

CHAPTER EIGHT

HISTORICAL

**Rawls II, Kymlicka
and Parekh**

CONCEPTUAL

**Liberalism and the
Challenge of
Multiculturalism**

Multiculturalism is probably a term with which we are all familiar. It is inescapably the case that most modern societies are made up of different religious, ethnic and cultural groups (what we can term 'the fact' of multiculturalism). Our task in this chapter is to think about what, if anything, we should do about this fact. [Modern western political thought has been dominated by liberal responses to the core features of politics.] In seeking to eradicate arbitrary inequality among citizens and to establish the political conditions for freedom liberalism has argued, in many forms, for the recognition of universal, individual rights. Every citizen must be treated equally and this is more easily done if we ignore differences between people or discount them as morally irrelevant. [On this most basic reading of liberal principles it does not matter if you are black or white, male or female, of any particular religious faith or none, just as long as you are treated equally before a legitimate political and legal authority.] On the face of it this has much to recommend it. No one should be discriminated against because of his or her race, or ethnicity, his or her gender or his or her faith. However, a series of challenges to the basic principles at the heart of liberalism has recently come to the fore. The fact of multiculturalism has brought us to question the viability and desirability of liberal solutions to the fundamental questions of political life.

Some of the most fascinating discussions surrounding multiculturalism stem from a real concern that the familiar liberal democratic political structures that we developed to cope with conflicts between different groups of human beings have themselves created new problems. Liberalism was not developed in a cultural or historical vacuum. Rather it can be viewed as a series of responses to political problems encountered in the seventeenth and eighteenth centuries. In seeking to limit the devastating effect of religious intolerance and the tendency, throughout history, to proselytise by force the principle of sovereignty was developed to divide our geopolitical space into independent, juridically equal and self-determining states. The sovereign state was considered to be the prime unit of world politics. A sovereign state had exclusive, indivisible authority within its borders and acknowledged no higher authority outside itself. The emergence of these large, territorially bounded states precipitated a massive change in modern politics. Politically these large, originally heterogeneous, units became forged into nations. The emergence of the nation-state brought with it the creation of national identity, over and above the distinctive cultural, religious and parochial identities of earlier times. At roughly the same time as this process took hold in early modern Europe (and as a part of this process) the Enlightenment attempt to rescue us from the injustices of the old world order began to push for 'the rights of man'. Slowly the idea that each individual could be guaranteed freedom and justice only by virtue of equal membership, or citizenship, in a nation-state gained currency and credibility. If each individual was subject (on equal terms with his or her fellow citizens) to the same set of shared institutions, which were neither subject to the arbitrary whims of some group within the state or anyone outside it, then they were free. In this way differences of wealth, class, ethnicity and religion were to be subsumed under a universal conception of justice embodied in a unitary conception of citizenship. The core idea here is that both the Enlightenment conception of an undifferentiated or unitary citizenship and the principle of sovereignty were developed as solutions to the problems we faced in the seventeenth and eighteenth centuries. These ideas and their institutional and legal manifestations are still massive features of the political landscape today. As political innovations they have had the most profound influence on modern and contemporary politics. Your lives are structured by your membership of a state (or perhaps the lack of one). Your lives are governed by laws designed to reflect the idea that every citizen is equal before the law.

An Introduction to Political Theory
means an epitome of justice and morality. Human emancipation is a complex venture. There are no readymade answers to all human problems. In devising their solution, relevant ideas from different ideologies may be drawn and examined. Of these, liberalism, Marxism, socialism, fascism, anarchism and Gandhism are particularly important.

V LIBERALISM

Basic Tenets of Liberalism

Liberalism is a principle of politics which insists on 'liberty' of individual as the first and foremost goal of public policy. Liberty, in this sense, implies 'liberation' from restraints—particularly, from the restraints imposed by an authoritarian state. This principle was evolved in the West in late seventeenth century in order to liquidate feudal privileges of the land-owning class and to create favourable conditions for the new entrepreneurial class to enable them to contribute to social progress.

