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Intentional Communities and Liberal Policies of Cultural Support

MOJMIR KRIŽAN

Professor of Political Science
Götingen, Germany

Summary

Some theoreticians argue that the stability of liberalism is to a large extent an outcome of a continued existence of traditional and other forms of life in communities, which are able to slow down or hinder the immoderate expansion of individualism, but that liberal societies are liable to destroy that foundation of their stability. However, liberal society cannot allow the destruction of the existing forms of communal and communitarian life, because it would mean its destabilization. On the contrary, where traditional communities do not play their stabilising role, liberal societies must change their social and cultural policy in order to generate some new forms of communitarian and communal life. The article deals with some constructive and destructive influences of liberalism on the communities constituted around separate concepts of the good. It shows that modern societies may be fertile soil for a variety of cultural and other communities.

1. Introduction

Brian Barry defines liberalism in the following, rather cynical words: "Liberalism rests on a vision of life: a Faustian vision. It exalts self-expression, self-mastery and control over the environment, natural and social; the active pursuit of knowledge and the clash of ideas; the acceptance of personal responsibility for the decisions that shape one's life. For those who cannot take the freedom, it provides alcohol, tranquillizers, wrestling on the television, astrology, psychoanalysis, and so on, endlessly, but it cannot by its nature provide certain kinds of psychological security. Like any creed it can be neither justified nor condemned in terms of anything beyond it. It is itself an answer to the unanswerable but irrepressible question: "What is the meaning of life?".[1]

Accordingly, some theoreticians point to the parasitic relationship of liberal institutions and social relationships to traditional, less individualistic forms of social and economic life, which provide more psychological security. They argue that the stability of the former is to a large extent a result of the continued existence of traditional and other forms of communitarian and communal life, these being able to counteract the excessive expansion of individualism, but that liberal societies tend to destroy this very basis of their stability.

[1] Brian Barry, *The Liberal Theory of Justice,* Clarendon Press, Oxford, 1973, p. 127.

This is confirmed by members of communes and by social theoreticians observing the life of communes. They see the communes as islands of security, harmony and homeliness in a hostile environment. Looking at the outside world, they write about suspicious neighbours, about rapid changes of the modern, "perplexing alien world", about problems of adjustment to these changes, about a "formal system of interrelationships with the state institutions in legal categories essentially foreign to the world of the communes", about "reserve toward or even denial of a political regime", about advantages and disadvantages of seclusion and isolation of communes, etc.[2]

The described kind of relationships between communities and the liberal society is not very promising. The liberal society cannot afford to destroy the existing forms of communal and communitarian life and thus destabilize itself. On the contrary, where traditional communities do not play their stabilizing role any longer, liberal societies have to redesign their social and cultural policies in order to stimulate new forms of communitarian and communal life. On the other hand, communities have a vested interest in fruitful relationships with their institutional and social environment. In modern societies this environment is not only the condition of their economic survival, but it offers them political protection, security and sometimes even support. Last but not least, to the members of communities it guarantees the individual rights and liberties ("background liberties", as seen from the perspective of the communities), thus preventing the degradation of the communities into hotbeds of small-scale totalitarianism. In short, the principal political institutions and procedures of a liberal society, and the various social communities existing within its framework, should not be "perplexingly alien" to each other.

In the following text first some constructive and destructive influences of liberalism on communities constituted around specific conceptions of the good are analyzed. It is shown that modern societies can be a fertile soil for a great variety of cultural and other communities. Second, this finding is illustrated by naming several criteria for the classification of these communities. Third, a number of arguments favoring governmental support of cultural communities are formulated. And fourth, the problem of a fair distribution of cultural support is discussed, reaching the conclusion that in many instances only deliberative *ad hoc* solutions of distributive problems can be considered as fair.

