

# Autonomy, Culture and Nationality in Will Kymlicka's Liberal Multiculturalism

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## Abstract

Will Kymlicka defends group-differentiated rights for national minorities in liberal societies. Kymlicka's argument hinges on the claim that culture, and in particular 'societal culture' promotes, and is indeed necessary for the development of personal autonomy. In this paper I critically assess Kymlicka's argument and examine the relation between individual autonomy and national membership. I argue that the development of autonomy requires a less demanding conception of culture than Kymlicka's societal culture. Cultural membership is important for individuals as it contributes to their identity and provides context for their choices. However, autonomy does not require one comprehensive or encompassing context. Individuals can be, and typically are, members of different cultural groups which provide contexts for different choices as well as distinct forms of meaningful identification. Furthermore, I doubt Kymlicka's equation of national groups with societal cultures: some national groups are not, though they typically aspire to be, comprehensive cultures; many comprehensive cultures are not, and never want to be, national groups.

In *Multicultural Citizenship*, Will Kymlicka (1996)<sup>1</sup> advances a liberal position: it is founded on the value of individual autonomy. Kymlicka presents and defends a liberal theory of group-differentiated

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<sup>1</sup>All other reference to this book are in parentheses in the text.

rights for national minorities within liberal societies. The success of Kymlicka's project hinges on the claim that culture, and in particular 'societal culture,' promotes, and is indeed a necessary precondition for, the development of autonomy.<sup>2</sup> Kymlicka argues that societal culture is important for individual autonomy because it provides a 'context of choice' which "not only provides [] options, but also makes them meaningful to us" (83). Call this the context of choice (CoC) argument. Notice that this argument is limited to societal cultures, defined as comprehensive and pervasive; they don't only cover all aspects of human life but they are also manifested in institutions and practices. As Kymlicka says, a societal culture is "a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational religious, recreational and economic life, encompassing both public and private spheres... [it involves] not just shared memories or values but also common institutions and practices" (76). Moreover, Kymlicka assumes that such cultures "tend to be territorially concentrated and based on a shared language" (76); though this is couched as an incidental empirical coincidence, language seems to play an important role in Kymlicka's definition of culture.<sup>3</sup> As a background claim, connecting his theoretical framework to concrete and controversial political issues, Kymlicka identifies societal cultures closely with national groups, "just as societal

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<sup>2</sup>Kymlicka discusses individual freedom and autonomy as if they are interchangeable (despite much of the literature which clearly distinguishes them, and see n. 25 below). In chapter 5, particularly section 2, he discusses liberalism as founded on individual freedom and explains this notion as the ability to conduct life according to a conception of the good coupled with the ability to revise it (75,80-2). In chapter 8, Kymlicka associates the same liberal view with the a fundamental commitment to the value of autonomy and understand attachment to values as 'autonomous' when they are affirmed under conditions of possible revision (158-60,165). Cf. Kymlicka, 2001, 21-22,208-210,227-229,250-251.

<sup>3</sup>It seems that in some ways cultures are not only a incidentally 'based on a shared language' but also constituted by language (and so the language is used to delineate cultures). In subsequent writing, Kymlicka emphasizes language and his definition of societal cultures changes to reflect this emphasis, defining them as "a territorially-concentrated culture, centered on a shared language which is used in a wide range of societal institutions, in both public and private life (schools, media, law, economy government, etc.)" Kymlicka (2001, 25). I believe that this definition is not an improvement on the original on dimensions that matter for the purposes of this paper, as it maintains the focus on institutionalization. Kymlicka often uses language in his examples to identify and delineate societal culture, or what is pretty much interchangeable for him (though I will argue against it), a national culture. Language policies are one his primary examples of nation-building policies that are potentially dangerous for national minorities. In many ways, his defense of national minority rights is to a great extent reliant on the importance of language to politics; hence the title of the book, *Politics in the Vernacular*. The relationship between language, culture and nationality is an important and complicated one, which I cannot address within the limits of this paper except to say that I believe my arguments about the implausibility of Kymlicka's definition of societal cultures applies in the same way if cultures are defined primarily by language.

cultures are almost invariably national cultures, so nations are almost invariably societal cultures” (80). Call this the national groups claim (NG).<sup>4</sup>

In this paper I critically assess Kymlicka’s argument and examine the relationship between personal autonomy and national membership. In particular, I take a close look at the CoC argument and ask: what context of choice is required for individual autonomy? Does it, like Kymlicka argues, require a societal culture or do we have other cultural contexts that can play that role? I hold that autonomy requires a less demanding conception of culture than Kymlicka’s societal culture. Group membership is important to individuals as it contributes to their self-identity and provides context for choices, but people do not need to be singularly attached to one comprehensive or encompassing context, as Kymlicka’s analysis of autonomy demands. Individuals can be, and typically are, members of different cultural groups which provide different contexts for different choices as well as meaningful forms of identification. On the basis of this revised understanding of the requirements of CoC, I reject the claim that the relevant context of choice is societal cultures, even if it true that those are typically associated with national groups. Moreover, I provide some reason to doubt the equation of national groups with societal cultures (NG) on both sides: some national groups are not, though they typically aspire to be, comprehensive cultures; and many comprehensive cultures are not, and never want to be, national groups. Given that my revised version of CoC doesn’t require societal culture, the link between autonomy and national groups is already weakened. However, those who reject my arguments regarding CoC might still be persuaded that national groups are not the only, not even the most important, groups to consider when thinking of individual autonomy.

My argument is motivated, in part, by a concern that cuts across much of (particularly liberal) political theory; I believe that the almost automatic moral privilege of national identity and/or the nation-state is unwarranted. This tendency manifests itself in many forms, some of which are more justified than others. In many cases the nation-state is simply assumed as a non-problematic framework for

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<sup>4</sup>On pp. 76-7, Kymlicka uses the phrase ‘national groups’, when he says: “societal cultures are typically associated with national groups.”

the development of political morality.<sup>5</sup> In other cases, as with Kymlicka's liberal multiculturalism, the importance of national identity is justified on the basis of features which apply equally to other group identities that do not receive the same privilege. That is to say, the same justification could be produced to support other group memberships that are not given the same kind of attention, let alone the same primacy. This paper focuses on Kymlicka's argument and is therefore limited to the assessment of his theory and its implication. However, the motivation behind this particular exploration is an overarching concern regarding the moral standing of states, and in particular the moral standing of nation-states.

The paper proceeds in somewhat of a reversed order. In section 1 I discuss and reject NG. I begin with NG because it requires a clarification of terms that serves me in the rest of the paper. Kymlicka's definition of nations in terms of cultures overlooks the normative dimension of nationality, prominent in the writings of the analysts he cites (1.1). This omission obscures the gaps between cultural homogeneity and national groups. Furthermore, I argue that Kymlicka's definition of societal culture is incoherent at worst and implausible at best (1.3). Either it relies on existing state-like institutions, in which case it cannot be the basis for claims of national minorities or, it precludes the very national minorities that Kymlicka's theory is meant to serve. More plausibly, I argue, it is best understood as a comprehensive culture. Comprehensive cultures, as many other authors have noted, are not necessarily, or even typically, national groups. Kymlicka's error leads to a major flaw in his theory, as he insists on seeing individuals as monocultural. This makes his position not so much multiculturalism but, as Sen (2007, 157) calls it, plural monoculturalism.

In section 2 I argue that even if we accept NG, we should still reject CoC; that is to say that a societal culture, or better a comprehensive culture, is not a necessary precondition for the development of

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<sup>5</sup>A tendency which Kymlicka notes, inexplicably in approval, as evidence supporting liberal nationalism (Kymlicka, 2001, 215-6). I say it is inexplicable because I don't understand how the fact that theorists have assumed something as "taken for granted", which means they never bothered to defend or justify it, could ever count in favor of that position. If political philosophy is about the justification of political ideas, it seems to me that the unjustified prevalent position that most theorists implicitly accept is a red flag, calling of exploration and doubt and suggesting a possible bias; in any case, universal implicit acceptance with no argument is no reason to rejoice and certainly not a mark in favor of the position.

personal autonomy. I conclude that culture and group membership is important for the development of personal autonomy. But since individuals are, and could be ‘robustly plural’ (Sen, 2007, 19), liberalism requires actual multiculturalism, not plural monoculturalism (3). National and language based identities are important and should not be taken to be a fleeting and insignificant phenomena, bound to whither away; yet Kymlicka’s argument does not provide sufficient justification for the privilege nationality typically receives in liberal theory (including his own). Kymlicka (2001, 216) may be right to agree with Tamir (1993, 139) that ‘most liberals are liberal nationalists,’ but they ought not be.

## **1 Nations and Cultures**

This section focuses on Kymlicka’s claim that national groups tend to be societal cultures and vice versa (NG). For the purposes of this section I am going to accept, for the sake of argument, Kymlicka’s arguments about autonomy and the context of choice. I take it that cultures, and in particular societal cultures, are essential for the development and exercise of individual autonomy. Against this background I challenge the claim that societal cultures are typically national groups. I make my argument in this section through an exploration of the way the terms nation, nationality and culture are defined. In brief, the argument is that Kymlicka concludes NG because he defines nations and cultures interchangeably. This is a problem for both of these terms: nations are not merely cultures, but also groups who are (or were) struggling to create a unified culture as part of their nationalist aspirations (as Kymlicka himself emphasizes). Cultures, on the other hand, are not most commonly nations.