AUTHORITARIAN STATE

A state where an individual, a group, an institution, or a set of rules enshrined in a sacred book are regarded as the source of authority, i.e. legitimate power; its orders or directions are required to be obeyed by all without questioning.

In fact liberalism is not a fixed mode of thought, but an intellectual movement which seeks to accommodate new ideas in order to face new situations and new challenges. However, its basic tenets may be identified as follows:

- (a) Man is a rational creature. He has immense potential to contribute to social progress as well as to his own good;
- (b) There is no basic contradiction between an individual's self-interest and the common interest. In fact the common interest denotes a point of reconciliation between the interests of different individuals;
- (c) Man is endowed with certain natural rights which cannot be transgressed by any authority;
- (d) Civil society and the state are artificial institutions created by individuals to serve the common interest. They are entitled to demand obedience to their orders from individuals on the condition of fulfilling this function;
- (e) Liberalism believes in the primacy of procedure over the end-product. It means, if the procedure for arriving at a decision is right, the decision may be accepted to be right. Liberal view of freedom, equality, justice and democracy is a search for right procedure in different spheres of social life;
- (f) Liberalism promotes civil liberties of the individual, including freedom of thought and expression, freedom of association and movement, personal freedom (which rules out search or arrest without a warrant) and strict

- compliance with legal and judicial procedure. Any restriction on individual freedom should be meant to ensure equal freedom for others;
- (g) Liberalism upholds freedom of contract. No individual can accept any obligation without his own consent, and without consideration of mutual benefit. The state would function as umpire in the enforcement of contracts. However, a contract concluded under pressure, or the one which compromises dignity of the individual, shall be void; and
 - (h) Liberalism holds that public policy should be the product of free bargaining between groups of individuals formed to pursue their common interests.

In short, liberalism treats market society as the model of social organization where role of the state should be confined to the protection of individuals' life and property, enforcement of contracts, and maintenance of minimum common services which would not be undertaken by private entrepreneurs. In liberal view, the state is a necessary evil. Liberalism treats the state as the means and individual as the end. It rules out absolute authority of the state.

Early exponents of liberalism include John Locke (1632–1704), Adam Smith (1723–90) and Jeremy Bentham (1748–1832). All of them were English philosophers. Locke is known as the father of liberalism. Smith is known as the father of economics, Bentham the founder of utilitarianism. All of them defended the principle of laissez-faire which implies least interference of the state in the economic activities of individuals. They are the founders of classical liberalism which is called negative liberalism because it contemplates negative role of the state in the sphere of mutual interaction of individuals. In the twentieth century, Herbert Spencer (1820–1903), an English philosopher, sought to reaffirm negative liberalism through the application of the principles of natural science to social organization.

✓ WELFARE STATE

A state that provides for various types of social services for its citizens, e.g. social security (financial assistance in case of loss of job or any other source of income, death of the bread-winner, prolonged illness or physical disability or any other calamity), free education, public health, poor relief, supply of essential goods and services like foodgrains, milk, fuel and transport to the needy at subsidized rates. It undertakes the protection of cultural heritage including monuments, museums, libraries, art galleries, botanical gardens and zoological parks, etc. It also promotes higher education and scientific research, etc. to step up intellectual and cultural development of society.

John Stuart Mill (1806–73), an English philosopher, sought to modify utilitarianism and the principle of laissez-faire on philosophical grounds which paved the way for the theory of welfare state. Then T.H. Green (1836–82), another English philosopher, sought to add a moral dimension to liberalism and thus advanced a full-fledged theory of welfare state. This tradition was further developed by L.T. Hobhouse (1864–1929), Harold J. Laski (1893–1950) and R.H. Tawney

(1880–1962)—all of them were English philosophers. Thus the theory and practice of welfare state flourished in the first half of the twentieth century in England. This theory contemplates positive role of the state in securing a dignified life to individuals. It is therefore called positive liberalism.