2. Influences of Liberalism on Social Groups and Communities

A liberal political, social and economic order exerts both constructive and destructive, beneficial and eroding influences on existing social groups and cultural communities. Moreover, these influences are conducive to the appearance of new communities. The following influences are of a rather general nature:

- Modern civil rights and liberties tend to erode all traditional forms of life. The liberty of thought and public speech exposes the hitherto inviolable religious and other

[2] Cf. Yaacov Oved, *Two Hundred Years of American Communes*, Transaction Books, New Brunswick and Oxford, 1988, pp. 447-54; Yaacov Oved, "Editorial Note", *Bulletin of the International Communal Studies Association*, No. 15, Spring, 1994, p. 2.

doctrines to public criticism. Without ideological and political protection, these doctrines often lose a great deal of their cogency. Second, these rights and liberties stimulate the appearance of manifold new ideas, doctrines and cultural orientations as potential foundations of new communities. The liberty of thought and public speech enables people with attractive ideas and potential group leaders to propagate their ideas publicly and thus win adherents. Third, the liberty of association allows the adherents of these doctrines to associate and organize, and provides state protection for these associations. Correspondingly, in modern societies citizens conduct their lives according to many different ideas of the good. In other words, these societies are culturally plural or, as is nowadays fashionable to say, multicultural. And fourth, civil liberties not only enable every citizen to decide to which communities they want to belong, but for the first time in history they are able to cut all their communal ties and adopt the life-style of an isolated autistic single.

- Similarly ambiguous are the influences of a modern industrial economy which requires a high social and geographic mobility of the working force. The concurrent growth of cities results in the development of extremely complicated functional networks of human relationships. Consequently, those who want to enjoy the material and cultural benefits of this economy and of urban life have to give up the advantages of living in stable, comprehensive, homogeneous, simple, and transparent communities. On the other hand, the high material standard of living in modern societies obviates the necessity of many forms of group solidarity.

In particular, the interests in economic cooperatives is severely reduced because the necessity and the opportunities of economic solidarity are lacking. In other words, in modern industrial societies economic cooperatives need a convincing non-economic justification, such as the high valuation of collective work management or of collective ownership of the means of production.

On the other hand, the high material standard of living allows the trade-in of some material affluence for the stability and solidarity of the group. In affluent societies the motivation of the citizens to join a community or association – if not the desire to practise a hobby or to somehow "shape their leisure time" – is the desire to develop and live in accordance with a particular moral or religious world view or doctrine. The structure and the dynamics of modern cities are a fertile soil for the emergence of new doctrines, moral and aesthetic values, ways of life etc., serving as the basis for the constitution of new groups and communities. But also traditional religious teachings, legitimized by centuries or even millenia of their historical existence, find new adherents.

- Third, Western liberalism has exposed and defeated the totalitarian socialist projects of the 20th century – Nazism and Soviet communism. These projects have demonstrated that attempts to harmonize and homogenize society – i. e. to transform it into a comprehensive community – lead to intolerance, totalitarianism, racism, and finally to uninhibited barbarism.[3] These experiences deprive of any legitimacy groups and communes

[3] There are two reasons for this: the secularity of modern states, exempting them from the obligation to respect any transcendent norms, and the modern techniques for the control, manipulation and terror of the masses.

which understand themselves as anticipators of a socialist utopia or as vanguards able to lead the "masses" towards that utopia.

Beyond these general influences, there are many single features of modern societies which can have a positive or negative impact upon this or that association, cultural group, etc. Since each such group, community and commune has a different doctrinal, social and economic foundation, each can be disturbed by other properties of modernity and liberalism, and these disturbances can be of varying intensity. This is illustrated by the following examples:

- The heterogeneity and the dynamics of modern life are incompatible particularly with closely-knit communes which define the horizon of almost all aspects of the livers of their members, absorbing their entire personality and fully and unambiguously determining their "identity". Modern individuals tend to belong to various communities and associations and to develop rather complex, diffuse and fluctuating "identities".

- Besides the positive moral motivation to adopt a religious world view or moral doctrine and join a religious sect or moral association, there is the motivation which Erich Fromm calls "escape from freedom"[4]. Weak characters, instead of using drugs or excessively watching soap-operas on television, eventually become members of sects which divest them of any personal autonomy. After handing over all their property to the sect and submitting entirely to its rules or to the will of its charismatic leader, they are no longer under pressure to accept personal responsibility for the decisions that shape their lives.

- Another danger generated by modern worldliness, by the lack of moral orientations, and by the desire to "escape from freedom" is the emergence of ethnic nationalisms. Their attractiveness is due mainly to their doctrinal emptiness and primitivism (to belong to a "people" does not presuppose the adoption, understanding, and observation of any religious or moral doctrine), to the pseudo-natural character of ethnic "identities" (suggesting that they are safe, that they cannot be changed or taken away), to the coveted transparence and harmony of an ethnically homogeneous society, and to the strong desire to realize the fascist ideal of "one people, one state", and, possibly, "one leader"[5].

