

**GROUP RIGHTS AND THE NATION STATE:
ISSUES OF RECOGNITION, REDISTRIBUTION AND
CITIZENSHIP IN LIBERAL DEMOCRACY**

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DECLARATION

I hereby declare that the dissertation entitled **GROUP RIGHTS AND THE NATION STATE: ISSUES OF RECOGNITION, REDISTRIBUTION AND CITIZENSHIP IN LIBERAL DEMOCRACY** submitted by me, **ZAHEER ABBAS**, Centre for Political Studies, Jawaharlal Nehru University, New Delhi, for the award of the degree of **MASTER OF PHILOSOPHY**, is my original work and has not been submitted in part or in full for any other degree or diploma or in any other University.

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This may be placed before the examiners for the evaluation for the award of the degree of **MASTER OF PHILOSOPHY**.

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Introduction

Nation, going with Anderson is an imagined community. This community is set in motion with cutting the umbilical chord between state and ethnic community, at least in the European experience. This cutting/severing creates its own set of problems. On one-hand communities want recognition (cultural specificity and distinctiveness) or redistribution to offset the losses arising out of this cutting. On the other hand, State provides citizenship to forge a new bond between individuals. This dissertation looks into the issues that are implicated in this dynamics.

This separation was possible because modern democratic nations governed by liberal principles did not consider the group as an intermediary between the state and the individual. It will be argued in the first chapter, providing historical examples, the importance of communities that many theorists feel existed at an intermediate level between the nation state on one hand and the individual on the other. It also critically looks at the problems of considering the state and the individual as the only entities that can become bearers of rights, and how this conception eventually results in the neglect of intermediate communities. This is not to say that liberal theories do not have any concern for communities. In fact this chapter also mentions liberal theories increasing interest in entities like communities and the rights that they possess vis-à-vis the state and its own members. Yael Tamir (1993), is optimistic that liberalism and nationalism are capable of being reconciled, and finds the possibility of compatibility between the two, despite the fact that liberal tradition with its respect for personal autonomy, reflection and choice; and the national tradition with its emphasis on belonging, loyalty and solidarity are

generally seen as 'mutually exclusive'. Tamir hopes for a coalescing of these two traditions.

After enumerating the historical precedents of practices relating to ethnic communities and groups, and contemporary liberal democracies interest to these pressing problems and their response to community identities in our times, this section will also argue that multiculturalism's uncritical acceptance of communities has resulted in neglect of the freedom and autonomy of individuals within the community.

The second section will deal with the issues of autonomy and freedom of ethnic communities in relation to the nation state. A lack of response to group rights on the ground that it fails to uphold intra-group equality by restricting the freedom of choice prompts us to take a critical look at the conception of autonomy, freedom of choice and equality as conceived by liberal principles. The chapter also discusses how the idea of autonomy forms the basis of the right to self-determination for some communities. It will show the dynamics of minority marginalisation and the resultant demands for recognition within the nation state that has been voiced by marginalised communities.

The third section looks into the issues of state neutrality as espoused by state vis-a-vis different communities within the national territory. It will look into the seemingly discriminating characteristic of liberal neutrality when given a free hand and the need for group differentiated rights to upheld communities. It also argues that a strict adherence to neutrality places certain minority cultures at a disadvantageous position. Taking this into consideration it looks at the various ways of incorporating their demand for special treatment if the liberal democracies are committed to neutrality between different communities. Further, state neutrality and its relation to equality and consequent tensions

that emerges with regard to religious and immigrant communities are also raised in this section. In other words it would look into the question of state intervention and what it demands from both the state and the community.

The fourth section will deal with the question of neutrality and what it entails for equality between groups. In order to strike a balance between the two contending communities hinged on different and varying principles, this chapter will assess the notion of equality and how it is to be interpreted. It will further investigate whether such treatment of equality and autonomy are consistent with liberal democracies. In addition, this chapter will also look into the need for specificity with regard to demands for different types of rights. The chapter will seek to understand the role played by the nation state in giving specific rights to different communities. In doing so, it will look into the nature of the groups and their practices and how they shaped the recognition of special rights. How should the state expect the communities to be and how should they in turn recognize the cultural commitments and group identities of the communities.

Finally, this chapter also points out that how it is difficult to find a general solution to these problems. Groups, and the circumstances in which they find themselves, differ so much that any acceptable code of group rights would have to be stated in general terms, leaving considerable room for ad-hoc judgement.

While the first chapter argues for group rights, albeit with a note of caution, demonstrating the insufficiency of liberal neutrality and tolerance for protecting the autonomy of minorities and cultural communities, the second chapter looks at individualist conception of the self and contrasts it with that of the communitarian conception, in order to demonstrate the claims for recognition and redistribution. Using

the arguments of political theorists who consider individuals as 'self-originating sources of valid claims' (Rawls, 1980: 543), the first section argues how such a liberal conception of society then glosses over differences within a society.

Liberals argue for formal equality within the groups when they admit the existence of different groups or communities. State is premised on the notion of impartiality between groups and avoids discriminating between groups. The principle of neutrality and its application toward groups in the liberal scheme is unfair to groups. It is unfair on two grounds. Its conception of formal equality combined with neutrality fails to see the different requirements and needs of certain communities. Additionally the historical disadvantages and oppression inflicted on communities never comes to fore and is neglected. Such a historical disadvantages can be addressed by special measures tailored to different requirements of communities. This will require redistribution of social resources on a large scale, as piecemeal and ad-hoc arrangements are bound to be inadequate.

Communitarian critics of liberalism raise a further objection. They argue that liberal self is unencumbered. By this they mean that this way of looking at society and its people will never recognize the cultural underpinnings of any individual. All individuals they argue are embedded in community. If this claim is true – due recognition to communities and their role in shaping individuals is necessary. These three concerns will be dealt in this chapter. Along with this it will look at the context in which multiculturalism emerged and how there has been a renewed interest in the politics of recognition. The last part will argue that communities need both recognition and redistribution simultaneously

In the third and the last chapter the issue of citizenship is taken. Liberalism binds the individuals together in the form of a modern community through citizenship. The way citizenship is defined has a relation to the kind of society and political community liberal democracies aspire for. In the modern world political community is most closely associated with the idea of the nation-state. The principle of uniformity has been rooted in the idea of the nation. The nation as it emerged in the European context was “imagined communities” straddled with a common language and culture. The modern state as a nation state, which conceived nation as a culturally homogeneous people and the state is supposed to derive its sovereignty from this homogeneous people, has lost its original meaning. The citizens of the same state are assumed to share common nationality and having a common culture. Liberal democracies project a common set of ethos to establish a national culture based on the uniformity of laws. Such a uniformity of laws is attached with the principle of non-discrimination on the grounds of race, religion etc.

The idea of universal citizenship is questioned in the second part of this chapter to include the concerns of marginalized and oppressed communities. Citizenship conceived in universalistic terms, tends to transcend social differences, status, and inequalities in power in constructing the identity of the individual in the public realm. Young argues that ‘the ideal of universal citizenship’ consists of three meanings of universality. The first meaning conceives universality as the inclusion of all in full citizenship status and in participation in public life. The second meaning of universality is defined in terms of what people have in common rather than on what they differ. Universality, according to Young is defined as a general in opposition to particular. And the third meaning is

defined as the same treatment for all without regard to group differences. It means that laws are same for all and apply to all in the same way.

Young argues that the first meaning is in tension with the other two. She considers the idea that citizenship for everyone and citizenship in two other senses of 'having a common life with and treated in the same way as other individuals' (ibid.:256) is problematic. This idea of universality undermines group identities.

Finally, in the third part of this chapter Young's idea of differentiated citizenship is critically evaluated. The concerns emanating from intra-group equality and democracy within the communities is glossed over in the idea of differentiated citizenship. This section also argues how centrality accorded to diversity poses a peculiar dilemma for India. It mentions how the granting of religious and cultural rights not only leads to a splintering effect, but also bolstered the position of religious leaders within the community and has limited the possibility of assessing and reconsidering ongoing community practices. Partha Chatterjee suggests a way out. He argues for a strategic response to this dilemma by arguing for resisting homogenisation from above and pressing for democracy within.

Chapter I

Nation State And Communities

This chapter would explore the link between the nation state and the various communities in a liberal democratic society. The liberal principles of the nation state as it has emerged historically, is characterised by the ideal of citizenship to all, which provides for the basis of national identity and loyalty. The homogenising tendency definitely helped to build a cohesive society with some sort of bonding between the individuals. Though the idea of the nation has been conceived as a community, it is a community of individuals who share a certain identity. The underlying principle of liberal democracies has been the expression of the individual in the public sphere. Liberal democracies aspire to uphold diversity, using the principle of non-discrimination, which seeks not to differentiate on grounds of certain identities (race, caste, religion, etc). This non-differentiation tends to put certain communities at a disadvantage.

The liberal principles of equality and freedom tend to undermine the cultural importance of other communities in the nation state. These communities demand not only political representation but also public acknowledgement and recognition of their different specific cultures. The groups or minorities demand collective community rights in order to promote and preserve their cultures. The demands of the minorities for equal respect, recognition and public representation of their culture apparently comes in conflict with the liberal principles of, non-discrimination and equality. Historically the problems emerged when certain minorities (religions) wanted to express their cultures in the public domain. These communities often predate the nation-state and their practices

and customs come in conflict with ideals of citizenship premised on equality and non-discrimination. The principle of non-discrimination rules out special treatment to any community. Then, there is an apparent tension between national identity premised on values of citizenship, and community identity. Communities, whose practices, customs, beliefs and laws widely differ from that of the nation state, often demand for autonomy in terms of right to self-determination and non-interference in their internal affairs in the manner they regulate their affairs. As such liberal democracies, which encapsulate engendering cultural diversity, are saddled with questions of permissible limits of diversity, accommodation of differences without losing social cohesion.

Notwithstanding the liberal commitment to diversity, the concerns emanating from social cohesion and unity puts, as it were, certain restrictions on expressions of diversity and their institutionalisation in the public realm.

The relation between the nation state and communities also throws up questions on how does the state reconcile conflicting demands of equality of treatment and recognition of differences, while simultaneously striving for a spirit of common citizenship among its culturally diverse people. The tension needs to be treated carefully in order to create a viable public space where cultural diversities will be recognized and represented. Though nation states recognize diversities, there is some amount of homogenisation required for the successful working of institutions of democracy and the idea of citizenship implicit in it. Such a requirement demands innovative arrangements to reconcile the conflicting claims. In other words, how to accommodate the expression of cultural differences and make it compatible with the rule of law and conditions of equality and freedom.

Whenever the demands of minority communities, which have a rich and flourishing culture, are not met, one often comes across a move for separation. Such moves have been a cause of bloody civil strifes in Sri Lanka, ethnic cleansing in Rwanda (between the Hutus and Tutsis) and Bosnia, ongoing conflicts in Afghanistan and countries of West Africa, and in India the problems of Kashmir and the Northeast.

At the heart of these differences lie the notions of equality and autonomy. In order to strike a balance between the two contending communities hinged on different and varying principles,¹ this chapter will assess the notion of equality and how it is to be interpreted. . It will further investigate whether such treatment of equality and autonomy are consistent with liberal democracies. In addition, this chapter will also look into the need for specificity with regard to demands for different types of rights. The chapter will seek to understand the role played by the nation state in giving specific rights to different communities. In doing so, it will look into the nature of the groups and their practices and how they shaped the recognition of special rights. How should the state expect the communities to be and how should they in turn recognize the cultural commitments and group identities of the communities.

The first section looks into the neglect in liberal theory about the existence of communities, a neglect that has arisen from liberal theories preoccupation with only the individual and the state as the only rights and duty bearing units. It will show how the idea of the nation state with its emphasis on civic and political rights (citizenship rights) puts certain communities at a disadvantage. The section will look into the historical precedents of practices relating to ethnic communities and groups, which raise serious question about the adequacy of individualistic prescriptions. It will show how

contemporary liberal democracies have shown interest to these pressing problems and responded to community identities in our times. Further, this section will also argue that multiculturalism's uncritical acceptance of communities has resulted in neglect of the freedom and autonomy of individuals within the community.

The second section will deal with the issues of autonomy and freedom of ethnic communities in relation to the nation state. It will show the potential conflict between state nationalism and minority nationalism, and then argue that by its own logic liberal nationalism should support minority nationalism. It shows the dynamics of minority marginalisation and the resultant demands for recognition within the nation state that has been voiced by marginalised communities.

The third section looks into the issues of state neutrality as espoused by state vis-a-vis different communities within the national territory. Strict adherence to neutrality places certain minority cultures in a disadvantageous position. How do we incorporate their demand for special treatment if the liberal democracies are committed to neutrality between different communities. Further, state neutrality and its relation to equality and consequent tensions that emerges with regard to religious and immigrant communities are also raised in this section.

The fourth section will deal with the question of neutrality and what it entails for equality between groups. How does liberal democracies recognise and respond to the cultural commitments and group identities of national minorities and immigrant populations if they want to uphold equality between groups. In addition, what features a group must have to be recognised as a separate community deserving entitlements in terms of special treatment by liberal democracies. In other words, this raises the question

as to what should be the characteristics of the communities in question, in order to adapt to liberal democracies.

Nation, individual and the community

In present day liberal democracies, there are different communities, which speak different languages and practice different customs. Liberal democracies exhibit cultural plurality while maintaining their varying conception of communities. Liberal political philosophy assumes these countries to be the nation states. The citizens of the same state are assumed to share a common nationality and having a common culture. Liberal democracies project a common set of ethos to establish a national culture based on the uniformity of laws. Such a uniformity of laws is attached with the principle of non-discrimination on the grounds of race, religion etc.

The principle of uniformity has been rooted in the idea of the nation. The nation as it emerged in the European context was an 'imagined community' straddled with a common language and culture. The modern state as a nation state, which conceived nation as a culturally homogeneous people and the state is supposed to derive its sovereignty from this homogeneous people, has lost its original meaning. Today the populations of nation states has become culturally plural, thus making it necessary for the state to seek a new way to derive legitimacy for the power it exercises over the people. This has been sought to be achieved through conceiving people within its domain as constituting a political community of citizens.

It is problematic to see the state as embedded to the single culturally homogenous population for its effective functioning, though the ideology of nationalism

premised on the idea of culturally homogeneous 'nation' is still very dominant. Although the linking of the modern state with the nation took place in a particular cultural historical context, the linkage has been treated as axiomatic. As a result one finds a complex relationship between the people and the state incorporating the principles of political democracy, secularism and social egalitarianism. (Seth, 99:20).

Through a long process of territorial splits and realignment of identities, and with the help of subsequent treaties,² the nation state acquired a secular character, which foreclosed the possibility of justifying the creation of new nation states on ethnic identities. The nation states that emerged beyond the geographical boundaries of Europe not only gave primacy to the state over religion, but discouraged people to assert their religious identities over national identities in their public sphere. The congruence of the 'nation' and the 'state' was established in a manner that the idea of a national identity, fused with that of membership of a state and the cultural homogeneity of the nation, began to be articulated in terms of common aspiration for modernisation of the society and institutional democratisation of the polity (ibid.: 23).

As long as the members shared a common membership of the state, they were recognized as 'nationals' sharing equal rights of citizenship. The move from conceiving the nation as an ethno-cultural to a political-cultural conception of the nation was facilitated by the state by forcing linguistic homogeneity, which also made possible the growth of legal and political institutions of citizenship. By extending citizenship rights to all its members, including those, who do not belong to the majority ethno religious, or ethno linguistic communities, the nation states in Europe could successfully problematise the issue of recognition of minorities and their rights in the framework of citizenship. The

state represented an impersonal collective political authority deriving its sovereignty from the entire people conceived as citizens of the state. Hence, minorities could exist as socio-cultural categories to form their own groups and associations but could not function as groups and communities which lived by their own laws and customs, nor could they continue with cultural practices which came in conflict with the state's laws which were actively devised to govern the cultural and linguistic majority.