★ On political side, liberalism promotes democracy; on economic side, it promotes capitalism. Democracy is concerned with fulfilling needs and aspirations of ordinary people, but capitalism results in the concentration of economic power in the hands of the few who may use it against the interests of ordinary people. This situation is sought to be rectified by the mechanism of the welfare state.

Streams of Liberal Thought

Early liberal theory developed in two main directions: (a) individualism; and (b) utilitarianism. Individualism focused on individual as a rational creature. It required that individual's dignity, independent existence and judgment should be given full recognition while making public policy and decisions. It means, no individual shall be made to suffer in order to benefit any larger unit of society. According to this view, only an individual can have any rights; family, trade union, corporation or the state cannot have any rights which could be distinguished from the rights of their individual members. Similarly, no social unit can have any interests which could be distinguished from the interests of its individual members. Individualism supports a social and legal system which is based on voluntary transactions between individuals. This view strongly upholds market society model and holds that even taxation should be confined to the provision and maintenance of common services. John Locke and Adam Smith are the early exponents of individualism.

On the other hand, utilitarianism stands for 'greatest happiness of the greatest number' where interest of the few may be sacrificed in the interest of the collectivity. Happiness is defined as the balance of pleasure over pain derived from various goods and services, acts and policies. Founder of this school of thought, Jeremy Bentham, has observed that nature has placed mankind under two sovereign masters: pleasure and pain. Human behaviour is guided by an urge to obtain pleasure and avoid pain. Moral principles and state policy should aim at promoting 'greatest happiness of the greatest number.' Bentham made no distinction between qualities of different pleasures. He insisted on maximizing the quantity of pleasure. But John Stuart Mill pointed out qualitative differences between different types of pleasure, and thus recognized the variety of tastes of different individuals. Further, he projected the liberty of individual as the highest value. These modifications in utilitarianism tilted it toward individualism and transformed its basic character. Mill also pleaded for taxation of the rich for the benefit of the poor, and thus paved the way for the welfare state.

Neo-Liberalism

Neo-liberalism, neo-classical liberalism or libertarianism stands for contemporary version of classical liberalism which seeks to restore *laissez faire* individualism. It denounces the welfare state, opposes state intervention and control of

economic activities. Champions of neo-liberalism stand for 'rolling back' the state which has immensely expanded its sphere of activities. The chief exponents of neo-liberalism include F.A. Hayek (1899–1992), an Austrian thinker, Milton Friedman (1912–2006), an American economist, and Robert Nozick (1938–2002) an American philosopher.

In the second half of the twentieth century these thinkers realized that the theory of welfare state was inimical to individual liberty, as it involved the forced transfer of resources from the more competent to the less competent. In order to restore individual liberty, they sought to revive the principle of *laissez-faire* not only in economic sphere, but also in social and political sphere. In a nutshell, neo-liberalism upholds full autonomy and freedom of the individual. It seeks his liberation from all institutions which tend to restrict his vision of the world, including the institutions of religion, family and customs of social conformity apart from political institutions. Philosophically it repudiates the deterministic outlook of human life, and maintains that human personality, character, thought and actions cannot be construed as an outcome of his circumstances. In other words, it treats man as the maker of his destiny. It is, therefore, hostile to all social and legal restrictions on individual's freedom of action. In the political sphere, neo-liberalism particularly insists that man's economic activity must be actively liberated from all restrictions to enable him to achieve true progress and prosperity.

All neo-liberals believe in the primacy of the 'spontaneous order' of human relationships as exemplified in free markets. They deplore any politics (notably socialism) which pretends to have definitive knowledge of human needs. No government can have such knowledge. Human needs manifest themselves through the myriad unpredictable transactions between individuals living in a free or open society. If government tries to regulate these activities, it would amount to curtailing their freedom without fulfilling their genuine needs. It would therefore be advisable to transfer such decisions to the market which will maximize their choice. In the economic sphere, market exemplifies a genuine democracy. In the political sphere, market represents a model of genuine democracy, where votes are traded against welfare benefits, and the cost is borne by the most productive members of society.

