person. The fact that they do exist as social objects indicates that an "accurate" understanding of them—according to any standard of accuracy—would be impossible without some knowledge outside oneself. On a basic conceptual level, therefore, the process of trying to understand a tradition by an individual necessarily refers to accounts of it by other individuals, which itself militates against Kukathas' epistemic skepticism regarding the accuracy of revised beliefs.

Perhaps Kukathas might respond by arguing that the relevant tradition for Fatima is not Islam *per se*, but rather the idiosyncratic version of it espoused in her village, and therefore she

has no interest in knowing anything else. Yet this move leads directly to problems identified by Jeremy Waldron in his critique of Kymlicka. Waldron points out that if we constantly tailor our account of culture to the particular nexus of influences on a single individual we reach the conclusion that each person has their own "culture."[117] Yet this is absurd. The uniqueness of their beliefs does not make an individual the bearer of their own individuated culture, but rather situates them within a variety of overlapping cultural influences precisely as the cosmopolitans maintain. Likewise, here we would have no reason to fix the tradition at the level of the village but would have to proceed downwards to Fatima's unique understanding of Islam.

Kukathas' position seems to confuse an account of the nature of individual meaning with an account of intersubjective meanings. Individual meanings are intentional and therefore must be understood subjectively, in relation to an individual's particular "web of beliefs."[118] But we cannot have a purely subjective account of language as such, as it is necessarily a social practice. All individual meanings, and all individual understandings of a tradition or culture, are idiosyncratic versions of intersubjective meanings. Yet the existence of these idiosyncratic versions of traditions/cultures does not render the intersubjective objects themselves otiose. If we want to recover individual understandings we must look to the individual. Yet if that individual has made a commitment to social norms—whether linguistic, moral, religious or "cultural" in some broader sense—then that individual has placed themselves within an intersubjectively existing tradition. The simple fact that individuals have idiosyncratic beliefs does not undercut my argument, rather it indicates that there is often a relevant gap between their beliefs and the tradition(s) to which they are committed. This in turn indicates they have an interest in better understanding that tradition, which they cannot do without access to information about it. Overall, therefore, there is insufficient warrant for Kukathas' assumption that Fatima's revised beliefs will be less accurate, which means he cannot use this as a reason to deny the posited interest.

There are other responses Kukathas could make. For example, he might argue that whilst some individuals may have an interest in accurate information about the tradition to which they are committed, unlike freedom of conscience this is not a *basic* interest.[119] For example, some individuals understand their conscience in terms of a moral sense which allows them directly to intuit ethical values, indicating that they could follow the demands of their conscience without commitment to—or knowledge of—a tradition. If so, it appears that not all individuals who possess and follow conscience commit to a tradition, and therefore there cannot be a basic interest possessed by all human beings in relation to it. My response to this line of argument is twofold. Firstly, I would note that all individuals who follow conscience in Kukathas' sense have at some point made a commitment to an initial tradition even if they subsequently come to reject that tradition. Therefore, all individuals who have developed a conscience will fall under the terms of my argument at that point. This is because moral behavior, through which Kukathas' conscience is expressed, is a social practice, and socialization into a tradition is therefore a necessary condition of developing a conscience. For example, even an individual whose understanding of conscience is intuitionist must have come from another tradition or learnt their form of intuitionism *as* a tradition, albeit one with minimal content. And if an individual rejects their initial tradition in favor of another they still fall under the terms of my argument via the latter commitment.[120] Secondly, as well as accepting the authority of a tradition being a necessary condition of *developing* a distinct moral sense, it would also seem to be an important—

perhaps necessary—condition of *maintaining* one. This is because it is difficult to understand how an individual who is supposedly outside of all relevant traditions would be able to give an account of moral normativity that was distinct from prudence, aesthetics, or mere desire. Such an individual would struggle to distinguish their moral intuitions from the rest of their preferences.[121] Even the most stark intuitionism must understand itself as moral intuitionism, otherwise, from the internal perspective of the individual, their intuitions would cease to have any moral status.

Perhaps Kukathas could respond by pointing to an individual who completely rejects the understanding of morality into which she was initially socialized, but continues to accept the concepts of right and wrong themselves, seemingly unanchored in a new tradition. They would thus possess conscience as a basic moral sense without a commitment to a tradition. However, an individual who has started from within traditional morality but later purports to move *completely* beyond it—in a loosely Nietzschean or Sartrean vein perhaps—is arguably in a similar position to the self-taught intuitionist, finding it difficult to hold apart aesthetics and morality.[122] Nevertheless, in secularized western democracies there seem to be a great many people who possess a generic conception of right and wrong without deriving it from a specific identifiable tradition. There are, perhaps, fewer individuals than we might suppose who fall in this category, as many will still self-consciously draw on political, historical, and philosophical traditions to articulate their beliefs. These will range from specific philosophical positions—such as those that often inform modern social justice movements—to broader commitments to environmentalism, pacifism, or liberal democracy itself. All of these are arguably identifiable traditions to which individuals are self-consciously committed. There may remain, however, some individuals who possess a sense of right and wrong but are so "cosmopolitan" in the variety of traditions they draw upon that it seems pointless to attribute to them a commitment to any particular one.

One response here would be to follow Alasdair MacIntyre in seeing these sorts of individuals as emotivists and thereby not engaged in genuine moral reasoning.[123] Whilst I share the general spirit of his critique, there are important differences between my position and the communitarians.[124] A detailed analysis of all relevant metaethical issues is beyond the scope of this chapter, however, and are unnecessary for my critique of Kukathas. Here I will simply suggest that those individuals who find themselves within this amorphous cosmopolitan mélange of influences, and genuinely do not draw any specific traditions in support of their moral views, are still part of a tradition, albeit an extremely thin and wide one. As such I maintain they have an interest in understanding the broad tradition on which they draw, vague and unwieldy though it is. I would also note that, in any event, whatever interest these individuals might have in accessing information regarding the amalgam of traditions on which they draw is inevitably satisfied. This is because the cosmopolitan conditions which lead them to develop their "rootless" conscience inevitably provides the relevant information.[125]

The strongest objection Kukathas might make is that the concept of tradition I require is unsustainable. This objection might be made in two ways, the first focusing on the relationship of individuals to traditions, and the second on the traditions themselves. Underlying both of them, however, is the presumption that traditions are social constructions which emerge from the beliefs and behaviors of human beings. As this is the account of tradition and culture upon which I have based my version of the cosmopolitan critique, any criticisms that flow from it are problematic for my argument. The first version of this objection posits that this account of

tradition in fact necessitates that there have been, contra my previous arguments, individuals possessed of a sense of right and wrong independently of all traditions. If all traditions are the emergent properties of individuals then there must be a moment of origin, where an individual first gave rise to a moral tradition. If so, it would seem conscience can subsist independently of a tradition. This, however, is to attempt to use the relevant terms with more precision than they can bear. Both "tradition" and "conscience" are vague predicates, the boundaries and application of which are frequently unclear. Traditions and consciences evolved gradually over time, in conjunction with one another—just as the human beings from whom they emerge—and neither makes sense in isolation. The objection in question attempts to use them as if they might exist independently of each other and come into being successively. Yet this is nonsensical. Individual conscience and the tradition(s) to which it is committed are interdependent concepts. There is thus no reason to suppose a moment of origin.[126]

The second version of this objection turns on the problems inherent in identifying and describing traditions/cultures which we have explored at length in this dissertation. As social rather than natural objects, traditions and cultures can be delineated in a number of ways, none of which is inherently better than another. For example, it would be possible to locate an individual in a number of Christian traditions at varying levels of "vertical" abstraction, from an individual Church, to the Catholic Church, to Christianity in general. It would also be possible to locate an individual in a series of different overlapping "lateral" traditions such as a vegetarian environmentalist member of the Green Party. Yet the content and boundaries of these traditions are not fixed but inherently mutable and open to dispute, and if the content of the tradition committed to cannot be delineated with any precision it is unclear how an individual can have an interest in "accurate" information about it. It is hard to see, in fact, precisely what commitment to a particular tradition entails without reifying or essentializing the tradition in order to fix the content. In other words, I seem to be guilty of the essentialism which I have attributed to liberal multiculturalists when they ascribe special rights to particular cultures.

My initial response to this objection is essentially pragmatic. The overwhelming majority of people are committed to a tradition which has some sort of institutional form—the Church of England say—which facilitates specification of it.[127] There may be multiple elements to that tradition and some dispute around regarding what properly falls within it, but that will not alter the fact that the broad contours and key components will be clear enough. In addition, the individual concerned must have some conception of the tradition she is committed to, even if her precise understanding of it will, inevitably, evolve over time. Therefore, in practical terms in most cases we will be able to delineate the core of the tradition clearly enough to ground the *interest* for a particular individual, even if specifying the tradition clearly enough to attribute rights to a cultural group is problematic.

I also deny that my argument requires that we reify or essentialize traditions or cultures on a theoretical level. As we have seen, ascribing legal/political rights to particular cultures in order to render them equally secure and vibrant opens one to this accusation. Yet it does not follow that you must do the same to traditions to ground the interest of an individual in understanding them. Just as I reject Kukathas' contention that it is the subjective understanding of the individual which determines the content of conscience, I would also reject the supposition that we must be able to delineate traditions with perfect precision for an individual to have *any* interest in learning about them. The first is unduly lax in its standards of what counts as adequate

understanding, but the latter sets the bar too high. There is no such thing as "perfect" and indisputable understanding of a social or even natural object. That would be a clarity of understanding no individual could ever possess, and so to insist on it would be to nullify any interest in accurate information about anything. What counts as enough information may be difficult to determine, but that does not in and of itself render the interest nugatory. The interest can be said to exist even if it is difficult to specify it exactly, just as the difficulty in specifying duties of imperfect obligation does not render them incoherent.

It therefore seems that Kukathas' account of his first core normative principle, freedom of conscience, is problematic. His defense of a purely subjectivist conception of conscience seems unsustainable given some basic suppositions about how individuals acquire and exercise that conscience. It glosses over the relationship between an individual's normative commitment to a tradition and their subjective understanding of it any one time, unconvincingly prioritizing the latter over the former. The actual and possible counter-arguments by Kukathas are also unpersuasive, endangering the moral normativity that must underlie his account. The upshot is that on an adequate account of freedom of conscience individuals have an interest in accurately understanding their own moral commitments, and thus also an interest in being provided with accurate information about relevant aspects of the social world. Precisely how much information will satisfy this interest and how it should be secured is yet to be determined, and will be explored below. For now it suffices to note that the interest I am defending does not clearly require reifying or essentializing traditions, nor perfect knowledge of them on the part of individuals.

I have argued, contra Kukathas, that freedom of conscience requires adequately understanding the demands of the tradition to which one's conscience relates. One obvious solution would be to impose some form of education within the association aimed at securing the interest. For example, Kymlicka's account of humans as "rational revisers"—which underpins his defense of multiculturalism—would justify education which aimed at developing the capacity for autonomous choice.[128] And William Galston, whose liberalism based in pluralism is markedly closer to Kukathas' than Kymlicka's, advocates a substantive civic education within minority groups aimed at inculcating toleration, and ensuring individuals within the group are aware of, and able to critically engage with, their alternatives.[129] Yet any attempt to ensure that individuals are "good citizens" or "fully informed" requires the imposition of an external standard regarding good behavior or valid choice, which we rejected in our discussion of Abizadeh.[130] Enforcing education within the group is therefore unacceptable whether it is aimed at autonomy or civic mindedness, as it would be an imposition on freedom of conscience and association in and of itself.

Annamari Vitikainen, however, advocates a form of education which she thinks is justified from within Kukathas' own analytic framework.[131] This minimal education would be comprised of knowledge of the right of exit, information about other ways of life, and the requirement that minority members are taught that these are valuable for others. She admits, however, that "the formal right of exit may not require even these minimal conditions" in and of itself.[132] Rather Vitikainen argues that this imposition on free association is necessary to secure the conditions which will ensure social stability, and that this is what justifies it as a gloss on Kukathas' theory. Her minimal form of education is aimed at securing the broad social conditions necessary for individuals to live according to conscience, which are widespread social acceptance of toleration

and the legitimacy of the right of exit. This means that she justifies her form of education in relation to freedom of conscience only indirectly.

In contrast, I will argue that my amended account of conscience directly effects the right of exit, in and of itself requiring some form of education. This education will be similar but not identical to Vitikainen's, partly because of the more immediate connection to conscience, and partly because the individual interest I have posited relates only to information regarding their own tradition, not all other traditions and ways of life. My suggestion here is that meeting the interest entails at a *minimum* knowing that their current understanding may be mistaken, and that they can seek further knowledge via exit if they so choose. Along with Vitikainen I therefore hold that Kukathas must allow that an individual is informed of their right of exit; simple lack of physical restraint is not enough. The education I suggest requires much less information about the outside world than hers does, however. As the interest relates specifically to one's own tradition rather than the social conditions necessary to produce toleration, it is plausible that the interest is met simply by being informed that there is an outside world which can be exited to, and that doing so will provide the possibility of more information on the tradition if desired.

The nature of the interest that flows from freedom of conscience also suggests more than information about one's own tradition is required. I would argue that individuals must also be informed that there are disputes within it and other similar traditions that surround it. This claim is derived from the socially constructed nature of traditions. If there are clear internal differences within the tradition, then an interest in understanding the tradition requires being apprised of this and provided with the opportunity (via exit) of learning more about them. Even in the absence of a clear internal dispute, however, the interest also requires learning about the existence of other related traditions. As we have seen, the vertical and lateral "borders" between different traditions and cultures are fuzzy and contested. This means that any attempt to identify them with precision is fraught with difficulty, and is in fact itself an act of social construction. As such it must be driven by our purposes, which here are both descriptive and normative; we are attempting to secure an interest in freedom of conscience for a given individual, which we see as necessarily related to a tradition or traditions which exist as loosely identifiable social objects. It would therefore be inappropriate to attempt to delineate an individual's interest in information with more precision than it is possible to specify the tradition(s) it refers to.

