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Multicultural value relativism*

Multiculturalism is frequently defined as a contemporary theoretical and practical movement that confirmed the importance of a particular culture in human life, the importance that is allegedly marginalized by liberalism. This view often ignores the fact that one of the main multiculturalist objections to liberalism is that the latter made particular cultures irrelevant in the process of constituting legal order of modern states, by placing them within the private sphere. This basic objection to liberalism leads to the central point of the multicultural idea – insistence on internal connection between the character of particular cultures, and the character of legal-constitutional orders of communities and states. Thus, one could argue that multiculturalism aims at re-integrating what liberalism tore apart – a cultural tradition and a legal-constitutional order. Liberalism does not deny the importance of particular cultures or cultural traditions in human lives, as it grants to each individual the right to choose, based on one's own preferences, from different concepts of the good life, whose integral part is culture. It is up to the individual whether he/she will choose an individualized concept of the good life, or the one that originates from a certain cultural tradition. From a liberal point of view, a cultural tradition cannot be excluded as an optional content of choice; legally guaranteed primacy of individual rights is of prime importance –that is to say, a legalized rule that no one can make decisions instead of an individual, unless he/she explicitly authorized him/her to do so.

By insisting on internal connection between particular cultures and normative orders, multiculturalism actually contextualizes law, as each law has to be particular, as a reflection of a particular culture that lies in its foundation. Thus, the essence of every legal system becomes a concrete social context, which is strongly determined through an appropriate cultural tradition. A necessary consequence of such understanding of a legal system is a radical criticism of every type of universalism – both a metaphysical (that is to say, substantial) one, as well as a post-metaphysical (de-substantial, of the liberal kind) one. The essence of multiculturalism is a contextualism, within which there can be no law in the singular, but only in plural. By granting a particular culture the status of a fundamental level that is the root of everything else, multiculturalists contextualized universal reason as such. According to them, individuals can develop their own self-understanding, their own concepts of good and justice and their abilities for constituting moral judgments only in the context of a particular cultural tradition, and the community appropriate for it.

According to them, reason independent of tradition, which would, relying only on itself and on its own internal logic, deduce a universal normative (moral and legal) order, that would be valid in all contexts and times, is only a liberalist chimera. A system of moral and legal principles that would be deduced from such a reason would be, according to them, a mere intellectual construction that, if used in the real world, performs violence over real life, as it has no grounding in it. Just as there cannot be

any contextless, depersonalized person, there cannot be a morality or a law or a context-transcending reason, neutral and independent with regard to cultural traditions.

A particular cultural tradition is postulated as a *prius*, while the rationality, morality, and law are perceived as deduced from it. Rationality only makes explicit the principles immanent to a given context, within which it functions. “Philosophical theories give organized expression to concepts and theories already embodied in forms practice and types of community” (MacIntyre, *Whose Justice? Which Rationality*, Notre Dame: University of Notre Dame press, 1988, p. 390)

As they assigned to the cultural tradition the status of an essential component of a particular context, multiculturalists brought all the intra-contextual moments in relation to that essential fact, also including an individual, as a member of a particular contextualized community. Individual activities are shaped and determined by the culture in which they get “socialized” from the very first day of life: “What I am, therefore, is in key part what I inherit, a specific past that is present to some degree in my present. I found myself part a history and that generally to say, whether I like it or not, whether I recognize it or not, one of the bearers of a tradition” (MacIntyre, *After Virtue*, 2nd Edition, Notre Dame University of Notre Dame Press, 1984, p. 221).

By connecting reason to a concrete socio/cultural context, multiculturalists actually reject the universal reason as such, not only the metaphysical reason as essential one, but also the post-metaphysical, pure procedural reason, thus abolishing any autonomous power that it as such might have.

According to Hegel, at the height of metaphysics, reason is deprived of any outside conditioning, which makes it absolutely non-conditioned and independent, based in itself: unlike understanding – *staviti razum na nemačkom*, which is determined by the empirical data, that exists outside of it as an independent positive being, reason, as it contains everything “other” within itself (the empirical, the sensual, the particular, the final), turns out to be a self-positioning, self-developing and self-uniting power, so any empirical given is nothing but empirical phenomenal manifestation of reason as an all-encompassing principle.

As a critic of metaphysical ontologization of reason, Kant ascribes to reason the a priori status: in his *Critique of the Practical Reason*, relevant for the discussion here as it points to his relationship with the normative order – both moral and legal – Kant treats the pure practical reason, as the reason unmediated by empirical data, as an autonomous rational power that, following its internal formal logic rules, produces purely formal, non-teleological, de-ontologized norms, regardless of any cultural tradition and all empirical sources.

On the other hand, multiculturally minded MacIntyre points the following: “(...) it is an illusion to suppose that there is some neutral standing ground, some locus for rationality as such, which can afford rational resources sufficient for enquiry

independent of all traditions Those who have maintained otherwise either have covertly been adopting the standpoint of a tradition and deceiving themselves and perhaps others into supposing that theirs was just such a neutral ground or else have simply been in error” (Alasdair MacIntyre, *Whose Justice? Which Rationality?*, Notre Dame: University of Notre Dame Press, 1988, p. 222)

Thanks to this abolishment of reason’s autonomy, which necessarily leads to anti-universalism, multicultural ideal is, in essence, the opposition to the liberal, or modern, ideal. While the liberal ideal can be summed up as coexistence within the state of the individuals of different ethno-cultural identity, the multicultural ideal is coexistence within the state of the groups of different ethno-cultural origin, which are treated as political units. It is obvious that realizing the latter demands a “return” of ethnic and cultural principles from the sphere of the society into the sphere of state’s constitutive principles, to a different extent, and depending on the character of collective rights.