A Critical Appraisal

Liberalism is, no doubt, a dynamic political philosophy which has responded to the changing needs of time. However, like any other ideology, it has failed to redeem mankind from its predicament. In fact, liberalism has clung to capitalism so firmly that all its new ventures appear to be new devices for sustaining the capitalist system or justifying its existence.

Liberalism Retains Its Bourgeois Character

Liberalism arose for the protection of the interests of the *bourgeoisie* (the capitalist class) when political power was wielded by feudal interests. In its early phase, liberalism stood for limiting the power of the state in favour of *laissez-faire*

individualism, minimum government, minimum regulation. In pleading for this policy, liberalism insisted so much on freedom of the property-owning class that it set aside all human considerations. As R.H. Tawney, in his *The Acquisitive Society* (1920) observed:

The story of the struggle between humanitarian sentiment and the theory of property transmitted from the eighteenth century is familiar. No one has forgotten the opposition offered in the name of the right of property to factory legislation, to housing reform, to interference with the adulteration of goods, even to compulsory sanitation of private houses.

Such arguments are no longer advanced. But, at times, the right to property is held sacrosanct even when it is responsible for wide socio-economic disparities, inflicting indignities and injustice on the bulk of mankind.

In a later phase, starting from the French Revolution (1789) when the bourgeoisie themselves came to power, liberalism tended to widen the functions of the state and to support an ever larger degree of regulation. It cannot be denied that the concept of the 'welfare state' was evolved not out of sympathy for the vulnerable sections of society—the peasants, workers and ordinary people—but with a view to enlisting the support of these classes in order to maintain the *status quo*. Thus, in practice, liberalism upholds a capitalist system or *mixed economy* which also creates favourable conditions for the bourgeoisie to maintain their hold on economic as well as political power. The policy of *incremental change*, which involves small and continual concessions to the lower classes, is cleverly devised to contain unrest and to hold the forces of revolution in check. Thus, the welfare state seems to create an illusion of welfare, rather than securing real welfare.

Actual Imbalance of Group Interests

Contemporary liberalism upholds representative democracy on the assumption that the state represents the interests of all groups within society and that it ensures reconciliation of conflicting interests. This could be true in the case of some societies but it cannot be demonstrated as a universal phenomenon. In developing nations, it is particularly evident that various groups are not equally conscious of their interests, nor are they equally well-organized, nor equally vocal. Usually, these countries are dominated by 'vested interests'. For instance, in India a handful of business interests are very well-organized, active and vocal while the tremendously large body of consumers is rarely organized. Thus, in spite of decisions being taken by representative institutions, in practice, there is an obvious imbalance in the sphere of protection of the interests of the various groups.

Contribution of Liberalism

The greatest merit of liberalism lies in initiating the process of replacing traditionalism by modern rationalism. In other words, it asserted that socio-economic relations of men in society, which were hitherto based on 'tradition', should now be

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based on 'reason'. Since this process was started by the new middle class—the merchants and the industrialists—they were the first to benefit from this change; feudalism was replaced by capitalism not only in the economic sphere, but corresponding changes were brought about in the political sphere as well. This had some evil effects also. The condition of the working classes deteriorated with the success of classical liberalism. But *once the process of redefining social relations from the point of view of 'reason' had started, it could not be stopped from reaching its logical conclusion*: the rise of socialism. Socialism sought a better deal for the working class on the same principle of 'reason' which was initially invoked by liberalism. Faith in 'reason' is a dynamic force. Liberalism, therefore, did not hesitate to transform itself as and when it was faced with new challenges. This has led to new insights as regards the principles of freedom, equality, justice, democracy, progress, and other human values.

In fact liberalism is invoked today in two important contexts: (a) as a theory of capitalism, and (b) as a theory of constitutionalism. So long as liberalism is commended with a view to vindicating the economic relations of capitalist society, it is bound to suffer from its inner contradictions which must be resolved by invoking human values. On the other hand, when liberalism is invoked as the foundation of constitutionalism and suitable curbs on political power, it embodies lasting political values. It is, therefore, bound to survive on this front.