Let us return to our previous example of Fatima the Indonesian villager who adheres to Islam. I argued that Fatima has an interest in knowing that there were alternative sources of information regarding the Islamic tradition, and that she could access these if she so chose by exiting the village. Her interest is grounded in understanding the tradition to which she is committed, which is—I shall presume—a form of Sunni Islam. To be a Sunni Muslim she must, of course, accept Sunni Islam as normatively correct and thereby properly determinative of her conscience. This is what I have called a commitment to that tradition. Yet she is clearly a part of the Islamic tradition more broadly, and as such her interest may extend to at least knowing there are other versions of Islam in the world, such as Shia Islam, which she can explore if she so chooses. This interest in understanding Islam more broadly may well be weaker than her primary interest in understanding Sunni doctrine, but it is implausible she has no such interest at all.[133]

It is therefore better not to think in terms of a stark either/or distinction between Fatima's tradition and all other traditions, with the former grounding the interest and the latter having no relevance for her. Rather we should think of her interest in understanding the demands of her

conscience as a series of concentric circles, with her interest weakening the further away from the center we move. The borders between these circles, like those between the traditions they represent, are fuzzy and contested. Yet this does not weaken the central claim regarding information about the particular tradition of Sunni Islam to which Fatima is committed. Rather it provides reason to think that interest may extend to some degree beyond that core commitment, to cover some knowledge of the complex of traditions of which it is a part. Quite how far the interest extends will itself be disputable, yet that does not make other traditions irrelevant. The socially constructed nature of traditions is not then a problem for my argument, rather it may ground a right to even more information than was initially supposed.

To reiterate, my suggestion is that meeting the interest for a given individual entails at a *minimum* knowing that their current understanding of their tradition may be mistaken, that there are related traditions, and that they can seek further knowledge via exit if they so choose. This form of exit-as-education has the advantage of leaving the decision whether to seek further information up to the judgment of the individual, keeping intact our commitment to anti-paternalism as far as is possible. In fact, knowledge of the right of exit in these terms might be said partly to *comprise* the requisite knowledge regarding the tradition to which one is committed. The knowledge is certainly a necessary condition of exercising the right of exit, and is therefore at least the minimum amount of information required to meet the interest in understanding one's conscience accurately. It may thereby be partially *constitutive* of freedom of conscience rather than an imposition upon it. From the perspective of each individual within a group, therefore, education about the right of exit would form part of their basic interest in freedom of conscience. And given Kukathas' individualist social ontology it is arguable that the imposition of such education would not constitute an unjustified imposition on freedom of association. Rather it is a necessary condition, both conceptually and practically, of the freedom of those individual consciences which free associations exist in order to protect.

The right of exit I am defending therefore forms the minimal possible imposition on an individual or the association of which they are a part, if it is an imposition at all. In effect, it is education regarding the possibility of related alternatives, rather than education about all possible alternatives. Learning of the possibility of alternatives would seem, however, necessarily to carry with it some information about where knowledge of these can be found. To tell an individual they can exit from an association to find more information about their tradition and its close cousins may only require telling them about nearby resources—a different local mosque perhaps, a library, or even a temporary shelter—but it does require telling them that there is somewhere to go. Education regarding exit *from* entails some form of education regarding exit *to*.

Finally, therefore, I would like to examine the possible relationship between a right of exit and a right of entry. One of the conditions Kukathas places on the right of exit is that "dissenters [must] have somewhere to go—other associations which will accept them." Yet the power to expel individuals from domestic associations raises the possibility of internal "refugees" who have no right to be admitted to other domestic associations.[134] There seem to be two responses to this issue from Kukathas and his interlocutors, neither of which are entirely satisfactory. In the first instance, Kukathas attempts to diffuse this problem by arguing that complete dissociation by minority groups from wider society is possible in theory but not really in practice, and so the reality of the domestic liberal archipelago will be a series of *overlapping* associations with varying

degrees of sovereignty rather than unconnected but absolutely sovereign groups.[135] He does not conclusively demonstrate, however, that radical forms of dissociation by minority groups are—under the terms of his theory—unlikely, at least not in terms of basic civil and political rights.[136] He would seem to be correct that some rules would need to be agreed/accepted for market exchange or other wider social interactions, leading to some mutually accepted norms, and that a number of associations would overlap is some respects. Nevertheless, it is difficult to see how the niceties of contract or property law will in and of themselves rule out refusal of entry, expulsion and the rejection of basic rights. Acceptance of some of these laws may be necessary for market behavior and for regulating public spaces, but many of them will not touch on the issues we are concerned with, and they only regulate interactions between groups, not the internal life of the group itself. The need for some norms regulating the interaction of groups in common spaces does not alter the fact that as a matter of practice it is perfectly possible to deviate from basic human rights norms on a much more local level. In fact, many of the most basic human rights abuses of individuals go on behind closed doors.

A complementary strategy has been to concentrate on the nature of the wider society individuals exit into, which is presumed by Kukathas and most of his critics to be broadly liberal.[137] This would mean that whilst in theory all domestic associations would have the ability to refuse entry and expel members, in practice other domestic associations would allow internal "refugees" to enter. This response is, however, unsatisfactory for both empirical and theoretical reasons. Firstly, given the recent "retreat" from multiculturalism and associated anti-immigrant sentiment across the western world, the voluntary absorption of all internal and external refugees seems doubtful. The recent Europe-wide backlash against immigration and the Syrian refugee crisis, and the clear anti-immigration animus of both Brexit and the 2016 US Presidential election, indicate voluntary absorption of refugees by liberal democracies cannot simply be assumed.[138] Clearly the sort of radical local autonomy Kukathas advocates could lead to associations composed of majority nationals refusing entry to outsiders, and thus to substantial pockets within western democracies being shut off to both international and domestic refugees.

Secondly, the problem of internal displacement can still occur at the level of theory, and for Kukathas' theory to be internally coherent it needs the internal resources to deal with it. Since the term of the theory allow individuals to be expelled from all domestic associations, simply assuming movement and entry as a matter of fact is inadequate. In fact, Kukathas stresses he is engaged in abstract theorizing rather than practical policy,[139] and therefore ought to follow the logic of his own position to its conclusion.[140] What is therefore required is a right of entry to complement the right of exit, as Jacob Levey and Jeff Spinner-Halev have noted.[141] And the right of entry requires, even at the level of theory, action by the state. Private organizations could potentially ensure the right of exit, but if the right of entry is to avoid imposing on free association one needs a place for individuals to enter into which is beyond all private organizations.[142] Therefore if internal "refugees" are to be accommodated within Kukathas' ideal theory the state must provide a space for those leaving other associations to reside. And, as Levey notes, this has important ramifications for the form and role of the state.[143]

Both liberal nationalists such as David Miller and communitarians such as Michael Walzer have argued that modern liberal democracies are—and perhaps need to be—substantive communities of interest rather than abstract neutral frameworks.[144] We have seen that there are good reasons to doubt that Miller and Walzer are correct, but the crucial point here is that

whatever the degree of shared culture, values or meanings in modern liberal democracies, under the terms of Kukathas' theory current states would be construed as partial associations. In order to provide a space beyond all such associations, therefore, these states would need to either be reformed substantially or provide spaces within them that are less influenced by majority norms and practices. This would not, however, require a retreat to the minimal state in the typical libertarian sense derived from Locke (such as Nozick's), or to Kukathas' association of associations. Whilst the right of entry would not require a full-blown welfare state, it would require substantial action.

For example, individuals exiting from other associations would need basic shelter and sustenance, if only temporarily, until they are able to find another local association to join. This means the state would, in this respect, function more like Walzer's "hotel" than a permanent home.[145] Importantly, however, this space must be a political and cultural sanctuary as well as a physical one.[146] It must facilitate exchanges of ideas between people as they decide whether to associate with others and on what terms, and therefore strong protections for free speech are necessary, along with other core civil rights.[147] This means my minimal "multicultural" state would function not just as a hotel, but also a marketplace of ideas and potential ways of life. Individuals also need to be able to reach this space, and in in the case of those who have been physically ejected from their associations this will require the guarantee of a right of passage, and the means to make the journey. This means the state must also act as a railway station and/or provide pathways upon which individuals can travel.[148]

Finally, returning to our original concern, the state must also provide a place where individuals could learn more about their own tradition. This means the state is not just a hotel, marketplace and railway station, but also a library. And given that any given individual must be able to learn about their tradition in this library, it must be vast, covering the widest possible array of cultures, religions and philosophies. This means that individuals can choose to learn about other related traditions and, of course, other traditions less closely related. The protected space provided by the state into which internal "refugees" have a right of entry could, therefore, be substantially *comprised* of information about other associations and ways of life. This information could be made available in variety of ways, including different locations and different media. Nevertheless, it must be accessible, which means the state must guarantee some form of relevant informational infrastructure alongside that relating to transport. In my amended version of Kukathas' theory the state therefore acts as the provider of both a political and a physical space within which individuals leaving particular associations could subsist for a time, learn more about their own traditions (and perhaps others), interact with each other and, ultimately, form their own new associations. The requirement of a right of entry therefore significantly expands the role of the state beyond that usually associated with theorists who endorse negative liberty and sub-state political autonomy.

It also alters the role of the state in relation to exit, and the information provided as part of that. We have seen exit from implies entry to, and in that respect, information provided about the right of exit is necessarily intertwined with information regarding the right of entry. Knowing that one has a right to exit to somewhere is the same thing as knowing that one has a right to enter that somewhere. Likewise, knowing that this "somewhere" provides at least the basic necessities for material survival is simply confirmation that the right of exit is real, that its exercise is not tantamount to suicide. In turn, knowing that this place where one might survive provides

the opportunity to learn more about one's own tradition is at least partly constitutive of the knowledge required to meet the individual's interest regarding the content of their conscience. Thus, education imposed within the association regarding the right of entry is constitutive of freedom of conscience in the same way the education imposed regarding exit is. The two are one and the same, and neither is an unjustified imposition on freedom of association.

Precisely what information is provided about entry and exit will depend on the context. For example, we saw above that the interest an individual has in learning more about their tradition may be satisfied at a very local level, by details of a mosque in the neighboring village, or a temporary shelter run by a private actor. Nevertheless, this will not always be true, and so the existence of state options must be included as part of monitoring the right of exit. Even where there are clear local resources, providing information about state options is still necessary, as it is only the space to which any given individual has an absolute right of entry. The minimal state based on the value of freedom of conscience as rooted in tradition therefore has role to play as the monitor, protector and facilitator of exit and entry. This will include providing information regarding the rights of exit and entry, and the resources required to exercise them. It also requires that the state ensures basic welfare and guarantees a lack of physical restraint on individuals who wish to exit.

Ultimately, the arguments put forward here support a view of the state as the facilitator the movement of people, information and ideas within society, and provider of basic welfare. This action on the part of the state requires more involvement in the internal workings of associations than Kukathas currently allows, but fits better with a commitment to freedom of conscience. The reconstitution of Kukathas' theory undertaken through an application of my postfoundational account of meaning therefore pushes us away from a stark libertarianism towards the form of governance I argue for in the final chapter, based on polycentricity and pluralism. This view is not based solely in the value of individual conscience—even in its amended form—however. Rather my multiculturalism is rooted in the postfoundational account of cultural meaning and identity that underlies my version of the cosmopolitan critique, and the analysis of the relationship between tradition and conscience set out here.

Conclusion: Beyond liberal multiculturalism?

My postfoundational cosmopolitan critique of liberal multiculturalism has shown that cultural meanings and identities are contingent, constructed, and contested. We have seen that this gives us reason to be skeptical of both the worth and efficacy of assigning special rights to particular cultural groups, and that this is true whether that group is construed in terms of culture, nation, political belief, institutional structure, or other characteristics such as ethnicity and religion. We have seen that these "multicultural" rights inevitably prioritize some aspects of these cultural groups, meanings and identities over others, and thus seem likely to essentialize and reify culture, harming the members of minority cultures in the very act of trying to help them. We have also seen that holism gives us reason to suppose that more flexible, open and polycentric forms of governance may be a fruitful response to the issues raised by cultural diversity. An analysis of the claims made by the cultural nationalists thereby led us towards political liberalism, deliberative

democracy, and contextualist forms of political theory. Yet these too have been found wanting for reasons highlighted by the cosmopolitan critique.

We then turned to cosmopolitanism itself, but found that the account of culture as cosmopolitan is only contingently related to cosmopolitan accounts of universalist values and institutions, such as the globalist form of deliberative democracy defended by Abizadeh. The position I defend in this dissertation differs from these potentially homogenizing "internationalist" cosmopolitanisms because they ignore the "kernel of truth" behind liberal multiculturalism, which is that moral reasoning, political action, and human understanding are primarily local, provisional, and practical. Holism means that individual judgments and identities are always provisional, and must be understood as such. As societies we therefore should not attempt to instantiate ahistorical principles, protect fixed identities or track "objective" boundaries between groups. No matter how important we feel any of these to be, they cannot form completely fixed, foundational points in social life. In turn, this suggests that we should not attempt to impose specific values, including the robust forms of autonomy or equality that inform many theoretical accounts of liberalism and cosmopolitanism, including that of Abizadeh. Nevertheless, the postfoundational account of cultural meaning I have developed as part of my critique of liberal multiculturalism also highlighted the shortcomings of Kukathas' decentralized and anti-paternalistic form of multiculturalism. We saw that his account of conscience is unsustainable as stated, and in fact requires a much more activist state organized around a robust version of the right of exit.

References

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[1] This chapter contains material from the following co-authored publications: Richard T. Ashcroft and Mark Bevir, "What is Postwar Multiculturalism in Theory and Practice?", in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in Britain after World War II: Immigration, Nationality and Empire," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in contemporary Britain: policy, law and theory," *Critical Review of International Social and Political Philosophy*, Vol 21, Issue 1, 2018: 1-21; Richard T. Ashcroft and Mark Bevir, "Liberal Democracy, Nationalism and Culture: Multiculturalism and Scottish Independence," *Critical Review of International Social and Political Philosophy* Vol. 21, Issue 1, 2018: 65-86; Richard T. Ashcroft and Mark Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in Contemporary Britain: Policy, Law and Theory*, Routledge (2019); and Richard Ashcroft and Mark Bevir, "Pluralism, National Identity and Citizenship: Britain after Brexit," *The Political Quarterly* Volume 87, Issue3, July–September 2016: 355-359.