To conclude: modern liberal societies are hardly a fertile soil for the constitution and perpetuation of communes which absorb the entire personality and fully and unambiguously determine the "identity" of their members while having only reduced contacts with their environment. In contrast, these societies offer optimum conditions for all kinds of traditional or modern, old or new, but at any rate free and intentional associations, religious groups, communities, etc. For the sake of transparence and completeness the possibilities of their classification according to several criteria are illustrated in the following section.

[4] Cf. Erich Fromm, *Escape from Freedom*, New York, 1942.

[5] In recent years ethnic nationalisms have seen a large scale revival in postcommunist Easter Europe. The reason for this is that the destruction of communist regimes, the vanishing of communist ideology and the low level of political and other culture, have driven the population into a state of severe anomie and fear of an uncertain future.

3. Criteria for the Classification of Social Groups and Communities

The multitude of groups, associations, communities and communes based on different religious convictions, ideologies, moral doctrines, ideas of good life and habits, as typically found in modern societies, can be classified according to a number of criteria, such as the following:

- The modern principle of freedom invests the dichotomy of intentional vs. non-intentional groups with high importance. Thereby, the concept of intentionality can be interpreted in different ways. In its broadest meaning it implies that a group of people, through individual consideration and common deliberation, decide to replace their present way of life by a new one, based on other moral norms, laws, objectives, social relationships, possibly established on another location, etc.

A different type of intentionality is implied when religious persons maintain that they believe in the only true God, implying that their belonging to their religious community and their observance of the divine law is not a matter of free choice, but that it is nevertheless their most prominent intention. Religious convictions do not appear as results of considerations and decisions but, at least in the context of modern societies, they are the basis of the constitution of intentional religious communities.

A third, rather ambiguous meaning of intentionality pertains to persons who grew up in a community freely and intentionally constituted by their elders. In fact, the early way of life of such persons is not intentional but "natural" or traditional, since it is determined by the decision of their elders. In other words, the passage of time and the habituation to the existing way of life tends to transform every intentional community into a traditional one. In order to preserve (or reproduce) the genuine intentional character of the communtiy, each generation of its members has to critically reconsider and (re)affirm its basic principles.

Fourth, from the point of view of the principles of liberalism – human rights and liberties, individual responsibility, etc. – belonging to any group, adoption of any doctrine, and living in accordance with any conception of the good life, can be considered as intentional. After all, the theories of social contract understand liberal societies themselves as the product of a rational decision and collective contract of their members.

In reality, most people avoid far-reaching decisions about, and radical changes of their lives. They accpet or even love the environment into which they have been born, the everyday routine of their lives, and the social structure which they have grown into. Passive acceptance of spontaneously developed group memberships is – leaving aside the logical implications of liberal principles – exactly the opposite of intentional association.

- Communities may be based on a common doctrine, including statements about their purpose, program or goal, or they may lack such self-definition. For instance, socialist communes are based on the common socialist ideology of their members, whereas a neighbourhood is in most cases constituted by chance and its common ideas rarely go beyond the requirement to cultivate friendly, albeit superfical mutual relationships, and

an aesthetically attractive environment. Intentionally constituted communities are always based on some common belief, but it is possible to deliberately accept the membership in a spontaneously emerged community without any ideological underpinning.

- The common doctrine, if there is any, may be transcendent (religious, spiritual) or secular. Secular doctrines, e. g. socialist utopias, often play in the lives of their followers a role very similar to that of a religion.

- The common doctrine, its requirements and objectives, or the spontaneously developed common habits and beliefs, may encompass the whole lives of the members of the community and thus entirely determine their "identity", or it may amount to the formulation of a rather narrow common interest of these members and a set of rules regulating their behavior. For instance, the members of a religious commune may dedicate their whole life to the observance of the divine law, or a socialist group may concentrate all its energies on the realization of socialist social relations. On the other end of the spectrum are groups like associations of philatelists or anglers, economic cooperatives based on common economic interest, etc.

