CULTURE AND AUTONOMY

A Critique of Will Kymlicka’s Defense of Group-Differentiated Rights

by

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ABSTRACT

This thesis examines Will Kymlicka’s attempt to provide a distinctly liberal defense of group-differentiated rights. Kymlicka considers membership in a “societal culture” to be a necessary condition for autonomy. He argues that since liberals consider the capacity for autonomy to be a “primary good” they should ensure that all individuals have access to a societal culture. I argue that since Kymlicka considers societal cultures to be valuable because they are a precondition for autonomy, he is strictly limited in the kinds of practices he can justify as a means to supporting societal cultures. Kymlicka also suggests that one can protect a community without protecting the character of that community. I argue that this leaves him unable to recognize those groups that should be the beneficiaries of group-differentiated rights. Finally, in order to protect the rights of internal minorities, Kymlicka makes a distinction between internal and external protections. I argue that this distinction fails to offer internal minorities adequate protection. Lastly, I examine Charles Taylor’s understanding of the importance of recognition as well as his view that there are a plurality of goods which should guide political deliberation. I argue that although Taylor does not resolve many of the dilemmas raised in the examination of Kymlicka, his conception of a “fusion of horizons” points towards an approach that may be more fruitful.
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INTRODUCTION

The term "multicultural" refers to the presence of various cultural communities within a larger nation state. It points to a pluralism based, not on diverse possible interests in an ethnically homogeneous society, but a pluralism derived from ethnicity itself. Ethnic heterogeneity is therefore the basis for cultural pluralism. Much current political theorizing is devoted to determining the political consequences of cultural pluralism. Debates abound whether the correct response to cultural pluralism is a state that ignores the particular cultural attachments of individuals or a state that gives these cultural groups formal recognition. Central to the debate is the question: what interests legitimize granting political power to cultural groups? Avishai Margalit and Joseph Raz, for instance, argue that certain cultures have an important interest in what they call "self-determination" (Margalit and Raz 1990). Omar Dahbour describes self-determination as the idea that "each nation ought to have their own state. Or to put it differently, each national identity should find expression in the governmental institutions of a distinct country" (Dahbour 6). The suggestion is that if cultures are equivalent to nations, multicultural states are inherently unjust. In its extreme form this position argues that to be just, states need to be monocultures. As Eric Hobsbawn notes, there appear to be some inherent dangers to such an approach:

The ideal of such a state is represented by an ethnically, culturally and linguistically homogeneous population. We now know that this standing invitation to "ethnic cleansing" is dangerous and completely unrealistic, for out of the almost two hundred states today only about a dozen correspond to this program (Hobsbawn 1066).
Will Kymlicka argues that members of different cultures can share a common political organization but justice may require that some of these groups be granted distinct rights or powers. He describes this as "group-differentiated citizenship" (Kymlicka 1995a, 35). His argument has been characterized as an attempt to defend a "Liberal Nationalism" (Lichtenberg 54). Kymlicka’s approach involves "special legal or constitutional measures, above and beyond the common rights of citizenship", of which there are three basic types: "(1) self-government rights; (2) polyethnic rights; and (3) special representation rights" (Kymlicka 1995a, 26-27). Self-government rights have as their central concern "political autonomy or territorial jurisdiction." Polyethnic rights provide public funding for particular cultural practices and "exemptions from laws and regulations" that disadvantage minority cultures. Lastly, the goal of special representation rights is the "proportional" or "guaranteed" representation of certain groups in political deliberation (Kymlicka 1995a, 27, 31, 32). This thesis will examine Kymlicka’s defense of these special provisions.

Kymlicka attempts to provide a "distinctively liberal" defense of minority rights (Kymlicka 1995a, 75). Kymlicka’s argument is not so much a revision of liberal theory as it is an attempt to show that liberal theory already has the theoretical resources required for taking culture into account. In Liberalism, Community, and Culture he set himself the task of showing:

(1) that cultural membership has a more important status in liberal thought than is explicitly recognized – that is, that the individuals who are an unquestionable part of the liberal moral ontology are viewed as individual members of a particular cultural community, for whom cultural membership is an important good; and (2) that the members of minority cultural communities may face particular disadvantages with respect to the good of cultural membership,
disadvantages whose rectification requires and justifies the provision of minority rights (Kymlicka 1989, 162).

There are two initial grounds to Kymlicka's approach, a concern with the "good" of culture, and a desire to promote equality between groups with respect to this good. In his recent book *Multicultural Citizenship*, Kymlicka argues that "group-differentiated rights" are necessary to promote equality with respect to the good of culture and that these rights are consistent with the liberal commitment to "freedom and equality" (Kymlicka 1995a, 34).

In this thesis I will examine Kymlicka's argument for what he calls "differentiated citizenship" in light of the liberal values he professes to defend.

This thesis begins by setting out some of the values that have been the basis for traditional liberal theory. In Chapter One I suggest that Kymlicka places special emphasis on one of these values, the capacity for autonomy. I then discuss the nature of autonomy and why liberals consider it to be of such importance. This leads into Kymlicka's argument that cultural contexts are a pre-condition for autonomy. In Chapter Two I examine a particular issue endemic to cultural pluralism, the disintegration of cultural groups and the assimilation of their members. This chapter examines the sources of the pressure to assimilate and the kinds of responses that might be necessary if one hoped to reduce this pressure. Chapter Three examines whether Kymlicka's defense of group-differentiated rights can justify the sorts of practices required to reduce the pressures outlined in Chapter Two. The central question is, can a defense of minority rights be based upon the value of autonomy? I argue that his approach has some important drawbacks and outline three criticisms. Chapter Four briefly examines an alternative response to this issue: Charles
Taylor's focus on issues of "recognition."

This thesis will argue that Kymlicka's approach encounters three major difficulties. Firstly, if the driving force behind Kymlicka's project is to rectify imbalances in certain "goods" such as the conditions for autonomy, it is difficult to see how Kymlicka could make a case for protecting any particular culture. Given his framework it is difficult for him to argue that governments should protect individuals from being assimilated into other cultures where the pre-conditions for autonomy are met. The consequence of this is that it is difficult to promote policies aimed at the survival of particular cultures. Second, Kymlicka faces the difficulty of determining to whom one is actually granting any special powers or rights. Defining the shape or boundaries of a community is a contentious issue. If cultures are themselves ever-changing, then attempts to protect a particular culture might impose an artificial stasis. Limiting the ability of that culture to change in turn limits the ways in which individuals might hope to re-invent that culture. This would undercut the very reason Kymlicka thinks cultural communities are important in the first place, as a source of autonomy. The third criticism raises concerns about the potential effects on individuals and internal minorities of granting special powers to minority cultures. This is a worry that the attempt to provide the conditions for greater autonomy for certain cultural groupings might decrease this same good for others. Can the quintessentially liberal good of autonomy be the basis for the support of illiberal cultures?
What are traditional liberal values? There are, of course, important differences in the political theories of liberal thinkers such as Rawls, Dworkin, and Raz, but most theorists consider there to be at least two general principles that guide liberal thought. Judith Lichtenberg claims these principles are "a certain conception of the equality of human beings: and second, an emphasis on individual freedom or autonomy" (Lichtenberg 54). Ronald Dworkin argues that the principle of equality requires not only that government "treat those in its charge as equals," but also involves, to a certain extent, promoting equitable distributions of "resources and opportunities" (Dworkin 1978, 125, 129). The problem facing liberals is that ensuring an equal distribution of one good may make the equal distribution of another good difficult or impossible. For instance, the attempt to protect individual autonomy might conflict with attempts to promote an equality of resources. Kymlicka complicates this further by his inclusion of tolerance as a "fundamental liberal value" (Kymlicka 1995a, 154). Dworkin suggests even more considerations: "dignity, health, well-being, integrity, security" (Dworkin 1988, 114). Faced with this multiplicity of values it seems clear that any attempt to justify specific political action based upon these goods needs a sense of the weight accorded to each, as there will be instances when attempts to protect any one of these values may make others less attainable. It appears necessary to determine which of these values is truly fundamental, or at least to determine their relations, if a consistent, workable theory is to be devised.
Kymlicka is not explicit about the relation of the various possible liberal values but he does appear to place the most emphasis on autonomy. He claims that "the basic principles of liberalism, of course, are principles of individual freedom. Liberals can only endorse minority rights insofar as they are consistent with respect for the freedom or autonomy of individuals" (Kymlicka 1995a, 75). Even in the case of "tolerance" he hopes to show that "the traditional liberal conception of tolerance is dependent on, rather than an alternative to, a commitment to autonomy" (Kymlicka 1995a, 155). Tolerance is a value only insofar as autonomy is. Tolerance serves as a means of protecting autonomy. Thus any provisions for group-differentiated rights must be in line with autonomy. It is for this reason that the primary focus of this thesis will be on what is involved in respecting autonomy.

**AUTONOMY**

It is necessary to set out what is meant by autonomy before one can determine what it means to properly "respect" such a capacity. Peter Digeser, drawing upon the work of Stanley Benn (Benn 1988), defines autonomy as:

...conduct predicated on the critical, reflective consideration of the norms and practices that govern one's life. In this view an individual is autonomous to the extent that he or she does not live an unthoughtful, habitual manner, but actually and actively judges the standards and rules that govern behavior (Digeser 1995, 167).

Autonomy involves reflecting critically on the reasons one has for accepting a certain belief or undertaking a particular course of action. Thus it is opposed to the unreflective absorption of values. It involves choice insofar as one needs to affirm or reject any values one comes in contact with. Joseph Raz outlines three conditions necessary for someone to be able to
act autonomously. They are "appropriate mental abilities, an adequate range of options, and independence" (Raz 1986, 372).

It is important to note that autonomy is not the same as freedom. Freedom is merely the lack of external constraints, that is, actual laws, prohibitions, or obstacles. Freedom corresponds to only one of the conditions for autonomy that Raz outlines, that of independence, a condition which requires only a lack of "coercion" (Raz 1986, 373). Autonomy refers to the ability to organize one's life in a manner not merely dictated by the dominant values and mores of a society. As such it is a "positive ability" (Brenkert 147).

Arguments for autonomy need not be based upon a more fundamental value of freedom. in fact in many cases it is considered fair to restrict certain freedoms so as to encourage autonomy. Peter Digeser presents the examples: "requiring young adults to stay in school" and "the prohibition of certain drugs" (Digeser 177).

An unreflective choice involves choosing between a number of options on the basis of one's desires. However, one can also want to have different desires. Harry G. Frankfurt makes sense of this process by referring to first and second-order desires. Frankfurt states: "Someone has a desire of the second order either when he wants simply to have a certain desire or when he wants a certain desire to be his will" (Watson 86). A first-order desire might involve wanting to go on a vacation, a second-order desire would be to want to overcome that desire because one wanted to be the kind of person who is productive, a person who is motivated by the desire to be productive. This sheds light on Gerald Dworkin's suggestion that autonomy is: "a second-order capacity of persons to reflect critically upon their first-order preferences, desires, wishes and so forth, and the capacity to
accept or attempt to change these in light of higher-order preferences" (Goodin 360). Since the autonomous individual “critically reflects upon first-order preferences,” there needs to be a qualitative difference in higher-order preferences. They cannot be merely the result of “external forces or random generation” (Digeser 173). If an infinite regress is to be avoided -- desires to have desires to have desires -- at some point there is going to need to be either a “decisive identification” with some set of values or a critical evaluation based on something other than mere desire (Digeser 173). This critical evaluation involves examining reasons and is thus closely linked with rationality. Autonomy is the capacity for this critical evaluation.

**WHY AUTONOMY?**

Not all liberal theorists agree about the value and role of autonomy. The value of autonomy can be either intrinsic, instrumental or both. A defense of the intrinsic value of autonomy might claim that it is a fundamental human potential, that it is a defining feature of personhood and thus deserves respect. For Raz it is a distinctively human capacity, and its realization is a necessary part of living a full and flourishing life in certain societies. "Since we live in a society whose social forms are to a considerable extent based on individual choice, and since our options are limited by what is available in our society, we can prosper in it only if we can be successfully autonomous" (Raz 1986, 394). For theorists such as Ronald Dworkin autonomy is a pre-requisite for individuality, "what makes an individual the particular person he is is his life-plan, his projects. In pursuing autonomy, one shapes one's life, one constructs its meaning. The autonomous person gives meaning to his life" (Dworkin 1988, 31). Or, as Raz puts it, "The autonomous person is part author of his life" (Raz 1986, 370). In much liberal theory the capacity to construct or author one's life
is a 'highest-order interest', which is to say that having this capacity is more important than any particular life that might be chosen. Kymlicka agrees with Dworkin and Raz that it is important to be the author of one's life. He argues, following Dworkin, that our "lives do not go better by being led from the outside, in accordance with values the person does not endorse" (Kymlicka 1995a, 81).

Why is it so important to be the author of one's life? Certainly there could be a lot of pleasure in an un-authored life, or alternately as Digeser remarks "autonomy is compatible with living a miserable existence" (Digeser 176). Individuals can, for instance, autonomously choose courses of action which harm them or lower the quality of their life. Paul Fairfield suggests autonomy can help to secure a deeper sense of well-being because of the links between autonomy and self-respect. Fairfield claims that:

It has long been the guiding intuition of liberal morality that moral agents have a capacity for self-creation that demands to be respected and which is central to a properly human life. Liberals have traditionally defended the right of the individual to determine the direction its life will take as well as the meaning that life will hold for it, since they represent the principle sources of the self-respect without which human life would be intolerable (Fairfield 349).

Autonomy is, in this view, instrumental to the good of self-respect. I think what Fairfield is suggesting here is that even if one had a pleasurable life it could not be a source of this kind of self-respect if one was not in some way the author of it. Even Raz, who believes some options are more valuable than others, believes that valuable options must be chosen autonomously (Raz 1986, 471). It is unlikely that many liberals would argue that an individual must be fully autonomous, in the sense of critically examining all values she is
faced with, to be self-respecting. That is surely too elusive and difficult a condition for it to be the basis of what should be a common form of self-respect. But most liberals, including Kymlicka, are unclear on the exact degree of autonomy that is necessary.

Self-respect is itself a complicated concept, and there are disagreements as to its precise preconditions. Robin S. Dillon points out that self-respect based upon the capacity for agency in determining the direction one’s life will take is only one of three basic, traditionally accepted forms of self-respect. "The dominant Western conception of personhood grounds dignity in three things -- equality, agency and individuality -- there are three correlative forms of recognition self-respect" (Dillon 1997, 229). What Dillon means here by "recognition self-respect" are those forms of self-respect that are derived "from one's essential nature as a person" and thus are not "oriented around merit" (Dillon 1997, 229). These kinds of self-respect can be seen as being part of basic human dignity. In Chapter Four I will explore how Charles Taylor considers self-respect to be dependent on certain kinds of recognition. That the form of self-respect which derives from one’s capacity for autonomous decisions is not the only type of self-respect does not necessarily diminish its importance for liberals. The more difficult issue is determining how to resolve the difficulties that arise when protecting one precondition of self-respect conflicts with protecting others.