Furthermore, Kymlicka’s definition of societal culture is at best implausible and at worst incoherent. Kymlicka’s definition either makes it impossible to identify a societal culture with anything other than an existing state (or with the different acknowledged groups if an explicitly multinational state). This definition is implausible because it doesn’t apply to minority groups who don’t currently enjoy a vast array of institutionalization. Kymlicka’s project started with a concern for national minorities who suffer due to state action that privileges the majority, yet his definition runs the risk of excluding

those groups who suffered the most and as a consequence do not enjoy high level of institutionalization. If Kymlicka insists on both the institutional component and the claim that national minorities are included in his definition, he risks incoherence; he cannot explain why national minorities, lacking their own government, school system and so forth are societal cultures while religions, for example, aren't. One is led to the conclusion that societal cultures should be understood as comprehensive cultures that have the potential for institutionalization as they cover the full range of human activities. Therefore, even if it is true that societal cultures are necessary for the development of autonomy, it is not clear that national groups should be the bearers of group-differentiated rights rather than other groups.

## 1.1 Nations and Nationality

Notions such as culture, nation, state, country and nationality are used in various different ways. Nation and nationality are related; the nation is the group and nationality is either the identity which is associated with membership in the group, or a set of normative claims associated with the rights of the group. David Miller, a staunch defender of the moral importance of nationality, defines nationality (in an essay aptly titled *The Ethical Significance of Nationality*) this way:

*Nationality is essentially a subjective phenomenon, constituted by the shared beliefs of a set of people: a belief that each belongs together with the rest; that this association is neither transitory nor merely instrumental but stems from a long history of living together which (it is hoped and expected) will continue into the future; that the community is marked off from other communities by its members' distinctive characteristics; and that each member recognizes a loyalty to the community, expressed in a willingness to sacrifice personal gain to advance its interests... that the nation should enjoy some degree of political autonomy (Miller, 1988, 648).<sup>6</sup>*

Miller adds a clarification to the definition, asserting that “whether a nation exists depends on whether its members have the appropriate beliefs” (648). This is a strange assertion, because it is quite clear

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<sup>6</sup>Cf. Tamir (1995, 425): “A nation, then, may be defined as a community whose members share feelings of fraternity, substantial distinctiveness, and exclusivity, as well as beliefs in a common ancestry and a continuous genealogy.”

that no group of people had ever unanimously shared a set of such beliefs. Likewise, it is most obvious that it is not a shared belief among members of national groups that they should be willing to sacrifice personal gain for the interests of the group; quite the contrary, the idea of nationality is the normative idea *justifying* the sacrifice, sometimes on pain of punishment, of members. It is therefore not a surprise that in subsequent work, Miller has defined national attachments in less demanding terms: “the people who belong to [a nation state] share a common national identity that binds them to each other and gives rise to particular obligations not owed to humanity at large” (Miller, 2008, 390).<sup>7</sup> Nonetheless, it is useful to quote Miller’s entire list, because each of its elements are sometimes appealed to in discussions of nationality.

One of the most important problems of Miller’s demanding normative definition is that among the set of beliefs that members ought to have is the belief that they should enjoy some political autonomy, “a social group that had no political aspirations at all would surely be counted as an ethnic group rather than as a nation” (Miller, 1988, 648). In later writings Miller expresses his commitment to this normative requirement as he argues that “as far as possible, each nation should have its own set of political institutions” (Miller, 1995, 81). Therefore, the understanding of a nation is often closely related to the understanding of the nation-state. The term ‘state’ refers to a set of coercive institutions of government that rule a territory (Miller, for example, talks almost invariably about ‘sovereign states’), the “political organisation [sic] of society” Tamir (1993, 59). A nation-state is therefore a state that is formed to express a nation’s right to self-determination. On this outlook, a state is sometimes taken to be the response to a preexisting nation, or national identity. It is not a coincidence then that Miller treats a group that has all the other features of a nations but lacks

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<sup>7</sup>In *On Nationality* (1995) Miller says that the idea of nationality which he defends “makes fairly modest claims” and is characterized by three propositions: that national identity is an appropriate component of a person’s identity; that nations are ‘ethical communities’ which give rise to special duties among its members; that states have a ‘good claim’ to political self-determination (10-12). Moreover, Miller admits that he generally assumes that nationality is an important part of people’s identity, even the most important one, without saying why it is especially important and what is the source of its privilege). Cf. Gans (2003, 40): “The world in which people’s lives have meaning and where their endeavours leave their mark is for most people that of their own culture. For a great number of people living today, this culture is their national culture.”

political ambition as an 'ethnic' group. Indeed, nationalism and ethnicity are often studied together, and are sometimes hard to tell apart (Cederman, 2002). Nation, thus, is a community characterized by "an intersubjective understanding of belonging" (Cederman, 2002, 410) which typically has political aspirations; a state is the set of institutions that allow for collective control; nationality is the identity of members of a nation and nationalism is the normative claim that nations should enjoy some measure of political autonomy, to express their right for self-determination.<sup>8</sup>

The claim that states are a response to preexisting nations is not necessarily a historical claim, but rather a conceptual claim. Historically, in some cases the state preceded the nation.<sup>9</sup> Kymlicka is particularly sensitive to cases of 'nation-buildings'. He believes that the history of nation-building in liberal democracies is the background against which we have to see the claims of minority rights which he defends. Liberal democratic states, Kymlicka argues, "have historically been 'nation-building' states in the following specific sense: they have encouraged and sometimes forced all the citizens on the territory of the state to integrate into common public institutions operating in a common language... these policies are often targeted at ethnocultural minorities" Kymlicka (2001, 1). This passage is revealing for two reasons. First, Kymlicka calls the target of unjust nation-building 'ethnocultural' which acknowledges the relation between national and ethnic minorities. Second, Kymlicka focuses on the imposition of language as a paradigmatic case of nation-building oppression.

Given these concerns, it is quite surprising to go back to Kymlicka's original definition of a nation in *Multicultural Citizenship*. There Kymlicka defines nation in terms of a culture:

*'nation' means a historical community, more or less, institutionally complete, occupying a given territory or homeland, sharing a distinct language and culture. A 'nation' in this sociological sense is closely related to the idea of a 'people' or a 'culture' – indeed, these concepts are often defined in terms of each other. (11)*<sup>10</sup>

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<sup>8</sup>Cf. Kymlicka and Straehle (2001, 222), "by nationalism, we mean those political movements and public policies that attempt to ensure that states are indeed 'nation-states' in which the state and nation coincide."

<sup>9</sup>For an empirical review, see Cederman (2002) who calls this "state-framed nationalism".

<sup>10</sup>On page 18 Kymlicka makes a claim in the opposite direction, defining societal culture as a nation or a 'people.' I believe this equation of culture and nation is implausible on both directions, as I will explain below.



Looking at this definition, it is easy to see how Kymlicka reaches NG. Since Kymlicka defines national groups in terms of culture, we should not be surprised that “societal cultures [] tend to be national cultures” or that “just as societal cultures are almost invariably national cultures, so nations are almost invariably societal cultures” (80). But is this definition plausible? I believe it isn’t. In section 1.2 I argue that it isn’t plausible to define nations simply in terms of culture; in section 1.3 I criticize the other direction of Kymlicka’s equation, arguing that it isn’t plausible to define cultures as nations.

## **1.2 Nations as Cultures**

Kymlicka claims to be relying on the conclusion of ‘most analysts of nationalism’ when he says that “*the* defining feature of nations is that they are ‘pervasive cultures’” (80, emphasis added). But in this passing nod to analysts of nationalism, Kymlicka omits an important component of nationalism which features in their analysis. Indeed, it is a necessary component that Kymlicka is missing from his definition: the shared belief in and recognition of the national membership, which is the basis for the normative claim for political independence and the ethical claim that the nation is a norm-generating group membership. For example, Margalit and Raz (1990), who Kymlicka cite, list six features which differentiate nations from other groups. The first is that “the group has a common character and a common culture that encompasses many, varied and important aspects of life” (443) but also another one is that “membership in the group is, in part, a matter of mutual recognition... membership in them [national groups] is a matter of informal acknowledgment of belonging by others generally, and by other members specifically.”

Likewise, Tamir (1993), who Kymlicka also cites, emphasizes culture as the “set of specific features that enable members of a nation to distinguish between themselves and others” (67) but she also insists that the only necessary condition of nationalism is “the existence of national consciousness... self-awareness of its distinctiveness”, and concludes that “nations exist only as long as their members share a feeling of communal membership” (65-66). This is the ‘subjective’ component of nation-

hood for Tamir, which is the only necessary one. In contrast, the ‘objective’ features used to find a nation, including “common history, collective destiny, language, religion, territory, climate, race ethnicity” are only required as a ‘cluster’ - “in order to count as a nation a group has to have a ‘sufficient number’ of certain characteristics” (65). Kymlicka’s focus on these ‘objective’ features obscures the deeply normative dimension of grouping people as ‘nation.’