[2] Kasper Lippert-Rasmussen, "Offensive Preferences, Snobbish Tastes, and Egalitarian Justice," *Journal Of Social Philosophy*, Vol. 44 No. 4, Winter 2013, 439–458; "Luck-Egalitarianism: Faults and Collective Choice," *Economics and Philosophy*, 27 (2011) 151–173; "Luck Egalitarianism and Group Responsibility," in *Responsibility and Distributive Justice*, Carl Knight and Zofia Stemplowska, Eds., Oxford: OUP (2011); "Immigrants, Multiculturalism, and Expensive Cultural Tastes: Quong on Luck Egalitarianism and Cultural Minority Rights," in *Les ateliers de l'éthique / The Ethics Forum*, vol. 6, n° 2, 2011, p. 176-192; and "The Luck-Egalitarian Argument for Group Rights," in N. Holtug et al. (eds.), *Nationalism and Multiculturalism in a World of Immigration* (Palgrave Macmillan: Basingstoke, 2009).

[3] This is primarily set out in Lippert-Rasmussen, "The Luck-Egalitarian Argument for Group Rights." There are three central arguments relevant to us: first, that membership of one's own culture is not a supreme primary good in the sense Kymlicka requires; second, that some disadvantages of membership of a culture may reflect collective choices in a way that undermines the case for group rights (as opposed to compensation on an individual basis); and third, group rights protecting existing group cultures are problematic from an egalitarian perspective when one takes into account the way in which such rights affect future members of the relevant minority groups.

[4] Lippert-Rasmussen, "The Luck-Egalitarian Argument for Group Rights," 64ff.

[5] Lippert-Rasmussen, "The Luck-Egalitarian Argument for Group Rights," 65-70. I do not accept these arguments as stated and will engage with them in detail elsewhere (Richard T. Ashcroft, "Luck, Equality and Essentialism: The Troubled Legacy of Liberal Multiculturalism," forthcoming). The detail of my disagreements with Lippert-Rasmussen do not matter for what follows, however.

[6] Lippert-Rasmussen, "The Luck-Egalitarian Argument for Group Rights," 70ff.

[7] Lippert-Rasmussen, "The Luck-Egalitarian Argument for Group Rights," 61-65.

[8] In other words it is the diachronic instability that will undercut self-respect, but synchronic instability will lead to that in the absence of GDRs. Synchronic instability is thus a dispositional property of a culture at a given moment that may subsist even in the absence of rapid change.

[9] Lippert-Rasmussen, "The Luck-Egalitarian Argument for Group Rights," 72. Much the same point is made by Helder De Schutter, "The Liberal Linguistic Turn: Kymlicka's Freedom Account Revisited," *Dve Domovini/Two Homelands*, No. 44, 2016, 51-65. While Kymlicka does not insist a minority culture must be maintained at all costs, he does have a strong presumption that the state should ensure the permanent survival of the relevant culture if desired by its members and is practically feasible.

[10] This flows directly from his rejection of the character/structure distinction. He argues that it is "misleading" to see the problem as how to protect the cultural structure when it is really the character of the culture that is relevant to the individual: "it is precisely the cultural structure that is the problem, and one way to avoid the loss of self-respect it induces is to change it," Lippert-Rasmussen, "The Luck-Egalitarian Argument for Group Rights," 62.

[11] This is most obviously the case with self-government rights, due to the fact that they can only be enjoyed collectively. I will argue elsewhere (Ashcroft, "Luck, Equality and Essentialism," forthcoming) that even if we interpret Lippert-Rasmussen to advocate exclusively for individualized cultural rights this does not solve the problem. In essence, this is because it is a necessary assumption of Lippert-Rasmussen's argument that even these individualized rights have substantive effects on the pace at which minority cultures change, affecting rate of change cannot be separated convincingly from affecting direction of change.

[12] Lippert-Rasmussen, "The Luck-Egalitarian Argument for Group Rights," 72

[13] The main example Lippert-Rasmussen considers in "The Luck-Egalitarian Argument for Group Rights" involves Stayers/Leavers and the right of exit/return, but this is of no use for analyzing Conservatives and Reformers. He considers the various permutations of co-operation/non-co-operation and choice/responsibility in both Lippert-Rasmussen, "Luck-Egalitarianism: Faults and Collective Choice," and Lippert-Rasmussen, "Luck Egalitarianism and Group Responsibility." In "Luck-Egalitarianism: Faults and Collective Choice," Lippert-Rasmussen says fault-sensitive egalitarianism "sees no injustice in everyone being better off than they should be…..provided that their relative equalisandum positions are proportionate to their relative positions on [an]..absolute measure" (161). However, none of the hypothetical examples he considers maps directly onto the Conservatives/Reformers divide where *neither* party is at fault and compensation cannot be executed without harming the other party, so there is no way for Conservatives/Reformers to be "scaled" appropriately.

[14] See Lippert-Rasmussen "The Luck-Egalitarian Argument for Group Rights" Notes 46 and 63.

[15] Lippert-Rasmussen "Immigrants, Multiculturalism, and Expensive Cultural Tastes."

[16] Even if this is not strictly an "objective" judgement it must still be made from the outside of the culture by the state. Lippert-Rasmussen's gloss on Kymlicka's theory through considering the choices/circumstances distinction from the perspective of group choices as well as individual ones is irrelevant to this aspect of the cosmopolitan critique. Like Kymlicka, Lippert-Rasmussen utilizes a functional account of culture in meaningful choice and self-respect; that is what grounds the criteria of "sufficiently similar" and "sufficiently stable." Yet these must always be considered from the point of view of the individual rather than the group. Therefore, even if Lippert-Rasmussen is right that in certain circumstances sub-groups of the minority culture are not entitled to compensation because the

weakness of the culture is, from their perspective, the result of their collective choice to exit and then return, that does not alter the fact that that there is no way to judge objectively what counts as a "sufficiently similar" culture for any given individual.

[17] Lippert-Rasmussen "The Luck-Egalitarian Argument for Group Rights," 65-70.

[18] Lippert-Rasmussen'sprimary mistake here is a failure to distinguish clearly between self-government rights and other GDRs, and mischaracterizes the differences between contingent and inherent intra-group costs, confusing a synchronic account with a diachronic one (see Richard T. Ashcroft, "Luck, Equality and Essentialism").

[19] Notwithstanding the above issues, Lippert-Rasmussen's argument as stated involves an unacceptable degree of paternalism, which is incompatible with my "cosmopolitan multiculturalism" as set out in the concluding chapter.

[20] This disagreement is set out in various places. See, for example, GA Cohen "On the Currency of Egalitarian Justice," in *Ethics*, Vol 99 No. 4 Jul, 1989: 906-944. I consider the resources/welfare debate in more detail elsewhere.

[21] GA Cohen, "Expensive Tastes and Multiculturalism," in *Multiculturalism, Liberalism, and Democracy*, Rajeev Bhargava, Amiya Kumar Bagchi, and R. Sudarshan (eds) New Dehli: OUP 2007 (1st Published 1999) p80-100.

[22] GA Cohen, "Expensive Tastes and Multiculturalism," 93-97.

[23] GA Cohen, "Expensive Tastes and Multiculturalism," 96.

[24] Cohen altered his 1989 position in 2004 regarding precisely which type of costs could be compensated for and exactly what sort of actual and counterfactual choices were relevant to these costs (see GA Cohen, "Expensive Tastes Ride Again," in *On the Currency of Egalitarian Justice, and Other Essays in Political Philosophy* (Princeton: Princeton University Pres,s 2011 (originally published in 2004)), 81-115. Lippert-Rasmussen argues persuasively that Cohen's initial position is superior to his later, more expansive one, but the detail of his critique is not relevant to my rejection of Cohen's position, so it will not be discussed in depth in the dissertation.

[25] Cohen, "Expensive Tastes Ride Again."

[26] See Alan Patten, "Rethinking Culture: The Social Lineage Account," *American Political Science Review* Vol 105 No. 4 Nov 2011 735-749 and *Equal Recognition: The Moral Foundations of Minority Rights*, (Princeton NJ: Princeton University Press, 2011). I shall concentrate on the former here, as it contains all the key arguments relating to cultural essentialism, which is my concern here.

[27] Ashcroft, "Luck, Equality and Essentialism," (forthcoming).

[28] Patten, "Rethinking Culture," 735.

[29] In fact, we are arguably reifying those institutions themselves by assuming that they have predictable and consistent causal effects on individuals.

[30] Mark Bevir, *The Logic of the History of Ideas*, (Cambridge: Cambridge University Press, 1999).

[31] A la Kymlicka, Patten still makes some sort of assumption that internally driven change is ok but externally forced change is not, albeit he doesn't seem committed to the character/structure distinction. The obvious problem is that to use the internal/external distinction yet get round the issue of essentialism he gives a very formal, process-heavy account of cultural transmission via institutional control. This is at least partly what causes the above problems, pushing him towards a heavily institutionalized and formal account of cultural transmission in order to argue for GDRs while avoiding essentialism. Thus I trace some of the problems in even Patten's non-essentialist general theory of multiculturalism to Kymlickan influence.

[32] The fact that Patten cares about an adequate "range" of options within the culture also seems to hark back to a bounded conception, and he clearly articulates culture in narrow and concrete institutional terms that simply can't cope with the real diversity of cultural meanings, beliefs, identities and practices.

[33] Andrew Mason, "Political Community, Liberal-Nationalism, and the Ethics of Assimilation," *Ethics*, Vol 109 No 2, 1999: 261-286, and David Miller, *On Nationality* (Oxford: Oxford University Press, 1995).

[34] Charles Taylor's politics of recognition draws on Herderian accounts of culture. Taylor's views on Quebec clearly suppose that minority national groups have rights to some form of self-government that immigrant groups do not, and he seems to defend the right to cultural survival in perpetuity: see the report he co-authored with Gérard Bouchard, Report of the Commission on Accommodation Practices Related to Cultural Difference (Quebec: Government of Quebec, 2008). See also Charles Taylor, "The Politics of Recognition," in Amy Gutmann, ed., *Multiculturalism: Examining the Politics of Recognition* (Princeton: Princeton University Press, 1994). For an excellent discussion of the "Herderian" aspects of Kymlicka's argument that push him closer to Taylor see Helder De Schutter, "The Liberal Linguistic Turn: Kymlicka's Freedom Account Revisited," *Dve Domovini/Two Homelands*, No. 44, 2016, 51-65.

[35] This cultural nationalism is distinctively liberal in that, like a political conception of the nation but unlike ethnic nationalism, in principle anyone can become a member. Any cultural nationalism that is exclusionary will be so because it is blended with an ethnic nationalism of some variety, and therefore does not fall under our use of the term. Our definition of the term is uncontroversial, and broadly matches Kymlicka's own vocabulary (see Kymlicka *Multicultural Odysseys: Navigating the New International Politics of Diversity* (Oxford: Oxford University Press, 2001) Ch.'s 2 and 12).

[36] This claim can be attributed to both Kymlicka and Miller and is sometimes parsed as simply "shared values," but for this to be empirically plausible in diverse societies it must be construed as referring to a shared *range* of values (Seglow, J., "Universals and Particulars: the Case of Liberal Cultural Nationalism," *Political Studies*, XLVI, 1998: 963-977).

[37] This would require positing that there are two parallel "cultural nations" which both influence individual understandings but not each other, and that it is only the "values" element of the cultural nation that has the relevant causal effects. We hold that this atomistic account of meaning is in and of itself untenable (Bevir, *The Logic of the History of Ideas*). In any event all of the problems for the cultural nationalist that flow from the socially constructed nature of cultures would apply to both aspects of the cultural nation.

[38] This argument, however, is parasitic on implied claims regarding the relationship of culture to meaning, as "sharing" these values in any sense would require a substantial degree of common understanding regarding their content and import. This link between shared values and common understandings means, however, that the liberal nationalist cannot keep those values—and thence the group they supposedly define—separate from the broader framework of meanings, narratives and practices that constitute "culture" as we commonly understand it. Even if such a boundary existed it would undercut the claim that it is the particular and distinctive cultural nation, as opposed to a more generic political liberalism revolving around shared values, that has the relevant causal effects. If shared values are said to define the cultural nation these values must form part of—and be influenced by—a broader framework of common cultural meanings.

[39] Arash Abizadeh, "Does Liberal Democracy Presuppose a Cultural Nation? Four Arguments," *American Political Science Review, Vol. 96, No.3 (2002): 495-509*

[40] This is not to reduce Kymlicka's entire theory of multiculturalism to this one claim nor to imply that he is only interested in defending rights for national groups; nevertheless his account of culture as a context of meaningful choice underpins both his cultural nationalism and his defense of multiculturalism more broadly.

[41] Ashcroft and Bevir, "Liberal Democracy, Nationalism and Culture."

[42] Yet if the socially constructed and contingent nature of nations was widely understood, the nation would likely present itself—even for those individuals who saw it as their primary site of meaning and identification—as an object of choice akin to a tradition or an association. If so, it seems plausible that individuals could and would utilize different loci of meaning and identity alongside or instead of the nation, and would therefore seek correspondingly disaggregated forms of social and political organization.

[43] Arash Abizadeh, "Historical Truths, National Myths and Liberal Democracy: On the Coherence of Liberal Nationalism," *Journal of Political Philosophy* Vol 12, No. 3, 2004: 291-313.

[44] Arguably therefore a political "nation" potentially collapses into the "cultural nationalism" common to both Miller and Kymlicka. It is more plausibly a project to be realized—perhaps via institutional reform—rather than an entity which pre-exists and justifies particular institutional arrangements. In fact, a political "nation-in-waiting" would seem to be indistinguishable from a cultural nation. See also Abizadeh, "Does Liberal Democracy Presuppose a Cultural Nation?"

[45] See Ashcroft and Bevir, "What is Postwar Multiculturalism in Theory and Practice?," Ashcroft and Bevir, "British Multiculturalism after Empire: Immigration, Nationality, and Citizenship," and Ashcroft and Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth."

[46] Ashcroft and Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth."

[47] John Rawls, *Political Liberalism*, (New York: Columbia University Press, 1993).

[48] Will Kymlicka, *Multicultural Citizenship* (Oxford: oxford University Press, 1005) at 158-163.

[49] Athmeya Jayaram, *Public Reason and Private Bias* (Phd Dissertation, UC Berkeley, 2018).