Liberals defend not just the ability to choose a conception of the good life, but also the ability to revise or reject the conception that one has already chosen. In this conception individuals are "capable of wanting to be different, in their preferences and purposes, from what they are" (Watson 83). As Rawls points out, individuals
...do not think of themselves as inevitably bound to, or as identical with, the pursuit of any particular complex of fundamental interests that they may have at any given time, although they want the right to advance such interests (provided that they are admissible). Rather, free persons conceive of themselves as beings who can revise and alter their final ends, and who give first priority to preserving their liberty in these matters (Rawls 1974, 641).

The ability to revise one's conception of a good life is important to liberals not because they think that individuals should experience as many conceptions of the good life as possible, but because it is possible to be wrong about what is important in one's life. One does not want to be bound to a conception of the good life that may turn out to be in some sense misjudged. Kymlicka again agrees with this view of the value of autonomy: "much of what is distinctive to a liberal state concerns the forming and revising of people's conceptions of the good, rather than the pursuit of those conceptions once chosen" (Kymlicka 1995a, 82).

Since, on this conception, the value of autonomy is dependent on the possibility that one might be wrong in one's beliefs concerning what is valuable, mere choice cannot confer worth on our projects, if it did autonomy would be meaningless. This approach relies to some extent on a rejection of moral skepticism and consequently has implications for the role of culture in making such choices about value. That liberals ground the value of autonomy in this manner suggests difficulties for any liberal argument that seeks to recognize or protect specific cultures. If our beliefs about what sort of life is worth living and what sorts of projects are valuable were completely determined by the values of the culture one found oneself in, then it would be difficult to be "wrong" in the sense above. If the liberal conception of the value of autonomy is to make sense cultures can, as it were.
misjudge values as much as individuals. Kymlicka is unclear on where he stands on this issue. First he claims that “it is of fundamental importance that we be able to rationally assess our conceptions of the good in the light of new information or experiences, and to revise them if they are not worthy of our continued allegiance” (Kymlicka 1995a, 81). This position, with its emphasis on rationality and the possibility of being wrong about the goods worthy of allegiance, seems to suggest a degree of critical reflection independent of culture. But Kymlicka goes on to say that questioning one’s beliefs involves examining them “in light of whatever information, examples, and arguments our culture can provide” (Kymlicka 1995a, 81, my emphasis). This latter definition undermines to some extent the reasons Kymlicka considers autonomy to be valuable. The degree to which Kymlicka believes culture conditions the kinds of beliefs and values an individual holds will be made clearer when I introduce Kymlicka’s conception of the value of culture later in this chapter.

Thus autonomy is not only important because it allows one to revise one’s chosen ends, but insofar as these ends are derived from culture, autonomy also allows us to criticise the values exhibited in that culture. One can argue that autonomy is valuable insofar as it can, to some extent, mitigate certain harmful effects of culture. In this sense the value of autonomy is as a protective capacity. Autonomy can be seen as important because it serves as a necessary pre-requisite for re-defining oneself in the face of negative social stereotypes. Autonomy is again necessary as a means to self-respect, but in this case the link between self-respect and autonomy is not the same as that characterized by Fairfield. For Fairfield, as we have seen, autonomy is vital to self-respect because “it is in the realization that the self is always more than merely the plaything of environmental conditioning, or an unimaginative character in someone else’s telling, that it becomes possible to view
individuals as proper objects of respect and oneself as an object of self-respect" (Fairfield 348). Fairfield is concerned only with self-authorship not the content of the life authored. To criticize the ways in which a society undermines self-respect requires an ability to stand back and intelligently examine the cultures that are impinging upon one. These critiques have as their goal a better understanding of what it means to live a flourishing life. Fairfield's conception of the value of autonomy is fairly neutral between the kinds of life chosen: this conception of the value of autonomy is not.

RESPECTING AUTONOMY

If autonomy is valuable in these ways how should one properly respect this capacity? There is some disagreement between anti-perfectionist liberals and perfectionist liberals as to whether the state should influence the choices of its citizens. Anti-perfectionists such as Rawls believe that the state should be neutral between various conceptions of the good life. Rawls even attempts "to justify that exclusion without drawing upon any comprehensive moral doctrines" (Mulhall and Swift 249-250). His argument is that citizens should determine their own conception of the good life and the state interferes with this process when it promotes a particular conception of the good. This means that government should merely avoid hindering individual autonomy. Whereas Raz in particular believes that:

Autonomous life is valuable only if it is spent in the pursuit of acceptable and valuable projects and relationships. The autonomy principle permits and even requires governments to create morally valuable opportunities, and to eliminate repugnant ones (Raz 417).
Charles Taylor argues that respecting capacities such as autonomy will require more than just acknowledging "people’s (and/or animal’s) rights to them, and hence the negative injunction that we ought not to invade or impair the exercise of these capacities in others." It will also be necessary to "affirm that it is a good that such capacities be developed, that under certain circumstances we ought to help and foster their development, and that we ought to realize them in ourselves" (Taylor 1985b, 194). Taylor believes that without the assumption of the "great moral worth" of capacities such as autonomy it does not make sense to ascribe rights to individuals on their basis. But if these capacities have great moral worth then they ought to be "fostered and developed in a host of appropriate ways" (Taylor 1985b, 195). Thus, although liberals disagree about the extent to which government should foster autonomy, they at least agree that government should protect autonomy and not infringe upon its exercise.

There can be varying degrees of autonomy. It is not an all-or-nothing sort of capacity. In fact some theorists distinguish autonomy from "autarchy", which requires only a decision-maker who satisfies "minimum rationality conditions" (Benn 155). Importantly such a capacity, as Taylor puts it, "can be aborted or distorted or underdeveloped or inhibited or, alternatively, can be properly realized or realized to an exemplary degree" (Taylor 1985b, 195). If no human could fail to be autonomous then there would be no need for government to protect this capacity. It is only because autonomy can be realized to a greater or lesser extent that one can be concerned with the conditions for its development. Thus liberals can be concerned to protect or promote different levels of autonomy. If the goal of liberal theory was to aim for a certain minimal level of autonomy for all citizens, then some policies that harm the capacity for autonomy but do not bring it below this minimal level might be
acceptable. Unfortunately while Kymlicka emphasizes a definition of autonomy as "critical evaluation", he does not make clear the degree of autonomy with which he is concerned (Kymlicka 1989, 155).

I have set out three reasons why liberals might value autonomy. (1) It is the capacity necessary if an individual is to be the author of their own life. (2) It is the ability to revise one's conception of the good. (3) It makes it possible to critique oppressive societies. On the face of it, autonomy seems to provide few reasons for granting group-differentiated rights. To see how Kymlicka derives such provisions from the value of autonomy it is necessary to set out how Kymlicka considers autonomy and culture to be linked.

CULTURE

What is "culture"? It may be taken as uncontroversial that in what Anthony Appiah calls "the anthropologist's sense." culture is the "socially transmitted behavior patterns of ritual, etiquette, religion, games, arts: the values that they engender and reflect; and the institutions -- family, school, church, state -- that shape and are shaped by them" (Appiah 1996, 84). Kymlicka wants to concentrate on a specific sort of culture which he defines as a "societal culture." A societal culture is "a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, and economic life, encompassing both public and private spheres." (Kymlicka 1995a, 76). This conception of a societal culture roughly coincides with Anthony Appiah's definition of "civilization". Appiah considers culture to be merely "the sum of all the things we make and do," while a "civilization" is a coherent entity like Kymlicka's societal culture. He provides two examples of practices that inhabitants of a
nation might engage in, but would nonetheless be excluded from the defining features of that nation's common civilization:

Some of what is done in America by Americans would not belong to American civilization because it was too individual (the particular bedtime rituals of a particular American family); some would not belong because it was not properly American, because (like a Hindi sentence, spoken in America) it does not properly cohere with the rest (Appiah 1996, 84).

Kymlicka introduces the notion of a societal culture because he wants to emphasize that these cultures are "institutionally embodied" which is to say that they involve "common institutions and practices" (Kymlicka 1995a, 76). These common institutions reflect the values and beliefs of the society. Thus a societal culture is characterized as exhibiting a certain amount of coherence, it is not merely the sum of various unrelated or loosely related practices, but is a central source of meaning for most of the practices that take place within the culture. Those practices which do not "cohere" do not, by definition, belong to that culture. As I will argue in Chapter Three, defining cultures in this manner creates some problems in Kymlicka's argument.

Kymlicka argues that cultural membership is an important good that liberal theory needs to take into account. For Kymlicka cultures are important because they are a "context of choice" necessary for "providing meaningful options" about how one is going to live one's life (Kymlicka 1989, 166; Kymlicka 1995a, 83). In Margalit and Raz's terms, "familiarity with a culture determines the boundaries of the imaginable. Sharing in a culture, being part of it, determines the limits of the feasible" (Margalit and Raz 87). This argument
emphasizes the importance that a cultural context has for an individual's ability to determine their life plan, that is, the ability to determine the projects one will take up and the goals one hopes to achieve. "It is only through having a secure cultural structure that people can become aware, in a vivid way, of the options available to them, and intelligently examine their value" (Kymlicka 1989,165). It is the ability to “intelligently examine” the value of options that is the defining feature of autonomy. Thus Kymlicka is arguing that cultural contexts are important because they are a precondition for autonomy.

As we have seen, Raz outlines three conditions necessary for an individual to be able to act autonomously: "appropriate mental abilities, an adequate range of options, and independence" (Raz 1986, 372). That Kymlicka describes cultural contexts as "providing meaningful options" seems to suggest that it is the second of Raz's conditions, an adequate range of options, that cultural contexts are necessary for. He argues that "for meaningful individual choice to be possible, individuals need not only access to information, the capacity to reflectively evaluate it, and freedom of expression and association. They also need access to a societal culture" (Kymlicka 1995a, 84, my emphasis). Kymlicka separates in this list of pre-conditions the "capacity to reflectively evaluate" and the need for a "societal culture." This suggests that Kymlicka considers societal cultures merely as a set of options. But Kymlicka goes further and claims that one's culture provides not merely a set of choices, but also the context that makes those choices "meaningful". According to Kymlicka culture is a source of meaning because:

Whether or not a course of action has any significance for us depends on whether, and how, our language renders vivid to us the point of that activity. And the way in which language renders vivid these
activities is shaped by our history, our 'traditions and conventions' (Kymlicka 1995a, 83).

Culture in this case affects not just the kinds of options available but also, to some extent, the value these options have. A cultural context is the precondition for making choices at all; consequently, since the individual's capacity for choice is fundamental to liberal theory, cultural membership can be seen as a "primary good", consideration of which is an important part of showing equal concern for individuals" (Kymlicka 1989, 166). The definition of cultural membership as a primary good has the consequence that all individuals in a nation should have an equal share in this primary good since, for liberals, the equal distribution of primary goods is one of the fundamental tasks of justice. It is important to note that Kymlicka is suggesting the value of a cultural context is instrumental, it is a "precondition for pursuing those projects and practices that are valued for their own sake" (Kymlicka 1989, 48). One protects cultural contexts so as to protect autonomy. The description of cultural contexts as a source of "meaning" is quite similar to Charles Taylor's understanding of the role of community. In Chapter Four I will explore whether Taylor is more consistent regarding the consequences of this connection between culture and meaning.

In this chapter I have outlined the common liberal definition of autonomy. For liberals autonomy is the ability to critically reflect upon the standards and values of a society. It is of fundamental importance to liberals because it makes possible self-authorship of one's life. Since self-authorship of one's life is necessary for individual self-respect, and since self-respect is a primary good, liberals need to provide all citizens with equal access to the conditions for autonomy. Kymlicka claims that a stable cultural context is a necessary
condition for autonomy, and thus to protect an individual's capacity for autonomy one must protect their culture. Through this argument Kymlicka hopes to show that the traditional liberal value of autonomy can ground special protective measures for minority cultures. His argument is that because culture serves as a precondition for individual autonomy, and since liberals hold as fundamental some degree of individual freedom to determine conceptions of a good life, liberals should act so as to support and maintain minority cultures. Kymlicka's argument suggests that cultural communities are politically salient because of their role in the development of individuals, and any rights or powers given to minority cultures are justified insofar as they are a means to the "pursuit of social goods that are necessary for individual well-being" (Dahbour 8). Thus Kymlicka's argument depends on the importance of cultural contexts for individual choice. This emphasis on the individual, for liberals, arises out of a sense of what is ultimately worthy of "respect" -- where to "respect" involves a commitment not to infringe certain defining capacities of individuals in ways that damage or limit them.
CHAPTER TWO
THE CULTURAL MARKET-PLACE

According to liberal theory autonomy is necessary for basic forms of human flourishing and well-being. Autonomy is thus a "primary good" worthy of protection. Kymlicka argues that "access" to a societal culture is a necessary condition for the exercise of autonomy and therefore liberals should ensure that all citizens have access to these sorts of cultural contexts (Kymlicka 1995a, 101). Under what circumstances does an individual fail to have access to a societal culture? According to advocates of multicultural citizenship, if an individual's cultural context is undergoing a process of marginalization or disintegration that individual's ability to exercise the capacity of autonomy is hindered.

Chandran Kukathas describes this as a concern for "the cultural health" of ethnic minorities, where cultural health stands not only for durability but also some degree of cultural integrity (Kukathas 1992, 228). Kymlicka claims that members of certain cultures "face disadvantages with respect to the good of cultural membership" (Kymlicka 1989, 162). It is because of liberalism's commitment to equality that liberals should seek to "compensate for unequal circumstances which put the members of minority cultures at a systematic disadvantage in the cultural market-place, regardless of their personal choices in life" (Kymlicka 1995a, 113). This chapter will examine what being disadvantaged in the "cultural market-place" consists of, and what might be necessary to compensate for this disadvantage.

Being at a "systematic disadvantage in the cultural market-place" refers to an inequality in the ability to sustain one's culture. Individual members of certain cultures do
not have the same ability to sustain their culture because they are subject to pressures to change their way of life which are more powerful than those faced by members of other cultures. The first task is to determine what these unequal pressures are and how they arise. It is only by determining what the pressures on minority cultures are that one can determine the kinds of practices or legislation that are required to reduce this pressure. Then one can ask whether these practices can be justified, for they may have undesirable consequences.

Kymlicka argues that overcoming these inequalities involves giving minority cultures special group-differentiated rights. A problem facing liberals is that it will be difficult to justify protecting individuals from these pressures if they are the consequence of other inequalities that liberals feel less justified in redressing. Further, government may be simply unable to prevent some of these inequalities from arising. If government cannot, it is difficult to make a case that there is an obligation to do so. In some cases, not only do individuals face greater pressures to change, they may also lack the resources to counteract these pressures.

To understand how individuals might be disadvantaged with regard to the ability to sustain their culture, it is necessary to determine what practices and abilities help cultures survive over extended periods of time. Inequalities in chances for cultural survival will be the consequence of inequalities in these practices and abilities.