I say that this is surprising, since Kymlicka is aware, in fact sees himself as responding to, the historical fact of nation-building. Tamir is aware of it too, noting that nation-building illuminates the tension between the subjective and the objective definitions of nations, “although largely human creations, nations seek to validate their existence by reference to ostensibly objective features” (Tamir, 1993, 65). Moreover, Tamir argues, emphasizing a shared culture is a strategy deployed by nation builders. The existence of shared characteristics is therefore the result of intentional and often coercive actions made in the name of an ideal which ties political sovereignty to shared nationhood, partially justified in the name of shared characteristics. But the pursuit of aggressive policies in service of cultural unity in the face of resistance is a clear sign that said unity is absent. It is also a reason to doubt its genuineness where it appears to exist. As Tamir (1993) says, “the *illusion* that we can rely on the notion of a national character in order to set the borders of national groups, is essential to the understanding of modern nationality” (67, emphasis added). We have to see national identities as the justifications for borders between coercive states, because the entire idea of nationality (and the political world order of nation-states) is based on the fundamental normative ideal of nationality: that culturally homogenous groups be politically independent. As Kymlicka and Straehle (2001, 222) summarize, “According to liberal nationalists, it is not just a happy accident that nation-states happen to exist: rather it is legitimate to use certain measures to try to bring about a greater coincidence of nation and state.”

This ideal, like all ideals, is not fully materialized in reality<sup>11</sup>. As Levy (2008, 488) says, “one

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<sup>11</sup>For some empirical research that explores some of the ways in which the prevalent norm of sovereign nation-state is not respected, see Finnemore, 1996; Meyer et al., 1997; Krasner, 1999.

nation per state, one state per nation is an exception even today and is historically very anomalous. In the normal case states act without the imagined unity of will behind them.” We promote the vision of nationalism by either homogenizing the existing population under a state or by separating coercive apparatuses that include multiple relatively homogenous cultural groups. As Kymlicka and Straehle (2001, 222,229) note, “nationalist movements have attempted to make nations and states coincide in two very different and conflicting ways. On the one hand states have adopted ‘nation-building’ policies aimed at giving citizens a common national language, identity and culture; on the other hand, ethno-cultural minorities within a larger state have mobilized to demand a state of their own. We can call the first ‘state nationalism’ and the second ‘minority nationalism’... the successful diffusing of a common national identity is, in many countries, a contingent and vulnerable accomplishment—an ongoing process, not an achieved fact.” The analysis provided in Kymlicka and Straehle (2001) is a departure from the definition of nation of *Multicultural Citizenship*, as it notices that both state nationalism and minority nationalism are incomplete projects that involve unifying policies. Minority nationalism is presented as principally a defensive measure but under the conditions of external pressures, it may itself include internal coercion.

However, Kymlicka and Straehle fail to draw the appropriate conclusions from their analysis. The question they pose is “what should we do in states which contain two or more nations, and in which state nationalism comes into direct conflict with, and seeks to undermine, minority nationalism?” and conclude that “we need to renounce the traditional aim of liberal nationalism—namely, the aspiration to common nationhood within each state—and instead think of states as federations of self-governing peoples, in which boundaries have been drawn and powers distributed in such a way as to enable all national groups to exercise some degree of self-government” (230,234). But this question and conclusion fall back on a naive understanding that nations simply exist and we can know when there is more than one nation in a country. If nations were simply, as the definition from *Multicultural Citizenship* implies, distinct cultural groups with a distinct shared language concentrated on an identifiable piece

of land, our only problem would be the one Kymlicka and Straehle raise, concerning the right way to manage permissible nation-building efforts by states and national minorities.<sup>12</sup> But given that nations are ‘ongoing’ unfinished projects, it is perfectly reasonable to have two of these projects unfinished with regards to the same people. Proclaiming the country multinational is not a solution if people don’t naturally belong to just one of the competing nationalities, and may be the target of ongoing pressures to assimilate into the majority or distinguish themselves in the name of the minority. The same people may be the target of multiple nation-building efforts at the same time, in the name of different and overlapping ideas of nationhood.

For example, the people of Quebec might be subjected to pressures of Canadian nationalists to assimilate into the societal culture of the state of Canada as well as Québécois nationalist pressures to differentiate themselves. That’s not to say that both sides have had equal resources or means to promote their national identities. It could be said, justifiably, that the pressures to assimilate were more often coercive and that the efforts of national minority, in this case the Québécois, are more often defensive. That may be true, but nation-building efforts of national minorities are sometimes coercive as well, typically against members who try to desert it and assimilate. As both processes of nation-building may be incomplete, it is not clear to me that there is a simple answer of national belonging for a torn individual who sees herself as both Canadian and Québécoise. The nationalist framework forces that individual to choose, or assumes that she has a natural answer. And the forced choice is exclusive - you can either be Canadian or Québécoise, not both. The commitment to autonomy requires us not only to defend the right of the Québécois to maintain their distinct national identity, but also

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<sup>12</sup>Though Kymlicka and Straehle (2001, 232) note that even in this case, promoting the principle of nationalism to its fullest would be ‘unrealistic’ because “there are many more nations than possible states and... many national groups are intermingled on the same territory.” If national groups are intermingled on the same territory, they surely aren’t ‘more or less, institutionally complete, occupying a given territory or homeland’ as the definition requires. I see no other way of interpreting these groups as nations other than in virtue of their alleged aspiration (often pronounced by self-appointed group leaders) for self-determination and political autonomy. The suggestion that there are ‘many more nations than possible states’ is quite opaque; it seems to me that it is either true because there will be overlapping national groups, based on the aspirations of members, ongoing unification projects and so forth; or the definition of nation is that of a comprehensive, not completely institutionalized, understanding of culture. As I will argue in section 1.3, people can be members of multiple comprehensive cultures and so there are more cultures than possible states.

their right to assimilate, should they freely choose<sup>13</sup> to do so. We therefore cannot ignore the effects of minority nationalism on the possibility of such free choice. Defining the state as multinational pressures individuals to take sides: they must choose one and only one membership and discard the other. It is enough that there is a substantial minority who is severely disadvantaged by the need to choose between conflicting identities to doubt the usefulness of this analytic framework.

Tamir struggles with the same issue; the subsection titled ‘*What is A Nation?*’ aimed to define the concept of a nation, foundational to the normative claim that nations deserve self-determination in the form of political autonomy, begins with the tension defining nations using objective features and the fact that they were often the result of nation-building. Despite her engagement with the problem, Tamir doesn’t provide a clear solution; instead, she notes that in the context of nation-building it is not the case that ‘anything goes’ but “invention depends on the existence of some shared features that may be highlighted to reinforce feeling of unity and allow members to recognize each other, a major element of building a nation” (67). Hence, some measures of nation-building can be justified but not all of them. But which ones? Tamir argues that the efforts for nation-building (or as she aptly calls it, ‘invention’) has to rely on existing features, which implies that inventing a nation *ex nihilo* is out of the question. But how can we justify reinforcing certain existing features, shared by some though not all citizens of a given state or in a given territory? The question applies with equal force to state as well as minority nationalism. Whatever the answer to the question, it cannot be founded on the already existing shared culture because the goal of the policy is to create and enhance such a culture where it does not exist or is not strong enough. There are no ‘natural’ nations.

Consider again the case of the Québécois. The Canadian nationalist ‘invents’ a mythology of a unified Canadian people and emphasizes the features that Québécois share with the all other Canadians. At the same time, the Québécois separatist ‘invents’ a competing mythology that emphasizes the distinct features of Québécois. Neither of them is inventing a mythology out of the blue, both are

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<sup>13</sup>That is, not as a result of coercion, unfair pressures of false consciousness.

inventing on the basis of existing features. Not only does nationalism not solve the problem of which of them is justified: it pins them against each other in an exclusive struggle.

Like Tamir, Kymlicka believes nation-building policies are justified, within limits, but he insists that national minorities are also given the authority and power to pursue them, and that measures are taken to ensure that all nations in the area are respected in the process (Kymlicka, 2001, 28-9, 232-4). But my point is that if nations are defined by their aspiration for cultural homogeneity, and cultural homogeneity is created (at least in part) by deliberate nation-building policies (whether by state nationalist or minority nationalists), our theory doesn't provide a basis for determining who is a legitimate national group in the first place. Indeed, the theory itself invites contradictory claims: leaders of two separate nationalist movements can plausibly argue that they are 'reinforcing existing features' of different segments of the same population. Both could be partially successful and neither nation would really overlap a homogenous cultural group.