[50] Iris Marion Young, "Communication and the Other: Beyond Deliberative Democracy," in *Democracy and Difference: Changing Boundaries of the Political*, Seyla Benhabib (Ed), Princeton, NJ: Princeton University Press, 1996.

[51] Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), and *Interpretation and Social Criticism* (Cambridge, MA: Harvard University Press, 1993).

[52] Nathan Pippinger, *Faultlines of Citizenship: American Politics after Democratic Nationalism*, (Phd Dissertation, UC Berkeley, 2018).

[53] Pippinger, *Faultlines of Citizenship*, and Mason, "Political Community."

[54] Mark Bevir, "Derrida and the Heidegger controversy: Global friendship against racism," *Critical Review of International Social and Political Philosophy*, 3:1, 2000: 121-138, and Mark Bevir, "Postfoundationalism and Social Democracy," *Danish Yearbook of Philosophy* Vol 35, 2000: 7-26. Arash Abizadeh, "Does Collective Identity Presuppose an Other? On the Alleged Incoherence of Global Solidarity," *American Political Science Review*, Vol 99, No.1 Feb 2005: 45-60.

[55] As we saw in Chapter 5, this does not mean there can be no justification for ascribing rights to a socially constructed group, but rather that we must be cautious in doing so. The ascription of rights on the basis of membership in a socially constructed group must be justified relative to our purposes. For example, there is reason to think that rights aimed correcting historical injustices that have occurred through the effects of previous social constructions of that group may be justified in some circumstances. We also saw, however, that these "cultural" rights are more akin to forms of affirmative action than constitutional principle, and therefore should only be employed temporarily.

[56] Those who offer a strong account of morality as based in associative duties, like Miller, would reject our cosmopolitan presumption a priori, or would argue it provides reason to reject it in practice. On the other hand, those who argue for a cosmopolitanism based in a universalism committed to *inter alia* a robust account of autonomy, like Abizadeh, would likely reject the form of our cosmopolitanism. A full discussion of associative duties and different forms of cosmopolitanism is beyond the scope of this dissertation, however. Nevertheless, the implication of the arguments made here is that some moral duties are associative in some sense, in that they rely on voluntary participation in particular associations, institutions and practices, the employment of common moral languages or shared forms of life.

[57] See Brock, G., Ed., *Cosmopolitanism versus Non-Cosmopolitanism Critiques, Defenses, Reconceptualizations* (Oxford: Oxford University Press, 2013) for a series of useful discussions.

[58] While Waldron might seem the most obvious point of comparison, I have chosen Abizadeh because for several reasons. First, we have seen the relationship between culture, meaning and identity to be the crux of the cosmopolitan critique of both liberal multiculturalism and liberal nationalism, but that both Waldron and Kymlicka do not offer systematic accounts these. Abizadeh's critique of Miller's liberal nationalism turns more directly than Waldron's on an analysis of the role of putatively "shared" meanings and identities in liberal democracy. Second, as we saw above, Abizadeh shares my view that the moral community/demos as in principle unbounded, but we see this as having different implications. Finally, Abizadeh advocates a robust form of universalist and global cosmopolitanism that flows directly from his critique of liberal nationalism. In all three of these areas, therefore, he provides a clear and useful contrast to my position, and a more obvious point of comparison than Waldron. I shall start by setting out the key aspects of Abizadeh's arguments, then proceed to compare and contrast them to my own.

[59] Abizadeh, "Does Liberal Democracy Presuppose a Cultural Nation?"; Arash Abizadeh, "Liberal nationalist versus postnational social integration: on the ethno-cultural particularity and 'concreteness'," *Nations and Nationalism* 10 (3) 2004: 231-250); Arash Abizadeh, "Historical Truths, National Myths and Liberal Democracy: On the Coherence of Liberal Nationalism," *Journal of Political Philosophy* Vol 12, No. 3, 2004: 291-313; Abizadeh, "Does Collective Identity Presuppose an Other?"; Arash Abizadeh and Pablo Gilabert, "Is there a genuine tension between cosmopolitan egalitarianism and special responsibilities?," *Philos Studies* 183, 2008: 349-365); Arash Abizadeh, "Democratic Theory and Border Coercion: No right to Unilaterally Control Your Own Borders," *Political Theory* Vol 36 No. 1 Feb 2008: 37-65; Arash Abizadeh, "Democratic Legitimacy and State Coercion: A Reply to David Miller," *Political Theory* 38(1): 121-130; and Arash Abizadeh, "On the Demos and its Kin: Nationalism, Democracy, and the Boundary Problem," *American Political Science Review* Vol 106 No.4 Nov 2012: 867-882.

[60] "Cultural nationalism" is, in effect, the overlap Miller's liberal nationalism and Kymlicka's liberal multiculturalism.

[61] For example, he argues that cultural nationalists radically underestimate intra-cultural diversity, overestimate the

difficulty of cross cultural communication, and ultimately rely on an over-simplistic "billiard ball" view of culture that is prone to reification of culture in theory, and a collapse into ethno-nationalism in practice. As with Lippert-Rasmussen, his arguments are rigorous, insightful and often philosophically technical, and so responding to every article (or argument within them) is beyond the scope of this chapter, and dissertation.

[62] These arguments are set out primarily in Abizadeh, "Democratic Theory and Border Coercion" and Abizadeh, "On the Demos and its Kin," and I will focus on these two articles below.

[63] He fills these concepts out primarily using Raz's tripartite understanding of autonomy ((1) appropriate mental capacities, (2) adequate valuable options; and (3) independence i.e. being free from "subjection" to the will of another) and the principle of equal concern and respect. See Abizadeh, "Democratic Theory and Border Coercion," 39, and Abizadeh, "Is there a genuine tension between cosmopolitan egalitarianism and special responsibilities?" 356-359.

[64] Abizadeh leaves it open what counts as participation "whatever sense is required for persons to be able to see themselves as free and equal authors of the laws to which they are subject," but clearly has in mind some form of deliberative democracy see Abizadeh, "Democratic Theory and Border Coercion," 41ff.

[65] Abizadeh, "Democratic Theory and Border Coercion," 47ff, and Abizadeh, "On the Demos and its Kin," 867 ff.

[66] See Abizadeh, "Democratic Legitimacy and State Coercion," for a fuller account of Abizadeh's understanding of coercion.

[67] Abizadeh, "Democratic Theory and Border Coercion," 54.

[68] For present purposes, therefore I will assume Abizadeh's basic logic of to be sound, although I will engage with the detail of his arguments elsewhere, particularly those relating to the legitimacy of sub-state borders, elsewhere.

[69] Abizadeh, "Democratic Theory and Border Coercion," 39.

[70] See the Rawls of both *A Theory of Justice* and *Political Liberalism*, for instance.

[71] See Abizadeh and Gilabert, "Is there a genuine tension between cosmopolitan egalitarianism and special responsibilities?" which makes it clear that Abizadeh relies on an objective account of human well-being.

[72] Abizadeh, "Democratic Theory and Border Coercion," 49ff, and Abizadeh, "On the Demos and its Kin," 880ff.

[73] This is a point Abizadeh himself utilizes in his critique of cultural nationalism, see Abizadeh, "Does Liberal Democracy Presuppose a Cultural Nation?"

[74] See Bevir, "Postfoundationalism and Social Democracy," for the distinction between the unbounded ethical community and the discrete organizations that may attempt to instantiate it. This distinction allows for greater freedom of association than most other post-national cosmopolitanisms, including the potential to close internal and external "borders."

[75] Abizadeh, "Democratic Theory and Border Coercion," 53.

[76] Abizadeh's treatment of the argument for unilateral borders on the basis of diversity fails on similar grounds. Once we remove the baseline of protections for "objective" accounts of equality and autonomy conditions, then we no longer have reason to think "the value of diversity…..would be wholly compromised" by unilateral exclusion, quite the opposite. For Abizadeh diversity is only valuable insofar as it instantiates equality and autonomy, but if we allow groups to set the terms of their own association without those constraints, then even if their borders are in principle open to outsiders, these rules could be structured in such a way (by ethnicity say) so as to *in effect* shut them. See Abizadeh, "Democratic Theory and Border Coercion," 49-51 for a discussion.

[77] Kukathas, C. (2002) "The Life of Brian, Or Now for Something Completely Difference-Blind" in Kelly, P., ed., *Multiculturalism Reconsidered* (Cambridge: Polity); Kukathas, C. (2003a) *The Liberal Archipelago* (Oxford, UK: Oxford University Press), Kukathas, C. (2003b) "Classical Liberalism" in Madsen, R. and Strong, T., eds. *Many and the One: Religious and Secular Perspectives on Ethical Pluralism in the Modern World* (Princeton, NJ, USA: Princeton University Press); Kukathas, C. (2009a) "Two Constructions of Libertarianism" *Libertarian Papers* vol. 1, art. No. 11 ; Kukathas, C. (2009b) "One Cheer for Constantinople: A Comment on Pettit and Skinner on Hobbes and Freedom," *Hobbes Studies*, 22: 192–198; Kukathas, C. (2011) "Anarcho-Multiculturalism: The Pure Theory of Liberalism" in Brahm Levey, G., ed., *Political Theory and Australian Multiculturalism* (New York: Berghahn); Kukthas, C. (2012a) "Exit, Freedom and Gender" in Borchers, D. and Vitikainen, A., eds. (2012) *On Exit: Interdisciplinary Perspectives on the Right of Exit in Liberal Multicultural Societies* (Hawthorne, NY, USA: Walter de Gruyter); Kukathas, C. (2012b) "E pluribus plurum, or, how to fail to get to utopia in spite of really trying" in Bader, R. M. and Meadowcroft, J., eds*., The Cambridge Companion to Nozick's Anarchy, State, and Utopia* (Cambridge, UK: Cambridge University Press); and Kukathas, C. "Are There Any Cultural Rights?" *Political Theory*, Vol. 20, No. 1, Feb., 1992: 105-139.

[78] Kukathas, "Classical Liberalism," Kukathas, *The Liberal Archipelago,* 5, 17, and Kukathas, "Anarcho-Multiculturalism."

[79] Kukathas, *The Liberal Archipelago,* 4.

[80] Kukathas, *The Liberal Archipelago,* 22-2, 26 Note 19, and 131-133.

[81] Kukathas, *The Liberal Archipelago,* 28-29 and 74-75.

[82] Kukathas, *The Liberal Archipelago,* 43ff.

[83] Kukathas, *The Liberal Archipelago,* 70-71.

[84] Kukathas, *The Liberal Archipelago,* 47-49 and 55.

[85] Kukathas, *The Liberal Archipelago,* 56. He accepts that the particular dictates are contextually conditioned.

[86] Kukathas, *The Liberal Archipelago,* 57-58 and 63-64.

[87] Kukathas, *The Liberal Archipelago,* 23-24 and 96-97.

[88] This means "[a] person's preferences have no bearing on whether or not he is free," but rather what matters is whether or not they can act on them. See Kukathas, *The Liberal Archipelago,* 96ff esp. 101 and 109.

[89] Kukathas, *The Liberal Archipelago,* 30, 97, 101 and 115-116.

[90] Kukathas, *The Liberal Archipelago,* 25 and 109

[91] See for instance Eisenberg, A. and Spinner-Halev, J., eds. (2005) *Minorities within Minorities: Equality, Rights and Diversity* (Cambridge, UK: Cambridge University Press) and Borchers, D. and Vitikainen, A., eds. (2012) *On Exit: Interdisciplinary Perspectives on the Right of Exit in Liberal Multicultural Societies* (Hawthorne, NY, USA: Walter de Gruyter).

[92] Brian Barry and Susan Moller Okin are probably the most famous exponents.

[93] For example the chapter by Spinner-Halev in Eisenberg and Spinner-Halev, *Minorities within Minorities*.

[94] A similar attempt at an internal critique is in Vitikainen, A. (2015) *The Limits of Liberal Multiculturalism: Towards an Individuated Approach to Cultural Diversity* (Basingstoke: Palgrave Macmillan).

[95] In what follows I will be referring to a variety of texts to amplify the account of exit in Kukathas, *The Liberal Archipelago*. This move is complicated by the fact that Kukathas' views have continued to evolve and therefore it may be unfair to assume consistency over the entire period. Nevertheless, many of his later writings suggest my interpretation of the nature of the right of exit is correct.

[96] Kukathas, *The Liberal Archipelago,* 25 and p96.

[97] See Kukathas, "Exit, Freedom and Gender," 38, 41. This impression of non-intervention and possibly non-enforcement is bolstered by Kukathas, "Two Constructions of Libertarianism," where he explicitly rejects a libertarian state that undertakes these roles in favour of one that allows any association in its midst, even slavery. He also makes this argument explicitly against Nozick's vision of the minimal state's role in bringing about "Utopia" although it is a little unclear whether this argument is a general one or just aimed at Nozick in particular (see the Kukathas, "E pluribus plurum," 299-302. See also Kukathas, "Exit, Freedom and Gender."

[98] See Kukathas, *The Liberal Archipelago,* 113ff. See Hanisch, C., *Why the Law Matters to You: Citizenship, Agency, and Public Identity* (Boston/Berlin: Walter De Gruyter, 2013) for something like the "standard" interpretation of the right of exit as a legal right enforced by the state. His note 57 on p24-25 ponders the main puzzle I will examine below, which is what are the consequences of Kukathas' assertion that an individual need not even know of its existence.

[99] See Kukathas, *The Liberal Archipelago,* 112-113, Kukathas, "One Cheer for Constantinople."

[100] Kukathas writes that associations have authority over their members provided those members recognize that authority, and "[a]ll that is necessary as evidence of such recognition is that members elect not to leave" (Kukathas, *The Liberal Archipelago,* 96). Yet he is never explicit regarding what counts *as* satisfactory evidence that members elect not to leave. His later writings indicate that the state should do very little monitoring/enforcement; perhaps simply no people leaving would be enough.

[101] Kukathas, *The Liberal Archipelago,* 113.

[102] Kukathas, *The Liberal Archipelago,* 56.

[103] Kukathas, *The Liberal Archipelago,* 56-58.

[104] Kukathas, *The Liberal Archipelago,* 63-64.

[105] Kukathas, *The Liberal Archipelago,* 63-64.