At one level the nation state drew the ethnic pluralities into the civil society through secular institutions such as, political parties, trade unions and interest groups. At the other level through its nation building policies – which included educational, cultural and social policies, the nation state tried to integrate the ethnic minorities into a national society. However, it could be easily traced that such a nation articulated the ethos and interests of the ethnic majority while forging a 'national' culture. In such a scenario, the conceptualisation of minority rights in terms of citizenship rights is found insufficient in protecting both the cultural identities and secular interests of the minorities. The indigenous populations and new immigrants as a result consider the 'nation' as representations of the dominant ethnic community.

It is interesting to note that though the cultural symbolism of the nation state was articulated in terms of the ethos and interests of the dominant ethnic communities, it was politically projected in universal 'national' terms, rather than in majoritarian ethnic terms. In other words, the impersonal character of the state or its neutrality stems from this notion of uniformity in terms of the idea of citizenship. In the post cold war era where there has been renewed interest in the idea of nationalism, where the nation state is conceived as perpetuating the political and cultural hegemony of the majority, there is a

new discourse which conceives the majority- minority in terms of politically equal cultural collectives, and argues for special rights to protect the cultural identity of the minorities.

The demand for strictly uniform laws based on notions of citizenship may unfairly impose great burdens on some groups. Furthermore, it does not exactly help western political theory to operate with an idealised model of the *polis* in which fellow citizens share a common descent, language and culture. It has resulted in a silence on minority rights, cultural difference and recognition.

This silence emerges from the fact that implied within the idea of citizenship is the principle of individualism. The transformation from an ethnic national to a political-cultural conception of the nation suggests liberal democracies' preoccupation with individualism. The individual was conceived as independent of the community to which he or she belongs --- it was the secular identities of the individual that were recognised in the public --- and it was the individual who was considered as the unit of decision making.

Liberal theories, which have been the basis of modern democratic nations, did not consider the group as an intermediary between the state and the individual. The existence of historical precedents and contemporary practices as shown by Vernon Van Dyke (1977) goes against the liberal individualist position. Van Dyke argues for accepting the idea of communities as right and duty bearing entities. He considers that 'it is quite illogical to take the view that only states, nations, or people are entitled to be treated as entities and that lesser groups are not'. It is illogical to jump from the state, nation, 'or people' on the one side, to the individual on the other, and to say that the ethnic communities that exist do not deserve considerations (ibid.: 369). He considers it unjust

to accept status and rights for states, nations and people and restricting them for ethnic communities that are also historically constituted (ibid.).

Van Dyke in his article on the individual, the state and ethnic communities has shown that liberal theory has failed to consider the importance of communities, which he feels exists at an intermediate level between the nation state on one hand and the individual on the other. He has criticised liberalism's two level theory of rights for its preoccupation with the relationship between the individual and the state. In this way, by considering the nation state and the individual as the only entities that can become bearers of rights, he feels that intermediate communities have been neglected. He accuses liberal theorists of neglecting this very important aspect of the conditions that are prevalent in almost every nation state of the world.

He cites examples, both historical and contemporary, in which communities and groups have actually been recognised and have been given representation accordingly. The most obvious examples he notes are the British Empire, which in governing its overseas territories resorted to providing political recognition and representation to different racial and ethnic groups.³ He goes on to cite many other political practices from around the world to show that ethnic communities are treated as political units within the countries⁴. This is done either through the mechanism of territorial delimitation or the use of separate electoral rolls. Ethnic communities are often allowed to live under separate laws especially in the sphere of family or personal laws.

Van Dyke argues against the idea that group rights are reducible to individual rights and thus makes out a strong case for treating communities as distinct entities that should be given moral and political rights. He finds the reluctance of liberals, who

believe in the liberal individualist ethic, to recognise the validity of group rights as a deliberative turning away from the heterogeneous conditions that exist in the world and the actual practices that are based on treating ethnic groups and communities as discrete political units. He charges the liberals for assuming without any basis that 'if groups other than the state were regarded as moral persons, the authority of the state would be threatened', (ibid: 349).

Recent liberal theories have shown an increasing interest in entities like communities and the rights that they possess vis-à-vis the state and its own members. Yael Tamir (1993), is optimistic that liberalism and nationalism are capable of being reconciled, and finds the possibility of compatibility between the two, despite the fact that liberal tradition with its respect for personal autonomy, reflection and choice; and the national tradition with its emphasis on belonging, loyalty and solidarity are generally seen as 'mutually exclusive'. Tamir hopes for a coalescing of these two traditions.

This would make it possible for liberals to acknowledge the importance of belonging membership, cultural affiliation, as well as, the particular moral commitments that follows from membership in communities. On the other hand, she hopes that nationals will be able to understand the virtues of liberal values like personal autonomy, individual rights, freedom, and also nurture a concern for social justice. However, what one finds in contemporary liberal discourse is certain repugnance towards the nation and the preference for appreciation of more closely-knit communities.

One of the problems with the concept of community as it has been constructed, handed down to us is in the implicit uniformity in its structure as the social bonds and political mechanisms, which hold the community together. These social bonds may

frequently be oppressive and coercive, and thus harmful to the individual members of the community. This is a serious objection to which proponents of liberalism and multiculturalism respond by pointing out that it is best left to the community to decide on which practices are considered retrogressive. The liberal institutions should not intervene whatsoever. Kymlicka does accept that if certain community practices are harmful to the community then the individual has the right to opt out of the community or group in question. The question of intra-group equality will be dealt separately in the subsequent sections.

Autonomy and group rights

A common aspiration to modernisation and building democratic institutions have resulted in too much of emphasis on individual freedom, to an extent that it precludes any system of group rights that limits the right of individuals to revise their conceptions of the good. A lack of adequate response to group rights on the grounds that it fails to uphold intra-group equality by restricting the freedom of choice (proselytization and apostasy) of individuals in that community, prompts one to take a critical look at the conception of autonomy, freedom of choice and equality, as perceived by liberal individuality.

The idea of autonomy apart from being instrumental in generating strong community identities also promotes the right to self-determination for some communities. Before a discussion on intra-group equality is initiated, it is necessary to give proper attention to the claims of minority. It has been argued that, 'basing individual freedom on the notion of autonomy could lead to imposing a particular conception of the good life on individuals who don't perceive autonomy as valuable' (Halbertal, 1996: 107)

How can we understand the communities of the Native Indians in Canada and the United States, or the aborigines in Australia or tribals in other parts of the world, who do not wish to be a part of the modernisation aspects of the state? This concern is equally applicable to the understanding of the claims of religious minorities and immigrant populations, who wish to be a part of the mainstream and at the same time want their distinct cultures and practices to be socially acknowledged and publicly recognised. Take the example of American tribes that have a legally recognised right to self-government, say the Pueblo (a theocratic tribe), the religious sects in Canada and US (Amish, Hutterites, Mennonites), have been exempted from laws regarding mandatory education of children, and the Muslims in Britain, it reveals some sort of a picture.

In each of these cases an ethnic religious group has sought legal power to restrict the liberty of its own members to preserve its traditional religious practices. These groups not only seek external protection but also want protection from internal dissent, which requires exemption from constitutional or legislative requirements of the larger society. These groups do not want the state to protect each individual's right to freely express and revise his religious beliefs. On the contrary what they want is the power to restrict the religious freedom of its members and they want the exercise of this power to be exempted from the usual requirements to respect individual rights (Kymlicka, 1996: 86)

The demand for this kind of group right is often phrased in terms of tolerance (ibid: 86). Kymlicka (1996) considers a model of toleration based on group rights rather than individual liberty⁵, but believes that a liberal system of individual liberty is a more appropriate response to pluralism. But he is cautious to say that the millet system shows that individual rights are not the only way to accommodate religious pluralism. The

Millet system, which provided a group based model of toleration was objected to by the liberals because it limits the individual's ability and freedom to judge the value of inherited practices, and the ability to form and revise their conceptions of the good.

Liberals have appealed to this idea of autonomy as the basis for the defense of individual rights. J.S. Mill wrote in 'On Liberty': it would be absurd to note that people ought to live as if nothing had been known in the world before they came into it; as if experience has yet done nothing towards showing that one mode of existence, or of conduct, is preferable to another. Nobody denies that people should be so taught and trained in youth as to know and benefit by the ascertained results of human experience. But it is the privilege and proper condition of human being, arrived at the maturity of faculties, to use and interpret experience- in his own way. It is for him to find out what part of recorded experience is properly applicable to his own circumstances and character (Mill, 1982: 122).

For Mill and other liberals, the basic argument for civil rights is that they ensure that individuals can make informed judgements about the inherited practices of the community. Kymlicka considers this view on revisibility as the 'Millian' argument. He places this alongside Rawls' argument, which considers the idea of revision as a 'political conception' of the person adopted for the purposes of determining public rights and interests.

What is suggested by this liberal conception is, whether it is possible to have autonomy in the political context and not remain 'committed in other parts of their life to comprehensive moral ideals often associated with liberalism, for example, the ideas of autonomy and individuality' (Rawls, 1985: 245). What Kymlicka tries to point out is,

why should anyone accept the ideal of autonomy in the political contexts, without accepting it more generally. For example if a member of a religious community believes in his constitutive ends then why would he/ she bother to consider autonomy in the political context? A possible answer that Rawls might have according to Kymlicka is that people who do not value it can refrain from using it.

However, Kymlicka thinks that 'non-liberal' minorities might have to bear the costs of such a conception of autonomy, as it precludes any system of group rights that limit the right of the individual to revise their own conceptions of life-choices/ good. The 'political conception' endorsed by Rawls is not the only strategy that can protect religious minorities from the intolerance of majority. He says that 'one can ensure tolerance between groups without protecting tolerance of individual dissent within each group and the system of group rights ensures the former without ensuring the latter' (Kymlicka, 1996: 93).

Kymlicka further says that even when group rights are granted when a minority refuses liberal principles it is a compromise of, and not an instantiation of liberal principles because it violates freedom of conscience. For liberals, even those who speak of cultural rights for minorities like Kymlicka, any form of group rights that restricts the civil rights of the groups is inconsistent with the liberal principles of freedom and equality. But Kymlicka is cautious to note that we should understand 'that there are limits to our ability to implement and impose liberal principles on groups that have not endorsed these principles' (ibid.: 92). The point that is emphasised here is to show that even if liberals grant minority rights, it is not done without deviating from the notion of individual freedom of conscience. Does this mean that groups do not have any claims?

Moshe Halbertal (1996) shows that by basing individual freedom on the notion of autonomy could lead to imposing of certain liberal principles on other communities. He argues that preventing people from practicing their way of life, in areas where others are allowed to practice their way of life involves fundamental violation of the idea of equality so dear to liberals (Halbertal, 1996: 110). The existence of a way of life is by itself important⁶.

Using Kymlicka's example of the Pueblo tribe, he says that the argument of autonomy is not the only justification for restricting group rights in order to give space to individual freedom.

The entire claim of liberalism's philosophy is based on the rejection of the idea that people's ends are beyond rational revision (Kymlicka, 96: 94). Kymlicka says that liberals associate the right to freedom to the recognition that every person has a basic interest to evaluate his/her goals rationally and change them whenever he/she believes them to be mistaken. In Kymlicka's view, individuals have a variety of options from which to choose and evaluate only if they are a part of a cultural context and there is no choice without being member of a cultural community. According to this interpretation of Kymlicka, if the Native Canadian's culture was destroyed by the present white majority, and the individuals were able to assimilate into the latter, Kymlicka would not see any reason to grant this minority any special privileges. This is because their assimilation into the majority culture provides them what is important in a culture from Kymlicka's point of view --- the ability to choose among various life options.

Kymlicka, basically claims that individuals have a right to 'a' culture --- i.e. the right of the individual to have a cultural affiliation, which might not necessarily be their

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original one, as the above stated example reflects. But the demands for minority claims comes from a more plausible explanation that individuals have a right to a 'particular' culture (Margalit and Halbertal, 1994: 503). Therefore, not culture in general, but a *particular* culture matters to people. This foregrounds the issue of cultural belonging, that people have an interest in ensuring the survival of their particular cultures, even when other cultures can perform the same job as their own.

Accordingly members of a particular culture consider it important because the particular content of that culture gives their lives meaning on different levels. For example, people who speak in a particular language would consider the importance of preserving their language not because giving it up would mean giving up the use of language, but because their culture is phrased in terms of language, and they find particular treasures which they could not find in any other language.

So we find that Kymlicka's interpretation is at odds with the viewpoint of the culture bearers themselves. In this sense, the notion of an abstract cultural context lacks all value for members of a particularist group unless they happen to be liberals for whom the greatest good is the ability to examine and change one's way of life, which can be granted by any sort of culture that offers an alternative for choice. Thus we see that the role of a particular cultural membership in peoples' self-identity. According to Margalit and Raz (1990), cultural identity provides an 'anchor for (peoples') self-identification and the safety of effortless secure belonging'. If a culture is not generally respected then the dignity and self-respect of its members also is threatened (Margalit and Raz, 1990: 447-49).

Yael Tamir (1993) also emphasises the extent to which cultural membership adds 'additional meaning' to our actions. She also argues that where institutions are 'informed by a culture (people) find understandable and meaningful', this 'allows a certain degree of transparency that facilitates their participation in public affairs'. This in turn promotes a sense of belonging and a relationship of mutual recognition and mutual responsibility. (Tamir, 1993: 72, 85-6). For all these reasons liberal nationalists argue, people's sense of individual freedom and meaningful autonomy is tied up with participation in their own national culture which glosses over vital aspects of group life within a community different from the national culture.

Those who emphasise the importance of a particular national culture seem to have neglected the issue of different nations/communities inhabiting within the state. In such cases the conflict between state nationalism and minority nationalism ensues, despite the fact that state nationalism works within the limits of human rights. In addition our experience with the state nation building -- based on policies of language, education, social justice, distributive democracy – based on respect to civil and political rights leads to disadvantages for the minorities that exist within. In various countries like Bangladesh, Israel, Tibet, Brazil etc., (Penz, 1992), national governments have encouraged people to move from one part of the country into the historical territory of the national minorities. Such large-scale settlement policies are deliberately used against national minorities to break open access to their territories, natural resources and to disempower them politically, by turning them into a minority even within their own traditional territory (Mc Garry, 1996). This might lead to injustices to communities, without the violation of basic human rights.

Again in most democratic states the government typically adopts the majority's language as the official language – the language of government, bureaucracy, courts, schools, and so on. While, their policy is defined in the name of efficiency, there is an obvious notion of assimilation into the majority. By including some of their concerns they are expected to adopt the national culture wholeheartedly. For example French language schools were closed in Western Canada, once the English speakers achieved political dominance. This also results in injustice without violating the basic human rights. The fact that state nation building can harm national minorities even when conducted within the confines of liberal democratic institutions helps to explain why minority nationalism has remained a powerful force within western democracies and why secession remains a live issue in several regions (example, Quebec, Catalonia and Scotland).

To prevent against these developments, national minorities may demand land claims, self-government, group-based political representation, veto rights and language rights – the demand to have the language officially recognised. All of these demands provide the evidence of whether a state has renounced its aspiration to common nationhood and accepted instead its multinational reality. They all involve the right of a national minority to maintain itself as a distinct and self-governed society alongside the dominant national group. The demands for recognition, that are now emerging from ethnic minorities and acting as a significant challenge to the legitimacy of the nation state, are linked to the nation states having denied them recognition.