**POLITICAL INFLUENCE**

To preserve a culture one is concerned to try and ensure that individuals will continue to hold the values and maintain the practices which are part of that culture. This is a concern with different kinds of influence. Some inequalities of influence stem from the fact that the democratic process can potentially overwhelm minority interests, for instance.
where a group "will be outvoted on decisions that affect their community" (Kymlicka 1996b, 23). This is a concern with political influence. Attempts to rectify this imbalance often involve attempts to increase the participation of these groups in political deliberation. This is to require an even greater integration of members of those cultural communities into the political life of the whole, rather than to attempt to protect some particular cultural context or set up separate governing institutions. Kymlicka argues that "group-differentiated rights -- such as territorial autonomy, veto powers, guaranteed representation in central institutions, land claims and language rights -- can help rectify this disadvantage, by alleviating the vulnerability of minority cultures to majority decisions" (Kymlicka 1995a, 109).

For Kymlicka, inequalities of influence arise not merely because certain groups have less influence over a government’s decisions, but also because political structures affect the kinds of selves that can thrive in a society. In this case, part of the reason that a minority culture is vulnerable to the influence of a dominant culture is that individuals will most often be dealing with the more pervasive institutions of the dominant culture. For instance, Kymlicka claims that "one of the most important determinants of whether a culture survives is whether its language is the language of government -- i.e. the language of public schooling, courts, legislatures, welfare agencies, health services, etc." (Kymlicka 1995a, 111). According to Kymlicka, cultures need institutional support to thrive, thus a political system that does not afford culture some kind of representation will likely harm the ability of individuals to act upon any values which are not embodied in that political system. Consequently governmental practices which require neutral concern between conceptions of the good will contribute to the invisibility of specific cultures. But a policy of neutral
Concern is considered by many to be a defining feature of liberalism. Ronald Dworkin, for instance, argues that "political decisions must be, so far as possible, independent of any particular conception of the good life, or what gives meaning to life" (Dworkin 1978, 127).

Charles Taylor agrees that a government’s attempt to be neutral between different conceptions of a good life could in fact hinder the development of certain conceptions of a good life. As Daniel Weinstock explains:

According to Taylor, the emphasis placed by liberal theorists upon government neutrality with respect to competing conceptions of the good life renders liberalism incapable of adequately giving expression to the fact that there are certain types of human goods which can only be secured by collectivities acting in concert (Weinstock 172).

It is important to note that Taylor’s critique centers on the idea that certain political and cultural structures hinder the cultural representation of certain goods; thus identities based on these goods are rendered unavailable or unimaginable. That is why, often, in these debates, it is public institutions that are under re-evaluation, institutions such as "...government agencies, schools, liberal arts colleges and universities" (Gutmann 1992, 3). For liberals there is a sense that these institutions should be somehow standardized, so that the knowledge and services they provide are somehow more general than any particular identity. This is in order to treat all individuals equally, which under the liberal scheme means fairly. As Kymlicka points out, "The provision of standardized public education throughout a society, for example, has been seen as essential to ensure equality of
opportunity for people from different classes, races, and regions of the society” (Kymlicka 1995a, 77).

The counter-argument is that these standardized public services do not benefit all equally despite their supposed generality, or worse, that this supposed generality is merely a smoke-screen for actual biases that promote some cultures and disadvantage others. Kymlicka provides some examples when he argues that “government decisions on languages, internal boundaries, public holidays, and state symbols unavoidably involve recognizing, accommodating, and supporting the needs of particular ethnic and national groups (Kymlicka 1995a, 108).” A response to this problem might be to attempt to make sure that the institutional practices of a nation reflect all the cultures within it. There is an important question here of the extent to which this is possible. In a very diverse state it would seem to be difficult to reflect all groups. For instance, a state could not both exclude and include religious considerations in its deliberations. But as Charles Taylor points out “for mainstream Islam, there is no question of separating politics and religion the way we have come to expect in Western liberal society” (Taylor 1992, 62). If one concedes the point that no neutrality of effect can be obtained, then it would appear the best one could hope for is that government institutions promote or disadvantage the various cultures within their jurisdiction equally. The particular kind of group-differentiated right that Kymlicka hopes to apply to this case is a "polyethnic right", which includes special funding for disadvantaged groups and "exemptions from laws and regulations that disadvantage them" (Kymlicka 1995a, 30-31).
But merely seeking an equality of effect has some counter-intuitive consequences for cultural rights. State-recognized marriages provide an example. Kymlicka argues that "whether customary marriages should be legally recognized does not depend on whether these marriages involve the exercise of autonomy, but whether the state already accords legal recognition and support to other forms of marriage" (Kymlicka 1996b, 5). In response to this, Geoffrey Brahm Levey comments, "if marriage is a central social institution worthy of state regulation, then why should we think that no injustice is done because every form of marriage is denied state attention and left to its own devices?" (Levey 236). Further, if the goods under consideration are radically different, it will be difficult to discern if governmental legislation has successfully achieved an equality of effect. It seems difficult to judge whether the support of marriage in one culture creates an inequality between it and another culture that lacks a conception of marriage entirely. Perhaps the standard for judging an equality of effect is just that the practices of a culture survive. This is not an acceptable standard for Kymlicka however as he is seeking a state where individuals have the power to maintain these practices "if they so choose" (Kymlicka 1995a, 113). Kymlicka is seeking an equality of effect that is independent of the actual survival of the practices.

But even an equality of effect might not be possible. Maeve Cooke suggests that it is more than likely that there will be "inevitable exclusions" of "certain pictures of the self and its relation to the good" (Cooke 270). If this is the case it brings along with it new difficulties. It will be extremely difficult to develop some fair system for determining which "pictures of the self" get taken up and which must be abandoned. The argument is that even a state which seeks not neutrality of procedure, but equality of effect may not be able to treat
all cultures equally. Every cultural structure will have a finite number of possible options for what kinds of conceptions of the self are imaginable. There is however a difference between seeking to maximize the ability to critically reflect upon the norms of a culture, Digeser’s definition of autonomy, and seeking to maximize the number of conceptions of the self possible within a culture, that is, Kymlicka’s “meaningful options”. There could be a wide range of conceptions of the self in a society but members of such a society may not be able to critically reflect upon any of these. Recall that although liberals value autonomy because it allows one to be the “author of one’s life,” the ability to author one’s life is only important because otherwise one would feel that one’s identity was merely the consequence of external or random generation (Raz 1986, 370; Fairfield 348). Thus no matter how many conceptions of the self are reflected by a political structure this fact is only important if individuals have the ability to chose between these conceptions. More importantly one can argue it is not the sheer number of possibilities that matters but the quality of possible identifications. Raz claims that the options that a life has must be of a certain kind if the life is to be autonomous. For instance:

autonomy requires a choice of goods. A choice between good and evil is not enough. [Autonomy] cannot be obtained by a person who is constantly fighting for moral survival. If he has to be moral then he has no choice, just as the person struggling physical survival has no choice if he is to stay alive (Raz 1986, 380).

To judge the quality of some conception of the self one requires autonomy in Digeser’s sense of a critical and reflective capacity. One could protect a minority culture without protecting the ability for critical reflection. Thus even though every political structure will have a finite
number of conceptions of the good it can reflect. aiming to maximize this number is not good enough. To truly protect autonomy will require more than just reflecting a large range of conceptions of the self.

Kymlicka distinguishes national minorities from immigrant minorities. Kymlicka is less concerned with protecting the cultures of immigrants. He claims immigrant groups are willing to be assimilated to a greater extent than national minorities because their decision to immigrate is generally voluntary, while national minorities are engulfed or absorbed. Kymlicka suggests that the consequence of these different attitudes is that:

While immigrant groups have increasingly asserted their right to express their ethnic particularity, they typically wish to do so within the public institutions of the English-speaking society (or French-speaking in Canada). In rejecting assimilation, they are not asking to set up a parallel society, as is typically demanded by national minorities (Kymlicka 1996, 112).

The difference between immigrant minorities and the culture of the majority "is manifested primarily in their family lives and in voluntary associations, and is not inconsistent with their institutional integration in that they participate within the public institutions of the dominant culture(s) and speak the dominant language(s)" (Kymlicka 1996, 111). So, since Kymlicka's definition of a societal culture is one that provides meaningful ways of life in both the public and private spheres, immigrant groups will participate in the societal culture of the majority, and to that extent be assimilated. Kymlicka is not concerned with this instance of assimilation because he considers immigrant minorities not to be opposed to it. Thus, it is apparent that one of Kymlicka's theoretical presuppositions is that assimilation is to be
combated only when it is not in line with the wishes of those being assimilated. Does this mean that, in all cases, if individuals do not have a problem with assimilation then nothing should be done? An individual's evaluation of the value of remaining within her original culture could be affected by inequalities between cultures.

**CULTURAL INFLUENCE**

It is not just political influence that is at issue but also cultural influence. A consequence of the limited cultural influence of minority cultures over their own members is the increased danger of what Michael Gross calls "coercive assimilation": "the practice of compelling through submersion, an ethnic, cultural and linguistic minority to shed its uniqueness and mingle with the rest of society" (Gross 244). Assimilation is a process whereby an individual's values and behavior change to reflect the values and beliefs embodied in a different culture. Now if an individual chose to make this change in a deliberate autonomous manner it would be difficult to see how anyone could consider it an injustice. This is particularly true of liberals such as Kymlicka, given his reliance on autonomy as a fundamental value. However assimilation is not necessarily the result of a deliberate choice, or even if it is the result of a choice it may be one where the individual is not fully autonomous. Certain pressures may limit an individual's ability to make this choice autonomously. We have seen how certain governmental institutions increase the pressure on members of minority cultures to assimilate and how they weaken the ability of these individuals to resist that pressure. In this section I will show how the extent of cultural submersion goes beyond that of governmental institutions.
In various places and times coercive assimilation has been more or less intentional. This points to the fact that in many cases the vulnerability of cultural influence may arise as the consequence of many years of discriminatory practices which historically have often burdened minorities. Much of the focus on the relations of communities has arisen out of an awareness, as Chandran Kukathas puts it: "of the harm suffered by ethnic or cultural minorities laboring under discriminatory practices or inequities that have developed over decades, if not centuries" (Kukathas 1992a, 228). In this case not only is the majority culture more pervasive but it also discriminates against members of a minority culture. The consequence is that, because members of that culture are generally less successful and face difficult obstacles to individual achievement in virtue of their membership, they disavow their cultural membership or internalize low expectations of themselves. However, it does not appear that Kymlicka considers it necessary for there to be a deliberate intention on the part of some other culture to assimilate a group for these unequal pressures to constitute an injustice. Minority cultures within the nation-state are considered to be at a disadvantage when it comes to maintaining their culture since the majority culture, because of its more pervasive presence, inevitably reproduces itself and imposes its ways of living, language, and values on individuals in minority cultures.

The role of public institutions and the images they present of the public they represent is what is at issue in these concerns about cultural influence. The nature and content of such public representations is important to Charles Taylor's work as he has what one might consider an "expressivist" view of how values come to be recognized. The expressivist stance suggests that: "A vision of the good becomes available for the people of
a given culture through being given expression in some manner" (Taylor 1989, 91). Thus it is necessary for certain visions of the good to be expressed publicly before they can be efficacious. This has important similarities to Kymlicka's suggestion that cultures need to be "institutionally embodied". Further, Kymlicka's characterization of the apparent "ethnic revival" suggests a similar concern for the "expression" of one's identity. He sees the motivating source of this revival not in the "...repudiation of integration into the mainstream society" but considers it

... a matter of self-identity and self-expression, disconnected from claims for the revival or creation of a separate institutional life. People want to identify themselves in public as members of an immigrant group, and to see others with the same identity in prominent positions of respect or authority (e.g., in politics and the media, or in textbooks and government documents). They are demanding increased recognition and visibility within the mainstream society (Kymlicka 1996a, 118).

**ECONOMIC RESOURCES**

What images get represented in our consumerist culture depends a great deal on economic considerations. Not only are minority cultures under greater pressure to change, often the resources available to these cultures to prevent this change are more limited than those of majority cultures. Leslie Green points out that having certain resources can shift the balance of influence back in favor of a minority. Thus, that a group is a minority is not enough to ensure that they face the same degree of pressure as do other minorities. Wealthy individuals are, after all, a minority, but it is precisely because of their wealth that they can exert a good deal of influence (Green 260). Wealth affords a minority a certain amount of power. The case of the apartheid regime in South Africa is a good example of this: there a
wealthy minority ruled a majority. This points to the role economic pressures play in the ability of a culture to sustain itself. For instance, as Kymlicka points out, historically

...the most common way of breaking open stubbornly held Indian land for white settlement was to force the Indians to take individual title to alienable land, making the pressure on some individuals to sell almost unbearable, partly because Indians were financially deprived (and hence in need of money to meet the basic needs of the family), and also because they were culturally ill-equipped to understand the consequences of having (or selling) title to land (Kymlicka 1989, 147-148).

The extent to which government should involve itself in regulating the market-place is a contentious issue among liberals. What degree of intervention in the "cultural market-place" can liberals justify? According to Dworkin, liberals are not averse to certain limited redistributions of resources and opportunities through "welfare" and "progressive taxes" (Dworkin 1978, 122). But liberals do not seek to control or shape to what end these resources and opportunities are used. That members of a culture have greater resources at their disposal does not ensure that they will use these resources to maintain their culture. Whether they do so or not depends on those factors that influence the use of resources – those factors that influence how an individual’s preferences come to be what they are. But there are, after all, a myriad of non-political sources of influence that shape the attitudes of individuals and how they spend their resources. These are sources of influence not controlled by liberal political structures. They include: television, radio, magazines, newspapers, books, the internet pages and other forms of media and communication, in fact just about anything that brings another culture into view. These will have varying degrees of influence according to economic considerations. As Christine Sypnowich remarks, "the
market serves, not just to sort or mediate our preferences, but to shape them” (Sympnowich 106). In a capitalist society there is a barrage of advertising that attempts to convince as many people as possible that a good life will consist of owning certain things. Advertising aimed at younger individuals often invents "cool" identities and then associates these with certain products. The influence of this consumerist culture should not be underestimated. One need only look to the pervasiveness of consumer items like Coca-Cola and McDonald’s in even the most remote parts of the world to have a sense of the power of corporations to reshape the character of a culture. Further, it is in the interest of businesses to continually create new products and identities to go along with them. Consumer culture thrives if businesses always have something new to sell. Modern consumer culture is an active force in cultural change.