This is the reason some argue that the norm of nationalism is one of the main reasons for violent conflicts, as Einstein famously said: "nationalism is the measles of the human race" (quoted in Miller, 1995, 5). This criticism is related to the more general criticism of sovereignty as a norm that Finnemore (1996, 332) makes: "the organization of the world into Western-style bureaucratic states... makes many kinds of political conflicts difficult to resolve. It means that self-determination requires a state. If you are not a state, you are nobody in world politics, and national liberation groups understand this. This creates an all-or-nothing dynamic in many conflicts that might be more easily resolved if other organizational forms were available." Nationalism, the argument goes, creates the same kind of all-or-nothing dynamics: to survive in a world where states can legitimately engage in nation-building, minority cultures must fight for their own states. To justify their claim for independence, they must enhance distinguishing factors of their own group and separate themselves from the rest of the state. At the same time, they will be confronting (usually at a disadvantage) the competing effort of state nationalists, who attempt to assimilate the members of their cultural group into the majority. Nationalism

is not benignly indeterminate, it fuels conflict as it justifies incompatible group claims and encroaches on individual autonomy by forcing them to make a choice.

What about the claim in the opposite direction, that societal cultures tend to be national groups? The only reason Kimlicka cites in support for this claim is that it is required for cultural survival in the modern world. The argument leading to this conclusion describes the way in which “dominant cultures have had far less success accommodating national groups than ethnic groups” (79). And it is due to these “pressures towards the creation of a single common culture in each country” that “for a culture to survive and develop in the modern world... it must be a societal culture” (80). However, as we noted, those pressures are not merely facts of the social life but are the outcome of nation-building efforts. The coercion used in pursuit of nation-building, the ferocity with which the measures have been pursued, and the enduring resistance all show that nations are not completely culturally homogeneous. Moreover, a normative argument cannot hinge on an empirical state of affairs which result from deliberate actions that can only be justified if the original normative thesis is correct. Nation-building based pressures are contingent facts of the social life that depend on the general acceptance of nationality as a norm. I agree with Kymlicka that empirical facts, including contingent social facts, are important for normative political theory. But it cannot be the case that social facts, whose legitimacy depends on the cogency of nationalism as a normative ideal, be appealed to in the course of justifying nationalism.

So the claim that nations tend to be societal cultures is misguided: nations, and specifically those that have achieved their goal of political independence, aspire to create a societal culture that will solidify their control. To the extent that they succeed, they do so only in virtue of their continual repression of other competing societal cultures (and identities, as will be discussed in section 2), which is never completely successful. The very need for setting cultural unification as a goal points to its absence; the generally coercive means by which this goal has been pursued point to its disingenuousness.

### 1.3 Societal Cultures and Nationality

Kymlicka's claim that societal cultures tend to be national groups cannot be fully assessed without unpacking his concept of societal culture. As Reich (2002, 75) notes, Kymlicka's is an "atypically broad definition of culture... [which] excludes many groups we typically think of as defining a meaningful way of life, groups based on class, gender, disability, sexual orientation, religion and so on." Kymlicka explicitly defends this position (18) because he believes that the issues raised by such 'disadvantaged social groups,' as a matter of principle, are different because they 'cut across ethnic and national lines.' That may be true but I don't think Kymlicka's definition can coherently distinguish between these cases and the cases of national minority, other than by virtue of unwarranted (or, in his words, taken for granted and implicitly assumed) presumption in favor of national identities. Kymlicka's definition of societal culture is either implausible, on the terms of his own theory, or incoherent; however, when interpreted as a comprehensive culture, his definition could be salvaged from the incoherence while remaining as close as possible to the original intention, maintaining the focus on national minorities.

Culture is wretchedly difficult to define, though it is important to make an effort to clarify this useful term. Culture necessarily refers to groups; members of a culture share patterns of behavior and values. Values are usually considered to define the core of a culture,<sup>14</sup> but patterns of behavior, conventions and customs are sometimes thought of as essential components. It's best to think of cultures in terms of interrelated values and typical, distinctive patterns of behavior. In other words, cultural groups share norms - rules of behavior which guide actions in specific circumstances or when one occupies a specific role. They are accompanied, and sometimes justified, by the assertion that 'this is how *we* do things.'<sup>15</sup> By this definition cultural groups vary in size and overlap; they are not

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<sup>14</sup>Thus, values are usually used to define different cultures when advocating theses about the importance of cultures. For example, Sen (2007, 107) cites Samuel Huntington's introductory essay to a volume he edited, aptly titled *Culture Matters: How Values Shape Human Progress*, in which he explains that the different economic performance of South Korea and Ghana are a result of their respective cultures and concludes, "South Koreans value thrift, investments, hard work, education, organization, and discipline. Ghanians had different values. In short, cultures count."

<sup>15</sup>The body of literature in sociology which discusses global culture, associated with the writings of John Meyer and



necessarily exclusive, as one person may be a member of various cultural groups. Tamir (1993, 68) notices the problem of using culture to distinguish between national groups, since “there are many kinds of cultural groups, some as large as Western civilisation [sic] and others as small as the Amish community.” For some reason, Tamir doesn’t think this is a problem because “it is a fact that most claims for national self-determination are advanced by groups to whom the term ‘nation’ applies without great difficulty” (68-9). I’m not sure what to make of this. Being skeptical of the application of the term ‘nation’, I do not find that it applies to any group without at least some difficulty. In any case, it is certainly not true that groups who advance claims for national self-determination find that their claims are universally accepted ‘without great difficulty.’ For once, the controversies at the center of violent political struggles between competing nationalist claims often concern a disagreement on whether or not the term ‘nation’ applies to a group without great difficulty.<sup>16</sup> Defining a nation on the basis of a culture is one case of the general problem discussed earlier (1.1) of defining a nation on the basis of some existing features. Since cultural features are impacted by efforts of nation-building, culture does not provide a way out of the problem.

Tamir is right to worry about our ability to identify national groups on the basis of cultural differ-

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his collaborates, uses ‘world society’, ‘world culture’ and ‘global imagined community’ interchangeably. The cultural component is associated with “shared moral understanding” (Kruken and Drori, 2009, 17). That culture is seen to overlap with the boundaries of a society and ‘imagined community’ (the term originally applied by Anderson (1991) in defining Nationality, also used by Tamir, 1993, 1995) supports my claim below that the raw materials behind the definitions of nationality exist in other collectives. Furthermore, this literature supports my emphasis on norms, a term combining values with behavior patterns (for norms are rules of behavior that both describe and motivate actions) as the analysis of world society, and of society in general, focuses on elucidating the accepted, even if implicitly, norms.

<sup>16</sup>Tamir and Miller both cite the Palestinian-Israeli conflict as an example of a violent conflict where two nationalities are involved (see Tamir, 1993, xxx, 66; Miller, 1995, 1-2). One can only assume that this too is a case where Tamir thinks the term ‘nation’ applies to both groups without great difficulty. Though Tamir and Miller acknowledge the violent nature of the conflict, they ignore the fact that the position according to which there are two nations with two national claims is exactly what many of the parties involved violently reject (or have violently rejected in the past). This is exemplified by the famous quote of the 1969 Israeli prime minister Golda Meir, who said “there were no such thing as Palestinians... they did not exist,” often misquoted as ‘there is no such thing as Palestinians.’ However, the full quote reveals that she rejected not the existence of Palestinians but of a Palestinian national group, self-aware of their collective identity and with aspiration for independence, saying “When was there an independent Palestinian people with a Palestinian state? It was either southern Syria before the First World War, and then it was a Palestine including Jordan. *It was not as though there was a Palestinian people in Palestine considering itself as a Palestinian people*” (*Golda Meir Scorns Soviets: Israeli Premier Explains Stand on Big 4 Talks, Security*, 16 June 1969, emphasis added).

ences. Kymlicka is aware of this problem and acknowledges that there are cultures of many scopes. His claim is therefore specific; it only applies to societal cultures, defined as “a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational religious, recreational and economic life, encompassing both public and private spheres... [it involves] not just shared memories or values but also common institutions and practices” (76).<sup>17</sup> This definition attempts to situate the relevant cultures, as Reich (2002, 13) says, “somewhere in the middle range of [the] spectrum” between Western Civilization and the Amish community.<sup>18</sup> Kymlicka insists that a societal culture is not merely a set of shared values but “must be institutionally embodied – in schools, media, economy, government, etc.” (76). But that is not yet sufficient, for Kymlicka elaborates the strength of this requirement; the shared values need not only be institutionally embodied, but “institutionally complete... containing a full range of social, educational, economic, and political institutions, encompassing both public and private life” (78).<sup>19</sup> This condition is the one that should do the work to exclude those ‘social groups’ mentioned above, as well as immigrant groups and in fact, any cultural group that is not a nation, equating societal cultures with nations (18).

I don’t believe Kymlicka’s definition works. A literal reading of this definition is implausible, on Kymlicka’s terms. If a full institutionalization is really required – including social, educational and political institutions – then many national minorities would not fit the bill. Kymlicka’s argument aims

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<sup>17</sup>Kymlicka contradicts himself when he argues against the communitarian position, saying that “national identity... does not rest on shared values” (92). If nations are defined in terms of cultures, and cultures are defined in terms of shared values (embodied in the social life) - it is not really possible for national identity to be detached from shared values. Moreover, Kymlicka moves in the same direction in his response to Waldron’s cosmopolitan alternative (which parallels my discussion below of robustly plural identities), where he insists that societal cultures are capacious, inclusive, and allow for great internal variety (77,85-6 see also Kymlicka, 2001, 210-12). But if national cultures are so thin and broad, how can they be said to cover ‘the full range of human activities’? Pushing in this direction loses the cultural component and focuses on the institutionalization as the basis of national identity. I argued that such a definition of nation is implausible, but it is important to note that it provides yet another reason to doubt the equation of nations and cultures.