[106] By tradition I mean a series of beliefs held together by appropriate conceptual links (i.e. a degree of conceptual coherence that make it useful identifiable as a tradition) and temporal links (i.e. it is passed on from generation to

generation but often modified along the way). See Bevir, *The Logic of the History of Ideas*, Ch. 5, in particular 201ff. The concept is therefore broad enough to cover language and culture as well as narrower political/philosophical/religious/moral traditions.

[107] This is not to say that conscience is simply reducible to tradition, nor that any given individual has no agency in relation to tradition. In fact, quite the opposite, see Bevir, *The Logic of the History of Ideas*, Ch.'s 2, 5 and 6). Rather I argue that the process of cognitive development of which conscience is necessarily a part takes place through the reception of an initial tradition or traditions. A more detailed discussion of this conception of tradition and its relationship to agency can be found in Bevir, *The Logic of the History of Ideas*, to which my overall approach here is deeply indebted.

[108] It is important here to distinguish a mistake of fact regarding the demands of the tradition (e.g. whether or Islam permits drinking alcohol, or what days the Sabbath is in Judaism), and a general mistake of fact (e.g. as to the likely consequences of a particular action, or regarding the intentions/actions of another individual). They are both mistakes of fact in a general sense, but they are importantly different for our purposes. Mistakes of fact regarding the content of a tradition are, I argue, different in that they are mistakes about the demands of conscience itself, not about the likely effects of the actions that attempt to instantiate them. The argument I will develop below is predicated on the interest in following one's conscience being necessarily related to one's religious or moral tradition, and thus the information required to meet it must pertain to that tradition. A more complicated case is a mistake of fact that is directly relevant to following one's conscience. For example, it is no use knowing that it is not permitted to eat pork if you do not know how to identify pork when it is put in front of you. In the overwhelming majority of cases this information will be part of the particular tradition, or at least the broader culture in which it is embedded. And even where there continues to be a radical and shared factual mistake within a particular community that sees itself as part of a broader tradition, the interest I posit below arguably applies to understanding that fact as well. In some cases the relevant tradition is best understood as a new tradition rather than a subset of a broader one, but even then there are likely to be points of contact and similarity with other traditions that ground a relevant interest in understanding them.

[109] Therefore I think Kukathas is mistaken in an important respect when he argues, contra Kymlicka, that individuals need not have any "beliefs about what gives life value" since the "unexamined life" can be a good life and "[w]e can be quite unthinking about our lives" Kukathas, *The Liberal Archipelago,* 62. These beliefs need not be particularly reflective or even self-conscious, but without some concept of right and wrong, howsoever acquired, it is difficult to see how we could be said to be following conscience at all. Also see Bevir, *The Logic of the History of Ideas*, Ch. 3 on unconscious beliefs.

[110] I am neutral on the question of whence the individual thinks the normativity of the tradition is derived. It could be, for instance, that they believe a deity is the ultimate source of the normative bindingness of the tradition. Nevertheless, the tradition is itself binding (although not necessarily infallible) because it is the mechanism through which the individual understands the deity's commands.

[111] Some of his responses are to superficially similar but ultimately different criticisms. For example, he is correct that he does not assume that any life lived according to conscience is good, but rather that freedom of conscience is a necessary but not sufficient condition for living a life that is actually good. See Kukathas, *The Liberal Archipelago,* 62-63. This is irrelevant, however. My claim here is not about what is necessary or sufficient for a good life per se, but rather what is necessary for the exercise of freedom of conscience.

[112] Under a subjective account of conscience there would be no relevant difference between Fatima changing her beliefs about the value of particular actions and changing her beliefs about the source of that value itself. For Kukathas either of these would qualify as revising her ends. Yet this is implausible. The two sets of beliefs are qualitatively different from a moral point of view and play different roles in Fatima's belief system and moral psychology; without a prior commitment to Islam as normatively binding, her particular understanding of it would have no moral import for her. It is important to note that my argument does not require ascribing different metaphysical status to the different sorts of belief in philosophy of mind. A commitment to a tradition is a belief (e.g. "Islam is true and is therefore the only valid source of moral and religious demands) just as much as an understanding of a tradition is (e.g. following Islam entails doing X and not doing Y). A commitment to a tradition can therefore be amended or rejected in the same way a particular understanding of it can, albeit that the commitment is more likely to be central to the individual's web of belief and therefore more protected as a matter

of fact. My account is functionalist. The commitment to a tradition supervenes on particular understandings of it and gives them normative force from the perspective of the individual.

[113] Likewise, this line of argument does not suppose that individuals have an interest in living a life that is actually good. An interest in understanding the tradition to which one's conscience is committed is still agent-relative in that it is the individual's own conscience that the interest relates to, not some absolute and objective standard of good. Nevertheless, that conscience is committed to a tradition which exists as a social object independently of the subjective mental state of any given individual. This means the agent's interest in following conscience requires information about that tradition, whatever its ultimate moral worth. Kukathas, *The Liberal Archipelago,* 56ff.

[114] This parallels Kukathas' contention on that individuals do not have a basic interest in rational revision because it may make their lives worse rather than better. In his discussions of freedom of conscience as *the* basic human interest Kukathas explicitly distinguishes conscience as a motivation from the pursuit of happiness. Yet at various points in his reply to this aspect of Kymlicka's critique he seems to elide an individual's interest with following their conscience with their interest in being happy. His statement that our "lives may not go better for our being able to examine and revise our ends" clearly refers to examples of unhappiness that come from new understandings and revisions of ends, as does his illustrative example of the cryptozoologist who would be better off never knowing that Nessie didn't exist. The normative crux of his theory is freedom of conscience, not happiness, and thus when they come into conflict conscience must (for Kukathas) be prioritized over happiness. The interest I am defending here is no in being happy or living a good life per se, but rather in following conscience. As such, it is only Kukathas' epistemic criticism that I respond to directly. See Kukathas, *The Liberal Archipelago,* 53-54, 58-59, 62-64 and 113ff.

[115] Kukathas, *The Liberal Archipelago,* 126ff, 139.

[116] His complementary claim that "having the opportunity to change one's thinking or commitments at will may make it more rather than less difficult to learn what is valuable, for it may be harder to appreciate what is not consistently practised" can be dismissed on a similar basis (Kukathas, *The Liberal Archipelago,* 63-64). I am not claiming these commitments should be changed at will, rather that there is an interest in having the opportunity to learn more about them if one so desires.

[117] Waldron, J., "Minority Cultures and the Cosmopolitan Alternative" *25 U. Mich . J.L. Reform*, 1991-1992*:* 751-793

[118] Kukathas, *The Liberal Archipelago*.

[119] For Kukathas' discussion of a basic interest in the context of his rejection of rational revision see Kukathas, *The Liberal Archipelago,* 54ff. The potential reply I am examining here would run parallel to that line of reasoning.

[120] In fact, this sort of movement between traditions or cultures arguably makes them a self-conscious "rational reviser" in a loose sense, and in that respect have an interest in accurate information regarding other traditions.

[121] For the sake of argument, imagine an individual who has never had access to any form of moral tradition, but nevertheless possesses language and a basic theoretical framework. Suppose this individual is also a "self-taught" intuitionist, believing that they can use their conscience directly to discover appropriate moral behavior. This individual must therefore also believe that they can tell their moral intuitions apart their other desires or preferences, and that these moral intuitions are qualitatively different from other desires and preferences. The difficulty faced by this hypothetically atomized individual is, however, that their form of morality is entirely self-taught. Their intuitions of right and wrong operate as ostensive definitions which refer only to their private experience, yet this seems an inadequate mechanism for separating their moral and non-moral preferences. As they are stated to be entirely outside of a moral tradition they have, in effect, a "private" moral language; the only criteria for the application of right and wrong are their own intuitions. This means such an individual would, even from their own perspective, be incapable of telling whether they were engaged genuine moral reasoning or simply expressing desires.

[122] In any event, if an individual rejects the validity of moral intuitionism as a tradition then they also reject the idea that they are capable of intuiting moral principles or actions. Of course an individual might claim to have rejected the authority of (for example) moral intuitionism but carry on the process of attempting to intuit correct principles or behavior. But that does not undermine my point, it simply shows that their espoused and conscious beliefs do not match the unconscious beliefs implied in their behavior.

[123] MacIntyre, A., *After Virtue* (Notre Dame, IN: University of Notre Dame Press, 1981). Many would maintain that emotivism is genuine moral reasoning, and given Kukathas' debt to Hume he would likely be among them. Nevertheless, whilst one can classify ethical statements as simply expressing feelings, in the main self-conscious

emotivists are few and far between. Most individuals who make moral statements think of themselves as expressing propositions, at the very least about their own beliefs. In any event, even on a Humean analysis morality is a social not solipsistic practice, and moral behaviour is learnt in conjunction with others, and formalized into rules learnt as a tradition in my sense.

[124] Suffice it to note that I share the anti-positivist and anti-naturalist leanings of both Charles Taylor and Alasdair MacIntyre, and thus the general thrust of their critiques of emotivism. My own position is drawn from the post-foundational semantic holism espoused by Mark Bevir, however, and therefore I have a much stronger commitment to the potential revisability of our ends than prominent communitarians such as Taylor, MacIntyre, Michael Sandel and Michael Walzer. This leads to a greater stress on the fluidity of cultural meanings and identities, and the advocacy of polycentric forms of government to accommodate them.

[125] Kukathas may resist by arguing there really is nothing to many of these individuals save a bare sense of right and wrong, and that I am thereby collapsing my account of tradition back into his account of conscience as a basic sense. I am tempted turn that back upon Kukathas, however. As he himself admits, the concrete dictates of conscience are conditioned by local circumstances. In my view, this is because Kukathas' transhistorical moral sense is in reality an a-historical abstraction from narrower normative traditions, and therefore cannot be used as persuasive evidence against my argument. Hence the version of this argument I have addressed here is of the particular historical phenomena of seemingly rootless and generic secular cosmopolitans in western liberal society.

[126] In effect, the sort of terms that yield the sorites paradox. See Bevir, *The Logic of the History of Ideas*, 193-195 for a fuller discussion.

[127] The specification would not simply be the institutional form of course, which would be to attempt to essentialize the tradition or culture by the back door. As Kukathas himself notes, associations and institutions are often proxies for culture, but they are not invariably—or perhaps ever—coextensive with them.

[128] See Will Kymlicka, *Liberalism Community, and Culture* (Oxford: Oxford University Press, 1989) and *Multicultural Citizenship* (Oxford: Oxford University Press, 1995).

[129] See Galston, W., *The Limits of Liberal Pluralism: The Implications of Value Pluralism for Political Theory* (Cambridge, UK: Cambridge University Press, 2002) Ch.'s 8, 9, and Vitikainen, *The Limits of Liberal Multiculturalism*, 57-60.

[130] Kukathas, *The Liberal Archipelago,* 111.

[131] Vitikainen, *The Limits of Liberal Multiculturalism*, 57-60.

[132] Vitikainen, *The Limits of Liberal Multiculturalism*, 60.

[133] It may be true of two traditions, for example, that they largely understand themselves in opposition to one another, and thus an interest in understanding one implies an interest in understanding the other. A complication arises where the two traditions are antagonistic to one another, as in that case they will likely each contain information about the other which is likely to be misleading, and may both claim that any knowledge of the other beyond that is dangerous for adherents. It may well be that in these types of cases the interest is satisfied in knowing that there is further information available if required, as I argue in the next section. It would be possible to take a view similar to Mill in Ch. 2 of *On Liberty*, whereby your interest in understanding the truth of your own position may require understanding the best version of the opposing view. Whilst I am sympathetic to such a move, it is fraught with difficulty here because it opens the door to robust accounts of autonomy.

[134] Kukathas, *The Liberal Archipelago,* 25.

[135] Kukathas, *The Liberal Archipelago,* 143-144, Kukathas, "The Life of Brian," 197, and Kukathas, "Are There Any Cultural Rights?" He also claims that he does not "suggest that groups should always be able to expel members with impunity" and sometimes those leaving groups will have "valid claims" against them (although he does little to flesh this out). These "valid claims" may therefore just be claims under the terms of the association to property upon leaving. The only exception he makes is the case of groups, such as some indigenous groups, who are independent of the wider society in the sense of being "geographically remote" and having little contact with it

[136] See Kukathas, *The Liberal Archipelago,* Kukathas argues such radical dissociation is unlikely in practice, by which he presumably means that it would be technically difficult rather than politically unfeasible, as whilst it is politically unlikely that western states will allow complete dissociation/secession by minority groups, this is irrelevant to Kukathas' central normative claim as a matter of theory. Kukathas' references to the legitimacy of "humanitarian intervention" are never cashed out in terms of concrete examples, and could mean anything from simple monitoring

of the right of exit to intervention in the case of genocide. In any event, as Brian Barry points out in "Second Thoughts – and Some First Thoughts Revived," in Kelly, P., ed., *Multiculturalism Reconsidered* (Cambridge: Polity, 2002), Ch. 12, 230-233 in particular) the simple fact is that on the terms of Kukathas' theory an association can in principle set its terms of association to deviate from any wider norms if it so desires.

[137] See for example Levey, J. "Sexual Orientation, Exit and refuge" in Eisenberg, A. and Spinner-Halev, J., eds. *Minorities within Minorities: Equality, Rights and Diversity* (Cambridge, UK: Cambridge University Press, 2015). What follows is, I think, broadly complementary to Levey's approach.

[138] See Ashcroft and Bevir "Pluralism, National Identity and Citizenship" for a discussion in relation to Brexit.

[139] See Kukathas, "Anarcho-Multiculturalism," 42ff in particular and the conclusion of Kukathas, *The Liberal Archipelago*.

[140] This seems to be the case in Kukathas, "Two Constructions of Libertarianism."

[141] Levey, "Sexual Orientation, Exit and Refuge," and Spinner-Halev, J., "Autonomy, Association and Pluralism"in Eisenberg, A. and Spinner-Halev, J., eds. *Minorities within Minorities: Equality, Rights and Diversity* (Cambridge, UK: Cambridge University Press, 2015).

[142] This issue cannot be circumvented by arguing that the right of entry only requires a willingness to abide by the terms of the association, and therefore any individual who wishes to enter will act in accordance with the norms of the group. Given the absolute right of the group to set its own terms of association it would be open to them, on the terms of the theory, to alter the terms to exclude people on the basis of ascriptive characteristics, or even to ban a specific individual. Thus no individual can have an absolute right of entry into a domestic association.