- A further dichotomy pertains to the kind of bonds tying together the members of the group; these bonds can be emotional and rational. The stability of intentional communes involving the whole personality of their members is necessarily based both on emotional and on rational ties. In traditional and spontaneously emerged communities such as neighbourhoods, emotional ties dominate. On the other hand, in associations and interest-groups the bonds of the members are predominantly rational, emotional ties being a kind of by-product of the common interest and frequent communication.

As can easily be seen, none of these dichotomies should be understood as a clear-cut and exclusive alternative. For instance, the members of a new neighbourhood may have been together by pure accident, but in the course of time they may develop commong habits, feelings of solidarity and readiness to mutual aid, thus coming close to a common system of values. Religious doctrines are often combined with a large number of secular requirements, and secular ones cannot, in final analysis, find a definitive justification and therefore often rely on pseudo-religious convictions. The members of associations based on some limited interests may in the course of time develop close social relationships which become an important element of their "identity". Finally, even the strongest emotional ties require some rational regulation, and the most rational common doctrine will leave the group life unsatisfactory and hollow if it is not supplemented by emotional ties.

Doubtlessly, a number of other criteria for the classification of social groups could be mentioned, such as their size, longevity, etc. However, the above five dichotomies suffice to illustrate the difficulties of the classification and to substantiate the thesis that in modern liberal societies a great variety of social groups and communities can exist – religious communities like the Catholic Church and Umma Islamiyya, large linguistic, cultural and ethnic groups, nations, groups of politically like-minded people, local communities, subcultures, professional and other associations, etc.

As already mentioned, in most cases these groups and communities play an important role in preventing liberal societies from disintegration and their citizens from sink-

ing into isolation and anomie. A liberal society should therefore be careful not to make them into objects of exploitation and destruction but should instead conceive cultural policies suitable to strenghtem them.

4. Arguments Favoring Governmental Support of Cultural Communities

Understandably, cultural groups and communities, if they are not extremely isolationistic, are highly interested in obtaining recognition from the society and support from government agencies. So far, one general argument favoring such recognition and support has been brought forward, namely, the stability argument. This argument says that liberal societies have a vested interest in respecting and supporting social groups, associations and communities on the assumption that these are ready to respect the liberal constitutional order, their stability being the best basis for the stability of that order. The stability argument can be substantiated by a number of specific arguments in favor of cultural recognition and support, among others the following:

- Religious and moral communities organize the life of their members in accordance with their particular teachings and norms. In contrast to the principles and norms of the liberal constitution, religious and moral teachings and norms encompass and regulate a large part of the life-world of the members of these communities, thus enabling them to take timely and correct decisions in most religiously and morally relevant situations. Their behavior thereby becomes predictable not only mutually, but also to the surrounding society.

- Every person has a deeply rooted need to be recognized and respected by his environment. Mutual recognition and the resulting self-respect can develop only in groups and communities. Only through interactions in groups and communities can a personality be shaped, and only a group sharing some common values, expectations and orientations can deliver the much coveted recognition. For this reason individuals deprived of their habituated societal contexts soon seek recognition from new cultural communities. However, recognition is sought not only from a narrow cultural community but also from the society as a whole. Governmental support of cultural communities therefore both proves that the society on the whole pays recognition to their members, and makes sure that these members obtain the requisite recognition from their respective cultural community.

- Most people seldom systematically reason about important moral and religious questions. Their decisions and actions are based on pragmatic considerations, on everyday routine and on the behaviour of exemplary persons. Members of communities based on recognized religious and moral doctrines are highly suitable as exemplary persons offering orientation to their less thoughtful fellow citizens. Thus, supporting such communities can also be justified by their cultural and moral influence on their environment.

- Even in relatively stable societies developments can occur resulting in rapid disintegration of some existing cultural or religious communities. A case in point is the disin-

tegration of the western left as a result of the collapse of Soviet communism. Such an ideological and institutional disintegration leaves a large number of people without orientation. Since anomic people are prone to unpredictable behaviour, states must be interested in preventing extensive and sudden perturbations of this sort by culturally supporting endangered groups.[6]

- Unjust treatment of a group in the past may result in its poor social status in the present. The victimized group may fail to develop culturally, and its original culture and religion may be transformed into a mixture of traditional elements and a culture of poverty, powerlessness and lack of education. Since cultural consequences of oppression are transmitted across generations, not only its immediate victims in the past, but frequently also their descendants in the present have to suffer.[7] Although injustice committed on the past generations of the victimized group cannot be undone, it may be reasonable to reduce the dissatisfaction of the living members of the group by offering them cultural aid understood as a compensation for (the present disadvantages resulting from) the past injustice.