<sup>18</sup>See Kymlicka’s own discussion on the issue of range on pp. 18-19.

<sup>19</sup>On p. 18 he says “more or less institutionally complete.” This might be in recognition of the criticism which I am about to make. Of course, much would turn on whether his definition requires more rather than less completeness. Kymlicka requires institutionalization and denies the status of a societal culture to certain communities, such as immigrant communities, on the basis of this feature of the definition. It therefore is important to insist on clarifying the vague statement ‘more or less’. In any case, it seems to me that any level of sufficient institutionlization, even short of ‘complete’ institutionalization, will not do the work for Kymlicka because it will not exclude only non-national minority while allowing national minorities.

at securing group-differentiated rights for national minorities precisely because they so often lack their own schools, political institutions and publicly acknowledged institutions. On the other hand, insisting that national minorities are sufficiently institutionalized (according to whatever threshold) while other cultural groups, like the Catholic church, aren't – is incoherent. The Catholic church surely has more schools and political autonomy than many, if not most, national minorities.

Nonetheless, there is value in situating a culture in the 'middle of the range' and aiming for a culture that is 'embodied in social life' or includes 'practices covering most areas of human activity' (76). A charitable reading of the definition is therefore that societal cultures do not depend on their actual institutionalization but on their aspiration or potential for institutionalization, that is - societal cultures are comprehensive cultures, which provide guidance for the full range of human activity. Reich (2002, 13) helpfully distills Kymlicka's definition of societal, 'middle of the range', comprehensive culture as "a set of values that inform our life as a whole, contributing to each person's social identity and prescribing or giving guidance on ideals of personal character as well as of friendship and family. A culture creates a *nomos*, or a set of norms that pervade a person's life, and defines, as some say, a 'way of life'".

I criticize the claim that societal cultures are important for the development of autonomy in the next section (2). For now, I only wish to claim that societal cultures, according to the most plausible revision of Kymlicka's definition, are not, contra Kymlicka, "typically associated with national groups" (75-6). There are various groups and collective identities who embody a set of values and norms which prescribe behavior over the full range of human activities. Religions are obvious candidates and they are not typically considered nations, though there are exceptions.<sup>20</sup> It is implausible to reject the possibility of the claim that a devoted Christian, whatever her citizenship, is living a christian way of life. Imagine two fervent Catholics living on the border between France and Italy, one on

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<sup>20</sup>The term 'nation of Islam' is sometimes used as a metaphor, but can also be used to impute Muslims with some (or all) of the attributes of nationality (such as special duties and a claim for self-determination). The case of Judaism as a nationality is another prominent, and complicated, example.

either side. One may have Italian citizenship and the other French, but in terms of values, customs and other cultural artifacts they may be more similar to each other than to their fellow-countrymen and women.<sup>21</sup> They may even see themselves as first and foremost (or even only) Christians, children of god, brothers and sisters to all humankind.

Kymlicka's insistence that people's membership in nations is special in some way is unwarranted. It definitely cannot be defended on the ground that national membership is a special kind of cultural membership; it may be a species of comprehensive cultures but it is not the only kind. Kymlicka's marriage of nation and culture is the source of a major flaw in his theory: he assumes that people can only be members of one comprehensive, or societal, culture. He prefers to see the American Jew as first and foremost, or even only, as culturally American. It is simply that American culture is 'capacious' but there is nonetheless one dominant American culture, based on the English language, and "those who fall outside of it belong to a relatively small number of minority culture" (77). I take it that the American Jew I am thinking about is not a member of a national minority but rather only identifies as a US national. The life of the American Jew is surely determined, in many ways, by her identity as an American: the values she holds may be, to a certain extent, American; her accent and many of her behavior patterns may be American. But the set of values which inform her life as a whole may also, or even primarily, be a Jewish one. It is illuminating that many American Jews consider themselves 'culturally Jewish' while maintaining that they have no national identity other than American. Jewish way of life did not disappear due to the pressures of competition between societal cultures or the pressures of states attempting to create societal cultures. But more importantly, this case shows that people can be members of multiple comprehensive cultures. On first blush, it seems obvious that if a culture

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<sup>21</sup>I am deliberately eschewing the issue of language, which is of great importance in definitions of culture. I will only note that I picked the example of communities on the border because what we now know as the languages French and Italian are based on the historical languages at the capitals of these countries. Historically, the distinction between languages, especially sister languages such as French and Italian, was a matter of degree and communities near the border sometimes spoke dialects that were closer to each other than each of them to the 'official' dialect. The history of languages is tied up in the enterprise of nation-building that is so central to Kymlicka's work, which is one of the main reasons Kymlicka's work focuses on it. However, he focuses on the troubling influences of nation-building on ethnic and national minorities, while accepting nationalism as a plausible normative background.

is comprehensive and provides guidance ‘across the full range of human activities’ then one cannot be a member of more than comprehensive culture. But cultures, as all analysts of it agree, are internally variegated and ever-evolving. Cultures come in flavors, some stronger than others. There is overlap between cultures and there are different combinations of different cultures that may fit together. And there are also conflicts - American Jews may not face them often, but nonetheless they are sometimes called to choose between their allegiances.<sup>22</sup> They often struggle with such choices. Yet the struggle, or the dominance of the American membership in political institutions of the U.S., does not exclude the possibility of maintaining the Jewish way of life for American citizens who might be obliged, on pain of coercion, to hold up some American values.

This aspect of Kymlicka’s theory has been criticized by Reich (2002, 78) who asks, “even presuming that cultures are readily distinguishable, is it true that each person belongs only to one?” Later, responding to Joseph Raz, Reich develops this criticism and notes that for Raz, “societies are multicultural, but individuals are monocultural” (82). In contrast, Reich claims, rightly, that “many people are simultaneously members of a racial group with a pervasive culture, a religious group with a pervasive culture, and a nation. Each of these memberships, individually and collectively, may be important for the person’s identity and well-being” (83). It seems that Kymlicka’s account gets around this problem only because he insists on the notion of societal cultures, which ties individuals to institutions, and through them, to a national culture. However, as I argued, the notion of a societal culture which is already sufficiently institutionalized is not a coherent candidate for the identification of nations, as it already assumes what is sought after by Kymlicka’s theory of minority rights. Understood as comprehensive cultures, it is no longer plausible to assert that such cultures can only survive if they are institutionalized; likewise, the claim that individuals are monocultural loses its power. Kymlicka’s

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<sup>22</sup>The famous story of Jonathan Pollard, an American Jew who sold classified information he obtained while working in the American naval intelligence to the state of Israel, is a case in point. Pollard, like many others, was torn between competing comprehensive cultural (valued-centered) attachments. Though he received money for his services, and lots of it, his motives apparently included a feeling of moral obligation to his fellow Jews. In an interview on 60 minutes, his wife Anne said, “I feel my husband and I did what we were expected to do, and what our moral obligation was as Jews, what our moral obligation was as human beings, and I have no regrets about that.”(Black, 2002)

and Raz's views collapse to what Sen (2007, 157) calls 'plural monoculturalism' rather than 'multiculturalism.' Like Reich, Sen holds that "identities are robustly plural" and notes the choices we must constantly make between conflicting attachments.<sup>23</sup> Sen goes further to criticize the approach of 'singular affiliation' in harsh terms, saying it is a weapon used by sectarians and a cause for terrible violence (21). Recognizing that people can simultaneously belong to different comprehensive cultures does not undermine Kymlicka's entire project: national cultures may still be the most important contributors to people's identities and the relevant context of choice for the development of their autonomy. Nonetheless, it reduces the pressure to associate societal cultures closely with national groups. National cultures may be prominent and prevalent, but they are not, contra Kymlicka, the only comprehensive cultures.

Let me summarize the conclusions of this section. First, societal cultures are best understood as comprehensive cultures; they need not be instituted in the coercive structure of the state (e.g. government, public schools etc.). Second, people can be, and indeed often are, members of multiple comprehensive cultures which may conflict. Nations are one important example of a comprehensive culture, which typically aspires for political independence but is often constructed around or born out of existing political institutions. In the next section I argue against the claim that societal cultures are necessary for the development of personal autonomy.<sup>24</sup>

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<sup>23</sup>Sen here is appealing to the importance of culture using the notion of identity, which plays an important part in Kymlicka's writing. I discuss it in section 2.3.

<sup>24</sup>In subsequent writings, Kymlicka defends his view of nationalism (a number of his articles on this topic are assembled under the title *Misunderstanding Nationalism* (Kymlicka, 2001, 203-289). These essays cover many important points, some of which are related to the arguments I make in this paper. One of the themes of these essays is that nationality is necessary for the implementation of liberal democracy; one argument in this vein relies on the importance of language to democratic politics (which gave the book its title). Since language and cultures are closely related, these points touch on the arguments I'm making here. However, my goal here is not assault Kymlicka's liberal nationalism in general, but rather to criticize the attempt to found it on the claim that national culture is a necessary condition for the development of autonomy. Moreover, Kymlicka's main targets in this series of essays are cosmopolitans who see nationalism as necessarily illiberal (or expect national identities to whither away) on the one hand and liberal nationalists who privilege national majorities but refuse the same privilege to national minorities. In whatever way I misunderstand Kymlicka's nationalism, it isn't one of these.