Now, these sorts of influence are going to be difficult to control and may play a powerful role in undermining "less marketable culture". Importantly, trying to control these kinds of influence will involve promoting or censoring certain advertisers, businesses, and others so as to limit their effect on conceptions of the good; a process which involves promoting or hindering the development of conceptions of the good, and violates principles of neutrality. Further, to control advertising is to infringe on freedom of speech, an important liberal freedom. The need to regulate the market also makes it clear that self-government is an insufficient measure to protect minority cultures. Specific economic regulations agreed upon by various nations are necessary “if transnational corporations -- the largest of which have an annual income exceeding the GNP of many poor countries -- ...are to be deterred from penalizing those countries who attempt to localize markets and
regulate capital by settling instead, for however short a period, in regions offering generous subsidies, tax concessions, deregulated labour markets, and so on (Bowring 106). There is no point becoming a separate country in order to protect a culture if the legislation needed to protect that culture requires joint deliberation and agreement with the nation just separated from.

Thus a great deal of the pressures on cultural minorities have their origins outside of political institutions. Consequently, even if it is possible to make governments more representative of their constituents, merely to make these institutions representative is most likely an insufficient measure. That inequalities of influence have numerous sources raises an important issue. Is it the role of government to redress all inequalities, or should government merely seek to avoid exacerbating the inequalities that result from its own practices? Merely attempting not to add to the pressures to assimilate that a minority faces, on this account, is not enough to protect minority cultures. The example of giving individual aboriginals titles to land makes it clear that some means of remedying perceived cultural inequalities might in fact exacerbate other inequalities: it is unclear how one might decide which inequalities are more significant. If the kinds of injustices associated with assimilation and inequalities between cultures cannot be rectified by changes in governmental structures alone, for instance, by making these structures reflect the population perhaps governments will need to engage in some more extensive form of what Peter Digeser calls "self-craft", where the state attempts to "cultivate, shape or structure our internal lives" (Digeser 3). Liberalism is of course already a form of self-craft in that it attempts to cultivate autonomous individuals. But the capacity for choice is a very general
sort of good. while to protect a particular culture a very specific conception of the good needs to be fostered and this goes against the liberal desire to be neutral regarding conceptions of the good.

In this chapter I have set out the sources of inequalities in the ability to preserve one's culture and some general outlines of what might be necessary to rectify this imbalance. Some of the pressures upon minority cultures result from their minority status as voters. Rectifying inequalities in voting power does not necessarily involve protecting any particular cultural context. Kymlicka claims that other inequalities stem from the fact that governing institutions unavoidably privilege some identities over others. I have argued that if one accepts the critique that political neutrality is unattainable then one must confront the possibility that states will inevitably exclude some conceptions of the self. Kymlicka does not provide a system for justifying some exclusions over others. It is also unclear how one might determine whether a government has treated different cultures equally if those cultures have radically different beliefs and conceptions of the good. Lastly, I argued that if the goal is to equalize a minority culture's chances in the cultural market-place, then it will be necessary to regulate more aspects of cultural life than liberalism is currently willing to do. Merely granting self-government rights is also an insufficient measure. Now it is necessary to assess whether Kymlicka's conception of the value of culture can provide a justification for the kinds of government action necessary to protect a culture. If a serious danger to the continued existence of minority cultures stems from the pressure to assimilate then the important question is: should governments attempt to stop the dominant culture from shaping the lives and values of members of the minority culture; in other words, are governments
obliged to help members of minority cultures avoid assimilation? The answer to this will also depend on why one protects culture and on the question of what makes a culture one's own. I shall examine these questions in the next chapter.
CHAPTER THREE

AUTONOMY VERSUS CULTURE

Kymlicka hopes to show that cultural membership is a good that liberalism is capable of taking into account. He argues that cultural contexts are important because they make meaningful individual choice possible. Thus, since liberals value autonomy, they should seek to ensure that all citizens have access to a societal culture. In this chapter I argue that since Kymlicka claims cultures are valuable only in-so-far as they are a precondition for autonomy, the practices he can justify as a means to protect cultures are limited. In Chapter Two, I set out some of the measures that would be required to protect a culture. I now argue that because of his theoretical constraints Kymlicka cannot justify these sorts of measures. In this chapter I also argue that Kymlicka’s exclusive focus on ethnic cultures is problematic. His concentration on what he calls “societal cultures” is an inadequate focus. In general, the attempt to determine which cultures should be the recipients of group-differentiated rights is a task fraught with difficulties that Kymlicka is unable to resolve. It appears that any attempt to protect a culture faces an inherent danger that the process of protecting a culture will harm the autonomy of members of that culture. Lastly, I argue that Kymlicka’s attempt to address the problem of internal minorities through a distinction between internal and external restrictions is also inadequate.

ASSIMILATION

Kymlicka’s approach suggests that cultural contexts are valuable only insofar as they
are necessary for the pursuit of other goods. Having a cultural context is not valuable in and of itself; it is valuable because it is a "...precondition for pursuing those projects and practices that are valued for their own sake" (Kymlicka 1989, 48). The value of cultural contexts is, for Kymlicka, an instrumental value. Because this value is instrumental, Kymlicka is faced with the possibility that there may be other means of distributing the good of autonomy which are more effective or pragmatic. Examples might include greater educational resources, or efforts to promote the value of critical thought. If Kymlicka wants to be able to protect particular cultures he needs to show that the damage done to the capacity for autonomy by the loss of a cultural context cannot be rectified by other means. Further, Kymlicka is also going to need to show that the maintenance of one's original cultural context is a necessary condition for autonomy. If individuals in a minority culture were assimilated into a dominant culture this would not leave them without any culture: they still have a context of choices, it is merely a different context of choices. Lichtenberg argues that if cultural contexts are important because they "provide meaningful options" then on these grounds, it would seem that familiarity with more than one culture would extend those boundaries, providing a person with a broader range of options. And, however we understand options, the particular culture in which a person is raised may in fact provide fewer than a different culture would (Lichtenberg 57).

Michael Hartney claims there are empirical examples of individuals who have successfully undergone a "radical change of community, e.g., by emigrating from their native land and leaving behind the society into which they were born, or by undergoing a religious conversion." In fact, Hartney claims, many of these individuals "experience this change as a liberation and think themselves better off for it" (Hartney 206). Even Kymlicka is willing
to admit that "it would be implausible to say that people are never able to switch cultures" (Kymlicka 1995a, 84). Kymlicka might respond to this argument by suggesting that when members of minority cultures take on the values and beliefs of a dominant culture this is most often the result of the dominant culture imposing its values upon those individuals. The imposition of culture is to be combated because “lives do not go better by being led from the outside, in accordance with values the person does not endorse” (Kymlicka 1995a, 81). As was pointed out in Chapter Two, Kymlicka believes certain cultures to be disadvantaged in the cultural marketplace and thus less able to make the choice to maintain their culture. This part of his argument suggests that cultural minorities "can face inequalities which are the product of their circumstances or endowment, not their choices or ambitions" (Kymlicka 1989, 190). These circumstances lead to a situation where for instance, "the demise of culture...arises in spite of the choices of aboriginal people..." (Kymlicka 1989, 167). This is a situation where these minority cultures are "undermined by decisions of people outside the community" (Kukathas 1992, 241). This argument has the advantage of relying directly on the value of autonomy rather than indirectly through the value of a context of meaningful options.

If the imposition of the dominant culture is wrong because it is the imposition of foreign values, values that one has not had the opportunity or capacity to endorse or reject, then should one take the same attitude to the culture one is born in? Surely there is some sense in which one’s culture is always initially imposed upon one. Peter Caws writes:

...every "first" or "native" culture in the singular (by analogy with the first or native language) is "imposed from without. "willy-nilly: although it is one's own in the weak sense (one's background.
upbringing, family, country), the possessive relation proves, when thought through, to go the other way -- one belongs rather to it, it is not something one freely chosen or worked to acquire, which would be "one's own" in a strong sense (Caws in Goldberg 371).

The argument that one should have the ability to reject the influence of the dominant culture because it is imposed from "without" suggests that one should also have the right to reject the culture of one’s ancestors. Both are imposed upon one, and are not the result of one’s own choices. Protecting autonomy, in the full sense, would allow one to either choose to support the culture one finds oneself in or to revise or leave that culture. Attempts to protect the capacity for autonomy -- where autonomy is a form of self-determination -- do not necessarily stop at merely the capacity to overcome the influence of a dominant culture; further arguments are needed to limit Kymlicka’s defense to that particular kind of self-determination. Kymlicka is attempting to overcome some very specific social pressures, and to limit self-determination to these specific social pressures requires a defense based on more than merely the value of autonomy. So why the emphasis, in the case of minority cultures, on the influence of the dominant culture? If both are imposed what sense does it make to speak of a culture being imposed from without?

Kymlicka responds to this dilemma by suggesting that the process of assimilation is not an easy one. There is a difference between having a culture imposed upon you when you are a blank slate, so to speak, and having a new culture imposed upon one despite already having an inherited culture. The process of change is a slow and arduous one, and Kymlicka considers it a "legitimate question whether people should be required to pay those costs unless they voluntarily choose to do so" (Kymlicka 1995, 85). One might argue that in some
cases the "costs" of this process may be outweighed by the benefits. Kymlicka merely assumes that moving from one culture to another will inevitably be for the worse and actually suggests that this process is "analogous to the choice to take a vow of perpetual poverty and enter a religious order" (Kymlicka 1995a, 86). But it is not unimaginable that in some instances this move might be for the better. It does not seem very controversial to suggest, for example, that a woman who escapes the strict rule of the Taliban in Afghanistan and joins a more liberal nation will benefit from an increase in autonomy even if at the same time she experiences severe cultural dislocation. It is difficult for Kymlicka to consider those situations where an individual has been assimilated into a society where her capacity for autonomy has been increased as an injustice. Even if this involved certain "costs" Kymlicka does not have a calculus for comparing those costs to the potential benefit of increased autonomy. Perhaps he could resolve this dilemma by distinguishing between "valuing" autonomy and "respecting" it. A theory that demands respect for an individual's autonomy might argue that no infringement on this capacity is tolerable. The problem with this approach is that it limits the possible practices that might be justified as a means to protect a culture.

Importantly, Kymlicka claims that in most cases the transition from one cultural context to another might even be impossible:

People are bound, in an important way, to their own cultural community. We can't just transplant people from one culture to another, even if we provide the opportunity to learn the other language and culture. Someone's upbringing isn't something that just can be erased; it is, and will remain, a constitutive part of who that person is. Cultural membership affects our very sense of personal identity and capacity (Kymlicka 1989, 175).
Kymlicka claims, following Margalit and Raz, that one reason for this bond is that "national identity is particularly suited to serving as the 'primary foci of identification', because it is based on belonging and not accomplishment" (Kymlicka 1995a, 89). But what are the consequences of this for assimilation? The nature of the concern has changed. If most of those features of one's culture that have gone into constituting one's identity cannot be erased and "will remain", then assimilation doesn't really appear to be what is at issue. Protecting a culture does not require protecting the ability of individuals to identify with the values of their original culture, they do so unavoidably. The argument now appears to be this: if the beliefs and values of some group of individuals do not have the corresponding options -- options which allow them to act upon those beliefs and values -- this should be considered an injustice. Avishai Margalit and Joseph Raz claim that:

The prosperity of [a] culture is important to the well-being of its members. If the culture is decaying, or if it is persecuted or discriminated against, the options and opportunities open to its members will shrink, become less attractive, and their pursuit less likely to be successful (Margalit and Raz 1990, 449).

Since the values and beliefs of individuals from minority groups are not helpful in choosing between options embodied in the dominant culture to which these values have little relevance, these individuals are going to have less successful lives. In this case it is not the perception of the worth of certain options that disappears but the options and opportunities themselves. Kymlicka contends that such individuals are "caught in a contradictory position, unable to fully participate in the mainstream of society or to sustain their own distinct societal culture" (Kymlicka 1995a, 101). For Raz, "the different occupations we can pursue, the friendships and relationships we can have, the loyalties and commitments that we can
attract and develop. the cultural. sporting. or other interests we develop” are the “core options which give meaning to our lives”(Raz 1994. 71). Raz explains how an option becomes available to someone. These options are:

...only open to those who master them, but their complexity and the density of their details defy explicit learning or comprehensive articulation. They are available only to those who have or can acquire knowledge of them, that is knowledge embodied in social practices and transmitted by habituation (Raz 1994. 71).

Kymlicka is concerned to rectify inequalities in the cultural market-place. Since, for Kymlicka, individuals are bound to the values and beliefs of their original community. the inequality is not in the ability to maintain those beliefs, but in the chances for acting upon those beliefs. Thus justice requires an equal opportunity to act upon one’s beliefs for both minority and majority cultures. What this might mean is unclear. Perhaps it means that cultures should have an equal number of public institutions, that is, means of expressing their beliefs. One might think that minority cultures, by definition, have fewer social institutions than a dominant culture for acting upon their beliefs. Unless one inhabits an improbably homogenous culture, there will always be sub-cultures whose values are in the minority. In fact the culture of some sub-groups is defined by the lack of congruence between their values and the dominant culture’s values. This culture is defined by its minority status. To equalize such a minority group’s available options with those of the dominant culture would be to change the minority group to some degree. It would also change the character of the dominant culture.10 Perhaps Kymlicka would suggest that the demands of equality need not go this far. All that is required is that these cultures have enough options so that maintaining their cultures is possible should individuals want to. He argues only that individuals should
have "access" to a societal culture (Kymlicka 1995a, 101). But if there is some threshold level of options necessary to maintain access to a culture, Kymlicka does not make clear what this threshold is, or how one might recognize where a minority stands with regard to this threshold level.

'TOO TIGHTLY SCRIPTED' IDENTITIES

It is important to note that Kymlicka's response to the problem of assimilation -- that individuals are bound to their own cultural community -- seems to limit greatly any autonomy that individuals might have. So what kind of autonomy is Kymlicka protecting? For there to be an obligation to protect a capacity there must also be the potential that capacity can be reduced or destroyed. Since the freedom at issue when considering autonomy is one that reflects the consciousness and purposiveness of human agents, it is a form of freedom which, as we have seen, can be limited in ways other than objective constraints. An objective constraint might be "an employer who threatens to fire an employee for speaking out on public affairs..." (Brenkert 142). But one can be free of such restrictions and still be non-autonomous. What would a life without the capacity for autonomy be like? Raz suggests that:

Autonomy is opposed to a life of coerced choices. It contrasts with a life of no choices, or drifting through life without ever exercising one's capacity to choose. Evidently the autonomous life calls for a certain degree of self-awareness. To choose one must be aware of one's options (Raz 1986, 371).

In this conception a non-autonomous life would be one where one did not make any choices, or was not even aware of choices. Autonomy would be limited in a society where
individuals were immediately slotted into particular roles and either oblivious to these roles or convinced that they were somehow natural and right and that there were no other options. These roles and the values that came with them would not be questioned. But the extent to which cultural contexts condition who we are is precisely what is at issue for Kymlicka. If he wishes to leave some room for autonomy, cultural contexts cannot completely determine one's values. As Paul Fairfield puts it, "If the individual is in some sense a social construct, does this entail a quasi-deterministic thesis according to which the self is a mere social product with a narrow sphere of autonomous choice... or is it capable in significant measure of constituting and/or reconstituting itself through the choices that it makes and the actions that it performs?" (Fairfield 343).