- Religious and moral groups often voluntarily take upon themselves important social tasks, for instance to take care of educationally neglected or delinquent children, to organize kindergartens, to take care of poor and paralysed old people, etc. As a rule, the government can save money by subsidizing such groups or some of the social institutions they are running, instead of organizing the services on its own account.

- Traditional religious and other communities are carriers of knowledge about important teachings, their interpretations, and practices and ways of life based upon them. In contrast to libraries and museums, such communities are existentially interested in preserving the knowledge contained in their holy scriptures, in further developing its interpretations, and in adapting it to contemporary requirements. Supporting such communities is therefore the optimum method of preservation of important pieces of cultural heritage.

- Finally, there are two strictly liberal arguments which favor cultural pluralism and, consequently, cultural support, but are not immediately concerned with stability. The first of them relies on the four arguments by John Stuart Mill in favor of the freedom of thought and speech.[8] According to Mill, this freedom stimulates the emergence of various true and less true opinions whose interplay is beneficial for the finding of truth and

[6] An impressive illustration of the possible consequences of anomie is the expansion of barbarism in Eastern Europe after the collaps of communism. Instead of promoting a manifold and rich cultural life, the communists violently implemented their idea of a homogenizing cultural revolution, and thereby destroyed most cultural traditions. After the breakdown of their ideology, the institutional system and the corresponding social relationships, considerable portions of power shifted into the hands of criminal gangs, warlords and their disoriented and infantile followers, and chauvinist politicians. The descent of society into a *bellum omnium contra omnes* has been most complete in Yugoslavia. Cf.: Eric Hobsbawm, Barbarei. Ein Leitfaden. Die Rückkehr der Folterer und das Anwachsen der Gewalt, *Lettre International*, No. 27, Winter 1994, pp. 33-7.

[7] Representative instances are the gipsies in Europe, the Indians and blacks in the USA and the Palestinians in Israel.

[8] Cf.: John Stuart Mill, *Über die Freiheit* (On Liberty), Athenäum, Frankfurt/M., 1987, pp. 4-65.

the spiritual well-being of humanity. Needless to say, requisite opinions are cultivated and theoretically substantiated in social groups based on different world views, religions, moral doctrines, etc.

- The second liberal argument has been developed by Joseph Raz.[9] Raz argues that cultural options are collective goods of high importance both to the members of the respective cultural communities and to the society as a whole. Namely, the plurality of cultural options favors the citizens' personal autonomy by enabling and compelling them to choose from among many alternative conceptions of good and corresponding ways of life, some of them incompatible.[10] Although Raz understands personal autonomy as a kind of ultimate value,[11] it can easily be shown that autonomous persons – persons able to control their own destiny and to act according to a consistent life plan – are likely to be more useful members of society that heteronomous and passive ones.[12]

As has been stated in the introduction, cultural communities have a strong interest in having good relationships with and obtaining support from not only the government, but also their social environment. As this argument is highly plausible, it shall not be further pursued here. Instead, the next section deals with the problems of the distribution of cultural support.

5. Distribution of Cultural Support

The distribution of governmental means of cultural support indeed can provoke conflicts between interested cultural associations and communities. However, such conflicts cannot be avoided by abstaining from active cultural policies. A government refusing to intervene culturally in the society might jeopardize the stability of its consitution – and nonetheless be blamed for injustices which its passivity inflicts on various disadvantaged groups. Thus, the government has to conceive, justify and implement cultural policies acceptable to a large majority of citizens as "just", "fair"[13], "impartial", "neutral", etc. But how to define the optimum "fairness" or "neutrality"?

[9] Cf.: Joseph Raz, *The Morality of Freedom*, Clarendon Press, Oxford, 1988, pp. 369-429.

[10] "The ruling idea behind the ideal of personal autonomy is that people should make their own lives. The autonomous person is a (part) author of his own life. The ideal of personal autonomy is the vision of people controling, to some degree, their own destiny, fashioning it through successive decisions throughout their lives" (Raz, ibid., p. 369).