The right to national self-determination created a public sphere, which was indifferent, indeed hostile to the cultural norms of the minorities. In this regard, Tamir

has defined the right to national self-determination, as the right to have a public sphere of their own. She observes the manner in which national self-determination operates to create a public sphere for the expression and institutionalisation of the symbols, values, lifestyles and culture that are cherished by the majority. (Tamir, 1993: 70).

The right to national self-determination thus provides us with the rudiments of the ways in which minority disadvantages occur and how discrimination is built into the very structure of the nation-state itself. The homogenous public-sphere and its inaccessibility for the minority place the minorities to a disadvantageous position. Tamir has observed that the problem arises when 'individuals wish to carry their culture into the public sphere: when Jews wish to wear skull caps, Algerian school girls in France don veils, Palestinians to wear kaffias around their shoulders, Scots to wear kilts, Sikhs turban, and Indian women sarees when other clothes are *de rigueur* for everyone else (ibid.: 53).

A number of writers have pointed out that the very fact that the nation state is identified with certain cultural symbols, adopts a particular language as a national language and further observe certain holidays in the calendar, is enough to result in the marginalisation of groups which do not identify with the symbols associated with the nation-state; whose language happens to be different from the one adopted as the national language of the state, who's holidays happen not to coincide with one's officially designated as national holidays. There are numerous examples that have been used to substantiate this point. The choice of the day of in the week, which in most countries happens to be Sunday, is cited as an example of how, at least the followers of two major faiths whose Sabbath falls on days other than Sunday are disadvantaged. In India, the choice of Hindi as a national language is considered a major impediment in the way of

non-Hindi speakers whose mother tongues may be Tamil, Malayalam, Kannada or any of the numerous languages spoken across the country. In Sri Lanka the choice of the Sinhala lion as an important national symbol prominently displayed on the flag and the choice of Sinhalese are causes for a good deal of grievance among the Tamil population, the effects of which are all too obvious in the ethnic strife that the island has been witnessing since 1983.

From the course of this discussion, we find that a substantial consensus has developed out of the right that individuals have, but no comparable consensus exist on rights for groups intermediate between the individual and the state. There is no general solution to the problem. Groups, and the circumstances in which they find themselves, differ so much that any acceptable code of group rights would have to be stated in general terms, leaving considerable room for ad-hoc judgement.

Given this situation we ought to adopt special measures that respond to the legitimate claims of ethnic communities. These special measures can take various forms- a) the granting of self-determination where the right of the state should not be held to override the right of ethnic communities within the state to choose secession or some degree of autonomy. b) some form of representation in the legislative, executive and judicial branches of the government including the civil and military service- c) special arrangement designed to enable communities to preserve their identity- like restrictions on property, authorizing them to operate schools, with tax support.- d) affirmative action preferential treatment to undo effects of any past discrimination or to promote the equal enjoyment of human rights.

In this context it is interesting to note some of the comments of Avishai Margalit and Moshe Halbertal (1994) with regard to granting special privileges. They take the examples of the Ultra-orthodox Jews. They mention that the Ultra-orthodox community is dependent on the general public for the maintenance of Sabbath observance on the level it prefers. Another important area of public dependence for them is the dress code. The Ultra-orthodoxy requires women to dress modestly and this requirement is extended to anyone visiting the neighbourhoods. The question that they are posing is whether the minority has the right to impose its standards in this area on a public that does not accept these standards. In their opinions as long as there is a neutral public space that exists along side the ultra-orthodox public space. This is justified because it grants control to them over areas in which it constitutes a majority. These non-egalitarian minority principles are justified on the grounds that the majority culture is able to maintain a more or less homogenous environment even without privileges by virtue of its being the culture of the majority.

In India, there has been a considerable degree of tension between communities with regard to the processions that are taken out during Muharram, a similar line of argument can be followed for India also. Again, in most cases the majority preserves its homogeneity through enacting immigration or citizenship laws for the state as a whole, which creates an unequal situation that needs to be balanced by granting privileges to the minority. 'The symbol of sovereignty is not only the weapons carried by soldiers, but the rubber stamps wielded by clerks checking passports' (ibid.: 509). Thus it can be said the state can be neutral with regard to the majority and yet assist minorities with special privileges. Since the privileges that disturb state neutrality and seem to discriminate

between individuals who belong to the majority is in fact justified, as the idea of liberal neutrality serves to sustain and reproduce the majority culture.

State, neutrality and community

This section will look into the seemingly discriminating characteristic of liberal neutrality when given a free hand and the need for group differentiated rights to uphold communities. It will look into the implications of equality and difference with regard to the immigrant populations and religious communities, while accommodating them within the democracy. In other words it would look into the question of state intervention and what it demands from both the state and the community.

The idea of state neutrality is associated with the strict abstinence of the state in matters of private affairs of the citizens. The state does not support, endorse or recognize any particular religion viz. the church in the European conception. In other words, the idea is associated with the disassociation of the religious and political and the separation of the public from the private realm. 'The task of the political community is to provide a framework within which individuals can make choices under equal circumstances not to support or undermine any particular choice' (Carens, 1999: 46). State will have no religion of its own and the government would not interfere, regulate, interfere or assist any religious denomination. On this account justice requires a hands off approach to culture and identity out of respect for freedom of individuals.

This idea of the separation of religion and politics is most closely associated with America. However, in France, the state is catholic and England recognises the Anglican Church (see, Mahajan 1998: 75 and Parekh 1997). America has no state religion or

church, but the presence of religion in the political domain is evident from the Presidential proclamation of prayer and thanksgiving, closure of public offices on religious holidays (Christmas, Good Friday), reference to Christ or God in official utterances. There is evidence of political intervention in the sphere of religion in the form of financial assistance to primarily catholic schools.

The extension of the idea that since the state does not support or recognise any particular religion, to the state not supporting or recognising any culture is not correct. People who create the political system, legislate its laws, and occupy key positions in the government have a culture that they cannot avoid bringing in the public domain. In the areas of official language, political boundaries and the division of powers, there is no way of avoiding any particular culture. Liberal democracy by itself supports some values and ways of life, but seeks to draw a line between the unavoidable cultural consequences of liberal democratic commitments, and any other kind of support or opposition to particular cultures or identities.

This argument needs to be enumerated a bit further. Joseph Carens (1999), points out to the cultural prerequisites of our liberal democracies. He says that principles and institutions are not enough to sustain liberal democratic regimes. For a liberal democracy to function properly certain norms and dispositions must be widely shared among the people. And for this to happen, 'liberal democracies require a liberal democratic political culture. This political culture is not neutral because it fits with certain ways of life better than others' (ibid: 47).

This liberal democratic culture is generic in the sense that every liberal democracy has the same cultural prerequisites. Though this democratic culture is used to distinguish

from other sorts of regimes, but not one liberal democracy from the other. This democratic culture provides us with a 'thin' description of culture and identity. For it says what it means to be a liberal democrat, but cannot give clear expositions of what it means to be an Indian, American, British – people who inhabit different liberal democracies.

So there is a need for making these distinctions in order for cultures to flourish within a liberal democratic state, as the political culture of liberal democracies is precisely based on non-distinction, which emerges from the principle of separation of the state from the culture and identity of the individuals. The idea of neutrality does not serve the interest either of secularisation or the people belonging to different communities as citizens. At times, secularisation and equality requires a deviation from the stipulated norms – as it has been evident in the case of India. Furthermore, support to a church does not qualify a state to be non-secular or else England would have headed the list of non-secular nations. Separation between the state and culture is an impossibility and it is not a 'must condition', because, at times it is not desirable, as has been the case with a lot of liberal democracies.

Equality and community

In all the cases where the state culture does not reflect the minority cultures (i.e. minority religions and cultural identities), they invoke the principle of equality between groups and ask for the same consideration for their religious and cultural practices. This leads us to the question that how does liberal democracies recognise and respond to the cultural commitments and group identities of national minorities and immigrant populations. In addition, what features a group must have to be recognised as a separate

community deserving entitlements by liberal democracies. What if they also happen to have some characteristics generally associated under the rubric of illiberal values and virtues. In such a case these communities are not in a position even to adopt their set of values within the overarching framework of liberal democracy. In other words, this raises the question as to what should be the characteristics of the communities in question, in order to adapt to liberal democracies.

There have been considerably wide ranging views on this issue. While Kymlicka (1995) speaks of group differentiated self-government rights to compensate for unequal circumstances, as equality, in his view, demands differential treatment for different needs. Bikhu Parekh (1997) argues that equality between cultures is logically different from equality between individuals and therefore, cannot be interpreted in the same manner. He takes a contextualised view of equality and enumerates the limits of permissible diversity (see Mahajan, 1998). Keeping the Indian context in mind, Gurpreet Mahajan argues for a framework of democracy that is sensitive to the diversity of historical contexts and patterns of religion – interaction between religion and politics (Mahajan, 1998: 76).

While Carens and Melissa Williams (1998) focuses on the nature of groups to whom differentiated rights are recorded, and makes a case of special political recognition of historically marginalized communities, Carens (2000), gives a conception of justice which will give appropriate weight to different cultural claims and identities within a framework of commitment to equal respect to all. A brief assessment of these viewpoints is required in order to come to a well-informed idea on the need for specific group rights and the role played by the liberal democratic states.

In order to recognize the competing claims for recognizing and supporting the culture and identity, a sensitive balancing of the competing claims is required, which will be fair to all the communities and advocates the 'idea of even handedness' (Carens, 99:49). It takes into account the role of history, and the relative importance of the claims of the communities. Giving an example of Sunday as a holiday, which is advantageous to Christians, and suggests that replacing it with any other day that has no cultural significance is not a proper response, as such ahistorical response is not desirable. Carens argues for the need of historicity to look for solutions in different contexts. A replacement of such kind does not make anybody better placed but definitely places the community (who enjoyed the holiday) at a disadvantage. So instead of abolishing the day, we should devise policies that will not put other communities at a disadvantage -- for example, allowing some communities to keep their shops open on Sundays and allowing some communities time off for prayers. Allowing time off for prayers but not for other activities leads to differentiating between fundamental interests from the less fundamental ones. For Carens, evenhandedness differentiating between the two forms of interest in making political judgements (ibid.: 49). This in turn also imposes restrictions about the degree the state could permit diversity.

According to Bikhu Parekh the term fundamental or core value of any culture is problematic in order to argue for special treatment of communities. The list is 'too long and elusive to be much of use ... too long and big and also too contentious to be helpful' (Mahajan, 1998: 220). Though he considers fundamental or core values as problematic, Parekh still tries to reformulate it as 'a body of values which are enshrined in its constitutional and political institutions and structure the conduct of its collective affairs.'

So long as the prevailing constitutional and political institutions remain unchanged, the society is officially committed to them.' This Parekh calls the society's 'operative public values' because 'society collectively cherishes and seeks to live by them' (ibid.: 221).

Though the meaning of this is not well defined it takes onto consideration human dignity, collective interest, and provides spaces for self-determination and dissent. The identity of this operative public value lies in the way liberal democracies differently relate, limit and cherish them. For example both Canada and United States are liberal democracies but the Canadian version is significantly different from that of the American one. Such differences reflect the differences of national history and culture and they construct differences of national identity. The point that is being made here is that there is a range of reasonable disagreement about what the principles of democratic justice require, and within that range different states are free to adopt different institutional arrangements. I will return to this point a little later after taking two examples.

The examples *l'affaire du foulard*-related to the hijab (veil) controversy in France and state funding on religious schools in Great Britain brings out the problems of equality and suggests the need for contextualised equality. The point I am trying to enumerate is that the varying conceptions of institutional practices, depends on the nature of liberal democracies. As a result there is a need to have varying conceptions of equality with regard to cultures and identities. In *l'affaire du foulard* controversy in France (see Parekh 1997, Carens and William, 1998) three Muslim girls from North Africa were restricted from attending classes in a mixed school for wearing the hijab. The state prohibited the hijab on the grounds that it violated the principle of *laicite* operating in France. Further they emphasized the distinctiveness of the their French political tradition. But this does

not hold considerable force because the French have not always lived up to the principles of laicite. While allowing funding of Catholic schools the French do not consider this act as violation of the principle of laicite. The French state also does not prohibit the wearing of the cross as they fail to see the historical and cultural links associated with the cross.

The question of equality is involved when Muslims in Britain argue that it is unfair to provide financial support for Christian and Jewish schools, but not for Muslim ones⁷. In both the cases in France and Britain it amounts to unequal treatment of the Muslims. In these cases a commitment to equality requires to go beyond the principle of non-discrimination to accommodate to group differences through group-specific measures. We have to cognisance the equality in the relevant features of the context and then it should entail an identical treatment. To do this the onus of justification has to be placed on those seeking to depart from this requirement and not on the groups who seek equal treatment.

We then face the question of toleration towards diversity and to what extent heterogeneity should be tolerated in order to maintain a social collusion. The need for the understanding of the nature of group is stressed upon because group differentiated rights often impose costs on other groups and since group identities conflict, there is a need to distinguish between groups who merit recognition and those who do not. This sort of balance is required to prevent splintering of groups- a phenomenon evident in India.

The best enumeration of group-differentiated rights has been done by Kymlicka (1995). Group-differentiated rights compensate for unequal circumstances, which put members of a minority culture at a position of systematic disadvantage in the cultural market place. Kymlicka has enumerated three forms of group-differentiated rights, which

he feels reduce the vulnerability of minority groups to the economic pressures and political decisions of the larger society.

These three forms of group-differentiated rights are (1) Self government rights, (2) polyethnic rights and (3) special representational rights. Self-government rights are associated with national minorities which had been incorporated, often against their will through conquest or by ceding from one imperial power to another, or when its homeland is overrun by colonising settlers to result in their creation of a multinational state. Such national minorities may be present also in multinational states that are formed on the basis the mutual consent of different cultures to form a federation that is likely to benefit all of them (Kymlicka, 1995: 11).

The nation in question refers to a historical community that is more or less institutionally complete, occupies a given territory or homeland and shares a distinct language and culture. These serve the purpose of providing political autonomy or territorial jurisdiction mechanisms that ensure the full and free development of their distinct cultures. Such rights may also take on the extreme form when some communities/nations wishing to secede (*ibid.*: 27-30).

Polyethnic rights are required when certain communities are less concentrated and more loosely arranged than the national ones and demand to express their ethnic and cultural plurality. These rights are a result of the immigrant groups in the Anglo-American world having been able to successfully challenge the Anglo-conformity model, which assumed that they should abandon their cultural plurality, and assimilate to existing cultural norms and practices. They are thus an attempt on the part of immigrant

groups to carry ethnic particularity in the public sphere, which has been hostile to such cultural difference and its expressions (ibid.: 30-31).

Tamir (1993) has mentioned how this expression of ethnic particularity in the public sphere defined by the norms, rights and lifestyle of the majority can be problematic. The examples under this category of rights are ones most associated with multiculturalism like the demands of the Sikh to be exempted from wearing crash helmets in deference to their religious observances, the demand of Muslim girls to be allowed to wear head scarves to school in France, etc. There is an equality-based argument here, which invokes the impossibility of separating the state from ethnicity, but in a different way. Special representation rights guarantee a minority group certain representation in the legislature proportionate to their share in the population (ibid.: 31-33).

The whole discussion on the forms of specificity brings up to our earlier conception of the limits of diversity and difference within a state and the role that state is supposed to play in order to respond to these problems. The differentiated rights are a step further towards lessening the tension between the state and communities. The case of special rights and special political recognition of historically marginalized argued by S. Melissa Williams (Carens and Williams, 1998: 167-170), helps us to understand the complexities of diversity and the need for equality. But the way it is interpreted and expressed depends on the way various liberal democracies interpret the 'operative public values' which cherishes and respects certain liberal principles.