However, if the aforementioned multicultural logic is consequentially followed through, it turns out that it leads to the intracontextual monism and holism. If the legal system is put in a function of protecting concrete cultural traditions, then the individuals who live within that system are expected to follow only substantial values and customs of their own cultural tradition, that is to say, they are forbidden to accept substantial values and customs of other traditions. In other words, as in such legal system most individuals are deprived of the right to choose between different cultural conceptions according to their will, the necessary relationship between their (individual) and their community’s identity based on a specific cultural tradition is established.

Furthermore, if a specific cultural tradition is treated as a substantial basis of the entire institutional system, it follows that that institutional system is closed for classical parliamentarism, for in such a political system different parties can relate to cultural tradition in different ways, and some of them might even be oriented against tradition. In the best case scenarios, in countries whose legal system is connected to a cultural tradition, a limited party pluralism is possible, limited in it allows only for parties that respect fundamental presuppositions on which a given cultural tradition is based. For example, multiparty system exists in contemporary Iran, but only parties that do not reject Islam are legal in it, so they are reduced to pro-Islamic fractions that can be reform-oriented to a greater or lesser extent, but under the condition that the reforms do not question the foundations on which Islam is based.

By rejecting every transcontextual, i.e., universal standard, multiculturalism actually accepts the point of view of the absolute relativism, because if that standard is absent, cultural traditions cannot be hierarchically ordered, but must be treated as equally valid. However, the historical experience so far shows that customs that can hardly be accepted from the position of elementary humanity and civilization could be essential

component of some cultural traditions. Some examples include the institution of slavery, mass killings of people in order to maintain the despotic rule, absence of individual rights, lack of women's rights, burning of widows, stoning of adulterers, public whippings in sport stadiums, discrimination of allegedly inferior races, etc. If all of this is taken into account, the question is how to criticize these actions, if there are no supra-contextual, universal standards?

Faced with such problems, multicultural pluralists face a dilemma: whether to also approve all of the above mentioned phenomena that go against elementary feeling of justice, or to modify to an extent their starting premises. In order to dodge accusations of extreme relativism, a number of them attempted to make a distinction between "thin" universal morality, which was supposed to be common for all particular communities, and "thick," "solid," more encompassing, relativist morality which differs from one place to another, and thus represents the specific moral basis for each particular community. Such a distinction was made by Michael Walzer, following his book on the realms of justice. In the Introduction to his *Thick and Thin*, he wrote, singling out the topic he is about to discuss: "There is a thin man inside every fat man", Georg Orwell once wrote, "just as... there is a statue inside every block of stone" "Similarly, there are the makings of a thin and universalist morality inside every thick and particularist morality – but the story of these two is not at all like the statue and the stone. They are differently formed and differently related, as we shall see." (Thick and Thin, University of Notre Dame Press, Notre Dame, 1994, str. xi).

What immediately comes to mind is the way in which Walzer establishes the relationship between the "thin," minimal, and "thick," contextualized morality. Given his assumption that universal morality exists "within each thick and particular morality," Walzer does not treat minimal universal morality as something external to "contextualized morality," but as its immanent part, as its expression. Minimal morality is not the foundation of maximal morality, as morality is from the very beginning "thick" and culturally integrated, thus the morality in which a moral minimum is rooted and from which it is occasionally and temporarily abstracted, is a full-blooded contextualized, particular morality which people possess as a people. It is not that the minimal morality comes before the particular, maximalist morality, but the other way around. Minimalist meanings are included in the maximalist morality; both of them are expressed in the same idiom, and they share the same historical, cultural, religious and political orientation. Minimalist morality breaks free from this internal connection with particular morality, and becomes independent only during the times of personal and social crises, or during political confrontations.

By tying thin universal morality to contextualized one, Walzer actually tries to develop a concept of contextualist universalism in order to avoid the substantial universalism of the metaphysical provenance on the one side, and formalist (procedural) universalism of the post-metaphysical provenance on the other.

In his Tanner lectures, "Nation and Universe," Walzer analyzes main characteristics of substantial universalism using historical examples – Judaism and Christianity. This type of universalism claims that, as there is one God, there is one Law, one Justice, one correct understanding of the good life or good political system, one salvation, one Messiah, one millennium for the entire humanity. „I will call this the covering-law

version of universalism“ M. Walzer, Nation and Universe in The Tanner lectures on human Values, Delivered at Brasense College, Oxford University, May 1 and 8, 1989, pp. 510 The end - of this type of universalism, S. D. – can be described in militarist and triumphant terms as the victory of the universalizing tribe...” – Ibidem, pp. 511. Thanks to its monist nature – one truth, one law – this universalism will develop into a mission – a mission for the chosen, selected, true believers, the avant-garde, the ones who already possess all the knowledge and legal codebook that will one day be accepted by everybody. “What is the state of mind and feeling appropriate to such people? If not pride, then certainly confidence; we can recognize covering-law universalism by the confidence it inspire” (Ibid. pp. 513).