Some important critiques of liberalism, such as that of Michael Sandel, suggest that liberalism depends upon an untenable conception of the self and therefore misperceives the individual's relation to society. In his work Liberalism and the Limits of Justice, Sandel suggests that liberalism rests upon an "asocial individualism", that is, liberalism does not take seriously enough the extent to which the individual, and the goals and goods which make up the individual's identity, are shaped by culture. He claims that liberals misconceive the self as an "antecedently individuated subject, standing always at a certain distance from the interests it has" (Sandel 62). Because of this stance liberals cannot make sense of how community is "constituent of identity as such" (Sandel 64). For Sandel, "to have character is to know that I move in a history I neither summon nor command, which carries consequences none the less for my choices and conduct" (Sandel 179). According to Kymlicka this argument suggests that:
Our selves are at least partly constituted by ends that we do not choose, but rather discover by virtue of our being embedded in some shared social context. Since we have these constitutive ends, our lives go better not by having the conditions needed to select and revise our projects, but by having the conditions needed to come to an awareness of these shared constitutive ends (Kymlicka 1989, 51).

The suggestion is that, in its focus on protecting individual freedom and autonomy, liberal theory overestimates the extent of these capacities. Critiques such as this are often lumped together under the moniker of "communitarian", for instance. Stephen Mulhall and Adam Swift argue that the various liberal critiques of Michael Sandel, Alisdair MacIntyre, Charles Taylor, and Michael Walzer share enough of the same concerns to fall under this heading (Mulhall, Swift 1996). It is precisely some of these criticisms to which Kymlicka aims to respond. If Kymlicka wants to protect a sense of autonomy that involves the ability to critique one's culture, he needs to argue that having values and pursuing projects requires a cultural context without suggesting that this context then limits these projects and values to such an extent that autonomy becomes a meaningless concept. As he puts it, "If we want to defend individual freedom of conscience, and not just group tolerance we must reject the communitarian idea that people's ends are fixed beyond rational revision" (Kymlicka 1995a, 163). Culture is more than merely a "context of choice" if it also determines that choice. But as was seen in the last section, Kymlicka argues that most individuals are bound to the values of their community. It seems difficult to make sense of autonomy as a critical reflection on one's values if one is inevitably bound to the values of one's initial culture as Kymlicka suggests. It appears he is trying to have it both ways. To escape this dilemma Kymlicka claims that:
The freedom which liberals demand for individuals is not primarily the freedom to go beyond one's language and history, but rather the freedom to move around in one's societal culture, to distance oneself from particular cultural roles, to choose which features of the culture are most worth developing and which are without value (Kymlicka 1995a, 91).

But if one's values stem from the meanings inherent in a culture then it would seem impossible to actually decide that certain roles "are without value." The value of a "role" would be fixed by society. Although one could choose between roles one could not choose the value of these roles. But choosing between roles does not seem to require critical reflection to any great extent if the value of these roles is predetermined. It is certainly a very limited form of autonomy that Kymlicka is defending here and it is unclear whether this limited kind of autonomy is the one which liberals generally defend. The only way Kymlicka can leave room for genuine autonomy within a culture is by arguing that not all individuals within that culture share the same values and beliefs. Raz, as we have seen, suggests that in some societies individuals require a capacity for autonomy if they are to live flourishing lives, precisely because these societies do not completely determine what values an individual will come to adopt. Such societies provide a spectrum of competing values and conceptions of the good life among which an individual must choose. Modern multicultural nations would seem to be prototypical examples of these types of societies. In such a culture there is a diversity of values and beliefs between which an individual can choose. It appears that this is the position Kymlicka takes: "it is precisely because national identity does not rest on shared values...that it provides a secure foundation for individual autonomy and self-identity" (Kymlicka 1995a, 105). As we shall see, defining "national identity" in this way has important ramifications for Kymlicka's ability to determine which
cultures should be the recipients of group-differentiated rights.

This leads us into the problem of the mechanics of protecting minority cultures. Protecting a culture seems to require that one strengthen an individual’s bonds to their initial culture. An attempt to protect a culture involves ensuring that the members of that culture maintain its practices; conversely put, it would involve efforts to minimize the chances that they will act otherwise. Charles Taylor provides an example of how this might play out in the specific case of attempts to protect the French language in Quebec:

It is not just a matter of having the French language for those who might choose it. ...But it also involves making sure that there is a community of people here in the future that will want to avail itself of the opportunity to use the French language. Policies aimed at survival actively seek to create members of the community. for instance, in their assuring that future generations continue to identify as French-speakers (Taylor 1992, 58-59).

But described this way it appears that the kinds of practices required to protect cultural contexts harm the capacity for autonomy rather than protecting its preconditions. If to protect culture one needs to ensure that future generations identify with a culture, then this involves denying them at least one important choice, choosing to identify with some other culture. It is not merely to provide options but to make sure individuals will “want to avail” themselves of certain options. Importantly, in this case Kymlicka cannot rely on his claim that individuals are “bound” to their community, as future generations are not yet bound to any particular culture. Kymlicka is aware that this is the central difficulty in defending a conception of "group rights":
Traditional human rights doctrines are based on the idea of the inherent dignity and equality of all individuals. The emphasis on group rights, by contrast, seems to treat individuals as the mere carriers of group identity and objectives, rather than autonomous personalities capable of defining their own identities and goals in life. Hence it tends to subordinate the individual’s freedom to the group’s claim to protect its historical traditions or cultural purity (Kymlicka 1996b, 22).

If one hopes to foster autonomy the attempt to support a culture cannot involve "hiding" or obscuring the option of individuals in a culture to leave that culture or to discourage individuals from promoting reforms in that culture. But it appears that attempts to protect a particular culture need to engage in practices similar to this. Anthony Appiah voices a similar concern in his paper "Race, Culture, Identity", where he considers the idea of "race" as a collective identity. He points out that collective identities "provide what we might call scripts: narratives that people can use in shaping their life plans and in telling their life stories" (Appiah 1996, 97). This is similar to Kymlicka’s claim that culture provides us with "meaningful options". He criticizes a "politics of recognition" for requiring that:

one's skin color, one's sexual body...be politically acknowledged in ways that make it hard for those who want to treat their skin and their sexual body as personal dimensions of the self. And "personal" doesn't mean "secret" but "not too tightly scripted," "not too constrained by the demands and expectations of others" (Appiah 1996, 99).

What Appiah says of race and gender identities can also to some extent be said of ethnic identities. In the very act of determining that there is a specific community, and that this community has special characteristics which justify it being singled out for preservation, a government inevitably produces a “script” for members of that community. If a government,
or anyone for that matter. ever believed that they had decisively determined who a particular
group is. this would in effect be a denial of the autonomy of future members of that group.
One can only say that *in this instant* there are a particular set of characteristics which belong
to a certain group of individuals, but even that is problematic. At one level, certain measures
might provide incentives to adopt a particular identity; for instance, special representation
rights are one set of the group-differentiated rights that Kymlicka suggests as a means of
protecting culture. The problem with this approach is that if a government decides that it has
determined the content of a particular culture, and on this basis gives that group a degree
of political representation, it then becomes *unpragmatic* for members to redefine themselves
as this entails a loss of that political voice. Changing the culture seems to go against why
the powers were given in the first place. This is not merely to allow a culture to be freely
self-determining but actually provides incentives to determine oneself in a particular way.
Kukathas provides an example: "In the late 1960's in Assam, Bengali Muslims found it
advantageous to declare Assamese their language in part to become eligible for land reserved
for indigenes" (Kukathas 1992, 233). But the problem is not merely that it would not be
expedient to redefine oneself, but that the act of using an identity category as a basis for
political power may serve to entrench particular cultures because of the ways in which these
structures shape self-understandings. This is to point out that "group formation is the
product of environmental influences, and among these environmental factors are political
institutions" (Kukathas 1992, 233).13

The very fact of government action is problematic. Why should a definition
predetermined by government be the basis of authentic membership? A government's
involvement in attempts to recognize cultures creates a situation where government becomes
an authority on who constitutes a culture. This is to deprive individuals of the power to determine which communities are meaningful, to limit the options available, and thus again to hinder autonomous choice. This seems to be a problem inherent in the task of granting special powers on the basis of culture or identity.\textsuperscript{12} Even if one looks to individuals to determine the relevant communities one is still left with the difficulty of determining which individuals could provide the most accurate description of the nature of a community. Different individuals or groups of individuals may provide different descriptions of a community. Selecting any limited set of individuals as representative of a group suggests that one already knows the true nature of the community; otherwise one would be unable to determine that these individuals really are representative of that community.

\textbf{WHICH CULTURES?}

There are two important questions that need to be addressed: first, how is Kymlicka going to determine which cultures should be the beneficiaries of group-differentiated rights: second, what aspects of those cultures can he justify protecting? Determining whether a particular group of individuals constitute a single culture is a difficult undertaking and depends on a number of complicated questions. Judith Lichtenberg points out the complexity of this undertaking. She suggests that to determine whether one is looking at a single culture or not “depends on the facts,” on “how things are.” But it also depends on questions:

about what we mean by a culture, how we decide where one ends and another begins, how to draw the line between a culture and a subculture. But it’s hard to answer this conceptual question without knowing in advance what we want to do with the concept of culture. And this is a conception of value (Lichtenberg 66).
It can be argued that not only ethnic cultures have pervasive values and beliefs. One might say -- given the general definition of cultural membership that has been outlined -- that in some form or another all individuals live within a multiplicity of cultures. For instance, one could suggest that various professions, i.e. mining, nursing, teaching, all have corresponding cultures and that classes or genders also exhibit culture. Given this interpretation, the value of cultural membership in general cannot serve as a foundation for maintaining any particular culture because it seems almost impossible, unless one lived alone, to be able to live outside of all culture. So why the focus on ethnic cultures? Even if it were possible for an individual's ethnic culture to disappear would there not be other cultural options available, that is, not only the majority ethnic culture but the culture of their profession or their class?

A response to this suggestion might be that the meanings and values of certain professions or social roles are tightly bound up with the values of the ethnic culture at large. This is to say that the sense of "culture" most important to this discussion is the most general and pervasive, the one that conditions the majority of the meanings and values of particular practices, that is, Kymlicka's "societal culture." Each culture is characterized by various values and beliefs. A societal culture is characterized by values that have a pervasive and wide-ranging influence and are shared by the individuals in that community (Kymlicka 1995a, 76). In a more recent paper Kymlicka refers to "national identity," which he claims is based upon a "historical community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and culture" (Kymlicka 1996a, 107, my emphasis). But, as we have seen, in order to leave room for autonomy, Kymlicka claims that the cultures he is protecting do not necessarily have shared values. It is "because
national identity does not rest on shared values...that it provides a secure foundation for individual autonomy and self-identity” (Kymlicka 1995a, 105). Kymlicka’s claims regarding which cultures he wants to focus on are inconsistent. He is caught in a double-bind: on the one hand he needs to leave room for autonomy -- to do this he claims national identity does not require shared values -- but on the other, taking this stance has the consequence that too many groups qualify as societal cultures and it becomes difficult to see how one could fail to have a culture. Further, as I hope to show, denying that national cultures need to share the same beliefs and values makes it difficult for Kymlicka to delineate the boundaries of the cultures with which he is concerned.

MEMBERS AND CHARACTER

Kymlicka not only has difficulties determining which groups deserve special rights but also faces problems determining what aspects of those cultures he can justify protecting. In an effort to avoid creating excessively “tight scripts” he makes a distinction between the members of a group and that group’s character. He argues that one can protect a culture without protecting the specific content of that culture:

Liberal values require both individual freedom of choice and a secure cultural context from which individuals can make their choices. Thus liberalism requires that we can identify, protect and promote cultural membership as a primary good without accepting...that this requires protecting the character of a given cultural community (Kymlicka 1989, 169).

Kymlicka needs this distinction to be able to maintain as central the value of "choice". If one granted special powers to a group so as to maintain a culture in the specific form it
presently had this would be a denial of the autonomy of future members of that group to reject or change the norms currently characterizing that culture. As Kymlicka puts it: "protecting people from changes in the character of the culture can't be viewed as protecting their ability to choose. On the contrary, it would be a limitation on their ability to choose" (Kymlicka 1989, 167). For Kymlicka, what determines whether a group is an appropriate recipient of special rights is not its content but the fact that it is a group of people who constitute a community and who need to be able to determine for themselves their conception of what it is to lead a good life. It is thus vital that Kymlicka defines the cultural contexts which he hopes to preserve in a very specific way. Kymlicka wants to argue that no matter how the individuals within that culture change the content of the culture they nevertheless constitute a community. This argument is vital for the justification of Kymlicka's group-differentiated rights:

I use culture in a very different sense, to refer to the cultural community, or cultural structure, itself. On this view, the cultural community continues to exist even when its members are free to modify the character of the culture, should they find its traditional ways of life no longer worth while (Kymlicka 1989, 167).

So what is "cultural community" or "cultural structure"? To answer this one needs to examine those aspects of a culture that Kymlicka believes remain the same despite changes in values and beliefs of that culture. Kymlicka points to French-Canadian culture as an example of a culture that has undergone dramatic changes but claims that the "existence of a French-Canadian cultural community was never in question..." (Kymlicka 1989, 167). One must begin by asking why the French-Canadian cultural community was "never in question". Could it have been partly because that community consistently
demanded to be regarded and recognized as French-Canadian regardless of the changes? One could imagine a culture that did not demand that the same title be given to it after new cultural formations arise, this might make the boundaries of the cultural community not quite as obvious as Kymlicka surmises. More specifically, Kymlicka claims that "the process of modernization does not change the fact that these nations still form separate societal cultures, with their own institutions, using their own languages" (Kymlicka 1995a, 104). Thus the values of these communities may change but their members still share the same institutions and languages. If Kymlicka is not appealing to 'values' in order to recognize specific communities, what features of a community could play this role?

There appear to be three features that characterize Kymlicka's definition of a community: shared territory, shared institutions and shared language. To recognize whether there is a community that requires group-differentiated rights one looks for those three features. Using these features as criteria is not problem-free. The problem with the criterion of shared territory is that the world is not separated into clearly recognizable territories each of which corresponds to a specific cultural group. If the nature of a culture is not clear, the territory in which this culture is to be found will also be unclear. Nation states provide obvious boundaries but the problem at hand is of course that there may be various cultures within a nation. More fundamentally, one can only determine that a group shares a territory if there is some feature that defines that group as a single coherent group. Taken on its own, the criterion of a shared territory is inadequate. The criterion of shared language is also inadequate, one could have a distinct culture despite sharing the language of another.

Perhaps a shared history is a suitable criterion for designating a specific culture. But
what is considered shared history may often be such in name only. Each community has a plurality of sub-groups, for example, gender, race or class. To tell a history of these individuals may be to search for some very different histories:

Shared histories often separate dramatically: the recent history of African Americans who have been living in the ghettos of the urban north for three generations is significantly different from that of African Americans living in the agrarian South. Do Inuit and Hasidic women have the same history as their fathers and husbands? (Rorty 1994, 158).