[11] Cf. Raz, ibid., p. 205.

[12] For the sake of completeness, an important argument against support of cultural communities should be mentioned: Although culture is a dynamic process, the institutionalization and bureaucratization of cultural support tends to freeze particular cultures into fixed stereotypes, thus cause their stagnancy and conjure up a permanent strife between communities aspiring to that support. Cf. e. g.: Three Interviews with Alain de Benoist, *Telos,* Nos. 98-9, Winter 1993 – Spring 1994, pp. 173-207, pp. 194f. Of course, a government can find further reasons against getting involved in politics of cultural support. For instance, it can argue that it has no money or that it is an adherent of the ideology of minimal state.

[13] The concept of fairness refers to consensually accepted or acceptable solutions of conflicts, or to situations consensually accepted or acceptable as suitable for finding such solutions. In Webester's Third New In-

A predominantly "non-interventionist" solution to this problem has been proposed by John Rawls. Being aware of the modern "fact of pluralism", including cultural pluralism, Rawls formulates two principles of "justice as fairness" determining the "basic structure of society" and regulating the distribution of "primary goods", i.e. general goods that help realize a broad range of conceptions of a good life. He believes that his rather complex arguments in favor of these principles are convincing enough to make everybody accept them as fair.[14] Primary goods are basic rights and liberties, freedom of movement and choice of occupation, powers and prerogatives of offices and positions of responsibility, income and wealth, and social bases of self-respect. Whereas rights, liberties and opportunities in social competition are to be distributed equally, income and wealth are subject to the difference principle[15], and social bases of self-respect are a kind of resultant of the possession of the other primary goods in adequate quantities.

Rawls argues that persons who have obtained their share of primary goods according to these principles, have been treated fairly and are neither as individuals nor as members of groups entitled to any further endowments. Even if their share of primary goods proves to be insufficient to perpetuate their traditions, to realize a conception of good life or to guarantee the cohesion of the community they are living in, they have no good reason for complaint.

In *Political Liberalism* Rawls explicity limits the ambitions of his theory of justice to the development of a "political conception of justice". In view of the "fact of pluralism" he analyses the concept of neutrality of the state towards various comprehensive doctrines, corresponding virtues and conceptions of good life. The concept of procedural neutrality may imply that the procedure appeals to no moral values at all, or that it appeals only to neutral values, such as impartiality, consistency in application of general principles to all cases similar in relevant respects, and equal opportunity of the con-

ternational Dictionary of the English Language Unabridged. *Encyclopaedia Britannica*, G. & C. Merriam, Chicago etc., 1976, Vol. I, p. 815, "fair" is defined as: "characterized by honesty and justice: free from fraud, injustice, prejudice, or favoritism...: conforming to an established commonly accepted code of rules of a game or other competitive activity...: equitable as basis for exchange...". Its synonyms are: "just, equitable, impartial, unbaised, dispassionate, uncolored and objective".

[14] Cf.: John Rawls, *A Theory of Justice*, The Belknap Press of Harvard UP, Cambridge, Massachussetts, 1971; John Rawls, *Political Liberalism*, Columbia University Press, New York, 1993.

Rawls assumes that his definition of the concept of the "original position" would be consensually accepted precisely because the defined fictitious position is fair, that accordingly the fictitious bargain in that position would also have to be considered as fair, and that consequently the principles of justice agreed to would as well be consensually accepted, i.e. recognized as fair. In other words, he hopes that the equality of the participants in the "original position" and the "pure procedural justice" of the decision procedure in that position guarantee the unanimity of the participants on principles of justice determining the basic institutional structure of society. This guarantee of consensus is a *conditio sine qua non* if these principles are to "generalize and carry to a higher level of abstraction" or "recast" the familiar classical doctrines of social contract (cf.: Rawls, *A Theory of Justice,* ibid., p. 11; John Rawls, Justice as Fairness: Political not Metaphysical, *Philosophy and Public Affairs*, Vol. 14, Summer, 1985, No. 3, pp. 223-51, p. 235).