Walzer has two main complaints for the formalist (or procedural) morality. First of all, on careful inspection, the procedural minimum includes in itself more than a minimum. When the rules are set based on which a debate will be conducted about the issues of justice that should provide freedom and equality for all the participants, then participants in debate are left to achieve consensus about the social structure, political involvement, distributive standards and the like, about the questions that actually cover a particular way of life, so the assumed “thin” morality turns out to be quite “thick.” (*Thick and Thin*, pp. 12-13)

Second, when discussing justice understood in a procedural sense, this is where minimalism comes before justice: “we used to be thin, but then we become thick.” Therefore, procedural philosophers argue for rejecting any morality that is not or could be not produced through their own procedure. Minimal rules are treated as something devoid of any personal or social characteristics, as completely depersonalized rules. Minimal morality is claimed by everyone, because no one in particular claims it. That is why it abstracts from subjective interests and cultural expressions. “But the minimum is not the foundation of maximum, only a piece of it” (Ibid, p. 18)

As already point out, in contrast to metaphysical and procedural universalism, Walzer attempts to set up a contextualized universalism, whose characteristics are most clearly outlined through the analysis of its roots in a version of Judaism in the aforementioned essay “Nation and Universe.” When analyzing certain Biblical fragments, Walzer pays special attention to the one in which God asks:

“Are ye not as children of the
Ethiopians unto me, O children
of Israel? . . .
Have I not brought Israel out of the
land of Egypt,
And the Philistines from Caphtor,
And the Syrians from Kir?” (Amos 9:7)

These questions are important because they indicate that “there is not one exodus, one divine redemption, one moment of liberation, for all mankind, the way there is, according to Christian doctrine, one redempting sacrifice. Liberation is a particularist experience, repeated for each oppressed people. At the same time, it is in every case a good experience, for God is the common liberator. Each people has its own

liberation at the hands of a single God, the same God in every case, who presumably finds oppression is universally hateful. I propose to call this argument reiterative universalism. What makes it different from covering-law universalism is its particularist form and its pluralizing tendency. We have no reason to think that the exodus of the Philistines or the Syrians is identical with exodus of Israel, or that it culminates in a similar covenant, or even that the laws of the those peoples are ought to be the same". (Nation and Universe, pp. 513)

In non-religious language, different peoples, peoples with different cultural traditions, all have different experiences of their own self-liberation, and the goal of this self-liberation is self-determination, whose content will vary accordingly – according to the history and cultural characteristics of the liberated nation.

“Selfdetermination is a value that I have to defend, if I defend it at all, even if I believe that unworthy or wrogful choices will often be made. I may oppose self-determination in a particular way, however, if the agent’s choices in that case are sure or virtually sure to violate critically important moral principles; but I would still cout myself as a defender of self-determination. People have to coose for themselves, each people for itself. Hence, we determine our way of life, and they do, and they do, up to the nth they – and each determination will differ in significant way from preceding and concurrent determinations... There is no covering law or set of laws that provides a sufficiently comlete blueprint for our works and theirs. Nor is the case that the laws agreed to by one people cover all the others, so that substantive imitation can replace procedural reiteration . There cannot be a replace of that sort if the values and the virtues are real values and the virtues (Nation and Universe, pp 519).

Therefore, just as various nations, as their cultural identities are quite different, have different experiences in liberating themselves, they also, for the very same reason, have different forms of self-determination; hence, every form of collective liberation and each aspect of collective self-determination have a particular character. All the nations share the struggle against tyranny and torture, but the content of that struggle will be irreducibly different. That is why a general substantially determined concept of that struggle can never be formulated, nor can one list any general rules that would be valid in case of such a struggle. The same goes for self-determination. The wish for self-determination is common for all, but its content varies from one nation to the other, because every nation is a story for itself when it comes to is history and cultural tradition.

Taking all that into account, Walzer’s minimal morality should not be interpreted as a minimal set of certain final values or purely formal rules, in relation to which exists, or could exist a consensus on the level of entire humanity. Minimal morality of a Walzerian type could be described in negative terms: to be opposed to tyranny, suppression, torture, cheating, arbitrary arrests, etc.