Searching for a historical basis for community is a process greatly influenced by the description of the group whose history one is searching for. But the boundaries of the group is what looking in the past was supposed to determine. Even for imagined groups there could be a history of origins. Anthony Appiah points out that identities often "flourish despite...our "misrecognition" of their origins; despite their roots in myths and lies" (Appiah 1992, 178). History is an interpretive practice that is not ideology-free. Amelie Rorty provides an example of how ideology has shifted historical interpretations: "Dramatic shifts in recent Chinese historiography demonstrate the role of power politics in selecting and interpreting a presumptively shared inheritance. The Boxer rebellion is seen as progressive or regressive; yesterday's heroes become today's villains and tomorrow's exemplars as the ideology of the ruling elite changes" (Rorty 1994, 158). It does not, in these cases, seem enough to say that these cultures and the identities they make possible are "never in question." Some might argue that even if the history of a community is imaginary, this imaginary history has non the less created a real community; therefore, we should start with the communities that we can perceive now. But there does not appear to be any basis for
making now the defining moment for cultural groupings. Thomas Dumm points out that to make historical continuity the basis for legitimacy is a "valorization of that which has persisted over that which is new" (Dumm 1994, 169). How could political society make sense of "new" cultures? Further, "can change itself ever be endorsed as a value if the only legitimate cultures are those that are already quasi-permanent?" (Dumm 1994, 169). Kymlicka responds to the charge that appealing to history is problematic in a later paper. He states that "of course much of the mythology accompanying national identities is just that -- a myth. But it is important not to confuse the heroes, history, or present-day characteristics of a national identity with the underlying national identity itself" (Kymlicka 1996a, 127). Kymlicka seems to be suggesting that one can recognize the underlying community without appealing to historical considerations.

This leaves only shared institutions as the criterion for recognizing a unified culture. However, if the purpose of granting group-differentiated is to rectify inequalities in institutions -- as I argued earlier in this chapter -- then the institutions available reflect conditions of inequality and are not transparent indicators of the cultures present in a society. For instance, the injustice at hand may be that a distinct culture has been forced to accept the institutions of some dominant culture. In this case there are no shared institutions for that culture to appeal to in order to make the case that they are a distinct culture. Thus none of the criteria available to Kymlicka for recognizing a distinct culture -- shared territory, language, history, or institutions -- are sufficient for this task.

Kymlicka wants to protect a community without protecting a set of values. If he is not protecting a set of values, what is he protecting? If one cannot protect the particular
values and meanings inherent in a community then all that one can do is to maintain that particular grouping of individuals. Kymlicka argues that "once the societal cultures of national groups are protected, through language rights and territorial autonomy, then the cultural market-place does have an important role to play in determining the character of the culture" (Kymlicka 1995a, 113). The three features of a community that one protects are the same as those that one uses to recognize a community: its territory, institutions and language. Attempting to protect these aspects of a community presents some problems. Firstly, a culture may be more specific than the language it speaks. Two different cultures can share the same language. In this case protecting language is not going to be of less help in protecting a community. Secondly, there are difficulties with protecting the right of a culture to a territory and the right to determine what cultural context predominates in that territory. Territorial rights often have been invoked in debates about the status of aboriginal peoples. At various times aboriginal groups have been given powers of self-government and the ability to restrict the voting rights of non-members. Kymlicka sees these measures as necessary: "the viability of Indian communities depends on coercively restricting the mobility, residence, and political rights of both Indians and non-Indians" (Kymlicka 1989, 146). Kymlicka himself points out difficulties with defending the right of some community to a territory. I will quote only one:

Firstly, it is far from clear why it matters who first acquired a piece of land, unless one is inclined to a Nozick-like theory of Justice (Lyons; Macdonald 1976). Aboriginal communities were, of course, unjustly deprived of much of their land when whites settled, and those injustices have lingering effects which warrant some form of compensation. But that is not yet a reason why the ultimate goal shouldn't be some form of equality of resources for all the citizens of the country, rather than any permanent special status (Kymlicka 1989, 159).
Cultures may be interspersed with others, and in such cases it is going to be difficult to give each group a territory and protect that territory. The predicament of the former Yugoslavia is a good example here. Many cultures do not inhabit clearly demarcated territories and often overlap with other cultures; consequently, to protect the right of these communities to a territory involves restricting the rights of members of other cultures who may have lived in this territory over the same period of time. To protect the right of a community to a piece of land one needs to be able to recognize the boundaries of a community. But what counts as important in marking boundaries is still unclear in Kymlicka's account.

In Kymlicka's account it would be fine for a community to completely adopt the dominant culture's practices so long as they remain a community! What if a societal culture develops into two or more distinct groups each with distinct values? It appears Kymlicka believes that one should still try to support shared institutions for these two divergent sets of values. But the problem posed in Chapter Two is that public institutions inevitably privilege certain identities. If Kymlicka supports a community by supporting a particular set of institutions and there exist groups with divergent values within this community, this problem is far from resolved. Even if one is limited to protecting institutions and language this does not avoid influencing which values and meanings take hold in a society. This is the argument that was presented in Chapter Two and endorsed by Kymlicka himself. He argues that "there is no way to have a complete 'separation of state and ethnicity'" (Kymlicka 1995a, 115). Thus he has provided arguments that undermine his own project of protecting communities without protecting specific values. Although Kymlicka claims not to be defending any particular culture it seems that he is still committed to defending a particular culture in some more minimal sense. What is the underlying community if not a
particular set of links between individuals. these links based upon certain constitutive attachments and relations, and these relations based upon notions of how individuals should be related to each other? It is not clear whether that structure is independent of any of the goods and values associated with culture in a fuller sense. To protect that community is not just to protect a group of individuals but to protect a certain structure of relations, which is certainly the content of culture in some sense. Thus, not only can Kymlicka not recognize the appropriate communities without reference to beliefs and values, he can not protect communities without protecting those same beliefs and values.

If Kymlicka’s focus on societal cultures is unhelpful then perhaps one should focus on specific values and beliefs themselves. No one can deny that the dominant culture may be characterized by beliefs such as sexism or racism that may be influential and to that extent oppressive, but the target for rectifying their influence might properly be shifted from the dominant culture to the beliefs themselves. Kymlicka should not be concerned with inequalities between cultures in this case but inequalities inherent in specific beliefs. The same considerations may however also be applied to less inherently oppressive beliefs. It is the specific practices of certain cultures that are in danger of disappearing so it might seem best to focus on protecting these specific practices rather than entire cultures. This focus seems the best manner in which to protect specific options for acting upon beliefs. As was argued in the previous section, Kymlicka is committed to claiming that to have options for acting upon beliefs is vital if individuals are going to have access to their culture. The kinds of measures appropriate in these cases are not special representation rights but “polyethnic rights” which, as we have seen, include special funding for endangered cultures and "exemptions from laws and regulations that disadvantage them" (Kymlicka 1995a, 30-31).
These kinds of rights allow for the specificity necessary to protect particular practices. However, targeting specific practices in this way has the consequence that the number of groups with potential claims is increased greatly from the few that meet Kymlicka's definition of "societal cultures". In fact Kymlicka introduced this distinction precisely to keep the number of potential claimants to a minimum. If the injustice that is being redressed is the disappearance of certain practices, then the number of potential inequalities could reach an unmanageable level. In short, on the one hand, the focus on societal cultures includes certain non-ethnic cultures and excludes cultures with conflicting values and beliefs, while on the other hand, focusing merely on specific practices might include too many.

**INTOLERANT/ILLIBERAL CULTURES**

If cultural contexts are vital for our capacity to make choices, but one is never in danger of existing outside of all contexts, where could the danger to this capacity stem from? It might have something to do with the kinds of contexts one finds oneself in. As was pointed out earlier, autonomy can only function and have meaning in a culture where one's values were not completely determined by that culture; in a society which has within it a plurality of conceptions of valued ways of living, a society which is not too "tightly scripted" as Appiah put it. Thus any decisive identification with a particular limited set of values decreases the role of autonomy in an individual's life. This could theoretically reach a point where autonomy was no longer functional at all. Stanley Benn goes even further and suggests that interaction between cultures rather than endangering autonomy might actually be a source of autonomy: "A monolithic system, in which, for instance, social and environmental conditions had remained virtually unchanged for centuries, and in which ways
of acting had been routinized by a kind of natural selection process for all the major eventualities, and which encountered no alien cultures, would simply lack the incoherences which leave space for autonomous development" (Benn 182).

Kymlicka recognizes that the cultures which are being protected will need to share the value of autonomy if the support for those cultures is to be justified. This is linked to the argument that one cannot protect the specific character of culture at any time: "Supporting the intolerant character of a cultural community undermines the very reason we had to support cultural membership -- that it allows for 'meaningful individual choice'" (Kymlicka 1989, 166-167). This view does not change in his later work where Kymlicka states that "a liberal conception of minority rights cannot accommodate the demands of all minority groups" (Kymlicka 1995a, 153). Kukathas argues that taking "culture seriously" involves leaving these groups alone and tolerating their illiberality:

If their culture is not already liberal, if it does not prize individuality of individual choice, then to talk of liberalization is inescapably to talk of undermining their culture. ...[Culture] is the product of the association of individuals over time, which in turn shapes individual commitments and gives meaning to individual lives--lives for which individual choice or autonomy may be quite valueless. To try and reshape it in accordance with ideals of individual choice is to strike at its very core (Kukathas 1992, 244).

Kymlicka responds that this is to misunderstand the basis of the liberal value of tolerance. He considers the liberal emphasis on tolerance to be derived from autonomy. For Kymlicka "liberal tolerance protects the right of individuals to dissent from their group, as well as the right of groups not to be persecuted by the state" (Kymlicka 1995a, 158). Kymlicka claims
tolerance protects both these rights. But protecting both these rights will require different measures, and sometimes these measures conflict. Kymlicka does not provide means for adjudicating when one cannot protect both. The "tolerant" state in Kukathas's sense avoids the charge that it is only tolerant of cultures that are like itself but only at the cost of creating other oppressed individuals within those groups.

This argument points to a reason why Kymlicka's attempt to protect "the community as such" and not the character of that community is not feasible. States predicated on religious fundamentalism, for instance, are prime examples of illiberal states. It is not permissible to dissent from state doctrine. Part of what makes the fundamentalist culture a group is precisely the kind of associations between individuals it embodies, and these are, distinctively, of a non-liberal sort. Protecting, or even strengthening these associations is just as illiberal as protecting the character of such a group. Thus Kymlicka's attempt to protect particular groupings of individuals fails to protect both the culture and an individual's autonomy because it is still, in some sense, to impose upon an individual a particular culture, this being the culture of that grouping whatever it may be. The decision to identify oneself as a member of a particular culture, to accept certain values that go along with that culture, can only make sense if there is another culture that one could become a member of.

Kymlicka might respond that he is not limiting the ability of individuals to exit from their community. This is why he makes a distinction between internal and external protections, "the first kind is intended to protect the group from internal dissent (e.g. the decision of individual members not to follow traditional practices or customs), whereas the second is intended to protect the group from the impact of external decisions (e.g. the
economic or political decisions of the larger society)" (Kymlicka 1995a, 35). External protections are justified while internal protections are not. But surely the distinction is not as clear as Kymlicka would like it to be. External protections, while not directly hindering dissent, could make it less likely. An important source of critical ideas is often other cultures. If external protections are used to limit the flow of the external culture's ideas into the community this will also affect the individual's ability to decide whether to leave his community. An individual's ability to exit or change her cultural commitments is certainly limited if she does not know what other options are available.

Kymlicka denies that he is drawn "down the path of interference" in dealing with other cultures. He claims that there is a difference between "identifying a defensible liberal theory of minority rights" and "imposing that liberal theory" (Kymlicka 1995a, 164). The question that immediately comes to mind is, why would anyone develop a political theory that is of no help when it comes to dealing with other cultural groups? Was that not the whole point? Kymlicka suggests that although liberals should not directly interfere, "liberal reformers should seek to promote their liberal principles, through reason or example. and liberals outside should lend their support to any efforts that the group makes to liberalize their culture" (Kymlicka 1995a, 168). But does this not undercut the whole purpose of external protections if liberals are going to promote an opposing set of principles anyway? Kymlicka waffles on this point. He suggests that "the line between incentives and coercion is not a sharp one" (Kymlicka 1995a, 168). Or later, "The exact point at which intervention is warranted is unclear" (Kymlicka 1995a, 169). Or if one looks at this problem from a different direction, group-differentiated rights give to the minority culture the power to potentially block out or censor these "reasoned" arguments and examples. In which case
Kymlicka will need to resign himself to their inevitable illiberality, furthered by external protections.

In this chapter we examined Kymlicka’s justification for protecting minority cultures. He holds that such cultures are a pre-condition for autonomy. A consequence of this argument is that the policies and practices which can be justified as a means to this end are very limited. In response to the criticism that being assimilated into another culture might provide even better conditions for autonomy, Kymlicka argues that individuals are bound in fundamental ways to their original communities. Even in those cases where individuals can assimilate the possess is long and difficult. This view renders assimilation a non-starter: individuals are inevitably bound to the values and beliefs of their original culture. The injustice at issue is that the beliefs of members of minority cultures do not have the corresponding options which allow an individual to act on these beliefs. But the argument that individuals are bound to a set of beliefs and values seems to leave almost no room for the kind of autonomy that liberals want to protect. To leave room for a more robust conception of autonomy Kymlicka claims that members of the cultures he is concerned with do not necessarily share the same beliefs and values. This claim had important ramifications for the kinds of communities that he can recognize. The remaining possible criteria for recognizing a distinct community: shared territory, language, history or institutions are all inadequate. The difficulties that Kymlicka faces recognizing communities also play a role in determining what practices Kymlicka can justify in order to protect those communities. A good deal of the difficulties with Kymlicka’s approach arose because attempts to protect specific cultures seemed to impose invariably the “tight scripts” that Appiah warned against. Kymlicka denies that he is forced to protect the specific content of a culture by making a
distinction between members and character. I argued that taking this approach forces him to adopt such a thin definition of a community that he is unable to recognize which groups are the appropriate recipients of special protective measures or able to provide any means of protecting such groups. Finally, Kymlicka makes a distinction between internal and external protections in order to protect internal minorities. These protections are inadequate for two reasons: first, because Kymlicka is committed to protecting the associations of illiberal communities and these hinder an individual’s ability to leave that community; and second, because external protections can hinder an individual gaining knowledge of what other communities she might join in order to escape her own. As a result, internal minorities are still at great risk of being oppressed.
CHAPTER FOUR

CONCLUSION: RECOGNITION AND RESPECT

In this chapter I briefly examine Charles Taylor’s political theory. In particular, I shall focus on his thoughts on multiculturalism. In the previous chapter it was shown that Kymlicka makes a number of claims in order to argue that one can both protect culture and autonomy. It is because of these claims that Kymlicka is unable to recognize those groups to whom he wishes to grant group-differentiated rights. Taylor brings to the issue of multiculturalism an understanding of the importance of recognition in shaping an individual’s identity that may help clarify the difficulties raised in the examination of Kymlicka. In works such as Multiculturalism and The Politics of Recognition Taylor is concerned to explore the “links between recognition and identity” (Taylor 1992, 25). He delineates two major types of political recognition, which he calls the “politics of equal dignity” and “the politics of difference”:

With the politics of equal dignity, what is established is meant to be universally the same, an identical basket of rights and immunities; with the politics of difference, what we are asked to recognize is the unique identity of this individual or group, their distinctness from everyone else. The idea is that it is precisely this distinctness that has been ignored, glossed over, assimilated to a dominant or majority identity. (Taylor 1992, 38).