A look at India, which is also a liberal democracy, might further enumerate how the question of minority rights and the rule of the state vary depending on the historicity

and the principles cherished by it. One of the important features of the Indian constitution is the specific provision for the protection and preservation of minority culture. Gurpreet Mahajan has noted the fact that the way in which the Indian Constitution devised ways in which cultural communities received equal consideration in the public sphere, while deviating from the liberal norms that were prevalent at the time of framing the Constitution in the mid-twentieth century, significantly predated latter day liberal concerns with cultural protection that emerged in the West in the last quarter of the twentieth century (Mahajan, 1998: 5). We find that developments in India presaged the later liberal concerns in the West by a good three decades.

The Indian Constitution, she argues, devised a two-fold policy (ibid: 4). This two-fold policy was based on the distinction between the public and private domains. On the one hand, the Constitution attempted to ensure that no community suffered from systematic discrimination and marginalisation in the public sphere, and in this manner ensured equal recognition and inter-group equality. On the other hand, it provided autonomy to each religious community to preserve its own way of life.

Gurpreet Mahajan feels that the importance given to the rights of religious communities and minorities in the Constituent Assembly reflects the more recent concerns of contemporary liberalism. She feels that the deliberations of the Constituent Assembly shaped by the historical conditions that prevailed in India at the time of Independence with assertive and contesting communities placing the issue of group equality on the agenda and refusing to accept the idea that individual autonomy would be the best guarantee of religious and cultural diversity (ibid.: 6).

Having looked at this development in India, she goes on to make important distinction between the Indian situation and the conditions prevalent in the West. While she accepts that the concerns for religious and cultural rights of minorities in India and the West are in line with the present day liberal concerns with protecting cultural diversity and group rights, she points out to a crucial historical difference.

This difference, she feels, has important implications for minority rights in India. She notes that in the western societies autonomy for religious communities came at a time when religion had ceased to be a parallel source of sovereign authority within the nation state. Thus, when religious institutions had acted as a real threat to the sovereignty of the state, the state restricted the autonomy of such religious bodies. It was only after the threat of the religious bodies had subsided to a significant extent and they had been fully subordinated to the state that they began to be treated as autonomous associations that would further strengthen civil society.

This was clearly not the case in India where Gurpreet Mahajan notes that historical conditions and the ideological environment that formed the backdrop against which the constitution was framed was strikingly different. She writes that at the time of independence the shadow of intense and widespread communal riots ensured that differences between communities were sharply articulated. Thus the 'self' and the 'other' were placed alongside each other and both were recognised politically, debunking the historical precedents set by the colonial rulers. This distinction between us and them, which set the parameters of political discourse, was a state of affairs definitely not sympathetic to the liberal notion of the unencumbered self (ibid.: 37). It resulted in

ensuring that cultural pluralism rather than liberal individualism became the operative principle of democracy (ibid.: 38).

With regard to the role of the state, she questions whether religious communities can generate resources that can sustain democratic equality both within the community and in the society outside. She agrees to the fact that the direction of secularisation and equality should come from the political domain (ibid.: 73-74). Gurpreet Mahajan also points out to the peculiar dilemma that the notion of separation poses. In India religious groups of all denominations consider political participation as an essential part of the autonomy. This right to religious freedom has been used by political parties to appeal to particular religious groups or specific religious ideology. While this understanding of religious freedom is shared by most liberal democracies in the West, Mahajan points out that it had yielded different results.

In India too much of importance has been given to the private sphere in an attempt to recognise diversity. This has resulted in a lot of tensions and conflicts with regard to various religious denominations (see Mahajan, 1998: 78). The idea of making public sphere more conducive to the expressions of minority culture needs to be foregrounded. The emphasis in the public sphere of community, cultural and religious practices is rooted in a concern for democratisation. The attempts to sensitise the public sphere to the expressions of diverse minority cultures will ensure greater participation and inclusion of the marginalized minorities.

The process of granting special rights to communities have yielded different and contrasting results in the liberal democracies in the West and in India. Even in the West, among different nations (liberal democracies) there is considerable difference with regard

to equality and special treatment of minorities. Governments follow policies, which take account of special privileges of communities and alter their conception of equality. The support to minority language, funding of minority schools, acknowledging practices of communities in the public, all go on to suggest that liberalism and its political version, liberal democracy has come along way from the neglect of communities to a path towards cultural pluralism, to be recognised and acknowledged in the public sphere.

Liberal democracies have to be cautious in granting special privileges to communities as these group rights sometimes work in a manner contrary to what they are conceived for. Though group rights are a necessity, and autonomy to communities is desirable, we need to look into the specific histories while promoting such policies and principles. The movements for self determination and claims made by minorities for being disadvantaged has forced the state to move away from the neutrality principles that liberal democratic states upheld. There is also an additional danger as the forsaking of neutrality principle might tie the state intimately with the dominant ethnic groups, exacerbating ethnic and sectarian violence. The Indian experiences also paradoxically demonstrate that the ideas of liberal neutrality and tolerance are insufficient for protecting the autonomy of minorities and cultural communities.

¹ Liberal democracies have a culture premised on individual autonomy, freedom and equality. Its institutions are governed on neutral principles, which do not happen to make any discrimination among individuals. Contrary to it there are communities within liberal democratic nations who happen to believe in community practices, principles and laws which differ from liberal democratic principles.

² Peace of Westphalia (1648), the Congress of Vienna (1815), the treaty of Versailles 1919 and the settlements ending World War II.

³ Sandria Freitag (1990) has noted that the very nature of the imperial "intruding state" of British India offered no possibility of a direct relationship between the individual and the state. The imperial state emphasized a representational mode of government based sociologically on communities and interests with particular individuals representing those entities. Focussing on the importance of state level rituals Freitag notes that in the imperial setting such rituals operated in a very different way from the collective activities that were developing in the eighteenth century in Western Europe. While in Western Europe national rituals stressed the common values, traditions and a history that defined participants as alike in there

relationship to the state, imperial rituals emphasized the diversity of the British Empire, which has seen it as one of its needs which strengthened it. Viceroy Lytton once proclaimed that if one wanted to know the meaning of the empire all that one would have to do was to observe the vast diversity that characterised the empire with its multitudes differing from each other linguistically, racially, in the number of their creeds and beliefs which shaped their cultures (ibid.: 191-192). This remarkable proclamation provides us with a prophetic view of the shape that British multiculturalism of the late twentieth century would take. Kymlicka (1995) has also pointed out to the linkage that exists between the British Empire and the discourse on minority rights. He feels that the issue of minority rights fell into a sudden state of neglect, after the late nineteenth century and the first half of the early twentieth century, which are characterised by considerable liberal concerns for such issues. The reason for this, according to Kymlicka, is the decline of the Empire. During the period of the ascendancy of the British Empire, English liberals who had been taught their liberal principles in the sanitised academic environments of the English universities were sent to the Empire's overseas territories, where they found that their liberal principles confronted with the vast profusion and melange of ethnic, religious and linguistic divisions failed to provide them with solutions as to how to govern. This realisation led to a good deal of thinking on the part of such liberals and the solutions that they came up with were quite often novel. Kymlicka thus observes, 'Problems of nationality arose throughout the Commonwealth – from Canada and the Caribbean to Africa, Palestine and India – and the colonial experience led to a wealth of experimentation regarding communal representation, language, rights, treaties and other historical agreements between national groups, federalism, law rights and immigration policies. With the decline of the Empire, however, liberals stopped thinking about these issues, and little of this experience was fed back into British liberal theory' (ibid.: 55). He feels that the decline of the Empire, the beginning of the Cold War and the rise to the pre-eminence of the U.S. with American liberal theorists now dominating academic debates have all led to the present neglect of minority rights.

⁴ Van Dyke mentions that some illustrations of communities being given rights as units are to be found in British colonial practices. Thus in Tanganyika they thought in terms of three communities while setting up the legislative council: European, Asian and African. In 1948, there were eleven thousand Europeans, fifty seven thousand Asians, and seven million Africans in this British territory. He then mentions the example of Fiji where the racially divided population composed of approximately 50% Indians, 42% Fijians, and 8% European and others are registered on racial electoral rolls with each racial group having a quota of seats in the two houses of the central legislature. The House of Representatives consists of 52 members with Indians, Fijians and Europeans and others entitled to 22, 22, and 8 seats respectively. Van Dyke suggests that it is not surprising that Fiji follows such a practice as it was a British dependency.

He further mentions the case of Belgium where linguistic communities are accorded constitutional recognition. He feels that in the case of United States the dominant strain of individualism has been unable to prevent the language of group-rights being used.

⁵ Kymlicka considers the group-rights model, focussing in particular the Ottoman millet system. The Ottoman Turks allowed the Christian and Jews minorities to govern themselves in their internal matters with their own legal codes. Three non-Muslim minorities had official recognition as self-governing communities (millets) – the Greek Orthodox, the Armenian Orthodox, and the Jews, which were further, sub-divided into various local administrative units, usually based on ethnicity and language. The millet system was a developed model of religious tolerance.

⁶ The Pueblo denies housing benefits to those members of the community who have converted to Protestantism. This is considered as a violation of individual freedom done to prevent the religion from collapsing. The penalizing of converts restricts the possibility of the Pueblo to revise her religion and do not value that being Protestant is of importance for those who have converted.

⁷ In Britain the state funds thousands of Christians and Jews schools but denies funding to Muslim schools. Opponents of Muslim school argue that state funding of religious schools has been the result of specific circumstances and they argue that since some religious communities enjoy state fund does not necessarily follow that denying them to Muslims amounts to inequality. But the charge against non-funding does not have a strong basis because (a) the state could totally do away with the practice of funding and (b) the charge that these schools will be the nurseries of Islamic fundamentalism is an exaggeration.

CHAPTER II

What Do Communities Want – Recognition Or Redistribution?

Liberalism provides a framework for rights and duties within which people can pursue their own goals. Liberal society is the one, which does not seek to promote any particular ends, but enables its citizens to pursue their own beliefs and goals with equal liberties to all. It is a society governed by laws and is regulated by principles based on a conception of rights. The regulative principles are justified not because they maximize the general welfare or promote the good, rather because they confer to a concept of right. Further, the conception of right is treated as a moral category considered prior to the good and independent of it. Contemporary liberal theory is deontological in the sense of prioritizing the right over the good.

Liberal theory asserts individualism by presupposing all moral claims as emanating from the self against the claims of any social collectivity. In the liberal view the self is conceived as prior to its ends since we reserve the right to question and reappraise our conviction about the nature of the good. In this deliberation about the right and duties the individual self is abstracted from its social embodiment. Persons interact and exchange with each other on the basis of norms and procedure, which does not take into consideration the constitutive ends of the individuals, which shapes ones values and ideals.

Liberalism is characterized by a certain kind of individualism i.e. individuals are viewed as units of moral worth, as having moral standings, as ends in themselves, as 'self-originating sources of valid claims' (Rawls, 1980:542). Liberalism also espouses a

certain type of egalitarianism – i.e. every individual has an equal moral status and hence is to be treated as equal by the government (Dworkin, 1983:24). Since individuals have ultimate moral status and are respected as equal by the government, liberals demand equal rights and entitlements for each individual. By conferring political rights to all and establishing equality before the law, liberal democratic theory sets aside differences on the basis of class, race, gender and ethnicity.

Social differences were considered inconsequential in the political domain as conceived in the liberal tradition. Though, the difference between communities is not the basis of exclusion from the political domain. They argue for formal equality within the groups when they admit the existence of different groups or communities. State is premised on the notion of impartiality between groups and avoids discriminating between groups on this ground. The principle of neutrality and its application toward groups in the liberal schema is unfair to groups. It is unfair on two counts. Its conception of formal equality combined with neutrality fails to see the different requirements and needs of certain cultural communities.

Liberal conception of society then glosses over differences in terms of community membership within a society. They argue for formal equality within the groups when they admit the existence of different groups or communities. State is premised on the notion of impartiality between groups and avoids discriminating between groups on this ground. The principle of neutrality and its application toward groups in the liberal schema is unfair to groups. It is unfair on two counts. Its conception of formal equality combined with neutrality fails to see the different requirements and needs of certain cultural communities.

Additionally the historical disadvantages and oppression inflicted on communities never comes to fore and is neglected. Such historical disadvantages can be addressed by special measures tailored to different requirements of communities. This will require redistribution of social resources at a large scale, as piecemeal and ad-hoc arrangements are bound to be inadequate.

Communitarian critics of liberalism raise a further objection. They argue that the liberal self is unencumbered. By this they mean that this way of looking at society, and its people, will never recognize the cultural underpinnings of any individual, not just the minority cultural groups. All individuals they argue are embedded in a community. If this claim is true – due recognition to communities and their role in shaping individuals is necessary. These three concerns will be dealt with in this chapter. The last part will argue that communities need both recognition and redistribution simultaneously.

Recognition for the community

Liberals deny the need for collective rights because they argue that culture is not fundamental to the constitution of group identity. Chandran Kukathas (1992) argues that groups are not fixed and their interests are directed by certain political considerations. For him the interests of groups matter only to the extent that it affects the lives of the individuals. Groups have a special importance; they are not regarded as something natural or in-born, but rather as ‘association of individuals drawn together by history and circumstances’ (Kukathas, 1992:117).

The disregard for special rights to minority cultures stems from the fact that internal division within the larger community may lead to creation of sub-groups. In the

experience of groups such as the Yornba of Nigeria, the Lozi of Zambia and the Bakongo of Zaire, Angola and Congo internal differentiation have lead to sub-groups. Such formation leads to the entrenching of groups. In such cases it becomes difficult to identify the culture of the community, when there are a number of sub-groups formed corresponding to the broader community. He argues that to be self-determining in the wider society requires some political power.

The relation between the interest of the elites and the masses is also a reason for the endorsement of individual primacy vis-à-vis collective identities. The elites of minority community interact with those of the dominant society and in turn the interests of minority elite gets far removed from those of the masses of the community. The identification of minority culture actually does little for the community and primarily serves the self-serving elites, who stand for the minority cultures.

Kukathas views groups/cultural communities as an association of individuals who have the freedom to live according to their own cultural practices. But he considers that cultural community practices are to be respected not because the culture has the right to be preserved, but because 'individuals should be free to associate: to form communities and to live by the terms of those association' (ibid.: 116). At the same time it provides for the individual the right to dissociate, as a corollary. The right to association provides for recognition, but the individual is granted one right against the association – the right to free entry or exit. This right of the individual gives a great deal of authority to cultural communities, but it does not give the cultural community any autonomy. Chandran Kukathas thus points out that without establishing cultural rights it is possible to account for the legitimate claims of the cultural minorities in a liberal society.¹

A liberal theory premised on the basis of individual autonomy does not accord any political significance to cultural communities.² Such liberal theory based on the non-differentiated self upholds formal equality, while giving an upshot to assimilation tendencies. Such theorization results in conflict between equal citizenship and full membership in a cultural community. Despite the removal of legal and political barriers to equality, and public offices and institutions open to all, members of different races and gender could not avail of these opportunities. It is only by having 'a rich and secure cultural structure that people can become aware ... of the options available to them and intelligently examine their values' (Kymlicka, 1989:165). Not having a secure cultural structure¹ leads to various disadvantages for the minority cultures despite the opportunities being open to all.

The principle of formal equality provided for a criterion of inclusion by assuming that all human beings are fundamentally the same and hence should be treated alike. In fact, this conception of equality and sameness of human beings by not taking into consideration cultural differences treats unequal equally. The proponents of cultural difference point out that the obliteration of difference does not ensure equality. On the basis of this conception it proposes the same dress code for Christian men and Muslim women.