In the beginning of the already mentioned book *Thick and Thin*, in the chapter on moral minimalism, Walzer reminisces television images of 1989 mass Prague

protests, when people carried banners reading “Truth” and “Justice.” Protesters were members of the same culture, mostly unknown to him. However, he immediately felt a sense of solidarity with them and allegiance to their cause; moreover, he was certain that he could have joined them and carried the same banners, regardless of the fact that he would have probably advocated somewhat different ideas of “truth” and “justice.” However, protesters were not marching in defense of a certain theory of justice and truth, but in defense of something that was so elementary, that it could have been part of any theory of truth and justice. Even though they had different explanations of history and culture, protesters “wanted to hear true statements from their political leaders; they wanted to be able to believe what they read in the newspapers; they did not want to be lied to anymore... What they meant by justice inscribed in on their signs, however, was simple enough: an end to arbitrary arrests, equal and impartial law enforcement, the abolition of the privileges and prerogatives of the party elite – common garden variety justice”(Thick and Thin, p. 2)

To summarize, they protested against the phenomena that are the integral part of tyranny as tyranny. Members of other nations and culture who would, like Walzer, feel the need to join the Prague protesters, also had the experience of tyranny, or listened or read about it in stories which form an immanent part of their own culture. That is why they could, at least in their thoughts, also join the Czech protesters, while supplanting the banners on truth and justice with meanings from their own cultures, calling upon similar protests that took place in their homeland, where they either took part, or experienced them through stories woven into their own culture. “We too don’t want to be told lies; we too remember, or we have listened to stories about, tyranny and oppression. We see the point of the Czech signs. At the same time, however, we give to “truth” and “justice” our own additional meanings; we allow them their full expressive range within our own culture. So while we march in spirit with the men and women of Prague, we have in fact our own parade.”(Ibid. pp. 7-8) If the ones who felt compassion with the Prague demonstrators did not have, in reality or in imagination, similar marches in their own cultures, they would have been unable to feel a sympathy for the expressions of mass discontent in other cultures. Czech communist society was morally an insufficient society because it performed violence over minimal moral standards (demands for the abolishment of tyranny and oppression). “It is of course the minimalism of ‘truth’ and ‘justice’ that makes it possible for us to join the Prague marchers” (Ibid. p. 10)

As soon as one steps onto the terrain of the discussion on potential alternatives to Czech communism, the agreement stops, for that discussion goes beyond the limits of minimal moral standards. “A society or political regime – like that of the Czech communists – that violated the minimal standards would be a deficient society.” – Ibid. pp. 10

It is clear that, by introducing into the story minimal standards, Walzer wants to deny legitimacy to tyrannical regimes, political systems that were established through violence over logic of self-determination of peoples, whether one speaks of external (subjugating a previously free nation by another one) or internal violence (coming to

power an individual or a group because of an illegal coup). “ However, by already establishing the premise that only a society that fulfills moral standards could be considered as a moral one, Walzer limited his plural concept and, to an extent, corrected the absolute relativism of radical multiculturalists, because his pluralism cannot be interpreted as fully inclusive when it comes to objective value pluralism. On the other hand, if Walzer’s concept is thought through, one could see that it is more exclusivist than its creator explicitly admits, as it contains elements of normative ideal, albeit different than the liberal ideal.

This will become clearer if we consider Walzer’s idea of the relationship between collective and individual self-determination.

Walzer always connects discourse on collective self-determination with the one on individual self-determination. These two types of self-determination are linked. However, the very fact that Walzer legitimizes something like the individual self-determination implies that he also legitimizes individual rights, for there can be no individual self-determination without individual rights. Walzer rejects tyranny because it denies individual rights. As a matter of fact, Walzer approves himself “the right of subjective nullification, the right of the agents to refuse any given object status – as commodities, ‘hands’, slaves, or whatever”(“Objectivity and Social Meaning”, in *Quality of Life*, edited by Martha Nussbaum and Amartya Sen, 1993, p. 173). In doing so, he sets up a minimal condition that each particular community that pretends to legitimacy and to respect of its integrity has to satisfy – that it has to be accepted by its members. However, here Walzer fails to note that communities could differ with respect to the character of individual rights that they have. In one type of community, individual rights have an originary character if they are not derived from something else, that is to say, if everything else, including the form of the state, is derived from them. In another type, individual rights have secondary character, as they are derived from something that is more primary than they are, that is, from membership in a specific cultural tradition. In the first case, that is to say, in the case of liberal-democratic societies, individual rights as primary precede cultural tradition, or a particular substantial good as a product of this tradition. In the second case, in the case of traditional societies, the cultural tradition and the particular substantial good that is derived from it, precede the individual rights and condition them. This difference in the character of individual rights also brings the difference in the character of individual self-determination. The primacy of individual rights that is at work in liberal-democratic societies offers to individuals a legally guaranteed possibility to shape their own lives independent of their relations with others, so that different individuals can have different forms of life, depending on the chosen substantial values. Of course, this is just an option – if they want, individuals can also accept a specific cultural tradition and shape their own life accordingly, but even in that case, they do it for themselves, as no one else, unless authorized by them, has the right to make decisions in their name. However, as in traditional societies a particular substantial good precedes individual rights, individuals cannot shape their personal life independently of their relationship with others and with community as a whole: these collective decisions in which members of the community participate precede individual actions. Thus, individual cannot do anything that would put into jeopardy