[143] Levey, "Sexual Orientation, Exit and Refuge."

[144] Miller (1995) and Michael Walzer, *Interpretation and Social Criticism*, (Cambridge, MA: Harvard University Press 1987).

[145] Walzer *Interpretation and Social Criticism*.

[146]Levey, "Sexual Orientation, Exit and Refuge."

[147] Levey, "Sexual Orientation, Exit and Refuge."

[148] In fact, Kukathas' clear libertarian/anarchist leanings and attendant favoring of markets and private property may exacerbate the situation, as they may result in restrictions not just on entry into associations but also movement between them. Kukathas' metaphor of domestic society as an archipelago connected by a "sea…dotted with vessels, some moving along established routes, others wandering into uncharted areas" is thus misleading; international waters are not under the jurisdiction of any state or private actors, but in domestic society those sea-lanes are roads and thus may be privately owned and, if not, must be publicly maintained.

Conclusion

Recentering Multiculturalism: Polycentricity and Pluralism[1]

In this final chapter I argue that my postfoundational view of culture supports a radical remaking of traditional forms of liberal democracy. Ultimately, this "multicultural cosmopolitanism" is better suited to accommodating the fact and value of cultural diversity than the alternatives we have considered and, in fact, has more in common with overlooked strands of the socialist tradition than liberalism. I will start by summarizing the dissertation, before proceeding to argue that the holism that underlies my version of the cosmopolitan critique of multiculturalism points to a novel way of harmonizing them. I will then outline this "multicultural cosmopolitanism," and argue for the value of reforming our structures of governance to be more polycentric, and our public and private cultures to be more pluralist. These reforms will encourage social experimentation that might productively harness the interrelationship between political theory and practice, refocusing our forms of governance on the diverse needs of individual human beings.

The Making of the Modern World: Multiculturalism, Cosmopolitanism and Liberal Democracy

Multiculturalism and cosmopolitanism have been central to the making of the modern world. As philosophical positions they present a common—but not united—challenge to prevailing accounts of moral obligation and political sovereignty focused on traditional forms of liberal democracy within self-contained nation-states. They are also related historically, as both rose to prominence with the reconstitution of the domestic and international orders after World War II, and the globalization that followed. Moreover, multiculturalism and cosmopolitanism continue to shape contemporary liberal-democratic politics. The political turmoil in the UK, US and elsewhere over the last few years is in part a reaction against the perceived threat posed by multiculturalism and globalization to both national identity and liberal democracy.[2] While multiculturalism in public discourse and political practice is primarily concerned with integrating immigrants, in reality it affects aspects of domestic politics and law that stretch far beyond that. In turn this suggests we should look beyond political practice, and engage with the political theory literature that acknowledges that cultural diversity raises questions regarding the basic structure and composition of the polis.

The way the debate in political theory has unfolded has entangled multiculturalism and cosmopolitanism. The key debate is between the dominant theorist of liberal multiculturalism, Will Kymlicka, and his cosmopolitan critics. The core of Kymlicka's luck-egalitarian argument for multicultural rights is the contention that each individual relies upon their particular culture to provide them with a context of meaningful choice within which they decide how to live their lives, and also forms an important part of self-respect. It follows from this that differing degrees of cultural security undermine the key liberal values of personal autonomy and equality. Some of the most trenchant criticisms of Kymlicka's theory have come from thinkers who identify

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themselves as cosmopolitans, such as Jeremy Waldron, who see culture as fluid, contested and overlapping. They argue that because liberal multiculturalists try to locate individuals primarily in a single cultural "structure," they essentialize and reify minority cultures in the very act of trying to aid them. The key philosophical issue we addressed was, therefore, whether liberal multiculturalism relies on an inaccurate or even incoherent account of culture, as cosmopolitan critics allege. I suggested philosophical holism is a particularly fruitful approach to take when studying this question, providing conceptual clarity to the central issues of essentialism and reification.

In Chapter 2, I placed Kymlicka's theory in its intellectual context, showing that his luck-egalitarian understanding of the liberal/communitarian debate shaped the form of his theory in key ways. I started my philosophical analysis with a "broad" version of the cosmopolitan critique, which casts doubt on Kymlicka's claims regarding the identification of cultures and the location of individuals within them. In Chapters 3-5, I demonstrated that each plausible response by Kymlicka to this critique rendered his argument vulnerable to a further version of the critique that operated at a deeper level. My postfoundational holism showed that the conception of cultural meaning which Kymlicka's liberal multiculturalism is committed to is untenable. His theory as stated requires that he must either reify and essentialize not just minority cultural groups, but cultural meaning itself, or collapse into the communitarianism he is responding to. In Chapter 6, I showed that my postfoundational account of culture not only undercuts Kymlicka's liberal multiculturalism, but also renders prominent luck-egalitarian variants of it untenable, and that the alternative liberal responses to cultural diversity—including liberal nationalism, political liberalism, libertarianism, and even forms of postnationalism cosmopolitanism itself—are all prone to related problems.

The issues multiculturalism raises cannot simply be ignored or dismissed, however. The forms of identity and governance that cultural diversity challenges are deep-rooted, as shown by comparative historical studies of multiculturalism, and the current political turmoil across the world.[3] Therefore, although as theorists we have good reason to believe that cultural identities and groups are fluid, we know in practice some people will believe—and act as if—they are not. Any "multicultural" regime must therefore be flexible enough to account for those that experience culture as singular and natural, and those that see it as plural and constructed. Our forms of governance must accommodate the social fact of cultural cosmopolitanism, as well as those individuals who are cultural cosmopolitans. We must find a way to reconcile multiculturalism and cosmopolitanism.

Is there a "Cosmopolitan Multiculturalism"?

The truth of multiculturalism is that culture does matter for the lives of individuals, but the truth of the cosmopolitan critique is that attempting to aid specific cultural groups with special rights is fraught with danger. The question is whether these tensions can be resolved and the partial truths of each preserved. A productive response to cultural diversity must be alive to the true depth and variety of cultural difference, and its ever-contested and changing nature. Yet it must also remain open to the role of culture in individual lives without reifying and essentializing cultural groups. I suggest that the arguments set out in this dissertation point to "multicultural

cosmopolitanism" as a possible way forward, and in so doing highlights the need for a radical rethinking of liberal democracy.

Multiculturalism and cosmopolitanism highlight unresolved tensions in the modern world, pulling us simultaneously downwards towards the local and the value of cultural difference, and upwards towards global forms of governance and obligation. Postwar cultural diversity and globalization have posed dilemmas for liberal-democratic governance, which is traditionally difference-blind and located primarily in nation-states. Yet liberal multiculturalism and its cosmopolitan critics have not been able to offer a convincing response to these dilemmas in either theory or practice. The cosmopolitan critique as it has been articulated hitherto undermines liberal multiculturalism, but does not offer a positive account of the relationship between culture, meaning and identity. And, while the descriptive account of culture as cosmopolitan is usually accompanied by a normative defense of cosmopolitan justice, the two forms of cosmopolitanism are only contingently related. A rejection of liberal multiculturalism on the basis of the cosmopolitan critique therefore does not in itself require us to adopt a cosmopolitan account of justice. In fact, my postfoundational account of cultural meaning highlights the need to disentangle the two forms of cosmopolitanism. We saw in the previous chapter that a cosmopolitan account of culture militates against adopting a robust cosmopolitan account of justice because it indicates that moral and social life is inherently plural. Yet we also saw that holism also provides reasons to endorse some form of political and moral cosmopolitanism in that it indicates the ethical community—if not the demos—is in principle unbounded. The form of this cosmopolitanism is conditioned, however, by holism and the account of cultural meaning an identity it suggests. It is thus best understood as a form of "multicultural cosmopolitanism."

Philosophical holism shows that particular beliefs, theories or practices are not plucked from the ether by pure reason, nor revealed to consciousness by unmediated experience, and so are only intelligible within an appropriately defined context. Holism thus tells us our moral, cultural and political values are in embedded in particular vocabularies, self-understandings, and that our reasoning is always instantiated in lived practices. Yet holism does not imply that moral reasoning is so historically embedded as to be immune from critique, nor that it is inherently parochial. Nor does it rule out some identities being more resilient than others. In fact, my "multicultural cosmopolitanism" based in holism supports cross-cultural dialogue that attempts to find general principles to help govern a diverse society, and underlines the need for measures taken to correct harmful forms of social construction. Postfoundationalism entails, however, that moral principles, identities and groups are the intersubjective creations of historically situated actors, and must be understood as such in order to avoid problematic reification of them. Since our theories and practices are mutually constructing, any hard distinction between the two is problematic, and the consequent provisionality of our judgements means that moral and political knowledge will be the outcome of debate and negotiation. Holism shows us that social change is not an abstract process, and should not be analyzed as such. Rather, changes to our theories are enshrined in practices, and our practices inevitably remake the theories through which we understand the world. Social change is thus a process driven by concrete experimentation in plural settings, not abstract and monolithic theorizing. The philosophical arguments I have been developing in this dissertation thus, in fact, point towards the priority of social practice over abstract moral theory.

The precise form of the politics that will help construct our moral knowledge through debate and deliberation is far from clear, however. As we have seen, both liberal multiculturalism and cosmopolitan justice seem inevitably to take sides in internal cultural disputes, whether by unintended essentialism, or by imposing substantive moral values against the wishes of its members. Our response to cultural diversity must avoid this trap by being strongly anti-paternalistic. Therefore, although democracy dovetails with the weak presumption of moral equality that underlies my "multicultural cosmopolitanism," the arguments I have advanced so far condition the form and scope of that democracy might legitimately take. Certainly mass, representative, aggregative and majoritarian democracy is deeply problematic from the perspective of holism. It pays little attention to the multiple different cultural meanings and identities that cut-across each other, forcing voters to prioritize some interests and identities over others. In so doing, majority rule may provide the illusion of a majority in favor of a particular policy—as was the case with the Brexit vote—or simply ignore the desire for self-rule by some groups.[4]

Deliberative democracy is therefore clearly preferable. I have strong sympathies for, and affinities with, the accounts of multiculturalism offered by Seyla Benhabib and Sarah Song, both of whom emphasize the socially constructed nature of cultures and foreground the importance of deliberation in negotiating changes within and across them.[5] Nevertheless, our epistemic uncertainty as to the relative importance in their members' lives of the multiple groups/identities present indicates that the precise forms of governance—including our deliberative procedures—cannot be fixed in advance. Likewise, the provisional nature of our moral judgements necessitates skepticism regarding the warrant and efficacy of imposing substantive procedural conditions on local groups against their wishes. The open-ended nature of our practical reasoning means we cannot take any particular account of equality as given, but rather should recognize that historically situated individuals will explore for themselves how best to understand and instantiate their moral and cultural values.

A postfoundational "multicultural cosmopolitanism" therefore has a bias towards political dialogue and deliberation but does not cleave to particular accounts of them. Rather than valorizing moral rules or particular political procedures, it will be more productive to cultivate a pluralist ethic of openness to difference, and to encourage free exchanges between and within groups. We must therefore prioritize persuasion over the imposition of specific values, and we must guard against utilizing the disputed liberal values or formal democratic processes implicated in the problematic forms of social construction we are trying to address.[6] Instead we must allow for democratic procedures to be challenged and remade through local politics more broadly construed. Holism thus militates against restraining voluntary forms of social organization via substantive accounts of equality or autonomy, giving us reason both to expect and value a variety of moral and political arrangements.

The fluid meanings and multifaceted identities in which our morality and politics are enmeshed thus point towards the need to encourage the social conditions that facilitate diversity of thought and practice. The historicity of our reason and agency suggests that their exercise will be enriched by being able to draw on a varied background of ideas, traditions and practices. The provisional and interrelated nature of our theories and practices also suggests diversity will play an essential part of generating moral "knowledge" through comparison between different forms of life. Most importantly, permitting diverse cultural practices demonstrates that as a society we

take our deep differences seriously, and allows different cultural groups to flourish. A multicultural cosmopolitanism would therefore seek to encourage and facilitate many experimental forms whereby our forms of life are constantly remade in different ways. Experimentation would allow socially-embedded individuals to explore the different cultural and other traditions on which they draw so as to find—or perhaps even create—their own form of the good and then to pursue it. In practical terms, these experiments in living in a culturally diverse and cosmopolitan society will require dynamic forms of social organization to accommodate them.

A holistic understanding of multiculturalism points towards the value of ensuring our forms of governance are suited to the complex patterns that constitute our social world. A radical rethinking and restructuring of liberal democratic governance is required in order to accommodate the reality of both multiculturalism and cosmopolitanism and the dilemmas these present. My postfoundational analysis of the relationship of cultural meaning to moral and political action not only suggests, however, the value of more decentralized forms of governance than are than typical in modern liberal societies, but also conditions this decentralization in important ways. I see these reforms as having two main aspects that are interrelated but nevertheless identifiable as separate concerns. We must alter our structures of governance to make them more polycentric, but also alter our forms of governance—and the cultures in which they are embedded—to be more pluralist. Polycentric institutional structures, and an emphasis on pluralism within them, would better be able to accommodate the fluid, interrelated and mutually constructing nature of the relevant issues and groups.

These twin aspects of social reform will help to recenter our forms of governance on the needs of individual human beings. Such reforms would address the fundamental issues raised by multiculturalism and cosmopolitanism. They would be compatible with both our deep cultural differences and the complex and shifting ways we relate to culture and identity, and productively embrace the constant remaking of our theories and practices that holism shows is a fundamental feature of culture, individual identity, and human life more broadly. We saw in the previous chapter that the best way to minimize interference with individuals' pursuit of the good it is to instantiate a robust right of exit monitored by the state, and to provide a right of entry to an overarching public space which could function as a thin "welfare state." In effect, I advocate treating all voluntary associations as potential "cultural" groups, and treating all cultural groups akin to national minorities/indigenous peoples rather than immigrants. This would move the debate beyond the impasse identified in Chapter 1 between current forms of multicultural theory and practice, and avoid the instability in Kymlicka's typology of groups and rights. It would also help to mediate multiculturalism and the cosmopolitan account of culture, and avoid the essentialism of culture associated with the former, and the tendency towards paternalism of the latter.