The critics have pointed out by taking the example of the Jews in American and Sabbath laws, that this conception of equality places them at a disadvantage. Observing Sunday as the day of rest in conformation with Christian practice, the Jews are compelled to a five-day week because according to Sabbath laws the Jews observe Saturday as the day of rest. Similarly the Muslims in England demand facilities to perform their

obligatory prayers on Friday afternoon (see Parekh 1994). The notion of formal equality permits this kind of discrimination and fails to account for them. This puts some communities at a disadvantage because the law of the state is not entirely neutral in terms of their effect. The resultant distribution of costs puts the minority community in a much more disadvantageous position.

In addition, years of marginalisation place the minority at a disadvantage in more than one way. It diminishes their motivations and aspirations. Since they do not have access to better jobs and aspirations, they tend to identify themselves in less prestigious and at times stigmatized position. The greater wealth and higher status of the better off social groups provides them with a better environment in pursuing their goals (good education, better facilities). As a result, despite jobs being open to all, the better off social groups outwits the marginalized people (see Mahajan, 1998: 9).

Due the disadvantages faced, the proponents of minority rights stressed upon the need for difference.⁴ The removal of legal and political barriers did not help in providing an equal space in all fields of the society, nor did it allow them to opt for their cultural way of life, even if it went against the culture of the nation-state. Furthermore when we talk of cultural communities, the mere existence of political and civil liberties (which were initially premised on the individual) could not do justice to them.

Following a single principle, one cannot accommodate different group demands. To take an example, it is required to make a difference between the Blacks and the aboriginal people of North America and Canada. Blacks consider segregation as a badge of inferiority, whereas the aborigine wants segregation. The viability of Indian communities depends on restricting the mobility, residence and political rights of non-

Indians. This can be lesser or greater as the case may be. In southern Canada the stability of the Indian population is made possible by denying non-Indians the right to purchase or reside on Indian lands. In the North, however, they are creating political arrangements for Indian and Inuit population, which will have none of this restriction. Some cultural communities (minority cultures) may need protection from the political and economic decisions of the majority culture, if they are to provide the context of choice for their members.

Emergence of Multiculturalism

As a response to liberal individualism following the civil rights movement of the nineteen sixties, multiculturalism emerged to assert and celebrate differences, with the emphasis on taking pride in one's own cultural identity. The attempt made by multiculturalism to acknowledge, accommodate and encourage cultural differences widened the scope of liberalism. In fact one of the most important contribution of multiculturalism has been to challenge the assumptions of the culturally homogenous nation state (see Tamir 1993). The attempt to widen the scope of liberalism can be seen in the shift in emphases from a colour-blind model of liberalism to a colour-consciousness one, which upholds the differences between communities in the models of multiculturalism. Multiculturalism seeks to institutionalize cultural membership. Multiculturalism has been able to make a liberal theory sensitive to community and culture.

The period of late nineteen seventies and early nineteen eighties saw a change in the relation of the citizens to the modern state. It can be considered as a starting point for

the emergence of multiculturalism in the Anglo-American tradition. What were the specific circumstances in which the concerns as expressed in multiculturalism emanated? The shift in this relationship between the state and citizenship was accompanied with economic changes of far reaching dimensions. The recession took place during this period, after the oil crisis of 1973 and 1978, and the shift in the Anglo-American world towards right wing politics with the coming to power of Ronald Reagan in the US and Margaret Thatcher in the UK. These changes signaled the break up of the liberal model that was prevalent since the end of World War II.

This context greatly influenced the shape of theorizing of multiculturalism and also explains the relative neglect in multicultural theory towards the issue of material redistribution, a theme that will be dealt in details in the later part of this chapter. These changes brought communities to the fore when they were intended to strengthen the individual by shading the social roles of state. This development altered the relationship between the individual and the state and took state away from its redistributive roles. In the end individual and his cultural membership was recognized in multiculturalism but demand for material distribution was put on a back burner.

The monetarist policies that were introduced during this period, and which forms an important part of the ideology of the right wing had an impact on the relationship between minority groups and the welfare state. Earlier minority ethnic groups organized themselves in the form of interest groups to articulate their demands and extract benefits like job, housing, social security, etc from the welfare state, which also obliged and used ethnic categories to distribute welfare benefits (Glazer and Moynihan, 1976). Now with the advent of multiculturalism cultural minorities were recognized but redistribution of

resources between communities was jettisoned. Without taking into account the role of economy, one fails to understand the neglect of redistribution in the accommodation of communities in multiculturalism.

Michael Sandel points out that despite the historical role of the state (America) in the economy and society, it has been unable to control domestic economy effectively. He points out that the universal logic of rights has resulted in the concentration of power. 'Politics is displaced from smaller forms of association and relocated at the most universal form – in our case, the nation' (Sandel, 84:94).⁵ Power shifts from the legislature and political parties to institutions 'insulated from democratic pressures' (judiciary and bureaucracy) were considered better equipped to dispense and defend individual rights. This insulation of institutions from the democratic process and their primacy resulted in neglect of redistribution within society.

These institutional developments resulted in the powerlessness of the welfare state to deal with communities. The effect was again unequal as the minority cultural groups were left with no avenues for redressal of material disadvantages. The cuts in welfare expenditure and rolling back of the state during the 1980's as a result of the rise of the monetarist policies under the aegis of the new right seriously compromised the bargaining power of these groups. The status that the minority groups had acquired were channelised elsewhere and came to the fore as recognition and status, in the form of multicultural policies, that respected their cultural differences and gave public space to it. There exists a strong link between the decline of the welfare state and the emergence of multiculturalism, which prompted Nancy Fraser to term it as a 'cultural analogue' of the liberal welfare state (Fraser, 1995:87).

In Britain the shift in the political spectrum to the right through Margaret Thatcher's coming to power, is linked with the development of multiculturalism. However, due to a different historical trend in Britain redistribution for the communities were affected in a lesser degree. In Britain the assertion of a separate community identity on racial, ethnic and religious grounds has been a long established practice. The series of laws like the 1962 Commonwealth Immigrants Bill, the Commonwealth Immigrants Act of 1968 followed by the Immigration Act of 1971, allowed for compensatory positive discrimination. The institutionalization of minority identities was further reinforced through the race relations Act of 1968 and 1976. Both resulted in the allocation of money and also the according of legal recognition to the representation of minority.

The decade of 80's in Britain saw the assertion of an Islamic identity by the Muslim population of the country. A series of controversies involving the immigrants and their concern with preserving their Muslim identity characterized the advent of multiculturalism in Britain. The controversies arose over demands for 'halal' meat, separate dress code for Muslim girls in schools and educational institutions. The resultant campaigns by the Muslim community shaped British multiculturalism. The Thatcher years contributed indirectly in the strengthening of community identities and boundaries as it was convenient for the state to set aside finance for social services to community leaders in exchange for subsidies. The economic cost for this was low and it suited Thatcher government's aim of rolling back of the state (Kepel, 1997).

As mentioned earlier, the upsurge of multiculturalism in the western world was considered as the next wave of the extension of liberal principle. The significant strength of it lies in mounting a challenge to the colour-blind model of equality and countering the

assumption of a culturally homogenous nation state. In doing so it devised and introduced affirmative action programmes to compensate for the unequal advantages by improving the facilities of the disadvantaged and providing them preferential treatment so that their share in higher social positions and profession increased.

However, the important question is whether multiculturalism can effectively address the marginalisation of minorities when a large part of this marginalisation has risen from the 'structural transformation of the capitalist accumulation process'. It has been argued that race-focus explanations of black and Hispanic poverty divert attention from the structural changes in the US economy, which accounts for the unemployment and social isolation experienced, by the inner city Americans. Moreover, race-focused policies (such as affirmative actions) has benefited only better-off blacks and fuelled resentment between middle class and working class whites. These arrangements suggest that group focused movements and policies continue to breed resentment and have little chances of success (see Wilson, 1987).

Minority Rights and Recognition

Are minority rights sufficient to address the concerns of recognition of communities? Or the need to recognize the communities requires politics of difference on their behalf? Before enumerating further on the politics of difference and the need for recognition, it is important to mention whether a liberal theory of minority rights addresses their concerns.

Will Kymlicka (1989) in his book, *Liberalism, Community, and Culture*, argues for a liberalism, which provides for special rights for the claims of cultural membership.

While the major thrust for community and their especial role comes from the communitarian camp, which has been an influential critique of liberalism, the importance of Kymlicka's book lies in incorporating these critiques effectively into mainstream liberal theory.

Kymlicka points out 'that membership in a cultural community may be a relevant criterion for distributing the benefits and burdens which are the concern of a liberal theory of justice' (ibid.: 162).⁶ Kymlicka argues that the fear of the aboriginal people who do not want to send their children to English language schools are justified. Unlike the French and Canadians who do not have to worry about their cultural structures because their context of choice is secured. It is an important equality which if ignored will lead to injustice. Special rights are needed to remove inequalities in the context of choice that arises even before the choice is made. Hence in this strong sense justice allows segregation of the cultural space even in geographical sense for the aboriginal people to secure their culture.

Kymlicka argues that the liberal theory of minority rights is not new and they have existed in the liberal tradition. He says that minority rights has been an important philosophical concern in the later part of the nineteenth century and earlier twentieth century both in theory and practice. He points out that liberal philosophers like Rawls and Dworkin have completely neglected the issue of minority rights. (1989; 3,5)

Liberals have been wrong to regard the idea of 'collective rights for minority culture as theoretically incoherent and practically dangerous' maintains Kymlicka (ibid.:144). He emphasizes that it is possible to talk of collective rights without denying the individual premises of liberalism. He poses the question, 'How can we defend

minority rights within liberalism given that its moral ontology recognizes only individuals, each of whom is to be treated with equal considerations' (ibid.:162). Drawing primarily from the examples of the special status of the aboriginals of North America and the Indians and Inuits in Canada, he argues that cultural membership can give rise to legitimate claims, which can be granted through certain forms of minority rights fairly consistent with the liberal principles of equality (ibid.: 4).

Kymlicka considers individuals as belonging to communities and hence cultural membership should be considered as an important good in liberal theory because it is necessary for personal agency and development and a relevant criterion for the distribution of benefits and burdens that has been the concern of liberal theories of justice. He feels that there is a need to have a more thorough study of the relationship between liberalism and minority cultures (ibid.: 212).

It has to be recalled that preserving the culture of indigenous people in Canada demands that mobility of outsiders be curtailed. It is more a matter of recognition where the rights of the privileged sections are limited in certain areas, than a concern for material redistribution for the removal of disadvantages. Because of the more affluent condition in Quebec, issues like material redistribution do not count. It is for this reason, Nancy Fraser considers Charles Taylor's 'Multiculturalism and Politics of Recognition' as a one sided view to recognition at the expense of redistribution.

Recognition and Politics of Difference

People like Will Kymlicka and Iris Marian Young contest the fact that recognition is considered as an end itself. Kymlicka argues that the political and economic decision

taken by the larger society may have adverse effects on the interest of communities (Kymlicka, 95: 37). As a result he argues that Cultural recognition is not enough and that such recognition, as envisaged by mainstream multicultural theory must be supplemented with some degree of material redistribution.

Young also subscribes to a unified working-class based politics along with group differentiation politics as necessary for mobilization and programs to undermine oppression and promote social justice in group-differentiated societies (Young, 95: 156). Young conceives cultural recognition as a means to economic and political justice, rather than an end in itself (Young, 97: 148). But she does not concede to the fact that the politics of recognition is removed from economic struggles. In fact this is in contrast to the importance given to the socio-economic distribution as a remedy for injustices. (Fraser, 1995).

Young argues that it is theoretically and politically more productive to pluralize categories and understand them as differently related to particular groups and issues (Young, 1997). She further argues that groups should be understood as relational to one another rather than as conceiving them as the complete other. Such a tendency according to her generates either assimilation or separatism. She views that the oppression 'has been often perpetrated as a conceptualization of group difference in terms of unalterable essential natures that determine what group members deserve or are capable of, and that exclude groups so entirely from one another that they have no similarities or overlapping attributes' (Young, 1990: 47).

This section argues for an anti-essentialist conception of social groups in recognizing their claims. The politics of difference moves away from separatist

tendencies of identity politics. The separatist tendency that the politics of identity reflect is also found in Charles Taylor's 'idea of authenticity' that contains the seminal ideas of modern nationalism in both benign and malignant form (Taylor, 94:78). Iris Young proposes a relational conception of group difference, rather than identifying group difference as otherness, this conception provides for a society and policy where there is social equality and explicitly differentiated groups without exclusion (Young, 95:165). Young claims that a relational and fluid conception of the social group is needed 'to have social group difference without oppression' (Young, 90: 47).

Iris Marian Young points that the logic of identity gives rise to a conception of difference as otherness, which is the root cause of group based oppression and conflicts (Young, 95:157). Thus to her identity politics has a substantial logic. As opposed to the politics of identity and separatist tendencies, she proposes a single polity with differentiated groups where the concept of difference is relational. The relational conception of difference, according to her can provide the possibility of political togetherness in difference (ibid.: 157).

She argues that social groups need to identify each other as different, but it is conceived in term of an otherness. But this otherness is asymmetrical if the relations of the groups are of privilege and oppression. By conceiving difference as otherness it leads to the exclusion of some groups. The privileged and the dominant groups define themselves in the positive light negatively valuing the other. Differences as otherness conceives social groups as mutually exclusive and categorically opposed (ibid.: 158). But Young maintains that it is not desirable to have such dichotomous division in the society, which difference as otherness promotes (ibid: 158). According to her 'the modern era of

urbanization and market economy produces inter dependencies, the political mingling of members of differently identifying groups in public places and work places and partial identities cutting across more encompassing group identities' (ibid.: 160). In other words, she claims that a fluid and relational conception of the social group is needed in order to have group differences without oppression.

The inability to maintain categorical opposition between groups in examining differences fall flat when we take homosexuality into consideration. Young argues for a mutual recognition of the specificity of social groups in the public realm. The public conceived by Young is heterogeneous, where groups in the society have differentiated place in the public. Such a heterogeneous public can promote social justice, which provides for some group related rights and policies (ibid.: 165).

Communitarian conception of community

In order to emphasize the need of neutrality in the public realm, liberal theory advocates a procedural republic that allows individuals to define and pursue their own ambitions, desires and goals. The neutrality of the procedural republic rests on the assumption that laws are value free, entail no moral commitment and apply equally to all citizens. This belief eclipses the presence of cultural differences in society. It hides the way in which laws privilege some groups and their way of life. The neutrality of the liberal state stems from the uniformity of its legal codes. It can be concluded that liberalism has no principles by which it can represent and accommodate differences in the public realm. Since it does not observe the discrimination perpetuated by its own laws, it makes no serious attempts to respect and recognize the cultural orientation of

different communities. In response to this neglect of cultures and communities by liberals Michael Sandel makes a strong claim for the need of understanding communities.

It is important to look at the critique of Rawlsian liberalism by one of the most important communitarian theorist, Michael Sandel. There are two aspects to the critique. The first is the Rawlsian conception of the self and second is the difference principle of Rawls, which embodies the concern for the economic redistribution and provides the philosophical justification for the liberal welfare state. The idea of the un-encumbered self-projected by Rawlsian liberalism has been rejected by the proponents of multiculturalism, in favour of a cultural embeddedness of the self. But multiculturalism neglects the concern for redistribution, which is found in the difference principle. This neglect is considered a serious handicap in the theorizing of multiculturalism. Sandel attacks the Rawlsian conception of the self and then points at the failure of the difference principle in providing a justification of the liberal welfare state.

Sandel identifies, 'liberalism of much contemporary moral and political philosophy, most fully elaborated by Rawls, and indebted to Kant for its philosophical foundations' (Sandel, 84:82) embodies the institution of present day America. By showing how this philosophy has gone wrong, Sandel writes, 'may help us to diagnose our present political condition' (ibid.: 82).