the realization of collective decisions. Liberal democracies are compatible both with living in accordance with different individual life projects, and with living in accordance with different cultural traditions exactly because moral and legal principles on which they are based are distinct from cultural traditions and substantial goods. On the other hand, traditional societies legally forbid a way of living that would not be according to their cultural traditions and substantial goods derived from them, because their moral and legal norms are mere expressions of their cultural traditions. As normative system in liberal-democratic societies is purely formal, there is no necessary relationship between it and the way of life of members of these societies; this is confirmed by rich empirical data – for example, in the USA, which is formally a liberal democracy, the way of life of a number of its non-Western citizens (Chinese, Hindus, Mexicans, Japanese, Indians, etc.) is significantly different from the way of life of the citizens who are of Western origin, but even the ones who come from Western cultures differ, as they follow distinctive cultural and religious patterns. Walzer's idea – common to all postmodern pluralists – that a liberal concept of society factually implies a unique Western way of life, is simply untenable. That is an attempt to join what cannot be joined – to equate two structurally different types of state: a liberal state, where law is distinct from the cultural tradition, and a state whose legal form is predetermined by its cultural tradition. As in the latter case a particular, concrete cultural tradition precedes a normative system and largely predetermines it, that normative system to a great extent prescribes the way of life of the citizens of that state. For example, citizens of non-liberal Muslim states that would renounce Islam and its customs would be treated as delinquents, and would lose their individual rights. On the other hand, in liberal societies, each individual has the right to change his/her religious beliefs, and one should note that the change in these beliefs to an extent also implies a change in the way of life.

When, while writing about individual self-determination, Walzer emphasizes that the same argument valid for peoples/ nations is also valid for individuals, and then directs his readers to pluralism in the forms of individual self-determination, everything seems acceptable at first. “The same argument hold for the individual as for the people/nation... There is no single mode of ‘having’ a life of one's own. We are inclined to think that such a life must be made before it can be had, that is, we think of an individual life as a project, a career, an undertaking, something that we plan and then enact according to the plan. But this is simply our – collective – understanding of individuality; it does not suggest the only legitimate or authentic way of being an individual. In fact, it is entirely possible to inherit a life and still possess it as one's own; and it is also possible to find a life, literally light upon it, with no forethought at all. In any account of autonomy, there has to be room not only for different self-determinations, but also for different kinds of self-possession” (Nation and Universe, p. 219). Why would not a thesis according to which there is a pluralism of ways in which individuals shape their own identity be acceptable? In itself, that thesis is certainly acceptable, but the problems arise when one wonders if there are various forms of individual self-determination here within the same society, or whether the pluralism of individual self-determinations is related to the fact that there are different forms of particular communities, to which various forms of individual self-determination correspond? This ambiguity is the effect of Walzer not making the said distinction between two types of individual rights and, related to it, between the two basic types of individual self-determination: an individual one, in which the individual

does not have to enter any relationship with other individuals or his community, except for respecting purely formal limitations that affect all the other individuals equally; and an individual self-determination that necessarily takes place *in the community* with others, thus representing a consensus of the members of a certain particular community. These two basic types of individual self-determination imply different approaches to the issue of the relationship between collective and individual identities, i.e., between community identity and individual identity. It is obvious that in conceptualizing of the individual self-determination of the first kind, the underlying assumption is that the identities of the community and of the individual are separated (even when an individual follows certain collective tradition, his identity remains separate from the one of a community/ state, for no cultural tradition can be an integral part of a community/ state identity, as this instance is, as having a purely formal character, separated in principle from any form of a particular cultural tradition). In conceptualizing of the other kind of individual self-determination, the underlying assumption is that the individual identity is deduced from the community identity. Perhaps someone could claim that in this case one could not talk about the self-determination, but in that case we could also speak about some kind of individual self-determination if an individual is so entrenched in the life of community/state that he/she does not regard the community/state as any limitation, i.e., if an individual's identification with the community/state is voluntary. Of course, that voluntary identification could also be a consequence of the individual's participation in the creation of the common substantial good of the community, if it is a community based on the principles of direct democracy.

Such an interpretation of this form of individual self-determination fits into the postmodern-pluralist concept of the situated self, the self that owes its identity to the constitutive community, for that concept negates a possibility of shaping individual identity that is treated as something that would be separate from the values of a particular community and from the practices and beliefs immanent to that community. "And in so far as our constitutive self-understandings comprehend a wider subject than the individual alone, whether a family or tribe, or city or class or nation or people, to this extent they define a community in a constitutive sense." (M. Sandel, *Liberalism and the Limits of Justice*, Cambridge University Press, Cambridge, 1982, pp. 172) In other words, a particular community is here considered as an entity constitutive of the self. Of course, some of the radical pluralists, like Michael Sandel, in an attempt to avoid the objection that the individual identity is in their concept considered as a mere expression of a collective identity, trying to allow for possibility of the pluralism of individual identities, introduce the distinction between a "radically situated self," that does not have any possibility to distance itself from its own particular community, from its collective identity, and therefore from itself, reflexively speaking, and "relatively, partially situated self," which has a capability to reflexively distance both from itself, and from its community. Hence, they are close to what Sandel claims: "As a self-interpreting being, I am able to reflect on my history and in this sense to distance myself from it" (M. Sandel *Liberalism and the Limits of Justice*, pp. 179). However, as noted by Reiner Forst: "Sandel does not give any indication as to how the self, which is only 'partly' defined by 'attachments and commitments' to the community, establishes this distance or as to how a 'revision' of identity is possible if after all the self-understanding of the community is constitutive of the self-understanding of the subject. If the self has become a self as part of a 'wider subject',