## **2 Comprehensive Cultures and the Context of Choice**

Kymlicka's theory is a liberal theory; as such it is committed to the protection of individual liberties. Kymlicka's version of liberalism is founded on the value of personal autonomy<sup>25</sup> as the basis for such liberties. Kymlicka advances the same argument in a number of places with different emphases and it draws on the work of Tamir (1993). Following the structure of Kymlicka's argument, I start with the foundational role of personal autonomy in liberal theory. I then retrace his argument that cultures provide a necessary precondition for the exercise of autonomy and that the particular memberships in cultural groups are important since they contribute to individuals' self-identity. I concede that cultural membership is important to the development of autonomy, and note that Kymlicka's contribution to liberal theory is the way he directed attention to the non-neutrality of nation-building efforts in liberal states and raised the issue of group-differentiated rights. However, I reject his claim that societal, that is comprehensive, cultures are the only kinds of group membership that are important for the exercise of autonomy.

### **2.1 Liberalism and Autonomy**

A familiar kind of liberalism places great value on personal autonomy (Raz, 1986; Blake, 2001; Reich, 2002). Kymlicka's account is what Rawls would call comprehensive liberalism and could perhaps be dubbed perfectionist liberalism (Rawls, 1993; Nussbaum, 2011). That it is comprehensive means that it involves a notion of the good life and what it requires, from which it derives political duties. For Kymlicka's liberalism, the argument is that personal autonomy is necessary for living a good life. Personal autonomy is our ability to devise and then revise our ideas of the good, and pursue our chosen conception. Any account of autonomy would have to fill in the details of this picture - what does it

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<sup>25</sup>As mentioned in note 2 above, Kymlicka sometimes confuses freedom and autonomy, despite the fact that in most of the literature they are explicitly and deliberately separated and contrasted. Unless, quoting Kymlicka, I will maintain the separation where liberty/freedom is understood to be the absence of certain obstacles (internal or external) in the way of performing certain actions and autonomy is the ability to devise and revise a conception of the good and act on such a conception see Dworkin, 1988, 13,4;Reich, 2002, 95.

mean to come up with our own ideas of the good? What conditions count as undue intervention in the process of devising and revising? What does it mean to endorse a conception of the good? What opportunities does one have to have in order for us to say that she acted autonomously?

Unfortunately, Kymlicka doesn't provide a full theory of autonomy in *Multicultural Citizenship*.<sup>26</sup> However, he does note that autonomy has two components, which Kymlicka says are "preconditions for leading a good life" (81). The first is "that we lead our life from the inside" which requires that "individuals have the resources and liberties needed to lead their lives in accordance with their beliefs and value" (81). The second precondition is that "we be free to question those beliefs" which leads to the requirement that "individuals have the conditions necessary to acquire an awareness of different views about the good life, and an ability to examine these views intelligently" (81). Following Reich (2002, 92,101-105), I revise these two preconditions and separate them differently such that autonomy requires a. the capacities and freedoms necessary to devise and revise conceptions of the good and b. environmental circumstances that provide meaningful alternatives and a reasonably realistic chance of pursuing them. Reich's account elaborates on the requirements of autonomy, including the procedural independence of the evaluating process, the source of values and beliefs that feed into our conceptions of the good and the institutional environment in which alternatives are presented. He summarizes his position this way:

*The conception of autonomy I defend refers to a person's ability to reflect independently and critically upon basic commitments, values, desires, and beliefs, be they chosen or unchosen, and to enjoy a range of meaningful life options from which to choose, upon which to act, and around which to orient one's life projects. Minimalist autonomy understood as self-determination encompasses both evaluative capacities and a real ability to act on one's evaluations, if necessary adopting new commitments, changing one's values, altering previous desires, or revising old beliefs from a spectrum of meaningful possibilities (105).*

Reich explores, following Raz (1986), the range of possibilities needed for the exercise of autonomy. The point is that people's ability to evaluate and revise their conception of the good crucially depends

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<sup>26</sup>He refers to some of his previous work (1991), which I don't review here.



on the options available to them. Not only because they may want to choose to adopt these ways of life but also because the encounter with other ways of life and the consideration of alternatives is necessary for the endorsement of one's way of life. Raz (1986) enumerates a number of conditions that define the adequacy of a scope of choices. First, we need to be able to make serious as well as trivial choices; it is necessary that "our control extends to all aspects of our lives" (374). Second, we need to have a variety of choices, all of them good (or at least good enough), from which to choose from. If all the choices are similar or if we have to choose between various different ways of violent deaths, we don't really have a choice. Raz summarizes his admittedly abstract criteria of an adequate range of options in this way:

*To be autonomous and to have an autonomous life, a person must have options which enable him to sustain throughout his life activities which, taken together, exercise all the capacities human beings have an innate drive to exercise, as well as to decline to develop any of them (375).<sup>27</sup>*

It is hard to evaluate this requirement with a further exploration of the 'capacities human beings have an innate drive to exercise' but it seems to me that this definition is too demanding. Raz contrasts this view with the even more demanding requirement of self-realization, which requires "the development to their full extent of all, or all the valuable capacities a person possesses" (375). The contrast suggests that his idea of the capacities we have 'an innate drive' to exercise might be limited, in which case this requirement might not be as demanding as I suggested. In any case, enabling people to sustain and develop all their abilities (376) seems a very high bar. Reich's reconstruction of Raz's argument concludes with the more modest requirements of variety and quality of choices (Reich, 2002, 105). The idea is that people should have a range of options available, which include alternatives that are non-trivially different.<sup>28</sup>

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<sup>27</sup>Cf. "The autonomous person must have options which will allow him to develop all his abilities, as well as to concentrate on some of them." (376)

<sup>28</sup>In an unpublished manuscript Reich qualifies this requirement even further and notes that the way people endorse their values and beliefs is more important to autonomy than having more options, though maintains that the existence of a range of options is nonetheless crucially important for the development of autonomy, see Reich, 2006, 4,28.

The question of adequate range, which is not addressed by Kimlicka, provides a potential connection between choice and cultural context. Kymlicka doesn't pursue this line of thought, but it seems a plausible one. Perhaps societal cultures are important instrumentally; that is, they are not necessary preconditions for autonomous choice, but they are a way to ensure that we have an adequate range of alternatives to choose from. It seems a plausible line of argument, but since Kymlicka does not pursue it, I shall not develop it further here.

## **2.2 Societal Culture and Autonomy**

Having established the importance of autonomy in liberal thought, Kymlicka moves on to argue for the importance of societal culture on its basis. His argument, in brief, is this: "freedom involves making choices amongst various options, and our societal culture not only provides these options, but also makes them meaningful to us" (83).<sup>29</sup> The argument here is brief<sup>30</sup> but there are at least two different ways to understand Kymlicka's argument. One way is that our evaluation of practices is limited by the boundaries of our societal cultures. If societal culture makes options meaningful, options that are not available within it are meaningless. Thus, Kymlicka also says, "it is only through having access to a societal culture that people have access to a range of meaningful options" (83). This may seem questionable but recall that Kymlicka thinks societal cultures are broad, capacious and internally plural; American society is characterized by one and only one dominant English-speaking culture. Thus, there are still many options to choose from within the a societal culture: many ways of life, a variety of options as well as meaningful alternatives.

Nonetheless, I hold that this definition is implausible. It may be that most ways one may get to evaluate a practice is through the meaning it has in her societal culture, but that is not the only way in which alternatives become meaningful for us. Consider baseball. In American culture baseball is certainly a valued practice and it's true that there is no access to the value of baseball without the

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<sup>29</sup>Cf. Kymlicka (2001, 208-10)

<sup>30</sup>Once more, Kymlicka refers to his own previous work in Kymlicka, 1991 which I don't explore here.

context of American culture. But that value is open for individuals who aren't members of American culture. In many, indeed most countries baseball is not valued. But we can take this further and imagine (though we don't have to imagine) a country where baseball is not only disvalued, but not even recognized as a sport. There are no baseball fields, no baseball classes at school and no baseball gear in sport stores. Baseball bats are only sold as part of costumes or theatre props; or even not sold at all. Pursuing baseball in such an environment would be hard indeed. One may have to suffer the scorn or even just the bewilderment of others. One may have a very hard time to find people to share one's passion. But it seems to me that people who are members of societal cultures (defined, as we saw, closely around national groups) who don't recognize baseball at all could still value it as an activity.