He notes three striking facts about Rawlsian liberalism. First its philosophical appeal. Second, inspite of its philosophical force, the priority of the right over the good, in his view ultimately fails. Thirdly, inspite of his political failure, Sandel says it is this 'liberal vision by which we live' (ibid). The Rawlsian conception of the self has been termed by him as the ' unencumbered self'.

One of the problems of this self according to Sandel is that it rules out the possibility of any constitutive attachments. The individual is always related to his/her aims and attributes in such a way, that he/she is able to stand back from them. In this way, no constitutive attachments can define the self in such a way that the individual would be incomplete if that particular aspect is detached from the individual. The self is prior to the end that it chooses. In this way an individual is free to join in voluntary association with others and are also capable of forming communities in the co-operative, according to Sandel.

However, the unencumbered self is denied the possibility of membership in any 'community bound by moral ties antecedent to choice; he cannot belong to a community where the self itself could be at stake' (ibid.: 87). Once Sandel acknowledges that this particular conception of the self holds out an exhilarating promise, and the liberalism it animates is perhaps the fullest expression of the enlightenment's quest for the self defining subject, he, however, feels that the self has been conceived is not true and that we cannot make sense of our morals and political life by the light of the self-image it requires (ibid).

Then Sandel looks as to how this conception of the self and the difference principle fails to provide a coherent justification for the liberal welfare state. The failure accounts for the present predicament that the welfare state faces in late twentieth century America. Rawls justifies material redistribution on the basis that the distribution of talents and assets among individuals is arbitrary from the moral point of view and it would be a violation of justice if these natural and social contingencies are allowed to be carried over into human arrangements these talents and assets are to be considered as

belonging to all members of society, so that everyone benefits from them the difference principle thus posits that inequalities in these talents and assets are to be tolerated to the extent that they improve the situation of the least well off in society (see Rawls, 71: 60-75; 258-274).

Sandel notes that the idea of natural talents and assets as having only a contingent relationship to the individuals who may happen to possess them fits in impressively with the idea of the 'unencumbered self'. He goes on to say that the 'priority of right, the denial of desert, and the unencumbered self all hang impressively together' (Sandel, 84: 89). Where the argument falters, according to Sandel, is the assumption that the difference principle makes about these assets being common over that should benefit all the members of the society owing to the fact that they belong only accidentally to the individuals who happen to possess them: 'but this assumption is without warrant. Simply because I, as an individual do not have a privileged plane on the assets accidentally residing 'here' it does not follow that everyone in the world collectively does' (ibid). Sandel believes that the location of other human beings with whom we are supposed to share our natural talent and assets is no less arbitrary from the moral point of view than the fact that certain talents and assets happen to be possessed by a particular individual.

For Sandel there should be a prior moral tie that binds people in a common endeavor and which would justify the kind of sharing that Rawlsian liberalism favours. The difference principle and the idea of the self are thus totally flawed because they rule out the possibility of constitutive attachments that could provide the basis of a common life. The unencumbered self, which held out such an exhilarating promise of the emancipation is according to Sandel 'left to lurch between detachment on the one hand,

and entanglement on the other. Such is the fate of the unencumbered self and its liberating promise' (ibid.: 91).

Recognition or Redistribution?

Critics of multiculturalism have expressed serious apprehensions about the complete silence in multiculturalism on the issue of economic redistribution. Because of the shift in emphasis from material redistribution to cultural recognition, multiculturalism has been accused as the articulation of a privileged elite. This displays a typical liberal naiveté on the issue of marginalisation, especially economic marginalisation. The critics while accepting the sincerity of the well-meaning liberals have pointed to their inability to identify the various axes of discrimination and disadvantages. They argue that the problem of poor people can be best addressed through class-based analysis of their causes and the promotion of universal public programs of economic restructuring and redistribution.

Expressing discontent with the current US political system, Nancy Fraser (1995) feels that the efforts to redress the injustice of the present society through a 'combination of the liberal welfare state plus mainstream multiculturalism are creating perverse effects' (ibid.: 93). She argues that justice today requires both redistribution and recognition' (ibid.: 69). She makes a distinction between recognition and redistribution by arguing that 'the former entails the calling attention to, if not performatively creating, the putative specificity of some group, and then of affirming the value of that specificity.' In short it promotes group differentiation. The latter on the other hand tend to promote 'group de-differentiation' (ibid.: 74).

Nancy Fraser argues that in today's world the demands for 'recognition of difference fuel struggles of groups mobilized under the banner of nationality, ethnicity, 'race', gender and sexuality. In this post socialist conflicts group identity supplants class interest as the chief medium of political mobilization. Cultural domination supplants exploitation as the fundamental injustice. And cultural recognition displaces socio-economic redistribution as the remedy for justice and the goal of political struggle' (Fraser, 95: 96). Fraser assumes that 'justice today requires both redistribution and recognition' (ibid.: 69).

She tries to examine both by figuring how to conceptualize cultural recognition and social-equality in forms that support rather than undermine each other. She also attempts to theorize the way in which economic disadvantage and cultural disrespect are currently entwined with and support one another. Fraser asserts that in the real world the structures of political economy and the meanings of cultural representation are inseparable. 'Even the most material economic institution have constitutive, irreducible cultural dimension; they are shot through with significations and norms. Conversely, even the most discursive cultural practices have a constitutive, irreducible political economic dimension; they are underpinned by material supports' (ibid.: 72).

The distinction between redistribution and recognition is entirely theoretical, an analytical distinction necessary for the construction of the account. Fraser claims that this categorical opposition is useful and even necessary in order to understand how the political aims of oppressed groups are sometime contradictory.

For heuristic purposes Fraser conceptualizes a spectrum of different kinds of social collectivities. At one end of the spectrum lies the modes of collectivity that fit the

redistributive model of justice and at the other extremes are modes of collectivity that fit the recognition model. In between are cases that exhibit a combination both models of justice. At the redistribution end Fraser posits an ideal-typical mode of collectivity whose existence is rooted wholly on the political economy. The structural injustice that its members suffer from arises from the economic, as opposed to the cultural order of society. The ideal-typical community that Fraser places at this end of the spectrum is the Marxian conception of the exploited class understood in an orthodox and theoretical manner. The remedy required to redress the injustice will be political and economic redistribution rather than cultural recognition. Fraser observes that the only way to remedy the injustice is to 'put the proletariat out of business as a group' (ibid.: 76).

At the other end of the conceptual spectrum Fraser posits an ideal-typical mode of collectivity that fits the recognition model of justice. Such a collectivity exists by virtue of 'the reigning social patterns of interpretation and evaluation not by their virtue of division of labour.' The injustice that arise for its members are traceable to the manner in which, the dominant group evaluates other cultural structures. An example of an ideal-typical community is the 'conception of despised sexuality, understood in a specific stylized and theoretical way' (ibid: 76)

Fraser argues that matters are clear-cut at the two extremes that she had described, but they get 'murkier' as we move away from them. She calls the collectivities that lie in the middle and which combine characteristics of the exploited class with features of the despised sexuality as 'bivalent'. The bivalent categories suffer from socio-economic maldistribution and cultural misrecognition. The problem that such communities pose is how to negotiate the dilemma between redistribution and recognition.

Fraser takes gender and race as paradigmatic bivalent collectivities, which implicates both redistribution and recognition. The bivalent character of both these collectivities is the source of the problems, and the root of the injustice lies both in the political-economic dimensions and cultural valuation aspect as well. In the case of gender women would need both redistribution and recognition. However, the two remedies pull in opposite directions. While the logic of redistribution is to put gender out of the business, the logic of recognition is to 'valorize' gender specificity. The same dilemma is faced in the struggle against racism. Race resembles class in that it structures the capitalist division of labour and to this extent it would be desirable to put race out of business. However, race also has its cultural valuation dimensions, which calls for the need for recognition.

Fraser further introduces two concepts into her argument -- affirmation and transformation. By affirmative remedies for injustice, Fraser means remedies whose purpose it is to correct inequitable outcomes of social arrangement without actually disturbing the underlining framework from which they emerge. By transformative remedies, on the other hand, she means the restructuring of the basic framework that generates the inequalities. The second set of remedies therefore is more radical and far-reaching than the first.

She makes two further distinctions between them by arguing that affirmative remedies play-up group differences, while transformative remedies tend to blur them. She also expresses the fear, that affirmative redistribution remedies can result in a backlash of misrecognition, while transformative- redistribution remedies she hopes, can help redress some forms of misrecognition.

Having introduced these two kinds of remedies, she goes on to describe a four celled matrix. The horizontal axis comprises the two kinds of remedies -- affirmation and transformation. The vertical axis comprises the two aspects of justice -- redistribution and recognition. In the first cell where redistribution and affirmation intersect, lies the liberal welfare state, which is based on the idea of reallocation of existing goods to existing groups to correct the outcome of the distribution generated by the capitalist state. This is done without actually changing the basic framework of the system that has resulted in this inequitable outcome.

The liberal welfare state supports group differences and, Fraser fears that it can generate backlash misrecognition. In the second cell where redistribution and transformation intersect, lies the project of socialism which is aimed at restructuring the very relation of production that generate inequitable outcomes that the liberal welfare state deals with on a surface level. It further tends to blur group differentiation and Fraser hopes that it can redress some forms of misrecognition. In the third cell where affirmation and recognition intersect lies mainstream multiculturalism, focused on surface reallocation of respect among existing groups, with its tendency to support group differentiation. Finally in the fourth cell where recognition and transformation intersect can be located the project of deconstruction aimed at a deep restructuring of the relations of recognition with its tendency to destabilize group differentiation.

Fraser observes that the matrix cast mainstream multiculturalism as the 'cultural analogue of the liberal welfare state', while deconstruction is cast as the cultural analogue of socialism. Fraser concludes by expressing her doubts about the effectiveness of multicultural policies in providing justice to all and she feels that it is important to look

for alternative conceptions of redistribution and recognition. She feels that it is the combination of transformative redistribution and transformative recognition that would be the most effective in finessing the redistribution-recognition dilemma. This would involve some forms of anti-racist social democracy in the economy in combination with cultural policy of deconstructive anti-racism.

The significance of Fraser's idea is that they look at the problems of recognition and redistribution in the context of 'capitalist accumulation regime' (see Harvey, 1989) or the 'post-socialist' age as Fraser terms it. They are further critical of the effectiveness of mainstream multicultural policies in providing justice to marginalized minorities. The criticism is pertinent because it takes note of the context in which multiculturalism has emerged in the late seventies and the early eighties of the twentieth century.

In conclusion one finds it necessary to mention the differences that emerge with regard to recognition and redistribution in the preceding sections. While Iris Young argues for a politics of difference with a heterogeneous society recognizing the specificity of the groups in the public, Nancy Fraser argues for a structural transformation that will lead to social justice. It is interesting to know that both use gender in different ways to reconcile the dilemma of recognition and redistribution. Fraser argues that recognition is generally taken as a political end in itself and is therefore disconnected from issues of redistribution and division of labour.

Defenders of affirmative remedies, like Young, do agree to the fact that recognition lacks a distributive focus. But they criticize the opposite categories of political economy and culture being used by those who argue for transformative remedies. Fraser says that affirmative remedies do not change the end pattern of the state.

Fraser's argument of redistribution as a supplement to recognition is to preserve the idea of socialism as distinct from the liberal welfare state (Fraser, 97).

Fraser is not very sure whether cultural recognition as a means to political and economic injustice will be enough. Fraser is skeptical about recognition as a means to liberation from economic oppression because it is related to the politics of identity (Fraser, 2000). She argues that the politics of identity leads to the 'problem of displacement' and the 'problem of reification' (ibid.: 108).⁷ The problem of displacement considers misrecognition as a free floating cultural harm instead of being rooted in the norms and institutions of the society (ibid.:110). The roots of injustice, Fraser argues, are located in demeaning representations instead of being socially grounded. Redistribution is displaced by arguing that to revalue previously devalued identities is to attack the sources of economic inequality. Fraser says that identity politics discourages cultural dissidence and experimentation. Cultural criticisms are considered 'inauthentic' (ibid.:112). Identity politics, according to Fraser, promotes conformism, intolerance and patriarchalism.

¹ He views that the moral basis of the group lies in the acquiescence of individuals to its cultural norms. He considers that the authority is not perpetuated (though the defendants of community rights differ from this) but depends on the arguments of its members. Special rights to minorities are granted against the wider majority, but do not justify rights against its own members. Through its free entry and exit concept Kukathas seems to reverse it. Kukathas is not concerned with the form of the culture. It does not matter to him as long as individuals within the community have the right to leave. This right is considered fundamental. The practices of the communities are upheld, by granting this right.

² This view tends to put a lot of weight on cultural communities as voluntary associations. They are regarded as voluntary associations to the extent that individuals recognize as legitimate the terms of association and communities that upholds them. The individual autonomy is given importance here because recognition would be meaningless if the individual did not have the right leave, if it is considered as a fundamental right of the individual.

³ According to the Rawlsian schema cultural membership is an important good because it provides meaningful options, aiding our ability to judge. This is important because the range of options is determined by a cultural heritage. Liberals believe in selecting the most valuable from the various options

available, selecting from a context of choice, which provides us with different ways of life. Liberals are concerned with the fate of cultural structures. Cultural structures are being recognized as context of choice.

⁴ The accommodation of differences is the true essence of equality. The equality-based argument provides for special rights for minorities if there is a disadvantage with regard to cultural membership and if rights actually serve to rectify disadvantages.

⁵ At the end of his article on the procedural republic and the unencumbered self, Michael Sandel (1984) notes that in the nineteen eighties Americans stands near the completion of the liberal vision that has run its course from the New Deal of the Nineteen thirties through the great society of President Johnson in the Nineteen sixties and into the present. He notes a general sense of powerlessness, over the forces that govern their lives, has spread among Americans. The institutions of the procedural republic, most notably, the welfare-state has failed miserably in dispelling this general feeling of despair.

⁶ Since cultural membership is an important good, members of minority cultural communities face disadvantages with respect to the good of cultural membership, which require and justify the provision of minority right. Cultural membership is considered a good because individuals belong to particular cultural communities.

⁷ Fraser points out the shift from recognition to redistribution because of economic globalisation and expanding capitalism have exacerbated economic inequality, cultural forms of being hybridized and pluralized through transcultural interaction and communication. This is made possible by increased migration and networking of global media. As a result of this, recognition is serving less to supplement redistribution. In order to dispel the ill effects of recognition Fraser proposes an alternative approach. This approach treats recognition as a question of social status. Following this, misrecognition does not lead to the depreciation of group identity, but rather to social subordination.

CHAPTER III

Citizenship, Community And The Nation State

The way citizenship is defined has a relation to the kind of society and political community liberal democracies aspire for. In the modern world political community is most closely associated with the idea of the nation-state. The principle of uniformity toward the human being who happens to occupy the territory within has been rooted in the idea of the nation. The nation as it emerged in the European context was an 'imagined community' straddled with a common language and culture. The modern state as a nation state, which conceived nation as a culturally homogeneous people and the state is supposed to derive its sovereignty from this homogeneous people, has lost its original meaning. The citizens of the same state are assumed to share common nationality and having a common culture. Liberal democracies project a common set of ethos to establish a national culture based on the uniformity of laws. Such a uniformity of laws is attached with the principle of non-discrimination on the grounds of race, religion etc.

Citizenship is inclusionary, in the sense that it does not take into consideration differences and particularity. The idea of citizenship is hinged on the notion of individuality, where social categories like, cast, gender, etc., are not considered to lead to full citizenship. The liberal tradition of the idea of citizenship is based on the fact that all citizens within the geographical boundary of the territory belong to the same nation. The fact that the coterminality between citizenship and nationality has become a part of everyday life can be gauged from statements like 'Indian national awarded', 'Four Britons held for the possession of drugs' etc. The conception is grounded on the fact that

the coming together of the state and people makes a modern nation: And a nation state in the sense largely identified with one people (Karl Deutsch, 69: 19).