how can it then distinguish itself from this.“ (Contexts of Justice, Berkeley, London, 2002, p. 11). This Forst’s remark hits multicultural pluralism. However, I believe that the crucial thing is the following. If a substantial good of a particular community is determined as a specific combination of concrete substantial values (cultural, religious, ethical, ideological), and one does not see how it could be determined otherwise, than those substantial values, as that good precedes law, have to be immanent to the way of life of the individual members of that community, for they cannot be subject to their free choice. If a certain religion is an integral part of the substantial good of a particular community, then its legal system, as pre-determined by the good, has to order members of that community to follow and practice that religion. As much as the classical Athens was, generally speaking, the birthplace of direct democracy, in which Athenian citizens had freedom to participate in common good, he had to show respect to the Athenian pagan gods in a way clearly defined in the law, as those gods were an integral part of the common good, and the law served to its maintenance and development.

In specific communities whose legal order is based on a substantial good, it not only, to repeat Walzer’s words “fully possible to inherit a life and possess it as one’s own,” but that is also the only basic model of individual self-determination within these communities, as the current generation, thanks to the cultural tradition on which they are based, establishes continuity with the life of their ancestors and the life of the yet to be born members of the same tradition. As John Gray would put it, in his communitarian-postmodern phase, immeasurable values are inserted into the collective identities which are not chosen, but inherited. Or, as put by another postmodernist, Zygmunt Bauman, “tradition lives only in as much (...) it is constructed as the *heritage*.” And also MacIntyre: “... it is also that we all approach our own circumstances as bearers of a particular social identity. I am someone’s son or daughter, someone else’s cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. Hence what is good for me has to be the good for one who inhabits these roles. As such, I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations and obligations. These constitute the given of my life, my moral starting point. This in part what gives my life its own moral particularity.“ (After Virtue, University of Notre Dame Press, Notre Dame, Indiana, Second Edition 1984, pp. 220).

Of course, “to inherit a life and possess it as one’s own” is also possible in a liberal-democratic society, as the primacy of individual rights does not mean an antecedent individualization of human life, but it also enables to the individual, if she/he wants it, a choice of the collectivist concept of good life. However, according to multicultural pluralists, in that context, a collectivist idea of good life turns out to be a mere preference of the subject who chooses, and thus not as a necessary component of an individual identity. Conversely, in a particularistic community based on the traditional cultural forms, a specific collectivist way of living guaranteed by certain legal norms is not something that a member of that community could select, depending on his/her subjective preferences, but something that he/she encounters in living with others, and as such, something that is necessary for his identity.

Therefore, only a basic form of human life whose essential components are predetermined by the preceding common good are appropriate for particular communities in which a common substantial good precedes individual rights. Of course, the common substantial good does not have to be “thick” enough to include the entire way of living, it can be “thinner.” For example, it can include only the cultural-ethical or religious-cultural substance, and exclude ideological-political values and orientations, which would then enable ideological and political pluralism within a culturally and ethnically, or only religious-culturally homogenous population. However, political subjects’ ideological programs within such a community would not question cultural-ethical or religious-cultural foundations of such a community, as they would be legally protected. One could see that using the examples of Iran and Pakistan. In these countries, specific versions of Islam are elevated to the level of common public good, as they have a status of state religion, which means that the citizens of these countries cannot have the freedom to choose their own religion, but have to follow a given version of Islam. Political subjects in Iran and Pakistan are not allowed to question Islam and cultural values related to it in their political programs. In its 1991 Constitution, Pakistan is defined as a multi-party federal democratic republic, with Islam as the state religion.

After the 1979 revolution, Iran was constitutionally established as a theocracy, so that political authorities derive their legitimacy from Islam. Hence, most of the power is concentrated among the priests – the final say and the power to veto a number of political decisions is in the hand of the Supreme leader of the revolution, as a priest. Even though there is constitutionally recognized government of the people, who freely elect their president, there is no political pluralism as commonly understood (political parties as such are banned), and only Islamic fractions which represent two basic political currents, the conservative, and the reformist one, are allowed. Both of these are expected to defend the existing Islam-based system, but the conservatives are opposed to changes, and reformers are in favor of a more liberal policy within the Islamic context. Freedom of the media is conditioned by respect for the Muslim principles; media which transgress these principles lose their license. The Supreme leader appoints heads of the national TV and radio.

Hence, these two examples clearly demonstrate that a community established on a particular substantial good, whether “thick” or “thin,” is irreconcilable with the primacy of individual rights, for in such a community individual rights have to be conditioned by the respect for the common good. The primacy of individual rights cannot guarantee the reproduction and development of the public substantial good. If such a primacy would exist in certain countries, it would enable their citizens to radically criticize the common substantial good, to leave it and, if they choose so, to shape for themselves a concept of good life. Within the context of the primacy of individual rights, substantial public good would not be established on its own basis.

Of course, neither Pakistani nor Iranian government cannot be denied legitimacy, for as long as the majority of their citizens support them, even implicitly. However, one must note that the degree of individual liberties in them is lower than in liberal democracies, as individuals cannot enjoy neither full political freedoms, freedom of choice of religion, nor freedom to choose cultural values not typical for Islam. This follows from the fact that in the societies where a common substantial good is set on its own foundation, freedom as individual autonomy is not possible. The only possibility is the freedom to participate in the common good, that is, freedom limited by the common good as the substantial frame that cannot be transgressed.