Taylor claims that in the politics of equal dignity “what is picked out as of worth is a universal human potential” (Taylor 1992, 41). It is on the basis of the worth of this universal
human potential that individuals should be respected. Autonomy is just such a universal human potential and, given that the attempt to protect autonomy was the basis for Kymlicka’s arguments, it might seem that his approach belongs to the politics of equal dignity. Kymlicka, however, tried to address Taylor’s criticism by arguing that protecting autonomy requires that we recognize the distinct character of certain groups and grant them special group-differentiated rights. I hope that Chapter Three has convincingly argued that Kymlicka, because of the manner in which he justifies recognizing cultures, can only recognize culture in a very thin sense, and thus can only defend very limited forms of recognition. Taylor, however, calls for a more robust form of recognition that can attend to details in a way that Kymlicka’s theory precludes.

Taylor argues that respecting individuals because they exhibit a universal human potential results in attempts to devise politically neutral structures that are “blind to the ways in which citizens differ” (Taylor 1992, 39). For Taylor this blindness makes certain collective goals unimaginable. We have already seen that Taylor considers the “expression” of social goods important. For Taylor, "a vision of the good becomes available for the people of a given culture through being given expression in some manner" (Taylor 1989, 91). Thus, because the politics of equal dignity cannot recognize the specific character of certain groups it also cannot recognize or give expression to the fact that these groups may have specific collective goals. This is problematic for theories that hope to protect specific cultures because the goal of cultural “survivance” is precisely this sort of collective goal (Taylor 1992, 58). As pointed out in Chapter Three, the goal of cultural survival requires more than just providing options, it requires “making sure that there is a community of people here in the future that will want to avail itself of the opportunity” to use these options
(Taylor 1992. 58). Kymlicka cannot justify this concern with future generations. Taylor argues, because given Kymlicka’s commitment to autonomy, his “reasoning is valid only for existing people who find themselves trapped within a culture under pressure, and can flourish within it or not at all” (Taylor 1992. 41).

It is the consequences of certain types of recognition that is at the heart of Taylor’s theory. In the culture at large or the general practices of society, a failure to recognize the existence of certain groups can be considered a lack of respect for the members of that culture or identity. Susan Wolf suggests something like this and points out that the demand for recognition in this case is dependent on a consideration of how to respect individuals who are members of that society: “…ignoring the presence of these individuals in our community or in neglecting or belittling the importance of their distinctive histories, arts, and traditions, we fail to respect them as equals, whose interests and values have equal standing in our community” (Wolf 81). Respecting groups requires certain kinds of recognition that do not abstract from the particular features of these groups. Robin S. Dillon argues a similar point about self-respect in her essay, “Towards a Feminist Conception of Self-Respect” (Dillon 1995). She suggests that it is “difficult to understand how regarding oneself in generic terms could constitute self-respect, or how appreciation for a capacity or the moral law could constitute respect for myself” (Dillon 1995. 295-97). This problem of recognition raises questions about the nature of the self, its connection with others and the community and the conditions for self-respect. In this chapter I will explore how the self, and its need for respect, is configured in debates about minority cultures and how the need for respect might be addressed by a process of recognition.
RECOGNITION AND MISRECOGNITION

Taylor’s thesis is that our society conditions the way we perceive our identity. That this process can have harmful consequences has been made clear by feminist and cultural theorists such as Sandra Bartky who have pointed out that the “internalization of intimations of inferiority” is a constant danger for women in patriarchal societies (Bartky 23). Taylor sees the role of recognition as central to this process:

The thesis is that our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person can suffer real damage, real distortion if the people around them mirror back to them a confining or demeaning or contemptible picture of themselves. Nonrecognition or mis-recognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted and reduced mode of being (Taylor 1992, 25).

Here Taylor makes explicit that not only does a lack of recognition show a degree of disrespect to some group, but it can affect the self-respect of members of this group. Certain forms of recognition present representations of the self which are internalized. These internalized representations can be positive or negative, and to the extent that the assessment of one’s abilities and worth will effect one’s choices in life, recognition shapes one’s ability to live a flourishing life.

The links between recognition and identity are important to Taylor because he is concerned to clarify and elaborate the moral ideal of “authenticity.” This ideal suggests that

There is a certain way of being human that is my way. I am called upon to live my life in this way, and not in imitation of anyone else’s life. But this notion gives a new importance to being true to myself.
If I am not, I miss the point of my life; I miss what being human is for me (Taylor 1992, 30).

This ideal presents a particular conception of a flourishing life. To be authentic seems to require a degree of autonomy. But, since Taylor considers our identities to be "shaped through a constant and unending dialogue with others," living up to an ideal of authenticity will also require certain types of relations with others (Taylor 1992, 32-34). If a society presents an individual with an image of themselves as less worthy of respect or less valuable, then living up to this ideal becomes more difficult.

The idea of an authentic identity also has some important ramifications for a conception of freedom like autonomy. One's life is organized around significant purposes and these can be "frustrated by our own desires, and where they are sufficiently based upon misapprehension, we consider them as not really ours, and experience them as fetters. A man's freedom can therefore be hemmed in by internal motivational obstacles, as well as external ones" (Taylor 1985b, 227). One can fail to be true to one's authentic self. The further consequence is that someone else may better understand what it is in our interests to do. This seems to undermine a conception of individual freedom as being something which can never be infringed upon. Taylor argues that "we cannot defend a view of freedom which does not involve at least some qualitative discrimination as to motive, that is which does not put some restrictions on motivations among the necessary conditions for freedom, and hence which could rule out second-guessing in principle" (Taylor 1985, 217). To understand why Taylor takes this position it is necessary to examine his theory of "strong evaluations."
DOES TAYLOR LEAVE ROOM FOR AUTONOMY?

The discussion of Kymlicka's defense of group-differentiated rights brought out a tension between the degree to which an individual is reliant on the culture he is part of for meanings and values and the degree to which an individual can criticize or reject these values. Perhaps Taylor's theory of the self might make sense of this dilemma. He introduces a distinction between strong and weak evaluation that is strikingly similar to Frankfurt's conception of second order-desires: "In weak evaluation, for something to be judged good it is sufficient that it be desired, whereas in strong evaluation there is also a use of 'good' or some other evaluative term for which being desired is not sufficient; indeed some desires or desired consummations can be judged as bad, base, ignoble, trivial, superficial, unworthy, and so on" (Taylor 1985, 18). Strong evaluations involve "discriminations of right or wrong, better or worse, higher or lower, which are not rendered valid by our own desires, inclinations, or choices, but rather stand independent of these and offer standards by which they can be judged" (Taylor 1989, 4). This is to say that individuals can be concerned with the character of their motivations and how these motivations reflect their capacity as agents. Strong evaluations are second-order desires based on qualitative distinctions, as such they involve a specific kind of motivation for wanting to change one's desires. For example, in weak evaluation, one prefers chocolate ice cream to pistachio. Strong evaluation, on the other hand, involves the sense that certain desires are incompatible with having a certain kind of character which is considered better; we judge a life devoted to ice cream as perhaps not worthy of us, however much we enjoy eating it.

The evaluations that are involved in strong evaluation are not the same as those in most liberal theories of autonomy. According to Taylor, strong evaluations are closely
linked to the society one finds oneself in. Although Kymlicka has suggested a similar link between culture and meaning, Taylor's view of this relation is more explicit. In his framework, choices cannot become meaningful just because we choose them. That would be to make the evaluative process of choosing them seem almost random. Taylor points out that "I couldn't just decide that the most significant action is wiggling my toes in warm mud. Without some special explanation this is not an intelligible claim" (Taylor 1991, 36). He continues:

Self-choice as an ideal makes sense only because some issues are more significant than others. I couldn't claim to be a self-chooser and deploy a whole Nietzschean vocabulary of self-making just because I choose steak and fries over poutine for lunch. Which issues are significant, I do not determine. If I did, no issue would be significant. But then the moral ideal of self-choosing as a moral ideal would be impossible (Taylor 1991, 39).

One's qualitative distinctions, as Taylor has shown, need to be based on more than mere preference. They need a special explanation. He suggests that cultural contexts provide the framework for other individuals to be able to understand and recognize important aspects of our character, that we might speak another language, for instance, or that certain ways of behaving are going to be considered offensive or inappropriate. Importantly shared cultural contexts are the framework necessary so that others can understand what one considers valuable. This description of the way a community shapes an individual's values is very much like Kymlicka's. One cannot decide on one's own what is going to be of public significance about one's identity. Society gives us our "basic equipment." Individuals cannot decide to be anything at all, invent an identity wholesale, but need a context of options and means for evaluating those options. For Taylor meaningful choice is bound by what he calls
a "horizon of significance". This is "the background we assume and draw on in any claim to rightness, part of what we are forced to spell out when we have to defend our responses as the right ones" (Taylor 1989, 9). Benn points out:

To be autonomous one must have reasons for acting and be capable of second thoughts in light of new reasons. It is not to have a capacity for acting without reasons or for conjuring action commitments out of nowhere. And for reasons one must have a system of beliefs from which action commitments derive and into which new evidence can be assimilated, yielding new commitments. How could anyone come by these bits of basic equipment except by learning them in the first instance from parents, teachers, friends and colleagues? Someone who had escaped such a socialization process would not be free, unconstrained, able to make anything of himself that he chose: he would be able to make nothing of himself, being hardly a person at all (Benn 1988, 179).

For Taylor our qualitative distinctions are determined by culture, and consequently it is difficult to conceive of a role for a liberal view of autonomy given his framework. Taylor might consider it merely the capacity to see that certain goods, certain motivating forces that are expressed in a culture, are shallow or not in keeping with deeper, more extensive and "encompassing goods". But these encompassing goods are still obtained from one's culture.

RECOGNIZING CULTURE

What is the relation between recognition and cultural survival? Recognition, for Taylor, is an important part of making a culture "visible," that is, it is only by recognizing a group that government can give expression to its particular collective goals. Being visible is an important way in which a culture maintains itself. As was shown in Chapter Two it is the pervasive presence of the dominant culture that makes it so difficult for minorities to
maintain themselves. A lack of recognition in this case would be part of how that culture disappears. first by not being valued or esteemed in public life, becoming invisible as it were, and secondly not having the political resources to deal with its minority status. Often this attempt involves what is called the search for a "voice" in a community. There are two important distinctions that need to be outlined. Firstly, one needs to distinguish between recognition in a general sense of "noticing," and the recognition of value or "importance." (That something is being recognized at all already seems to suggest some degree of importance however. It is important enough to be noticed). Secondly, recognition can take two forms depending on who is the subject of the act of recognition. Recognition can be either by the individuals that make up a society, or through more institutionalized governmental legislation and support. Though it is the latter form of recognition that political theory is most concerned with, it is clear that governmental forms of recognition hope to eventually instill similar kinds of recognition and respect in the particular individuals who make up the larger society.

Susan Wolf's claim one can "ignore the presence" of cultural communities takes for granted that, recognition or no recognition, individuals with these identities exist and that to respect these identities one must recognize them (Wolf 81). But recognition cannot be seen as a neutral practice. One must take into consideration the effects that certain kinds of recognition might have on someone's identity and on the cultures to which an individual belongs. This issue was raised in my discussion of how Kymlicka can recognize relevant cultural communities. Perhaps Taylor can shed some light on Kymlicka's difficulties in this regard. What are appropriate forms of recognition? This is where the distinction between merely noticing and discerning the value of what is noticed comes into play. If the central
problem is that members of a culture are being treated with a lack of respect when they are presented with images of themselves as instantiating forms of life that are less valuable, then perhaps appropriate forms of recognition are those where the value of that culture is affirmed. But Taylor notes this is far too simple a solution:

It can't make sense to demand as a matter of right that we come up with a final concluding judgement that their value is great, or equal to others'. That is, if the judgement of value is to register something independent of our own wills and desires, it cannot be dictated by a principle of ethics (Taylor 1992, 69).

To ascribe value necessarily or on demand undermines the validity of the evaluation. Such an ascription of value would not even require actual contact with the culture, and as Taylor points out, "the last thing that one wants from Eurocentered intellectuals is positive judgements of the worth of cultures that they have not intensively studied" (Taylor 1992, 70). Taylor notes that one can't even assume that one has the proper "standards to make such judgements" (Taylor 1992, 71). Ascertaining whether a culture is valuable from within another culture is extremely problematic.

Taylor claims that the only way one could hope to come to a reasonable judgment of value would be through what Hans Georg Gadamer calls a "fusion of horizons." He claims that by undergoing this process "we learn to move in a broader horizon, within which what we have formerly taken as for granted as the background to valuation can be situated as one possibility alongside the different background of the formerly unfamiliar culture" (Taylor 1992, 67). This is a possibility for Taylor because of the way he understands practical reason. On this understanding:
Practical reasoning is... a reasoning in transitions. It aims to establish, not that some position is correct absolutely, but rather that some position is superior to some other. It is concerned covertly or openly, implicitly or explicitly, with comparative propositions. We can show that the move from A to B constitutes a gain epistemically (Taylor 1989, 72).

This has important ramifications for the protection of cultures. It requires a dramatic change in at least one culture; the culture whose members undergo a “fusion of horizons.” This culture’s values and standards of value are going to be radically changed. This is not a simple process. To determine whether the culture engaging in the recognizing has accurately perceived the culture recognized will require that the culture being recognized in turn examine what the standards of value are that the culture doing the recognizing now holds. However, this familiarity may in turn change the originally recognized culture. In fact, this process of ‘checking’ could go on infinitely. One might respond that it is unnecessary to undergo this second process, it is enough that an ascription of value has been made. This response again undermines the original goal of the evaluation. If it does not matter why the ascription of value was made it would seem unnecessary to undergo the “fusion of horizons.” It seems the process of recognition makes for a great deal of inevitable contact that will likely alter the cultures of those groups involved.