/CONSTITUTIONALISM

The principle that insists on organization and working of the state according to a constitution so that no organ or office-holder of the state is allowed to use arbitrary power. A constitution not only provides for a framework of government but also prescribes powers of various organs of government and the limits of those powers.

VI

MARXISM

What is Marxism?

Marxism derives its name from that of Karl Marx (1818–83), a famous German economist and social philosopher of the nineteenth century who is the chief exponent of this theory. It is interesting to recall that this term was unknown in Marx's own lifetime. Friedrich Engels (1820–95), a close friend and collaborator of Marx, once reported the following comment made by Marx himself: "All I know is that I am not a Marxist." Marx probably said so as he did not claim to offer a comprehensive world-view. It is also possible that he did not advance such a

view don't count as "liberal" properly speaking. I call these disowning arguments. If we are to characterize effectively both the diversity and the commonality of the liberal movement, we should try as far as possible to avoid such arguments and instead seek to determine the common characteristics of all theories whose authors embrace the "liberal" description. These common characteristics must be stated in a highly general, imprecise form, in order to take account of the variety of ways in which that form has been concretized in theory. To use Rawls's terminology, liberalism must be stated in terms of "concepts" rather than "conceptions": Liberals are, I argue, largely united on the issue of what concepts a liberal society should affirm, but they have different conceptions of these concepts.

[With these caveats, let me propose that all theories that are properly considered "liberal" share the following five fundamental commitments:

1. A commitment to the idea that people in a political society must be free. As I have already noted, the concept of freedom can be understood in a variety of ways, some highly individualistic, others more collectivist.
2. A commitment to equality of the people in the political society. Again, the concept of equality can be understood in a number of ways, ranging from the mere denial of natural subordination to the affirmation of pure procedural equality for all people to the insistence on substantive economic equality.
3. A commitment to the idea that the state's role must be defined such that it enhances freedom and equality (as defined by that theory). As we have seen, different liberals disagree quite severely about how the state can best enhance freedom and equality—some maintaining that it can do so only by taking a very minimal role in the society, others maintaining that it must take a very extensive role. This disagreement relates in part to different understandings of what freedom and equality are. Despite this disagreement, all liberals tend to agree on the following three general theses about the state's role and structure.
 - 3a. The state has the best chance of securing the freedom and equality of its citizenry when it is organized as a democracy. The idea that democracy is central to the construction of a liberal polity has been largely unchallenged in recent times. And although this commitment to democracy tends to go along with a commitment to certain procedures that a liberal state must follow in its legislative and judicial processes, such as habeas corpus, in general liberals in different liberal societies have disagreed about what procedures and practices best implement the democratic ideal.
 - 3b. The state can ensure freedom only by pursuing policies that implement toleration and freedom of conscience for all citizens. As we shall see, for theorists such as Rawls this is a particularly important feature of liberalism. But again, how toleration and freedom of conscience are best

implemented is the subject of controversy (e.g., consider the debate over the best construction of freedom of speech laws).

- 3c. *The state must stay out of the individual's construction of his own life plans—his "conception of the good."* As we have seen, however, the disagreement on this last thesis is matched by controversy over its interpretation: Some liberals believe that when they say this, they are committing the state to a minimal role; others insist that the state's neutrality with respect to life plans may well require rather extensive state involvement in the life of the community, for example, in assuring the economic equality necessary for individuals to have a free and equal chance to pursue their own conception of the good. And liberals such as Raz claim that the best way of justifying tenet 3c is to appeal to the state's appropriate concern that its citizens live a good and morally successful life.

The fourth tenet of liberalism focuses on the importance of individual consent in the legitimating of a political society:

4. *Any political society must be justified to the individuals who live within it, if that society is to be legitimate.*²⁹ Or in other words, individuals are the ultimate units of normative political analysis, so that political policies, institutions, and large-scale conceptions of justice must always be legitimated on the basis of how each person in that society would be affected by them.