The basis of this identification of the people is a territorial state or a political community, which binds both the elites and masses in a single ethnic nation with a single legislative will. This conception of citizenship where the state and nation has been conflated is premised on a single homogenous culture of the nation. This resulted in equal political, economic and social entitlements to all its members. T.H. Marshall's (1950) in his famous essay 'Citizenship and social Class' has given an exposition of the evolution of citizenship conceived in terms of rights. Full citizenship rights was seen as the basis for entitlements to civil rights in the eighteenth century, political rights in the nineteenth century, and social rights in the twentieth century. The social rights were entitlements that were generally provided by the welfare state. So according to Marshall the full expression of citizenship can be linked to the development of the welfare state. In this liberal conception of the nation state cultural membership was not considered to have any importance, because nation-states in Europe were homogenous which granted citizenship as the right to membership in a nation.

In contemporary liberal democracies the state is considered to have a multinational character. Today the populations of nation states has become culturally plural, thus making it necessary for the state to seek a new way to derive legitimacy for the power it exercises over the people. This has been sought to be achieved through conceiving people within its domain as constituting a political community of citizens. In order to achieve this the state seeks to be neutral with regard to any specific national cultures.

The civic republican view also based on equality and freedom to all, is a reaction against the Marshallian concept of citizenship conceived as rights. Their vision of citizenship gives emphasis to duties and active political participation. They give importance to culture in the sense that it serves as a precondition for civic bonds and public participation. In this conception culture is important only to the extent that it serves as a condition for embeddedness in the political community and not cultural in itself. Citizenship is defined only in terms of being embedded to a political community. Democratic institutions are combined with a sense of common purpose that is rooted and also expressed in the political.

Both these conceptions have a certain way of looking at cultures. The liberal conception treats culture as a private matter. It means that it is inconsequential in the public sphere and is not of importance to one's status as a citizen. The second conception might seem attractive because it considers cultural identity as a precondition for being a citizen: But this is only a precondition. What matters to them is the political community and other forms of communities are rendered inconsequential.

The liberal vision of the nation-state considers that there should be a deep congruency between cultural membership (nation) and political membership (state). According to one view citizens of the same state should ideally be members of the same nation and thus the central function of the state is to represent, promote and protect the shared historical national culture. Another view within maintains neutrality between the state and specific national cultures. This view rooted in the liberal tradition, which holds the nation should be conceived politically and democratically has great implications for countries, which have diverse religious and cultural communities, which differ from the

majoritarian conception of the idea of nation, and for countries, which have immigrant populations. This conception of the nation in democratic terms prevents the state from acquiring a majoritarian cultural character.

The nation here is characterised by a shared political culture that is a commitment to political principles, norms and institutions. This gives too much emphasis to the public sphere of the individuals and considers the state's involvement only in the maintenance of liberal political institutions. The unit of this nation is the individualised and equalised human being who has the capacity to reflect and choose. Here national identity is conceived of as political identity based on a commitment to equal citizenship and individual freedom.

Both the visions of the nation state have important implications for citizenship. In the first vision citizenship is just understood as membership in a nation-state. The second vision considers citizenship as a universal ideal based on the liberal principles of equality, freedom and democracy. According to this view citizens are to be free and equal before the law and have the right to participate in political decisions through elections.

While this vision tends to support the idea that citizenship should have a symbolic identity to the state, the other constructs citizenship identities in terms of inclusion in the public sphere. Both point out to the tension between equal citizenship rights to all and full membership in a cultural community in liberal democracies which upheld cultural pluralism.

To understand the meaning of citizenship which takes into consideration the cultural identities of the members and respects the principle of individual freedom and equality would require 'a chain of equivalence among democratic struggles which

requires the creation of a common political identity among democratic subjects' (Mouffe, 92: 225). We need to go beyond the liberal and civic republican conceptions of citizenship and conceive an idea of citizenship that upholds democratic equality and cultural embeddedness.

In our search for a political community, which will acknowledge the rights of the individual and his 'constitutive' identities we need to look beyond the political liberalism and civic republicanism tradition of citizenship. The liberal conception of citizenship is in line with the Rawlsian notion of justice, whereas the civic republican tradition follows a communitarian line of argument.

Rawls conceives the citizen of a constitutional democracy in terms of equal rights as enumerated by his two principles of justice. He affirms that once citizens see themselves as free and equal persons they need the same basic rights, liberties and opportunities in order to pursue their own different conceptions of the good. According to this liberal view, citizenship is the capacity for each person to form, revise and rationally pursue their life choices. The idea to form and revise conceptions of the good is a political conception of the person in Rawls as opted for the purposes of determining their public rights and responsibilities. This line of argument divides the social world (life-world) in public and private. So in the private life it is possible to have our identities bound to particular ends. 'Citizens may have and normally do have at any given time, affections, devotions and loyalties that they believe they would not and indeed could and should not, stand apart from and objectively evaluate from the standpoint of their purely rational good. They may regard it as simply unthinkable to view themselves apart from certain religious, philosophical and moral convictions, or from certain enduring

attachments and loyalties. These convictions and attachments are part of what we call their “non-public identities” (Rawls, 85: 241). Political liberalism tradition of citizenship hinged on Rawlsian principles considers the rights and responsibilities of individuals as citizens, but this conception of the citizen does not accounts for their ‘non-public identity’. This kind of citizenship makes a clear distinction of the involvement of the state in both the public and the private realms.

In this formulation citizenship rights comes across as passive entitlement to everyone as contrasted to flow from active participation in public life. Civic republican tradition offers a vision of citizenship that emphasises duties rather than rights, active participation rather than passive entitlements. This also goes against the Marshallian conception of citizenship, which entitles civil, political and social right to all individuals. According to the civic republicans these entitlements treats the political community as a mere instrument for the achievement of interests and purposes derived outside of the community. They view participation in the shared public life of a political community as a fundamental human good and that one should encourage this in all citizens instead of making it a possibility among others to be left open to the preferences and choices of individuals. Their assumption is that people have a powerful sense of what they share in common and considers particularistic attachments to ones own political community as a social precondition for the kind of participatory active citizenship they advocate.

Universal citizenship

In contemporary liberal democracies the ideal of citizenship is valued because it is conferred on everyone and everyone is considered to be a citizen. Citizenship stands for

the principle of inclusion and political participation for all. By political participation it is implied that every individual has the right to vote, that is, the right to deliberate on the issues of government formation and policy formulations. The inclusionary principle of citizenship is valued because it has come through a prolonged historical struggle against exclusion.

The evolution of citizenship in the last two centuries has taken different turns in different countries of the world. So much so that the conception of citizenship varies among nations within Europe. While it is common blood in Germany and Italy that links national identity to citizenship, in France it is the common language whereas in Britain it is common state territory. In Britain where the state underwent a gradual transformation, citizenship evolved over a longer period of time with changes not only in laws but also in customs, sentiments and attitudes.

Another feature of universal citizenship is defined as a package of legal, political, institutional, economic and other analogous relationship that binds society and the individual to the state and which govern political relationships within society. It is through rules of citizenship that civil society finds expression. Traditionally civil society has been conceptualised as a necessary condition for democracy. Here we find a close link between civil society and citizenship as one of the conditions of democracy. In this realm there are procedures, mechanisms, provisions that make power transparent and predictable. This is vital, for without the stabilising element of citizenship the exercise of power becomes arbitrary and generates insecurity; this insecurity can react on community identities, thereby threatening it. This is found when the state is too weak to protect civil society or sees no interest in doing so.

Citizenship must take into account the diversity of communities. The solution to the problem of minority cultural reproduction is to include all communities within the area of the state in the course of citizenship and to expect that citizenship will be coloured by more than one ethnicity. The point being made is that without citizenship, cultural reproduction is endangered because of the unpredictability of power even while without ethnicity consent to be ruled is hard to establish. And without the state the framework for citizenship cannot operate. Thus there is a mutual interdependency between the state, ethnicity and citizenship.

Another interesting feature of citizenship as inscribed in the constitution of India is the equality of status and equal opportunity. The principal of non-discrimination makes way for the provision of equal opportunity to all. And the fact that laws are uniform tends to provide equal status to all in terms of restrictions and entitlements. Thus we find that the inclusionary and equality characteristics of citizenship has provided for emancipatory struggles. Previously women were excluded from the public realm of citizenship. But years of struggle and the invocation of the equality principle finally allowed women to have the same rights as the others have in the public realm.

In sum one can say that the idea of universal citizenship performs the most important function of civic integration. By civic integration is meant that members of a political community work together to understand each other, respect each other's legitimate claims, seek agreement on issues and make sacrifices for one another. Theorists of universal citizenship argue that in modern liberal democracies where people do not share a commonality in terms of ethnicity, religion or language the government creates common bonds by establishing single political status with the same rights and

responsibilities that will give rise to shared interests and identities which are needed for a political community to function effectively.

While nationality and community identity are essentially group identities, citizenship is an individual identity. Very often group identity is invoked as the basis for acquiring citizenship identities. The individual and group bases of citizenship possess a formidable challenge in the contemporary world. These two dimensions of citizenship seek reconciliation.

While liberalism did contribute to the formation of the idea of a universal citizenship it reduced citizenship to a legal status enumerating the rights that the individual holds against the state. These rights are considered relevant as long as the holders of the right do not interfere with the right of others. On the contrary, civic republicanism emphasises the value of political participation and attributes a central role to our insertion in a political community. Liberals argue that active political participation is incompatible with the modern idea of liberty. Herein, the right not to participate in public realm is ruled out. This is violation of liberty as liberty also means a right not to participate if the individual so wishes.

Chantal Mouffe (1992) speaks of a radical democracy – a creation of a political community, which is compatible with the idea of active political participation and the rights of the individual. According to him, citizenship is not just ‘one identity among others’ or the ‘dominant identity’ that undermines all other identities. It is a ‘common recognition of a set of ethico-political values’ (Mouffe, 1992: 235). His radical democratic citizenship rejects the idea of an abstract universalised definition of the public, opposed to a domain of the private seen as the realm of particularity and difference. He

considers that combining the ideal of rights and pluralism, with the ideas of public participation and ethico-political concerns will form the agenda for his radical democratic citizenship.

Differentiated Citizenship

Both the traditions of civic republicanism and liberalism do not take into consideration, differences and particularities in giving full citizenship status to all individuals inhabiting a pluralist society. Citizenship conceived in universalistic terms, tends to transcend social differences, status, and inequalities in power in constructing the identity of the individual in the public realm. Equality is conceived as sameness and universality is defined in opposition to a particular. It also defines the applicability of rules and laws to all in a similar manner, which tends to cast aside individual and group differences. This ideal of the public realm of citizenship, which transcends differences, exhibit a zeal for homogeneity among citizens.

The public realm of citizenship with its call for inclusion and participation for all in the social and political institutions sometimes put certain social groups at a disadvantage. The right to vote and to equal opportunity, which are the principle values of universal citizenship, are not enough to provide for meaningful social and political equality. The experience with the functioning of Indian democracy has in fact widened the differences between different groups in the social and political participation and meaningful equality. This is important as India is guided by the universalistic conception of citizenship. Iris Marjan Young argues that the inclusion and participation of everyone

in the public discussion and decision-making would require 'mechanisms for group representation' of hitherto oppressed groups and communities (Young, 89:257).

Young argues that 'the ideal of universal citizenship' consists of three meanings of universality. The first meaning conceives universality as the inclusion of all in full citizenship status and in participation in public life. The second meaning of universality is defined in terms of what people have in common rather than on how they differ. Universality, according to Young is defined as a general in opposition to particular. And the third meaning is defined as the same treatment for all without regard to group differences. It means that laws are same for all and apply to all in the same way. Young considers that the first meaning is in tension with the other two. She considers the idea that citizenship for everyone and citizenship in two other senses of 'having a common life with and treated in the same way as other individuals' (ibid.: 256) is problematic. This idea of universality undermines group identities.

The idea of inclusion and full participation tends to transcend particularity and differences. This idea of generality operates on the ground as a demand for homogeneity among citizens. This results in neglecting group identities. Groups tend to differ on cultures, values, customs, behaviours and laws. There is not much of a shared commonality between them. In such cases and uniform set of laws based on equality to all tends to disadvantage groups who follow different customs.

Young's critique of citizenship as a commitment to the common good is aimed at the civic republican tradition. She argues that their emphasis on what citizens have in common tends to privilege the perspectives of dominant social groups and to exclude the perspectives of the oppressed and marginalized. As the oppressed and marginalized do

not have equal resources and value attached to participation in the process to shape the common good. In addition, she points out that in the liberal tradition individuals have freedom to pursue their private ends, whereas the republican tradition locates freedom and autonomy in the actual public activities of citizenship. In effect, it transcends particular self-interests and private pursuits to come to a generality, which forms the basis of understanding the common good. Young finds nothing in this understanding, which implies the idea of full citizenship status to all groups.

Further, for Young the creation of a unified public realm do not require people to abandon their particular group affiliations, histories and needs to discuss a general interest or common good. She argues for a conception of citizenship in which creation of a public realm is compatible with, in fact requires attachment with particular affinities, histories and needs. What is required is group differentiated citizenship and a heterogeneous public, which publicly recognizes and acknowledges (see chap.1) differences as 'irreducible'. Though this irreducibility rules out the possibility of understanding the viewpoint of other group-based perspectives, the commitment to need and desire according to Young fosters communications across those differences. How it does, Young is not very clear about it.

The republican tradition while extolling the virtues of citizenship in terms of universality, excluded some people from citizenship on the grounds that their inclusion will divide the public. These republican exclusions are a direct consequence of the dichotomy between public and private, where the public is defined as a sphere of generality where particularities do not matter, and the private as the space for particular cultural affiliations and other 'constitutive' identities. This dichotomous idea between the

public and the private makes homogeneity a pre-condition for public participation. According to Young it suppresses group differences in the public and forces the excluded groups to be defined by norms derived by the privileged dominant groups (ibid.: 259).

Though Young acknowledges that contemporary civic republicans are opposed to the overt exclusions that characterised the earlier civic republican tradition, she argues that their emphasis on what citizens have in common tends to privilege the perspectives of the dominant and to exclude the perspectives of the oppressed and marginalised. Yet these perspectives are different: 'different social groups have different needs, cultures, histories, experiences and perceptions of social relations which influence their interpretation of the meaning, and consequences of policy proposals, and influence the form of their political reasoning. These differences in political interpretation are not merely or even primarily a result of differing or conflicting interests, for groups have differing interpretations even when they seek to promote justice and not merely their own self-regarding ends' (ibid.: 260).

Theorists and politicians give importance to the virtues of citizenship because through public participation persons are called on to transcend self-centred motivations and acknowledge their dependence on and responsibilities to others. But for Young a general perspective does not exist which all persons can adopt and from which all experiences and perspectives can be accounted for. The only way to have all group experience and social perspectives voiced is to have them 'specifically represented in the public' (ibid.: 260).

Thus a genuine commitment to the inclusion of all in public deliberation requires that differences need not be suppressed but acknowledged and respected. The best way to

do this according to Young is through 'group differentiated citizenship' and the creation of a 'heterogeneous public'. Spelling out the values is not enough. One has to establish special forms of representation for disadvantaged groups that ensure that these groups have the resources needed to organise themselves, that their perspectives are seriously considered in public decisions, and they have veto power over specific policies that affect them most directly (ibid.: 263). As a result Young suggests that a democratic public should provide mechanisms for the effective representation and recognition of the distinct voices and perspectives of its constituent groups that are oppressed or disadvantaged within it. Thus she suggests that group representations implies institutional mechanisms and public resources supporting three activities: a) 'self-organisation of group members to gain a sense of collective empowerment', b) 'voicing of group's analysis of how social policies affect them', and c) 'having veto power regarding specific policies that affect a group directly' (ibid.: 263).