Any systematic response to deep diversity, whether by direct state action or otherwise, risks, however, constructing groups in precisely the way that philosophical critiques of multiculturalism allege. The identification of any particular group to which we might ascribe rights is itself an act of social construction, and the difference between those inside and those outside the group is unclear and contested. I suggest that reorganizing our institutions to be more polycentric minimizes these risks, however, even if it cannot eliminate them entirely. Structural changes will inevitably have effects on groups—in the main by increasing exit and thus

experimentation—but these more flexible forms of self-governance will allow the evolution of a group in any direction, including multiple variations of it. Such effects are materially different from the state imposing fixed rights from outside the group, which necessarily affect the rate of change (or condition its form) by privileging some interpretations of the group over others.

I do not claim that structural reforms and pluralist practices will automatically produce beneficial practices, rather that given our philosophical arguments and historical investigations, it is plausible that they will. Harmful forms of social construction are inevitable, but the sheer complexity of identities and issues at play suggests that they cannot be prevented by top-down control. Rather, they must be reformed through countervailing practices led from below, which will be facilitated by polycentric institutions, and pluralistic practices and attitudes. For example, part of the process of instituting polycentric reforms could be public discussion of why and how they address multiculturalism as I have conceptualized it here. Emphasizing in public discourse and education the history behind our current cultural pluralism would help to foreground the realities of colonialism and its afterlife, in particular those that relate to race and national identity. Polycentric structures, and an emphasis on pluralism within them, may thereby make us more self-conscious of previous instances of social construction, and assist attempts to unwind them. These reforms could help thereby to unwind problematic forms of social construction that took place during imperialism, decolonization, and the creation of "multiculturalism" itself, without replicating the sins of reification, essentialism and paternalism of typical liberal approaches to cultural diversity.

Nor am I suggesting that it is impossible or unjustified to draw boundaries between different groups in order to ascribe rights. Legal rights are an important tool for correcting historical injustices against a particular group, and the bounds of the group and scope of the right can be identified by tracing the negative effects of previous practices of social construction on its members. For example, race is a social construction, but one that has clearly benefited those identified as "white" more than those who are not, and therefore rights for the latter may be justified as a corrective. Yet, as we have seen, the nature of the difficulty addressed implies that these rights should be temporary rather than permanent, more akin to affirmative action than constitutional principle. We must also be cognizant of the new social realities we create, some of which may even flow from attempts to deconstruct older ones. For example, valorizing any identity, even a cosmopolitan one, will exclude those who do not meet its criteria, and thus is potentially divisive. And while listening to the voices of people who have traditionally been silenced is a vital part of overcoming injustice and exclusion, we must be cautious in our embrace of those who claim to speak with authority for fellow members of marginalized groups, lest we turn the historical experiences of some into reified identities that silence others.

Polycentricity in Governance

Polycentric institutions would better reflect the fluid and interrelated nature of the various issues and identities that multiculturalism engages, allowing different groups to determine their boundaries, practices and norms for themselves. They would enable individuals to express different aspects of their identity according to their own priorities, and thereby accommodate those who wish to embrace cosmopolitan forms of identity, yet would also open spaces for

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others to focus on more traditional practices. Multiple and overlapping forms of governance may also help to foster partial—and context sensitive—forms of integration that serve purposes of justice or social cohesion.[7] Polycentricity would therefore be able to accommodate diversity that is both deep and widespread, and thus help to secure social stability. Yet such institutions would also facilitate social change. Since our theories and practices are mutually constructing, our reasoning is best instantiated in lived practices, which will inevitably take many experimental forms whereby our plural forms of life are constantly remade in different ways. Allowing genuine self-governance for those who reject dominant norms could productively utilize the different ways in which the understandings and identities of individuals and groups overlap and interact, which takes place in multiple different spheres and at a variety of levels. Greater polycentricity in governance would thus encourage political experimentation, economic innovation and cultural renewal.[8]

Uncertainty as to the relative importance in their members' lives of the multiple groups/identities present indicates, however, that the precise structures of governance adopted cannot be fixed in advance. Reforms must be tailored to local conditions, subject to negotiation and deliberation, and take diverse forms. Nevertheless, there is something of a pull towards the local understood primarily in geographical terms, as we saw in the previous chapter. Even if deliberation does not necessitate perfect transparency of communication it must require some degree of common understanding, which indicates that it will function better on a smaller scale, where there is a greater likelihood of overlap in understandings between individuals. In addition, practices of deliberation that take place in person rather than through representatives minimize the problem of agency loss, and provide increased opportunities to correct misconceptions, enhance understanding and produce forms of moral and political knowledge through ongoing dialogue. My preference—particularly within Britain and the United States, the cases I know best—is for radical devolution to a wide range of groups and associations. In part, this is because I would like to re-empower the local, which I feel has been systematically devalued, even as I continue to look upwards towards international organizations. The pull towards the local is more empirical than theoretical, however, and is itself contingent, taking place in the context of a broader polycentricity that may furnish a variety of overlapping "local" contexts—many of which will not be tied to a particular physical locality—between which individuals could move both literally and figuratively. Radical polycentricity thus increases the ability of individuals to self-sort into the associations that are the most beneficial to them, and to learn from forms of life that are not.

The ability of individuals to move around within polycentric structures of governance also implies that there should be substantial freedom of information within and across the different levels of organization. The state must therefore facilitate the movement of people through guaranteeing both a potent form of the right of exit, and substantive freedom of information within and across the different levels of organization, as I argued in the previous chapter. This overall political structure would provide a secure yet flexible space for the exercise of an agency situated against the background of various moral languages and practices. Since our moral and political knowledge is provisional, all we can be certain of is change and contestation, and a profusion of meanings and identities which will be continually remade through open-ended practices of dialogue and lived diversity. This movement between different groups, associations and sites of power will facilitate participation in diverse forms of moral, political, economic and

cultural life, ensuring my form of postnational and postfoundational governance is both "cosmopolitan" and "multicultural."

Pluralism in Culture

Reforming our institutions and structures of governance can only be part of the story, however. We must also address the role of our wider social practices and public culture in bringing about productive social change, for several reasons. Firstly, holism entails that changes to our institutions will inevitably affect how individuals think and act, but can never absolutely determine what they do. Individuals always act on their own beliefs and desires, drawing on a range of social influences in doing so that stretch far beyond formal institutional structures. Institutional change is therefore a necessary but not sufficient condition of addressing the dilemmas posed by cultural diversity. Whatever influence our institutions do have on behavior, over time the beliefs and action of individuals will feedback into and alter the operation of our institutions. We must therefore address our underlying social practices and cultural beliefs and attempt to adjust these as necessary so they facilitate our institutional reforms. These wider changes will necessarily be harder to produce—or even assess—than institutional change, but we cannot ignore them for the sake of convenience, or a comforting but false sense of confidence and control. As we saw in the previous chapter, Alan Patten's recent argument that cultural transmission is the key to non-essentialist multiculturalism focused on minority control of the institutions by which cultural reproduction and intergenerational transmission takes place. Yet in so doing ignores the decentered processes of culture which surround and inform these institutions. This makes his theory formal and procedural rather than historical and dynamic, and therefore incomplete as a set of social reforms.

Secondly, both philosophical holism and our historical narrative tells us that political practice and theory evolve in tandem, but that this is often through messy historical processes that obfuscate both their own empirical effects and the normative issues at stake. Foregrounding these processes is therefore a necessary part of achieving meaningful and stable social change at both the level of institutions, and within wider social practices and culture. The mutually constructing nature of theory and practice mean that we must strive for a productive balance between our institutions and the wider social norms and practices that feed into them. The dynamic, plural and contested nature of meanings and identities suggests, however, that there is no single point of "reflective equilibrium" between theory/practice and institutions/culture at any one moment, or over time. The value is in the pursuit of a productive balance over time rather than a static state, and this pursuit is itself a condition of successful and stable change.

Finally, holism entails that here is no hard distinction between institutions and practices, between politics, economics and culture, or even between public and private. Such distinctions are themselves social constructions, and thus serve as heuristics driven by our explanatory, descriptive or normative purposes. The latter in particular deserve close attention. Seeing our normative values as uniquely the result of, or expressed in, particular institutional structures—and the procedures which they give rise to—is problematic. Our wider social and cultural norms are an irreducible part of our forms of governance and are just as important—perhaps more so—than formal institutions or "public" values. Institutions are not entities that exist separately from

our practices; they are themselves shorthand for a series of overlapping practices informed by the beliefs of individual actors. We must therefore guard against the bewitching effects of language, which in this instance might lead us to reify institutions, giving them causal powers they do not possess, or lead us to think they are essential and immovable parts of our culture or forms of social organization. Nevertheless, holism also indicates we must be wary of a-historical rationalism and its propensity to overestimate our knowledge of the role that current institutions play in human life. Our epistemic limitations, both in terms of description and prediction, mean that we should prefer evolution to revolution, albeit towards (and within) greater polycentricity and pluralism.

Likewise, we have seen that politics, economics and "culture" all overlap and interact, and so we must not prioritize any particular sphere of governance or social life over the others, but rather seek a productive balance between them. We must therefore guard against importing beliefs, norms and practices from one aspect of our social life to another without careful consideration beforehand, and close observation afterwards. The mutually constructing nature of these different "spheres" also means that they are all, in effect, the products of culture. We must therefore acknowledge the important role cultural beliefs play in social life without lapsing into a discredited functionalism of, or paternalism in relation to, particular forms of culture. Yet, although we must accommodate our great social diversity, we cannot simply take culture as a given. Our forms of "culture" may be more or less productive, and therefore we must strive to produce fruitful beliefs and practices, not just passively accept the present situation. One way of doing this is to foreground and encourage what we see as productive aspects of both public and private culture, both through discourse and lived practice more broadly.

Just as institutions, wider social practices, and cultural norms bleed into each other, the public and private spheres are not cleanly separable. Our public and private institutions will affect each other, as will our broader public culture and our myriad private cultures. The question is not whether these processes occur, but rather what we do in response to that fact. As we have seen, attempts to hermetically seal political culture from wider cultural norms and historical practices seem bound to fail. We have also seen that theories based in functionalist accounts of culture cannot help but reify and essentialize particular cultures and identities, with problematic social effects. How then do we take account of the importance of culture in our forms of governance without reenacting these mistakes? As we have seen in the previous section, holism gives us reason to believe that polycentric structures of governance will be able to accommodate the myriad aspects of culture and identity possessed by individuals, and perhaps harness it in a productive manner. In that sense polycentricity most obviously engages our "private" cultures. In fact, the move to polycentricity was in part motivated by the problems with attempting to articulate culture as "shared" by the whole polity or a substantial sub-section thereof. Does this mean there is no such thing as "public" culture, or that even if there, is it is too nebulous and contested to be of any practical use as either a tool or goal of governance?

My suggestion is that we should focus on reforming our personal behaviors, and the multiple "private" cultures, groups and associations of which we are a part, in ways that we believe would make them more productive in the "public" sphere. In other words, we must privately perform what we would like the public culture to be. In so doing may help to bring something like that public culture into being to a sufficient degree to facilitate the workings of polycentricity. By acting in this way we are therefore engaging directly in individual moral

behavior, but also the practice social transformation, both of our "private" groups and the polity more broadly. This allows us to acknowledge the truth of the cosmopolitan critique—that we have multiple identities and participate in a variety of cultures which have conflicting values—whilst also maintaining that this descriptive claim is only contingently related to the stronger universalist normative claims typically made by cosmopolitans. We can therefore accommodate cultural difference—including those who see culture as central to their identity—but still build a more "cosmopolitan" world from the bottom-up, instead of trying to impose it from the top down.

Yet we must be mindful of the way we go about this, and must proceed in a manner which holism tells us is likely to be fruitful. Our philosophical and historical investigations suggest the worth of a series of particular virtues: honesty, inquiry, openness, charity, hospitality, and toleration. I call these "humanist" virtues, in part because they are human-centric, focused on individual human beings as intentional actors rather than objects of governance. They are also humanist in the more traditional sense, in that they all foreground human beings as the ultimate *objects* of moral worth because they are thinking *subjects*. Yet they are also an *un*traditional interpretation of humanism in that they are not based in universal moral values or logical principles, but rather in the basic phenomenological features of human beings as revealed to us by philosophical holism. These virtues are set out in lexical order, but nevertheless are only viable as a complete set within which they continually modify each other. All of these virtues are implied by philosophical holism, draw on cosmopolitan forms of thinking, and address the dilemmas posed by multiculturalism. They will help us address the problems revealed by my philosophical arguments and historical narrative, and dovetail with my normative commitments.

Honesty requires that we are clear with ourselves and others regarding our intentions, beliefs and normative commitments. It requires that we are truthful with ourselves to the best of our ability, which is a basic condition of fruitful thought and action. Honesty facilitates consistency in our individual web of beliefs, and lays the groundwork for self-critique and fruitful adjustment of our theories. Honesty is also a necessary condition of genuine dialogue, leading to agreement where possible, and helping to maintain goodwill where it is not. The absence of honesty destabilizes shared epistemic norms, leading inevitably to distrust, which in turn decreases the chances of social cooperation and learning. Transparency regarding our purposes also reduces the possibility of utilizing others as means to our ends without their consent, which would potentially further undermine social life.

Inquiry insists that seeing the first move of any social interaction be to ask the other party a question, such as what they want, or perhaps even who they are. This treats others as intentional agents with valid purposes of their own, and also constitutes the first move in a dialogue. By centering the other it increases the chances of successful interaction, and is a productive attitude to take to the world at large, allowing us to increase our knowledge and thereby facilitate social change. By contrast, whilst advocacy is sometimes required, it cannot take priority, as it necessarily places us above others, and is likely to shut down dialogue and thereby limit our ability to learn.