Kymlicka may say that the problem with the story I'm telling is that in our globalized world, there are no more societies that don't recognize baseball as an alternative at all. The fact that baseball bats made their way to costume stores demonstrate that baseball has a presence, whatever minimal, in that society. As noted, Kymlicka thinks that societal cultures are broad and capacious - they include fringes of options that most cultural members reject yet a small minority pursues. Baseball may not be as central to Egyptian culture as it is to American culture, but it can be a part of it. Egyptian culture is broad enough to include baseball as an alternative for the very tiny minority who acknowledges it as a legitimate sport. Further, it could be argued, it is Egyptian style baseball that this small group of people are playing - they call the guy who throws the balls a 'bitcher' with a thick Arabic accent (of the distinct Egyptian dialect), and that's the only time they even speak an English word when they play. Kymlicka could point to these distinctly Egyptian features of the way they play baseball - language, style of play and so forth - and claim that they show it is an Egyptian activity that they are pursuing, internal to the capacious Egyptian culture. Therefore, he might conclude, the alternative only has meaning to Egyptians because of the (very little but nonetheless existing) place that baseball occupies within Egyptian culture.

That is a possible story one could tell but I don't think it's plausible. The way Egyptians are bound

to play baseball is certain to have some features of their life, most notably their language. But it is highly implausible to say that for that reason the game they are playing is, basically, Egyptian baseball, an internal component of Egyptian culture.<sup>31</sup>

Furthermore, the story of Egyptian baseball suggests a second, and more plausible, way to understand Kymlicka's argument about culture as the context of choice. It is not that our culture sets the boundary of meaningful options for us but that we cannot help but evaluating activities through the prism of our culture. Consider the Egyptians playing baseball. The option to pursue baseball was not within the range of options provided by Egyptian culture, and the pursuit is made very difficult due to that fact. Nonetheless, when they imported baseball they had no other way of experiencing it other than through their Egyptian eyes. Here is one occasion where Kymlicka deploys the concept of language, both literally and figuratively, as he emphasizes that societal cultures involve a 'shared vocabulary,' the understanding of which is said to be the "understanding the language and history which constitute that vocabulary" (83). Language is used as a metaphor for the cultural community when learning it requires learning the history of the group. But language is also the actual way in which we identify a culture and its distinctiveness. The Egyptians play baseball in the Egyptian dialect exactly because baseball can only be communicated to them in a meaningful way through the medium of a language they actually speak and most preferably in their native tongue. Thus, Kymlicka says, "Whether or not a course of action has any significance for us depends on whether, and how, our language renders vivid to us the point of that activity. And the way in which language renders vivid these activities is shaped by our history, our 'traditions and conventions'" (83).

This is a plausible view of the role of culture as context of choice. Comprehensive cultures, with values across the full range of human activities, create a prism through which we perceive and therefore evaluate new alternatives. I concede that cultures are an important component for the exercise

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<sup>31</sup>Though, of course, there is nothing in baseball that precludes it gaining the hearts and minds of many Egyptians and becoming, in time, a part of Egyptian society and culture. If, unbeknownst to me, this has already happened then my example is not the best one, yet the point remains.

of autonomy in that way. In exercising their autonomy, people attach themselves to ways of life that are often communal. As such, their way of life is partly connected to the joint activities of the group. Their cultural membership provides them with a prism through which they evaluate and understand their options, including other options from other cultures. If their culture was to whither away, say due to other members voluntarily renouncing it, they would suffer a loss; their way of life would be impoverished and as a consequence their ability to understand and evaluate new options would be diminished. Kymlicka is careful to note that in a liberal theory we cannot coerce people to remain within their group. This is what Kymlicka calls internal restrictions, and his theory does not allow groups to restrict their own members. Instead, Kymlicka focuses on external restrictions - when a group is pressured from the outside, typically by the majority culture or the institutes of the state.

Consider the issue of language, so central to Kymlicka's writing. Language, like culture, is a communal project. A person whose language is spoken by less and less people is bound to have his language be impoverished, and the opportunities presented to him would diminish. When we encounter new practices we have to translate them into our own language so that we could understand them. Therefore, Kymlicka argues, it is important to ensure that cultural groups, and languages, be supported in a liberal society. But do we need a societal culture to play this role? Recall that in section 1.3 I revised Kymlicka's definition of societal culture, arguing it is only coherent if it's understood as a comprehensive culture, not necessarily broadly institutionalized. I noted that a major flaw in Kymlicka's account is that it treats individuals as monocultural. Applying those insights, I can now ask: do we need a comprehensive culture in order to revise and evaluate our conceptions of the good?

I don't see why that should be. When we are exposed to new things we understand and evaluate them according to our own terms, in our 'language' (both figuratively and literally).<sup>32</sup> But the language

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<sup>32</sup>It is a complicated question whether or not a linguistic culture, namely being a native speaker of a language, is a comprehensive culture. On the one hand, a language touches all aspects of human life and colors almost all experience. It is an ever-existing prism through which we see the world and it certainly embodies, if not shape, cultural values (Boroditsky, 2011). On the other hand, language is, though not value-neutral, consistent with various different sets of values and disparate ways of life. Language seems insufficient, on its own, for a comprehensive culture.

metaphor can only take us so far. First, because, as noted before, individuals are ‘robustly plural.’ People are committed to more than one set of comprehensive values and multiple ways of life, all of which are communal.<sup>33</sup> When they translate anything into their own language, they do so using resources taken from various different cultural groups, creating, for a fleeting moment, their own private language.<sup>34</sup> The process of choice and revision is personal and so is the context. It may be framed in terms taken from various comprehensive doctrines, but the evaluation and consideration need not be in the context of any one culture. Second, though we necessarily need to use language to be able to communicate with others, we don’t need to translate everything into the terms of our comprehensive culture (given that we have multiple memberships, it is not even clear which of them that would imply).

What context of choice would be required depend on the relevant choice. If we experience a mid-life crisis and we make revisions of our deepest commitments, then it is likely we will have to draw on our understanding of our way of life. But in the context of making other decisions, we might draw on our membership in some circumscribed, non-comprehensive cultural membership. It may be race, gender, class and religion – which Kymlicka rejects as societal cultures, though I argued that they can be comprehensive cultures. But it may also be a professional affiliation, a hobby group or even fashion trend. All of these are cultural memberships that provide context and may be the terms with which we evaluate and consider our values.

I want to put this point in a different way. In a response to the communitarian critique, Kymlicka

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<sup>33</sup>Kymlicka seems to believe that most people are unilingual when he says that “as a general rule, it is only elites who have fluency with more than one language” (Kymlicka, 2001, 213). Though I agree with Kymlicka that there is great value in politics in the vernacular, it is worth noting that many people around the world are fluent enough in at least two language to doubt the idea that they have to translate everything they encounter to their own native tongue in order to make sense of it. How many? Grosjean (2010) admits that there is not enough data to answer this question, though he reports the oft-quoted slogan that more than half of the earth’s population is bilingual. Furthermore, he asserts that “bilingualism is a worldwide phenomenon, found on all continents and in the majority of the countries of the world” (16). Though it should be noted that he defines bilinguals as “those who use two or more languages (or dialects) in their everyday lives” and not (as others do) people who are fluent native speakers in at least two languages because “most bilinguals use their languages for different purposes, in different situations, with different people” (4,21). I see individuals’ cultural membership in a similar way.

<sup>34</sup>I say that while acknowledging, without elaboration, that Wittgenstein famously argued that a private language is impossible.

rejects the notion that we are defined by some of our deepest values or membership. “It is not easy or enjoyable to revise one’s deepest ends, but it is possible, and sometimes a regrettable necessity” (91). How can we question our deepest ends without losing our sense of self? Kymlicka follows Dworkin on this issue by saying that we may not be able to question all of them at once, but none of them independently is immune to challenge and possible revision.<sup>35</sup> Deeper convictions may be traumatic to revise, or even consider; they may also be ones that we tend to consider less often. As Reich (2002, 243n36) says, “autonomous persons must never be without some commitments and values that attach them to other persons and projects, but that every commitment and value is ultimately revocable... we can never simultaneously throw every aspect of ourselves into question, examining the entirety of our lives from a wholly detached position.” But if we are like sailors trying to rebuild their ship on the open sea, then it is clear that there is no one steady context. What is the context of choice when we question, and revise, our societal culture? Surely our societal culture cannot provide us with the option of relinquishing it, let alone make that option meaningful.<sup>36</sup>

### **2.3 Autonomy and Identity**

The last piece of Kymlicka’s argument turns to the value of one’s existing cultural membership. The argument that culture is important as context of choice seems to suggest that all we need to do is ensure that all individuals are members of *a* comprehensive culture, no matter which. But Kymlicka wants to protect people’s existing cultural affiliations. Kymlicka is concerned with assimilationist policies that are aimed at integrating national minorities into the majority culture. If culture is so important to choice, why not just enlist everybody into the same culture?

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<sup>35</sup>An idea echoing Otto Neurath’s boat metaphor in the philosophy of science: “We are like sailors who have to rebuild their ship on the open sea, without ever being able to dismantle it in dry-dock and reconstructed from its best components” (Neurath, 1959, 201).

<sup>36</sup>Except perhaps in the ultimate negative sense - as a meaningless way of life. Indeed, cultures often portray leaving them as deserting or betraying life’s meaning, rendering life meaningless. Thus, not only do cultures often prohibit consideration of desertion, but they also attempt sometimes to discourage it with the meanings they assign to such a choice and, by implications, those who choose them. Cultural practices that are associated with such cultural values are ostracism, shunning and excommunication.