In addition, one also has to outline what constitutes a group? Since we are talking about group disadvantage and oppression in their relation with the public realm it is vital that we see the disadvantage that accrues to groups. Any arbitrary assortment and agglomeration of people can be shown to be in disadvantageous position. Though, sometimes objective attributes are a necessary condition for classifying a member of a certain social group, it is the identification of a common history along with a self-identification in terms of membership in the group that defines the group as a group. According to Young groups are not understood in terms of a 'specific set of common attributes' but in 'relational terms'. She thinks that group identities become important only under specific circumstances, when in interaction with others. Most people in

modern societies, according to her, have multiple group identifications and therefore groups themselves are not discrete unities. 'Every group has group differences cutting across it' (ibid.: 262).

Group representation best institutionalises fairness under circumstances of social oppression and domination. Though sceptical about its realisation, an ideal of a 'rainbow coalition' expresses a heterogeneous public with forms of group representation. Representation should be designed whenever a group's history and social situation provide a particular perspective on the issues, when the interests of its members are specifically affected, and its interests do not receive expression without that representation.

Young states that self-organisation of the group is one of the aspects of group representation. While democratic politics must maximise freedom of the expression of the opinion and interest, it is different from ensuring that the perspectives of all groups have a voice. Finally, in the heterogeneous public, the groups represented are not defined by some particular interest, but rather considered as 'comprehensive identities and ways of life'. A heterogeneous public 'is a public where participant discuss together the issues before them and are supposed to come to a decision that they determine as best or most unjust' (ibid.: 262).

According to Young the second aspect of the universality of citizenship is the tension with the goal of full inclusion and participation of all groups in political and social institutions: universality in the formation of laws and policies. Full inclusion and participation for all was important for emancipatory movements to insist that all people are the same in respect of their moral worth and deserve equal citizenship (see chap.1)

Under these circumstances contemporary social movements seeking full inclusion argue that universally formulated rights and rules perpetuate rather than undermine oppression. These social movements (many forms of feminism, black liberation activities, gay and lesbian movements) are faced with a dilemma of difference.

On one hand they must continue to deny that there are any existential differences between men and women, whites and blacks, etc., while on the other hand they find it necessary to affirm that often there are group based differences between men and women, whites and blacks, etc. That makes application of equal treatment unfair because these differences put those groups at a disadvantage. This according to Young implies that instead of always formulating rights and rules in universal terms that are blind to difference some groups deserve special rights. This viewpoint interestingly differs from Nancy Fraser's conception of redistribution (see chap.2).

The second part of Young's critique is aimed at the Marshallian conception of full citizenship as the extension to all citizens of an expanding set of civil, political and social rights. Though Young has no problem with the extension of rights to previously excluded groups, she points out that this kind of analysis do not pay attention to the ways in which group difference can create special disadvantages that call for special remedies in the form of special rights.

There are a vast number of issues where fairness involves attention to cultural differences and their effects. Young discusses a number of examples of special rights that she regards as appropriate, the most relevant of which are affirmative action, comparable worth and bilingual, bicultural education and service. She defends affirmative actions as a

remedy for the inevitable cultural biases of the people who evaluate and select for schools and jobs and of the standards they use.

She also argues that 'linguistic and cultural minorities ought to have the right to maintain their language and culture and at the same time be entitled to all the benefits of citizenship, as well as valuable education and career opportunities...cultural assimilation should not be a condition of full social participation' (ibid.: 269). Young points out that there is no contradiction in attending to difference in order to make participation and inclusion possible. The 'ideal of universal citizenship' finds a contradiction between the right to inclusion and at the same time the right to different treatment, which can be overcome through group differentiated citizenship.

Problems with Differentiated Citizenship

However, in Young's conception of the ideal of universal citizenship three meanings of universality has been collapsed in discussions of the universality of citizenship and the public realm. It is interesting to note that Will Kymlicka who also supports special rights for minorities (see chap.1) differs from Young's conception. While Young makes a case that special rights for cultural minorities may be necessary for the achievement of a fully inclusive form of citizenship, Kymlicka's project is to show that the liberal commitment to equality permits and even requires special rights for cultural minorities under some circumstances.

While Young criticises the norm of equal treatment in the name of universal citizenship, by contrast Kymlicka treats the commitment to equal treatment of persons as primary and speaks of the conflict between the equality to people as citizens and the

equality to them as members of a cultural community. (Kymlicka, 1989: 230) Young ties her case for special rights to the existence of group oppression but Kymlicka note that both self-government rights and multicultural rights should be regarded as rights that ought to persist even after oppression has been overcome, because the cultural differences they promote are permanent interests, and special representation rights that are tied to self-government would also have a permanent foundation. So while Kymlicka's analysis deepens our understanding of the legitimacy of differentiated citizenship, as over and against unitary citizenship, it also points to issues of identity and conflict that require further deliberation.

Gurpreet Mahajan's distinction between the different historical contexts that prevailed in the west and in India is extremely useful. It helps us in understanding the manner in which the same liberal principles that foregrounded the community and the importance of inter group equality in liberal democracy have had different effects in the West and in India. She stresses that in India community rights have actually acted as a hindrance to the further extension of democratisation in the sphere of community, where oppressive and patriarchal structures have actually been reinforced through the provisions of minority rights. The granting of religious and cultural rights, she argues, bolstered the position of religious leaders within the community and has limited the possibility of assessing and reconsidering ongoing community practices (ibid: 9). The idea of differentiated citizenship provides immunity to the cultural community in their internal practices.

Gurpreet Mahajan is cautious to note that the centrality accorded to diversity has created a peculiar dilemma. She argues that it triggered off a process of splintering

(ibid.: 12). While most of these claims have come from within the Hindu religion, other communities have also not been immune to this kind of fission, she points out. So far from protecting the community these entitlements to community actually lead to their splintering. She further says how the desire to constitute a majority brings together a number of different communities under the rubric of OBC. While new community ties are being forged in the hope of forming a majority, new minorities are also emerging within the society.

Kukathas also considers social group identity to be fluid and talks about two important aspects of groups – their dynamics and internal diversity. Cultural groups are internally diverse in continually new ways and it is this fact that causes the group to constantly change its character. It relates to the development of political argument concerning the need for institutions that allow this process to occur after the alleviation of domination and oppression. In politics how groups are important and to what extent they feature in people's lives are questions that can be only answered by individuals once groups are described in an anti essentialist term according to Kukathas. For Kukathas then, groups are constantly forming and dissolving in response to political and institutional changes. Individualist institutions are most suited in eliciting this change for Kukathas, without presupposing the ontological basis or internal homogeneity of the group.

Yet by according group rights to groups at the moment of institutionalisation of difference, Young precludes this dynamic development and jumps to the issues of domination and oppression in the determination of group-membership without taking into account the internal dynamics of groups. Groups are products of historical processes

coming into being in response to political and institutional arrangements. In addition, the internal differentiation of groups and the resultant power play leading to oppression within the community in name of tradition and community practices is something that is left unattended in Young's account.

Young has invoked the idea of differentiated citizenship in order to have social group differences without oppression. Differentiated citizenship would provide them with equality vis-à-vis other groups. In other words it would provide for inter-group equality and help to remove disadvantages on account of it. But Young does not point out to the problems of democracy within the groups for whom she is seeking differentiated citizenship and making a case against uniformity of the ideal of universal citizenship.

In the context of Western democracies after equal status and treatment had been granted to almost all categories of citizens there were still groups that faced disadvantages and hence Young contested the ideal of universal citizenship. But in societies where the structures of oppression have not been successfully dismantled and some groups continue to be treated unequally in civil life, the communitarian concerns raise serious doubts. In such cases the relevance of citizenship premised on individual freedom, autonomy and equality assumes prominence. Further, if differences are considered to be the basis of granting group differentiated rights to justify unequal privileges, it is problematic.

As pointed out by Mahajan, in India community practices were preserved even before existing inequalities between communities were removed. As an effect, these priorities privilege the community against the individual. The point made here is that differentiated citizenship in such societies can result in fissions and not fusion. Asserting

identities through group-differentiated citizenship establishes community practices and in societies where religion is of importance it reinforces the authority of community leaders. The heterogeneous public might become a distant dream as more and more groups seek separate status on grounds of their cultural distinctiveness, communities are likely to be more exclusivist. Valuing differentiated citizenship may produce uncompromising groups or communities.

It is interesting to note how Kymlicka's and Young's concept of differentiated citizenship differ. While Young ties here defence of differentiated citizenship to a theory of oppression, Kymlicka's claim for differentiated citizenship in the Canadian context are not linked in the same way to claims of oppression. Of the three forms of differentiated citizenship (see chap.1) proposed by Kymlicka only the demand for special representation rights is defended in terms of group oppression. Both self-government and multiculturalism rights on the other hand are inherent and permanent and not as remedies for oppression which needs to be eliminated.

The difference between the two is important because it helps to remove one of the common problems raised by Young's focus on oppression. As Young implies, only oppressed groups are entitled to differentiated citizenship, this may encourage group leaders to devote their political energy to establishing a perception of disadvantage rather than working to overcome it- in order to secure their claim of group rights. This concern is less pressing in the Canadian context, since claims of oppression are neither necessary nor sufficient for claims of self-government or multicultural rights.

Then how do we deal with differences through the idea of citizenship? On one hand going with the universal idea of citizenship ignores the just entitlements to the

communities, while on the other the idea of differentiated citizenship results in immunity for the internal practices of community. It is interesting to note that both these contradictory demands are grounded in Democratic idea or its extension. As these demands are phrased in the language of democracy this concern cannot be forsaken when we are dealing with internal community practices. This is important, as the assertion of a right to be different does not exhaust all of the points where the contestation for democracy is located.

We need to have greater regulative powers within the community to be established on a more democratic and internally representative basis. Even if the validity of the practices of the religious groups can be discussed and judged only in its own forums, those institutions must satisfy the same criteria of publicity and representativeness that member of the group demand of all public institutions having regulatory functions.

However, nowhere has the sway of universal citizenship meant the end of either ethnic difference or discrimination on cultural grounds. The lines seem to dissolve at some points only to reappear at others. To pursue a politics which takes into consideration differences, Partha Chatterjee (1998) points out that there is no need to oppose the liberal secular principles of the modern state. Though he is sceptical about the intervention of the state to bring about progressive reforms within the minority religious groups, he points out that if the struggle is for progressive change in social practices sanctioned by religion, then the struggle must be launched and won within the religious communities themselves.

His strategic politics of demanding toleration takes into consideration that at particular conjectures and on specific issues, there could occur a refusal to engage in reasonable discourse. This does not mean one should support cultural relativism. What is required is to locate the specific points where the universal discourse is resisted and then engage in a two-fold struggle: 'resist homogenisation from the outside and push for democratisation inside' (Chatterjee, 98:378). The only serious opposition is likely to come from those who will see in the representative public institutions of the religious communities, a threat to the sovereign powers of the state. Notwithstanding, these dangers one hopes that groups will err on the side of democracy.

Conclusion

It is perhaps useful to analyse some of the questions that this study had intended to look into. In the three chapters of this dissertation we have argued on the issues of recognition, redistribution and citizenship with regard to the nation-state and the various minority communities (religious, cultural, immigrant) that inhabit it. The demand for communities to be recognized stems from the liberal individualistic principles, which are followed by many democratic nations of the world. The first chapter had argued how the liberal principles with its notion of neutrality and equality for all tends to disadvantage certain communities who's life-world differs from that of the majority population.

The fact that communities existed as an intermediary between the individual and the state has been shown by Vernon Van Dyke using historical precedents. This is important as it went against the liberal individualist position. The examples from the British Empire and other European settlements reveal that countries which governed on the basis of liberal democratic principles did acknowledge the presence of communities, but this acknowledgement was limited to the fact that communities were allowed to live under separate laws especially in the sphere of the family or personal laws. But the presence of the communities was not reflected in the public sphere of the state.

Keeping this in view recent liberal theorists have shown an increasing interest in communities. Yael Tamir has argued of a possible reconciliation between liberalism and nationalism. Another important political theorist, Will Kymlicka, enumerates a set of special rights, exclusively meant for minority cultures, which will lessen their

disadvantageous position and help to remove the cost of burden in living as minority cultures within a nation state.

The first chapter also argues how the liberal notions of equality and neutrality fail to accommodate the cultural practices of various communities. As a result of this failure, there has been a renewed interest in the demand for group rights by the communities. Though liberal democracies do make concessions with regard to community practices, the lines are not very clear when one comes across communities with illiberal practices. This had prompted many liberals to deliberate on the nature of the practices of communities before granting them any special consideration. This is a debatable issue and one needs to explore more deeply, keeping in mind the historical specificity of practices before one decides whether to call it liberal or not.

The claim for group rights, which had been expressed in the first chapter, is not the only means for the emancipation of groups. The last section of this chapter had mentioned how granting group rights can lead to further entrenchment of groups on one hand and creation of more new groups through a splintering effect on the other hand. Considering this view one needs to be cautious when the question of group rights is deliberated upon. In fact one should move in a direction beyond the scope of group rights.

The second chapter had highlighted that the condition under which multiculturalism emerged provided for a renewed interest in identity politics. The chapter provides a philosophical basis for the need for recognition. It also argued for a politics of difference in order to recognise communities. The difference considered here does not lead to stigmatisation or misrecognition (as has been in most cases for being different

from the majority), but rather to a 'heterogeneous public' in a single polity. The difference here is considered in relational terms and not in substantial grounds as the logic of identity politics does. The second chapter also enumerated the communitarian critique of the unencumbered self in order to show the philosophical basis of being rooted in a community. This rootedness has resulted in the demands for recognition and public acknowledgement.

Since the emergence of multiculturalism has been traced to the rise of right wing politics and the monetarist policies pursued by them, the second chapter argued whether only recognition is capable of removing disadvantages. Using Nancy Fraser's Conception it showed there is a need for redistribution along with recognition in order to remove the disadvantages. This redistribution is necessary because it is found that immigrant groups and even many cultural communities are at the bottom of the pile in terms of socio-economic status. The case of Pakistani migrants to Britain, Algerians in France and Turks in Germany is a reminder to this.

The third chapter has dealt with another important aspect of liberalism – citizenship. The issue of citizenship is not a deviation from the first and second chapters. It is linked to both in more than one way. Liberal theorists value citizenship because based on its individualist model it makes for the inclusion of everyone within a territorial boundary. Citizenship is an important aspect of liberal democracy, which includes everybody by conferring legal, political, and social entitlements to all. The coterminality between citizenship and nationality does put communities at a disadvantage because it does not take into consideration differences and particularities. In fact the liberal principles of equality and neutrality discussed in length in the first two chapters find its

best expression in the ideal of universal citizenship. Since uniform treatment had been challenged and demand for group rights reinforced, it was expected that this demand will also result in changes with regard to the uniforming ideal of citizenship. Taking cue from this, the chapter argued for differentiated citizenship and other forms, which would take into account cultural differences in the public realm.

Liberal political theorists in their concern for community recognition have glossed over democracy and equality among individuals within the community. The Indian experience has shown us that the demand for group rights most often than not has lead to the dominance of religious leaders in the political realm. This is a disconcerting fact, which needs to be addressed. Though theorists like Partha Chatterjee speak of pressing democratisation within communities, it is difficult to lay out the principles for such a process. These are the things, which are of concern, and liberal theory has to implore these in order to conceive of a society, which will take into consideration differences and will be democratic in all its aspects.

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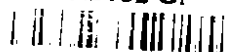
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