Conversely, within the liberal-democratic framework, each individual becomes a bearer of liberty as an individual autonomy, which guarantees him/her the freedom of choice between different alternatives, when it comes to individual self-determination. The reason for this is that the individual liberties are only formally equally limited in this context, as this is a purely formal, and not a substantial framework. In other words, Walzer is right when he claims that life as an individual project, like something that he/she can, according his/her will plan and then attempt to realize it, is just one of many possible forms of life. Other forms of life, i.e., individual self-determination (possibility to inherit a life, etc.) are possible also. But he is not right when he believes that the first form of life (life as an individual project) can have legitimacy in the communities where a substantial good precedes individual rights.

Walzer faces another problem with his thesis on the right of the individuals to reject the relations in which they are treated like commodities, “extended arms,” slaves, i.e., as “objects,” and not as subjects.

In particular communities that are preceded by a substantial good, individual rights need not be universalized, i.e., they do not have to include all of its adult citizens. Just as in the democratic ancient Athens some classes of people were excluded from the individual rights (women and slaves), in some contemporary particular communities that could not be labeled as tyrannies, certain parts of their population do not have fully recognized individual rights, at least not in the full sense of the word, so they cannot be treated as members of these communities, or at least not as full members (like women in Muslim countries). Thus, one could say that segments of their population still have the status of “object,” as Walzer would put it. In other words, as “subject’s right to nullification, the right of the subject to reject any given status of being an object,” as proposed by Walzer, is not recognized in all non-tyrannical particular communities, then it must be treated not as a given, but as a normative ideal. As this right is not an integral part of all cultural traditions, it is obvious that this normative ideal is brought into the specific cultural traditions from the outside.

If one accepts the point of view that human beings could understand each other exclusively on the basis of concepts and standards derived from shared traditions in which they have been included, then the moral, legal, and cultural relativism is unavoidable, so there is also a relativism of the criteria. It follows that each objective-historical tradition must be granted a full legitimacy as the only pre-normative source

of all norms and objective values, objective as they are inserted into the specific traditions based on history. Radical postmodern contextualism is incompatible with any sort of minimal universal standards, or with any normative ideals. Each attempt to avoid absolute relativism by introducing minimal standards that have to satisfy all special communities means a departure from the initial radical pluralism as an ontological fact. For example, could the right of the members of some community to go away from it be guaranteed if it is not guaranteed by its cultural tradition? Can it be guaranteed at all, if the primacy of individual rights is not guaranteed?

To conclude: one could say that the descriptive methodology does not open the way to a minimal morality, as it always has to start from the experience, from particular values and social practices about which, in principle, a universal consensus is impossible. A different methodology is necessary, the one focused on establishing de-ontological norms that any reasonable member of any cultural tradition could not reject, as these norms are culturally-traditionally neutral, that is to say, as they enable following of the plurality of cultural traditions.

As one could see, multicultural contextualists responded in different ways to the difficulties and serious objections they faced, and they went through different phases of their intellectual development, trying to “save” their initial thesis about the cultural monism of the particular communities.

Multicultural pluralists are forced to supplement their initial theses with different versions of universalism, as they wish to avoid the criticism that they are absolutely relativists, while at the same time keeping to some degree their initial pure contextual point of view. Actually, the real, sometimes hidden, postmodern pluralists’ ideal is a particular organic community as a construct of a specific self-grown culture which has to precede an individual and his/her rights, both ontologically and normatively. Only such a community could secure the unity of the individual and collective life, without which no individual can find a grounding in something “firm,” leading him/her to lose her/his moral integrity and continuity of the self, eventually disintegrating into the morally and socially disoriented being. That is the reason for the criticism of the purely formal moral and legal principles devoid of their communal substance. The ethics based on such principles, de-substantialized ethics of principles, cannot direct human and social life to any sublime, high end; the most it can strive for is to call upon people to fearlessly rely on their fallen, sinful nature. According to the multiculturalists, the Enlightenment understood in a Kantian sense, as the foundation of de-ontological morality and law, as well as of the liberal order, suffered the disaster because it rejected the ethics of virtue. This predetermined the essence of this project, depriving humanity of the *telos* of good life, and devastating and rendering senseless the concept of community and of the substantial common life. “This notion of the political community as a common project is alien to the modern liberal individualist modern world. This is how we sometimes at least think of schools, hospitals or philanthropic organisations, but we have no conception of such community concerned, as Aristotel says the *polis* is concerned, with the whole of life, not with this or that good, but with man's good as such. It is no wonder that friendship has

been relegated to private life and thereby weakened in comparison to what it once was.