Kymlicka's first move is to note that most people are fairly attached to their cultural membership. Despite the fact that liberal societies have become more similar, in many ways, the cultural attachments of their citizens remain strong. As a consequence, movement to another cultural is not only slow and very difficult, but is very costly. It comes with a price – and those are forced to move suffer a loss that the new culture cannot compensate.

Why are people so attached to their cultural groups? Kymlicka offers a number of reasons, which he collects, not surprisingly, mostly from analysts and defenders of nationality (Anderson, 1991; Margalit and Raz, 1990; Tamir, 1993). The most important one is that cultural membership contribute crucially to people's self-identity (89). People's reaction to us will reflect our cultural membership and therefore it will play a role in both our understanding of ourselves and our self-esteem. If we are treated in a demeaning manner due to our cultural affiliation, our self-respect might suffer. In addition, membership in a cultural group ties us to a project that is greater than ourselves. Tamir (1993, 85) says it adds 'additional meaning' to our actions, contextualizing them "no matter how mundane" they are, "making them part of a continuous creative effort where culture is made and remade." Contributing to a greater project endows our action with further meaning and bestows extra merit to our actions. It also provide us with a source of consolation against the existential anxiety of meaningless existence, assuring that we are part of "something whose existence seems to extend back into time immemorial, and forward into the indefinite future" (90).

I accept these points. However, when phrasing these arguments in terms of identity it seems clear that the privileging of national identity is unwarranted. It is with regard to identities that Sen (2007, 19) claims individuals are 'robustly plural.' Sen argues that identities are closely connected with group membership; identities are not merely a personal choice of individuals. Yet, group membership doesn't necessarily give rise to an identity; it only does so if the social circumstances are such that they create a sense of solidarity among group members. We are members of many group with whom we identify and therefore we have multiple identities. And we have to choose which one of them is



more important to us in each situation. Identities clash, especially when other group identity is built around unadulterated loyalty.

I agree, therefore, that group membership is important to people's identity and self-esteem. But if liberalism assigns a great deal of importance on "lead[ing] our life from the inside" (81), we surely cannot decide for all the people in the world that they ought to define themselves primarily in terms of their national identity. Kymlicka notes that most people seem to have an attachment to their national identity. I accept this fact. However, this fact should be considered in light of the often coercive enforcement of nationalism as the defining norm of world politics, binding coercive apparatuses of states to national identity (Finnemore, 1996; Meyer et al., 1997). And even despite that norm, there are still people who feel, when they lead their lives from inside, that some of their other identities trump their national identities. Kymlicka is worried about members of national minorities whose states don't reflect and represent their identity. He is right to be worried. But he should also be worried about all other cultural memberships who contribute to people's identity. Appiah (2002) insists, rightly, that "the reason nations matter is that they matter to people. Nations matter morally, when they do, in other words, for the same reason that football and opera matters—as things desired by autonomous agents" (28). Appiah's comments reveals that the project of Raz and Margalit, Tamir, and Kymlicka is doomed for failure: they endeavor to base the importance of national membership on the value of individual autonomy, but on the way they circumvent individual autonomy. Kymlicka insists that it possible to revise "one's deepest ends" (91), including one's membership in a societal culture. As I argued earlier (2.2), that means that the cultural context of choice is also subject to such revision. But then it's up to the individual to decide which of her cultural membership is of great importance to her self-identity; it may, or may not be, her nationality.

Bell and de Shalit (2011), for example, explore cities and the values they embody, arguing that a city's ethos should be protected (unless it condones egregious human rights violations) because "it reflects the particular values of a city's inhabitants, that it shapes their *collective identity*, and that

it helps to sustain diversity and plurality” (7, emphasis added). They argue that this is all the more the case in the age of globalization, which pressures states to conform to a uniform standard. They also insist that “in political practice, cities are often the sites of *collective self-determination*” (4, emphasis added) and go on to complain about the relative lack of interest that the attachment to cities has received in political theory as compared to national attachment, saying “contemporary thinkers fail to theorize in ways designed to provide informed judgments about what’s good and what’s bad about urban pride... patriotism today refers to national pride but what about feeling proud of being a member of the (Jerusalem, Beijing, Montreal, etc.) community? We nominate the word *civicism* to express the sentiment of urban pride” (4, emphasis in the original). If they are right, civicism is but one example of a meaningful membership in a collective that shares with nationalism many, if not all, the characteristics claimed by Kymlicka and other liberal nationalists to be the basis of their allegiance. Their argument doesn’t provide a way to distinguish between civicism and nationalism as sentiments of pride, reflecting the importance of membership to the individual. They cannot justify providing nations with coercive apparatuses, that is with states, while leaving cities to be subservient sub-state units with less authority. The case of cities is instructive because of the historical (and in the case of Singapore, contemporary) existence of the alternative political order, based on city-states. What resources do liberal nationalists have to reject a political order of city-states in favor of one of nation-states?

Tamir (1993, 85) goes further to claim that “the ability to turn an everyday act into a source of national pride is one of the most appealing aspects of nationalism.” But why is this appealing feature unique to nationalism? In the same way that every achievement and mundane act can be attributed to the ongoing national project, it could be attributed to the ongoing project of other cultural memberships. Tamir’s achievements are her achievements as an Israeli but they are also hers as a woman. As they contribute to the national project, they also, arguably, contribute to project of women’s prominence in academic and political life. Likewise, Barack Obama’s historic presidency is an achievement

to the US as a culture but it is definitely also an achievement to the African-American community. If we are to respect people as leading their life from within, it is them we should defer to with regards to the question which of these perspectives bestow 'additional meaning' on their actions.

Tamir's assertion betrays her unwarranted bias in favor of national identification. But it also has a troubling undertone. When she talks about the ability to turn an everyday act into a source of national pride she doesn't tell us whose ability it is. But if we are liberals, we should limit that ability to the individual involved. Tamir says that "from a national perspective, the painter working in the solitude of the atelier, the poet writing to his loved one, or the athlete competing in a sports event, strive for the pinnacle of their own individual achievements but, *willingly or unwillingly*, they are also contributing to the advancement of their own particular nations" (Tamir, 1993, 85, emphasis added). If the painter and poet contributes unwillingly to the advancement of the national project, the added meaning is not an added meaning for them. This tone betrays the way in which cultural groups can 'enlist' individuals and their actions for the purposes of the group's advancement. That, I believe, is a very dangerous tendency. In any case, it is the opposite of providing conditions for individual flourishing, which is the basis of the liberal nationalist theory in the first place.

### **3 Conclusion: Group-Differentiated Rights in Liberalism**

What is the upshot of my argument for group-differentiated rights in liberal theory? Recall, Kymlicka's goal was to secure group-differentiated rights for national minorities. For that purpose he argued that personal autonomy requires societal cultures as context of choice, and claimed that societal cultures are typically national groups, therefore concluding that both state and minority nationalism can be justified on these grounds. In contrast, I argued that the notion of societal culture is incoherent. Either it collapses into fully institutionalized cultures or it refers to comprehensive cultures more generally, in which case it does not pick national groups uniquely. Moreover, I held that Kymlicka's definition of nationalism omits the normative dimensions of this concept and therefore ignore

the gap between existing cultural groups and aspired to culturally-unified nations. Lastly, I doubted that comprehensive cultures are needed for the exercise of autonomy and argued that to the extent that cultural membership contributes to the exercise and autonomy and people's sense of identity, all group membership should receive the same privileges that nationality receives in political theory.

Cultural membership is important for individuals. Perhaps it's even true that membership in comprehensive cultures, having a 'way of life' that is shared with others, is particularly important for individuals. What kind of policies can states pursue in order to maintain some form of cultural unity is a complicated question. I cannot provide a full theory of permissible nation-building here but it seems to me that the only way for nation-building to be consistent with liberal theory is if we insist that whatever the content of the national character, it remains very thin as to allow the greatest plurality. National identities come in flavors – some are more demanding than others. Liberalism, for reasons not recounted in this paper, may require some form of cultural unity. But it would also require that the pressures for such unity make as much room as possible for individuals to choose and pursue whatever group identity is most important to them.

Kymlicka is rightly worried, in the name of national and ethnic minorities, about the implications of nation-building efforts, especially due to the aggressive way they have historically been pursued. Kymlicka's solution extends the protection of nationalism to national minorities but he fails to recognize that the same reasons which motivate him apply equally to other comprehensive cultural groups, as well as other non-comprehensive ones. Once Kymlicka's theory is made consistent, there is no more room for the unwarranted privilege that liberals have traditionally given nationalism. Instead, liberalism seems to require policies that enable, promote and develop multicultural people: encourage bilingualism, multiple membership and cultural exchange. It requires ensuring there is an adequate range of alternatives for people to choose from, especially when they are developing their autonomous capacity. Whatever cultural unity state institutions legitimately promote, it must be as thin as possible. The liberal society is not plural monoculturalism; it must be really multicultural.

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