Openness requires that we allow for the possibility that the beliefs and practices of others may have moral value, and thereby that we at least consider the possibility of changing our own. Such openness allows the movement of information and ideas between different spheres of social life and different groups. It thereby facilitates cross-cultural communication, and thus

encourages the borrowing of ideas from other cultures in order to renew our own, which reinforces the dynamic nature of culture and identity. An attitude of openness also suggests we explain the meaning of our culture during dialogue with others rather than simply presenting it without description. This guards against a negative "politics of identity," which sees such claims as a shield from criticism, and helps bridge cultural difference by finding points of commonality that stem from our shared ways of being in the world. Such explanations of the meaning and purpose of our culture may even provoke internal cultural reform by leading us to reconsider implicit or overlooked aspects of our own beliefs and practices. Openness therefore continues dialogue, facilitating personal growth, cross-cultural understanding, and social change. On the other hand, defensiveness is (as a general disposition) socially unproductive, limiting opportunities for dialogue and the exchange of ideas, likely turning cooperation into competition.

Charity is perhaps the central humanist virtue. It makes dialogue more fruitful, meaning it is more likely to be conducted as conversation rather than argument. Even when dialogue becomes argument, charity increases the chances of the argument being productive by ensuring that we engage with the best version of our opponent's position, and by refusing to treat them as wholly other or alien. Charity leads us to understand other beliefs and practices in a positive light, reducing the temptation to indulge in—or create—essentializing social stereotypes. It also facilitates social experimentation by encouraging us to adopt beliefs and practices from other groups, and thereby prevents the ossification and reification of cultures and identities. At the same time, it suggests we must take seriously the concerns of those groups we copy while also encouraging them to be charitable in their interpretation of our actions, thereby guarding against problematic cultural appropriation from both sides. It helps encourage humility regarding our own epistemic and moral limitations, facilitating social cooperation and reducing unproductive arrogance and ignorance. Charity also means we do not just treat others as purposive beings, but also as potential objects of moral concern; not as enemies, or even strangers,[9] but as potential friends.

Hospitality treats others not just as intentional actors, sources of moral knowledge, or even objects of moral worth; it transforms them into members of one's own community—sometimes even family—albeit often only temporarily. It turns our charitable understanding of others from something that takes place as an observation from a distance, or is instantiated in dialogue, into a mode of engagement primarily in action with others. In doing so we shift from choosing whether or not to copy or adopt the beliefs or practices of others, to relinquishing some degree of control by allowing others to become present in—and thereby transform—our form of life directly. It thus changes dialogue into experimentation, and instantiates the rights of exit and entry.

Tolerance is the final humanist virtue. It is necessary as an adjunct to all of the other virtues, which lead us to encounter difference but which cannot guarantee that we will like what we find. Tolerance does not ask us to like—or even understand—the difference we encounter in the world, but rather simply to allow it to be. It is therefore not a call to action directly, but rather for a form of positive inaction that allows the space for others to be, and to change, as they wish. It is thus a much thinner form of the "politics of recognition," which demands less substantive content to the act of recognition itself. It is the most directly "public" of the virtues, providing a common social and moral space in which the exchange of ideas between communities can take place, helping to create the conditions for the myriad private groups and identities in which we

participate to survive and thrive. It is also the most overtly "cosmopolitan" of the postfoundational humanist virtues in that it instantiates an openness to the existence of the truly other, even if we cannot understand or value it. Tolerance therefore is in some ways the weakest of the virtues, requiring less of us in terms of positive action, but at the same time is the most important, allowing the other virtues to be expressed. It facilitates the social experimentation that both grounds our moral languages and judgements, and helps to drive productive, stable and peaceful social change, itself a necessary part of any culturally diverse society.

These virtues are simultaneously individual and collective, private and public, moral and political, capable of bearing cultural specificity and applying across cultures. As they straddle these different domains they can speak productively to the myriad different aspects of the modern world which we inhabit. They thereby can support the pluralist culture which I suggest will facilitate the operation of polycentric social structures, whilst also placing individual humans at the center of these processes. By performing our commitments to difference, diversity, and the moral value and agency of others, we will stay true to the form of "multicultural cosmopolitanism" inspired by holism, and to our own humanity.

Cultural Diversity Beyond Liberalism — Towards a Socialist Multiculturalism?

By exposing the philosophical foundations of liberal multiculturalism to the full force of a postfoundational form of cosmopolitan critique, this dissertation expanded our understanding of the precise nature and import of the relationship between liberal democracy, nation-state, multiculturalism and cosmopolitanism, showing it is even more complex than is commonly supposed by advocates and critics alike. In so doing, I have shown that political theorists are wrong to assume that culture cannot be used to support a normative political theory, and therefore abandon the search for a general theory of "multiculturalism" that is both context-sensitive and normatively persuasive. This mistake is partly because Kymlicka's theory of liberal multiculturalism continues to condition the political theory literature. It is in part due to a failure to understand fully the deeper historical and theoretical connections between multiculturalism, liberalism and Empire. Yet it is also in part the result of the bewitching effects of the language and modes of analysis we typically employ in contemporary discourse to describe the social world and our place in it, which condition our attempts to change it: longstanding but unconvincing assumptions in political theory and practice regarding the relationship between liberal democracy and the nation-state; a misunderstanding of the implications of the cosmopolitan critique not just for multiculturalism but for liberal democracy more broadly; a failure to foreground the issues of mind, language and action that are central to human life; and a neglect by the current intellectual left of the value of radically decentralized political, economic and social practices.

I have sketched the outlines of a form of "multicultural cosmopolitanism" informed by my philosophical holism that takes the importance of culture in human life seriously, even as it acknowledges its complex, contested and fluid nature. Holism has shown us that intentionality is an axiomatic part of human life, and therefore that we should be informed by a broad—but not a-historical or dogmatic—commitment to anti-paternalism, freedom of association, and the moral priority of the individual over the group. Holism thus biases us towards genuine

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deliberation between situated agents who see each other as objects of moral concern because they are thinking subjects. Holism steers us away from treating individuals as passive objects of governance, and any mechanisms of social reform that rely on that assumption (and thereby arguably construct it as a reality). It also suggests that traditional divides between state and non-state actors, and between different forms of social activity—political, economic, and cultural— are porous and fluid, and should be utilized as only as heuristics, not as axioms of public policy. We have reason to think that greater polycentricity and pluralism in governance would encourage political experimentation, economic innovation, and cultural renewal. These reforms of our structures and practices of governance therefore embody a turn towards more human-centric, and humanist, forms of culture and social practice.

My suggested reforms are a generally applicable—but not homogenizing—approach to cultural difference that is normatively justifiable, yet still allow for a degree of historical nuance and contextual sensitivity. Polycentric and pluralist governance would provide a holistic response to the modern world which bridges both theory and practice, and incorporates both philosophical and historical analysis. These reforms would help to mitigate the tension between historical specificity and normative principle that is particularly acute within contemporary liberalism, but which also runs throughout post-Enlightenment philosophy and politics. There is an indelible link between postwar multiculturalism, modern academic debates, public discourse regarding the role of nation and state, our current political confusion, and unresolved arguments regarding the true nature of liberalism as both a theory and practice. Contemporary dilemmas in theory and practice are, at base, therefore, the latest manifestation of long-standing tensions at the heart of the Enlightenment project regarding the relationship of the individual to the community, the local to the central, and the particular to the universal. Philosophical holism addresses these tensions by recentering our thought and practice on individuals as socially embedded but intentional agents.

My examination of liberal multiculturalism has, as suggested at the outset, taken us far beyond the confines of that literature, and has profound implications for liberal theory and practice much more broadly. The position articulated here bears a passing resemblance to John Stuart Mill's "experiments in living," and thus foregrounds both the fact and worth of cultural diversity in a way that is unusual in the literature on multiculturalism. Yet philosophical holism severs my account from the a-historical individualism, romanticized cultural essentialism and/or substantive autonomy central to Mill, but which also can be seen in much contemporary liberal, multicultural and cosmopolitan theorizing. In addition, my historical and philosophical narrative undercuts the explicit or implicit progressivism that informs modern liberalism. In fact, the position developed here is better understood as a philosophical and historical development of non-statist aspects of the socialist tradition that draw on anarchism, in particular Stuart Hall's radical democratic vision set out in the "New Times" debate, and the guild socialism of GDH Cole. Exploring these links is, however, beyond the scope of this dissertation, which is at an ending, albeit one that (I hope) points beyond itself—and beyond liberalism—towards a novel way of thinking about, and responding to, our multicultural and cosmopolitan world.

Conclusion

The reality of cultural diversity is an elementary part of our world, yet it is far from being a simple social fact, and while "multiculturalism" is often construed as a single issue, it nevertheless has myriad different aspects in both theory and practice. Any theory of multiculturalism must be capable of dealing with this complexity without being overwhelmed by it. A viable defense of multiculturalism must therefore be both systematic and flexible, philosophically compelling yet practically oriented, descriptively accurate but normatively persuasive, and address both contemporary dilemmas and their historical roots. Any theory of multiculturalism must, in other words, be holistic.

The interrelated nature of the dilemmas we face in the modern world means, paradoxically, that our multiculturalism must be cosmopolitanized and our cosmopolitanism must accept its acculturation. Yet our attempts to negotiate the tensions between them will primarily take place within the framework of the very liberal-democratic nation-states that they both call into question. Resolving these issues is certainly beyond the remit of political theory, likely impossible. In fact, this dissertation suggests that a viable form of multicultural governance would not even make the attempt, but rather seek to harness these differences productively in order to facilitate stable—but constant—social change. The practice of multiculturalism must, in other words, be open-ended.

This dissertation provides a systematic analysis of the interrelated nature of multiculturalism, liberal democracy and cosmopolitanism, casting fresh light on the dilemmas cultural diversity poses for all of them. In so doing, it demonstrates that our response to cultural diversity must take seriously the role of culture in human life whilst remaining alive to its ever-changing nature. We must remain sensitive to individual freedom, yet cognizant of our nature as social beings, and the demands we inevitably make on one another. This requires radical polycentricity in our social structures, yet also asks us to remain centered upon the plural needs of actual human beings, and on their basic moral worth. Modern multiculturalism must, in other words, be both humanist and socialist.

Ultimately, therefore, the way forward lies not in following the plaintive cries of political theorists, the technologies of modern social science, or the strident rhetoric of politicians. Rather we must try to harness the extraordinary variety that originates in everyday lives, and embrace the inevitability of pluralism and change. By opening ourselves to the radical diversity of the beliefs and practices through which individuals and communities remake themselves, we can move forward without becoming disconnected from the past, and look to the global without abandoning the local. If we do, we may start to address the underlying tensions in our thought and practice that are both old and new, and central to the many worlds we share.

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[1] This chapter contains material from the following co-authored publications: Richard T. Ashcroft and Mark Bevir, "What is Postwar Multiculturalism in Theory and Practice?", in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in Britain after World War II: Immigration, Nationality and Empire," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the*

British Commonwealth: Comparative Perspectives on Theory and Practice, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Comparative Perspectives on the Theory and Practice of Multiculturalism: Lessons from the Commonwealth," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in the British Commonwealth: Comparative Perspectives on Theory and Practice*, The University of California Press (2019); Richard T. Ashcroft and Mark Bevir, "Multiculturalism in contemporary Britain: policy, law and theory," *Critical Review of International Social and Political Philosophy*, Vol 21, Issue 1, 2018: 1-21; Richard T. Ashcroft and Mark Bevir, "Liberal Democracy, Nationalism and Culture: Multiculturalism and Scottish Independence," *Critical Review of International Social and Political Philosophy* Vol. 21, Issue 1, 2018: 65-86; Richard T. Ashcroft and Mark Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond," in Richard T. Ashcroft and Mark Bevir, eds., *Multiculturalism in Contemporary Britain: Policy, Law and Theory*, Routledge (2019); and Richard Ashcroft and Mark Bevir, "Pluralism, National Identity and Citizenship: Britain after Brexit," *The Political Quarterly* Volume 87, Issue3, July–September 2016: 355-359.

[2] Ashcroft and Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond."

[3] Ashcroft and Bevir, "'Multiculturalism' in Policy, Law and Theory: Britain, Brexit and Beyond," Ashcroft and Bevir, *Multiculturalism in the British Commonwealth*. The real-world cases show that sensitivity to local history and conditions is important, as superficially similar groups may therefore have distinctive claims in different contexts, and require tailored forms of "multiculturalism."

[4] Ashcroft and Bevir, "Pluralism, National Identity and Citizenship."

[5] Seyla Benhabib, *The Claims of Culture: Equality and Diversity in the Global Era* (Princeton, NJ: Princeton University Press, 2002), and Sarah Song, *Justice, Gender and the Politics of Multiculturalism* (Cambridge, Cambridge University Press, 2007).

[6] There is therefore substantial overlap between my account of culture and the "constructivist" account set out by Song, *ibid*, particularly in relation to the importance of understanding local historical factors, the mutually conditioning nature of majority and minority cultures, and a bias towards deliberation as a way of resolving particular issues. Her commitment to substantive equality is stronger than mine, however, in part because she focuses on multiculturalism within individual liberal democracies, in particular the United States. Also, my philosophical arguments here, and historical investigations in Ashcroft and Bevir, *Multiculturalism in the British Commonwealth* suggest that the intertwined legacy of colonialism and liberalism calls undermines basic presumptions regarding the liberal democracy and the nation-state that Song perhaps takes for granted, or at least does not address directly. Finally, my focus on the mutually constructing nature of theory and practice foregrounds the importance of expressing different forms of life in practice, not just through deliberation and negotiation.

[7] Andrew Mason, "The Critique of Multiculturalism in Britain: Integration, Separation and Shared Identification" in *Critical Review of International Social and Political Philosophy*, Vol 21, Issue 1, 2018: 22-45.

[8] Ashcroft and Bevir, "Pluralism, Nationality and Citizenship."

[9] The humanist virtues suggest we reconceptualize our understanding of, and relationship to, strangers and strangeness, as suggested by Walt Whitman in "To a Stranger":

Passing stranger! you do not know how longingly I look upon you,
You must be he I was seeking, or she I was seeking,
    (it comes to me as of a dream,)
I have somewhere surely lived a life of joy with you,
All is recall'd as we flit by each other, fluid, affectionate,
    chaste, matured,
You grew up with me, were a boy with me or a girl with me,
I ate with you and slept with you, your body has become
    not yours only nor left my body mine only,
You give me the pleasure of your eyes, face, flesh, as we pass,
    you take of my beard, breast, hands, in return,
I am not to speak to you, I am to think of you when I sit alone
    or wake at night alone,
I am to wait, I do not doubt I am to meet you again,
I am to see to it that I do not lose you.

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