Friendship, on Aristotle's view, involves affection. But that affection arises within a relationship defined in terms of a common allegiance to and a common pursuit of goods. The affection is secondary, which is not in the least to say unimportant. In modern perspective affection is often the central issue; our friends are said to be those whom we like, perhaps whom we like very much. Friendship has become for the most part the name of a type of emotional state rather than of a type of social and political relationship. E. M. Forster once remarked that if it came to a choice between betraying his country and betraying his friend, he hoped that he would have the courage to betray his country. In an Aristotelian perspective anyone who can formulate such a contrast has no country, has no polis; he is a citizen of nowhere, an internal exile where he lives. Instead from Aristotle's point of view a modern liberal political society can appear only as a collection of citizens of nowhere who have banded together for their common protection. They possess at best that inferior form of friendship which is founded on mutual advantage. That they lack the bond of friendship is of course bound up with the self-avowed moral pluralism of such liberal societies. They have abandoned the moral unity of Aristotelianism, whether in its ancient or medieval forms." (*After Virtue*, University of Notre Dame Press, Notre Dame, Indiana, second Edition, pp. 156).

This quote from MacIntyre perhaps best expresses multicultural pluralists' nostalgic longing for an organic community, in which a logic of internal, necessary relationship between its constituent elements would rule: between private and public sphere, politics and ethics, institutional-normative sphere and cultural ethos, individual and society. As much as multiculturalists are rhetorically harsh critics of Hegel's universal, essentialistic understanding of reason, and as much as they destroyed his idea of the internal relationship between the universal and the particular, within which the particular appears only as a reflection of the universal, they, liberating particular communities of their subsuming under the world spirit as an absolute, practically ascribed to them a kind of an absolute, within which relations are similar to the ones inside a Hegelian-interpreted totality, the parts of which can not be in external but only in internal relations, so that they cannot have any relative autonomy. The only difference is that this special community is not treated as an emanation of the universal spirit. So Hegel's universal world spirit is divided in plenty of small absolutes because each of them is *causa sui*.

Multiculturalism's central error is in its insistence on the primacy of difference, i.e., on the assumption that difference is the primary event. The primacy of difference implies the idea that the difference is not limited by any universal criteria, whether substantial nor formal. If it would be limited by any universal standard, one could not claim that it is primary. In that case, the universal standard that would "filter" differences would have preceded difference as difference – which would have then excluded some of them as unacceptable. By rejecting a universal standard, i.e. by treating difference as the primary event, every difference is necessarily granted a legitimacy, including the one between the democratic and the Nazi regime (as a matter

of fact, contemporary proponents of Nazism refer to that difference). If the multiculturalists would want to deny Nazism the right to exist, that would necessarily lead them to the standard valid for all particular communities/ states. As it would be valid for all communities based on respective particular traditions, it would have been independent from any of them, making this standard the trans-contextual normative rule.

The consequence of the uncritical glorification of difference, that does not originate from freedom but from pluralism, is the apotheosis of a new essentialism, of a particularistic kind, within which issues of group identity are elevated to the pedestal of primary principles. The main base of this essentialism is the point of view about incommensurable values, that is to say, a view that the existence of fundamentally different worldviews, different inasmuch as they, allegedly, cannot be reduced to any substantial common denominator on the one hand, nor can they be subsumed under any purely formal principle on the other, is the basic ontological fact. The final consequence of this approach is an absolute value relativism, for denying that any value, with its corresponding way of life, could be superior to others, means relativizing all values: everything that any community regards as valid must be considered as such. An attempt to avoid this conclusion by making a distinction between the so-called objective values, which are the result of particular cultural traditions, and subjective ones, does not solve the problem. For even such a limited pluralism remains relative in regard to the “objective” values. This equates all particular communities, both democratically organized, and the ones that deny its members equal rights, or do not respect their individual rights at all. When it comes to identity politics, I agree with Richard Wolin: “Identity is not an argument. It represents an appeal to ‘life’ or brute existence as opposed to principles that presuppose argumentative give-and-take. As a European friend once put it: ‘identity politics that’s what had in Germany from 1933-45.’” (*The Seduction of Unreason*, Princeton University Press, 2004, pp. 13).

When it comes to the famous idea of the Other, one should say that it is one thing to express openness toward the other – non-Western, in the name of justified critique of the imperial Eurocentrism, and quite another to romanticize and idealize the Other. In the latter case, this is not just criticism of the negative sides of the Western civilization – a tendency to subjugate the Other through colonialism, neo-colonialism, humanitarian military interventions, using, as Kant would say, barbaric liberties as liberties unlimited by any legal or moral principles, etc., but this is anti-Westernism, anti-liberalism, anti-modernism. This became obvious when Michel Foucault enthusiastically welcomed coming to power of the Ayatollah Khomeini, just because of the fact that his government was oriented anti-Western, anti-liberal, and anti-modern. As if non-Western political regimes are incapable of excluding and subjugating the Other, dominating, using religious fundamentalism, which in its extreme form brings with itself a possibility of tyranny, and the like.

Of course, after all that was said here, someone could conclude that there is not just a radical, but also a moderate multiculturalism, whose goal is not the rejection of

liberalism, but only its correction. And that would be correct. I am one of the scholars who believe that if social reality in some basically liberal-democratic countries demands the introduction of some aspects of moderate multiculturalism, that reality should be acknowledged. But one should also not ignore the fact that radical multiculturalism as a philosophy of identity is in effect a moderate multiculturalism, brought to its ultimate logical consequences.

*A part of the book Teror uma ili teror nad umom (The Tyranny of Reason or the Tyranny over Reason)