To use the terminology of Chapter 3, the liberal state must not only receive the convention consent of the people, which merely makes it authoritative in that territory, but also their endorsement consent, which makes it not just a state but a legitimate state. Presumably, their strong consent is connected to their belief that their state is operating justly, so that this consent is a marker for the justice of the state. It cannot, however, be considered an infallible marker, since people can consent (mistakenly) to that which is not just. However, controversy surrounds this fourth tenet: How do we understand the individuals to whom the justification is made? Are they real individuals in the society, or should they be appropriately cleansed of bias, irrationality, and bad reasoning in order for the justification to be morally compelling? What form does the justification take? Does it have to be contractarian in nature, or can a utilitarian argument be responsive to individuals in the right way? And does the justification require that individuals respond with their actual consent, or does the hypothetical consent of their fully rational counterparts suffice? Different liberals have given a variety of answers to these questions.

But all of them construct their answers in such a way that they take them to be justified by reason. The birth of liberalism in the Enlightenment points up this "common faith" in reason that liberals have had:

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5. Reason is the tool by which the liberal state governs. Whatever the religious, moral, or metaphysical views of the people, they are expected to deal with one another in the political arena through rational argument and reasonable attitudes, and the legitimating arguments directed at individuals in order to procure their consent must be based on reason.

Implicit in this commitment is the idea that reason is common to all human beings—indeed definitive of what it is to be a human being. But liberals differ on the nature of reason: Some have a Kantian conception, others a utilitarian conception, others a rational choice conception. Rawls's political liberalism relies on a conception of the "reasonable" that is deliberately meant to provide a certain measure of substantive neutrality toward competing political views, even while ruling out views that should not be part of any overlapping consensus in a society that attempts to realize justice. These different conceptions of reason are associated with different conceptions of how morality and thus liberal values are "based on" reason, some of which support moral objectivism and some of which do not. So liberals hold a great variety of positions on moral metaphysics. And that means there is a variety of liberal positions on how we should understand the "truth" of normative prescriptions about our political life. But although liberals disagree about what that rational capacity is and what it reveals, the idea *that we can improve our society through reasoning*, enabling us to construct a legitimate and well-functioning political society, has been a fundamental liberal belief.

It is this commitment to reason that makes all traditional liberal theories (including Rawls's theory) descendants of the Enlightenment.³⁰ But having said this, I want to be careful to distinguish liberals' general commitment to the idea that reason can reveal politically relevant truth from any particular conception of how reason informs us of political truth. For example, some liberals have been committed to reason as *superior* to religious belief or revelation and held the view that religion is mere superstition that good reasoning enables us to overcome. This particular view about reason has not been universally held among liberals; Thomas Jefferson, for example, specifically rejects it.³¹ By "Enlightenment liberalism" I do not mean a theory that would embrace such a particular view but rather a theory that holds there is a faculty of reasoning "common to the typical theist and the typical atheist" that suffices for working out how our political societies ought to be structured.³² This latter view is compatible with a host of positions on religion and religious revelation, both hostile and friendly. And it is this latter view, and not any particular stand on the relation between reason and religion, that has been the hallmark of all liberal theory.

Note that there is a connection between the liberals' commitment to reason and their commitment to human beings as free and equal. To

maintain that public policy is to be pursued via the use of reason is to be committed to the use of rational argument in the setting of public policy. When you argue with an opponent as opposed to, say, fighting with him, you seek to win him over to your side not by coercing him but by asking him to *choose* to accept your position in view of its rational superiority. Thus you are respecting his autonomy and rejecting the idea that his views make him inferior to you and thus subject to coercion by you or by those who hold your views. To be committed to persuading by rational argument is therefore to be committed to respecting the individual, not necessarily as a virtuous person or as a smart person or as a person satisfying some normative ideal, but as a human being who, like you, can and should choose what he believes in his life.³³]