COMPARING TAYLOR AND KYMLICKA

Taylor’s defense of recognition rests primarily on the idea that a failure to recognize some group constitutes a harm. This conclusion is not based on the value of autonomy, but because a lack of recognition potentially harms self-respect. It seems that this merely
intensifies some of the worries that were raised with regard to Kymlicka. Since Taylor is not concerned with autonomy the danger of excessively "tight scripts" is even greater than it is with Kymlicka. The definition of the culture could become extremely specific and it would be difficult for Taylor to make sense of this as a problem. In this respect Kymlicka's position seems preferable to Taylor's. Taylor does not, however, want to limit himself to merely one fundamental good. He states:

I disagree [with] the absolute pretensions of [liberal] theory: the claim to have found the principle of a liberal society; or the principle which ought to trump all others wherever they come into conflict. I find this whole mode of thinking unreal. Here I think Aristotle did have an insight which has tended to get lost in modern philosophy. We don't and couldn't live our lives this way. Neither our individual lives nor the lives of our societies. There are always a plurality of goods, vying for our allegiance, and one of the most difficult issues is how to adjudicate at the places where they come into conflict, or mutually restrict each other (Taylor 1994, 250).

Thus on this view one might be able to consider both autonomy and cultural 'survivance' as goods. There may be occasions when these two goods may conflict. Because Taylor believes that there can be a plurality of goods, he does not need recourse to Kymlicka's argument -- that individuals are unable to revise the beliefs that they come by in their original culture -- in order to justify measures protecting specific cultures. For Taylor, "Survivance is just another matter. It is another good" (Taylor 1994, 251).

But multiplying goods, as Taylor does, does not seem to resolve the dilemmas faced by Kymlicka. When goods conflict one still needs a means of adjudicating which good will take precedence over the other. For instance, Taylor suggests that in some cases one will
"weigh the importance of certain forms of uniform treatment against the importance of cultural survival, and opt sometimes in favor of the latter" (Taylor 1992, 61). But it does not seem adequate to suggest that cultural survivance is a good that on certain occasions will take precedence over autonomy, without an explanation of why cultural survivance is the more important good in these situations. Liberals provide detailed reasons why autonomy is fundamentally important to individual self-respect. If Taylor wants to argue that cultural survivance is just as important he will need to provide at least as detailed and convincing reasons why this is so. This may not be easy. Raz suggests that in some situations one cannot simply weigh the merits of two goods and compare them because the goods are of different kinds. Raz states that if "one was faced with valuable options [of different kinds] and successfully chose one of them, then one simply chose one way of life rather than another, both being good and not susceptible to comparison of degree" (Raz 1994, 72). In these cases one must simply resign oneself to the fact that it is not possible to justify one choice over the other. Merely positing the possibility of a multiplicity of goods does not resolve the difficulties raised in the examination of Kymlicka without a defense of the relative importance of these goods.

Taylor's view does, however, provide one advantage over Kymlicka's. Kymlicka was concerned to protect minority cultures because a stable cultural context was a condition for autonomy and autonomy was valuable as a means to self-respect. The danger was that in the process of assimilation there would be a period of time during which an individual did not have options which corresponded to the values they held. Now, although Taylor's "fusion of horizons" does in fact change at least one of the cultures involved, there is potentially only a limited loss of specific values. The dominant culture comes to take on
some of the values of the minority culture along with its own. One culture is not erased by another but comes to be a part of that culture. If the dominant culture truly comes to understand and value the beliefs and practices of another culture, then those values will to some extent become part of the dominant culture and therefore also find expression in that culture. That culture will consequently develop the institutions which correspond to these newly developed perspectives. Taylor suggests that in certain transitions there can be an epistemic "gain." Although the cultures may have changed, what was ultimately trying to be protected -- a meaningful context of choice -- remains, without quite so difficult a transition period for the minority culture. Although this approach does not completely protect a culture, it does seem to provide a good deal of support for that culture's practices while avoiding some of the dangers inherent in other more extensive attempts to protect minority cultures.

CONCLUSION

This thesis has examined Kymlicka's attempt to provide a "distinctly liberal" defense of minority rights. I have shown that liberals consider the capacity for autonomy to be a "primary good" because it is necessary for basic forms of human flourishing and well-being. Since the equal distribution of primary goods is a central tenet of liberal justice, liberals should attempt to ensure that all individuals have equal access to the preconditions for autonomy. Kymlicka argues that access to a societal culture is a precondition for autonomy; consequently, liberals should seek to ensure that all individuals have access to these sorts of communities. Chapter Two presents Kymlicka's claim that members of minority cultures do not have the same ability to sustain their culture as do members of majority cultures. Members of minority cultures are subject to pressures to change their way of life that are
more powerful than those faced by members of other cultures. I outline three factors which influence the ability to sustain a culture, they are: political influence, cultural influence and economic resources. If Kymlicka seeks to protect societal cultures, he needs to rectify inequalities in these three factors. This task is not a simple one and presents some difficulties. For one, if two different cultures have radically different beliefs and conceptions of the good, it is unclear how to determine whether a government is equally fostering or hindering those particular conceptions of the good. Further, to equalize a culture's chances in the cultural marketplace it is necessary to regulate more aspects of cultural life than liberalism is currently willing to do.

Chapter Three presents three criticisms of Kymlicka. First, because Kymlicka considers culture to be valuable because it is a precondition for autonomy he is unable to justify the sorts of practices necessary to protect particular cultures; individuals assimilated into other cultures would, after all, not be left without any cultural context. To counter this argument Kymlicka argues that individuals are "bound" to the values and beliefs of their societal cultures. But if individuals are bound to a certain set of beliefs and values it does not seem that they are capable of the sort of autonomy liberals generally want to protect. To leave room for autonomy Kymlicka suggests that members of societal cultures do not need to share the same values and beliefs, but taking this stance leaves Kymlicka with such a thin description of a community that he is unable to recognize those groups that are the appropriate recipients of minority rights. Second, Kymlicka claims that it is possible to protect a community without protecting the character of a community. I argue that his own claim that a culture's public institutions influence the character of that culture undermines this argument. Third, Kymlicka's attempt to protect internal minorities from oppression by
making a distinction between internal and external protections does not succeed. One way to protect internal minorities is to protect their ability to leave these oppressive communities, but by legitimizing external protections Kymlicka makes it possible for the oppressive community to censor information concerning what other communities individuals might leave the oppressive culture to join. For exit to be a real possibility one needs to know that there are other less oppressive communities that one could become a member of.

The examination of Charles Taylor in Chapter Four concluded that because Taylor does not limit himself to a single fundamental good that trumps all others, he is able to appeal to multiple goods in order to justify protecting cultures. In some cases protecting specific cultures may involve infringing on the autonomy of some individuals, but trade-offs such as this are not ruled out in Taylor’s scheme. Although Taylor’s scheme is consistent, one might argue that unless he makes clear under what conditions infringements on autonomy will be tolerated, and suggests that these conditions are few and far between, his position cannot be seen as an unqualified improvement on Kymlicka. Taylor’s most helpful contribution to this debate is his suggestion of Gadamer’s project of a “fusion of horizons.” This is an option worthy of consideration as it suggests the possibility of some amount of epistemic gain, as Taylor puts it. More importantly, a “fusion of horizons” is necessary if genuine, robust forms of recognition are to be possible -- precisely the kinds of recognition that Kymlicka’s scheme is unable to justify. Although this approach requires that cultures change to some degree, it does seem the best means of protecting autonomy and the ability of individuals to access contexts of meaning. The important task that political philosophy must now face is determining the sorts of trade-offs between conflicting goods are justified and outlining the principles behind these trade-offs. This, undoubtedly, will be a task of
considerable difficulty and seems to require exactly the "fusion of horizons" that Taylor suggests.
NOTES

1. Carol C. Gould describes differences between two possible uses of the term "multiculturalism": "...in one use multiculturalism designates an aggregate or collection of different and relatively separate cultures together with an awareness within an older dominant culture of these differences and of the contributions of the cultures of oppressed groups...The term multicultural has also been used to designate a new interactive model of culture, where cultural identity is itself open to plural definition and where there may be cultural creation through the appropriation of diverse cultural influences...yet, this does not necessarily entail a homogenization of the cultural strains and is also a continuation of the historically common phenomenon of cultural diffusion" (Gould 82).


3. It is somewhat ironic that liberal theory, despite being the response to a plurality of values in the state, is in itself a collection of potentially conflicting values.

4. This argument again relies upon a rejection of moral relativism. A culture could be characterized by values and beliefs that oppress certain individuals. For instance a culture could be racist, sexist, or homophobic. These cultures represent a danger to the self-respect of certain individuals. Further, Diana Meyers suggests that a lack of autonomy results in a greater reliance on given cultural contexts as a source of self-respect. She argues that "when customary social practices conflict with morality the former take typically take precedence in peoples assessments of their self-worth, since all too often people lack the intellectual and emotional independence necessary to embrace unconventional views" (Meyers 229). Thus oppressed individuals without the capacity for autonomy face a double danger. Not only do they lack the ability to break free of the oppressive cultures beliefs, but because they lack the capacity for autonomy they rely to an even greater extent on an identification with that culture for their sense of self-respect.

5. Avishai Margalit and Joseph Raz define the kinds of cultures they consider the proper candidates for self-determination in a similar way. This kind of culture "defines or marks a variety of forms or styles of life, types of activities, occupations, pursuits, and relationships... They have pervasive cultures" (Margalit and Raz 82).

6. Stephen Mulhall and Adam Swift point out how "meaning" is tied up with "value" and how these condition individual choice: "Our actions are ordinarily characterized by the purpose sought and explained by reference to desires, thoughts, and emotions; but the language by which we describe those goals and feeling or emotions is also that used to describe the meaning of a situation for an agent. The vocabulary defining such meaning ("terrifying", "attractive") is closely linked with that describing feeling ("fear", "desire") and that describing goals ("safety", "possession")... Moreover, these three sets of terms are so closely related that we can only understand one of them by grasping their relation to the others" (Mulhall and Swift 108).

7. Kymlicka also provides a more specific example, "...having established a work-week that favours Christians one can hardly object to exemptions for Muslims or Jews on the ground that they violate the separation of state and ethnicity" (Kymlicka 1995a, 114).

8. Joseph Raz's term for liberal theories that abandon culture to market forces is "super-market liberalism" (Raz 1994, 70).

9. Of course, just because certain measures are not enough to protect a culture does not mean, if one is committed to that task, that those measures should not be implemented. The more worrying concern is whether the various legislative procedures necessary for the protection of a culture and the values underpinning them are all compatible within the liberal framework.
10. Some amount of change might be considered justified, however. For example, even if a lengthy period of discrimination had left a minority culture with an extremely poor economy, and the culture of that community had come to reflect conditions of impoverishment, one would not suggest that in protecting this culture one should also maintain its culture of poverty.

11. Charles Taylor supplies another example: “This kind of freedom is unavailable to one whose sympathies are so narrow that he can conceive of only one way of life, for whom the very notion of a way of life which is his as against everyone’s has no sense” or to someone “who is riveted by fear of the unknown to one familiar life-form, or one who has been so formed in suspicion and hate of outsiders that he can never put himself in their place” (Taylor 1985b, 204).

12. So perhaps one should merely give these minority groups powers of self-government, and encourage them to secede. Now, unless one explores how self-government would be used, it is unclear that this would necessarily solve the problem. Minority cultures are in danger of being drowned out by dominant cultures; it is partially the pervasiveness of the dominant culture’s mores and images that are the source of pressures to assimilate. This pervasiveness will not change just because governing powers have been given to a group. To really affect the pervasiveness of the dominant culture one could either: (a) Use the governing power to restrict public representations, this being an option that requires quite serious limitations of individual freedom, in particular the silencing of those who dissent and deny the identity ascribed to them, or (b) one could hope to foster a sense of the value of culture and foster members ability to actively play a part in maintaining their culture. This option seems more feasible and represents an effort to foster autonomy. It does not involve the protection of any particular group, and its maintenance over time. A third possibility (c), is of funding practices that are considered endangered.

Kymlicka’s position seems to be closest to that of (c). He argues for three types of group-differentiated rights: “(1) self-government rights; (2) polyethnic rights; and (3) special representation rights” (Kymlicka 1995a, 27). As was pointed out in Chapter Two, the influence of the dominant culture extends far beyond the political realm, therefore special representation rights will not be enough to curb this influence. Self-government rights will not be enough either, as was just argued, unless the seceding country carefully controls the kinds of images and ideas coming into the country. That leaves polyethnic rights. These involve public funding of cultural practices. One cannot deny that for government to fund certain practices is to take a decisive step away from liberal neutrality. In this case some very specific content is being protected. But Kymlicka denies that this is necessary.

13. Kukathas supplies other examples: “In the former Indian state of Madras, clearances within the Telugu population were not very important. Yet as soon as a separate Telugu-speaking state was carved out of Madras, Telugu subgroups quickly emerged as political entities. Similarly, many ethnic groups were the product of subgroup amalgamation in the colonial period in Asia and Africa. The Malays in Malaysia, for example, emerged as a ‘distinct’ group only after colonialists created specific territories out of loose clusters of villages and regions: much the same can be said for the Ibo in Nigeria and the Moro in the Philippines” (Kukathas 1992, 233).

14. It is necessary to point out that the various struggles in the name of particular identities have important differences. The issues in determining an African-American identity differ in important ways from, say, those of women’s identity or that of aboriginal peoples. For example, it might be argued that in the case of women the problem is that an identity as a women has been too carefully delineated and recognized. This is Anthony Appiah’s worry about “too tightly scripted” identities. The determining of what it is to be a woman has too often been in the hands of those who in the past dominated the media and education, that is, men. That the capacity for choice can be diminished by certain kinds of recognition and characterizations of identity is a central point in this issue. The capacity for women to revise their identity was hindered precisely because of a careful delineation of what a woman’s identity is, and its characterization as unchanging. Recognition is thus not inherently positive. Many feminist theorists debate the merits of determining a specific women’s identity versus attempting to move beyond such gender categorizations completely. For the latter theorists the desire is not to determine some more accurate, “real” women’s identity, but to point out that the identity that has been ascribed to women has oppressive consequences. There is a need to recognize how women have been characterized but not to come up with a more true picture of the category “women”. This process can be seen
in struggles by women to move beyond the often limiting characterizations of their "nature", that is, characterizations of what the proper activities and beliefs of women are. Thus in certain circumstances special provisions and powers are given to women's groups not so that they can protect a woman's culture but so that they can overcome the identity that has been ascribed to them. This is an example of a circumstance where the capacity to revise one's identity is important to overcome negative stereotypes.

15. Taylor does suggest that there is some degree of truth in the suggestion that most cultures have valuable aspects. He states: "...there is something valid in...[the presumption] that all human cultures that have animated whole societies for over some considerable stretch of time have something important to say to all human beings" (Taylor 1992, 66).


17. Taylor provides more examples: "I may be the only person with exactly 3,732 hairs on my head, or may be exactly the same height as some tree on the Siberian plain, but so what? If I begin to say that I define myself by my ability to articulate important truths, or play the Hammerklavier like no one else, or revive the traditions of my ancestors, then we are in the domain of recognizable self-definitions" (Taylor 1991, 36).
REFERENCES