[15] This principle "says that the social and economic inequalities attached to offices and positions are to be adjusted so that, whatever the level of those inequalities, whether great or small, they are to the greatest benefit of the least advantaged members of society" (Rawls, *Political Liberalism*, pp. 6f).

tending parties to present and rationally discuss their claims.[16] A state based on the principles of "justice as fairness" is not procedurally neutral, since it is linked to substantive values such as the principles of distribution of primary goods, the concept of the optimum basic structure of society, a concept of person, etc. It can be neutral only in terms of the aims of its basic institutions and its public policy. Rawls proposes three interpretations of the concept of neutrality of aim: (1) The state guarantees to all citizens equal opportunity to advance their particular conception of the good; (2) The state abstains from doing anything intended to favor a particular conception of good life or the persons pursuing it; (3) The state takes care that the probability that one or another comprehensive doctrine is accepted by the citizens is not influenced by its actions and structures.

Since a liberal state can tolerate only those conceptions of the good that respect its constitutional principles, it cannot be neutral in the first sense. It cannot be neutral in the third sense either, because its constitutional institutions inevitably have considerable effects upon the long term chances of survival of some comprehensive doctrines and groups living according to the corresponding ideas of good life. In other words: neutrality of aim does not imply neutrality of influence or effect. Consequently, in a liberal state only the second conception of neutralita of aim can be satisfied.[17]

Rawls further argues that a liberal constitutional government may abandon its neutrality and self-restriction only as far as the political conception of justice is concerned. In other words, the government may not legitimately promote certain forms of moral character, political virtues and ideas of the good if these are understood as elements or expressions of comprehensive doctrines about the good life, but it may promote them if they are understood exclusively as elements or expressions of the political conception of justice upon which the constitutional order is based.[18]

This argument of Rawls provokes two questions. First, to what extent can the promotion of some elements of a comprehensive conception of good life – those that are simultaneously elements of the political conception of justice – be distinguished from the promotion of this comprehensive conception as a whole? And second, whether, even if such a distinction is possible, it is not politically more prudent to support the whole conception of good life, and not only some of its elements?

For instance, Germany has recently instituted islamic religious instruction in some public schools in order to counteract the influence of intolerant private Kur'an schools. This decision can be publicly justified by two arguments: as an attempt to promote the liberal political culture among Muslim population – i. e. to manipulate them ideologically and culturally – in accordance with Rawls' argumentation, or as an expression of recognition granted to the comprehensive conception of good life as it is understood by the majority of Muslims in Germany. Political prudence suggests that the second justification would be more conducive to the loyalty of the Muslim population.

[16] Rawls, *Political Liberalism*, pp. 191f.

[17] Rawls, *Political Liberalism*, pp. 192-4.

[18] Rawls, *Political Liberalism*, pp. 194f.

In other words, Rawls' proposal rightly suggests a careful and restrictive governmental approach to the problem of cultural aid, but does not solve it. Unfortunately, there are hardly any other solid theoretical strongholds for the formulation and justification of distributive principles of an active cultural policy, as shown by the following considerations.

Another *prima facie* plausible solution to the problem would be the division of cultural options into three categories according to their proximity to the values and virtues of a liberal political culture or according to some more general criteria of moral value.[19] The first category would include the options which are good in the sense of the adopted criteria of valuation. Communities and associations embodying these conceptions of good life would be entitled to cultural support. The second category of options would include those which do not harm others but are not considered as morally good either – e. g. because they do not contribute to the stability of the liberal constitutional order or to the development of the liberal political culture of the population, or because they adhere to repugnant private practices. Groups adhering to the options in this category would not be entitled to support, but they would enjoy full protection and toleration by state and society. Finally, the third category of cultural options would include the harmful ones. Communities constituted around harmful values and practices would have to be suppressed, dissolved or assimilated, if necessary by coercion.

The difficulties with this proposal are obvious: it requires the establishment of a broad consensus about the three categories of cultural options. Yet, it is hardly conceivable that the adherents of the options categorized as harmful would accept the perspective of being coercively suppressed or assimilated. Even less tractable seems to be the problem of distinguishing the first two categories of cultural options: what is the difference between a conception of good life which is beneficial to the development of a liberal political culture, and another one which causes no harm in that respect?

The problem of the distribution of cultural aid can be neutralized to some extent by defining cultural plurality itself as a value. Since cultural plurality implies the existence of several cultural communities, ways of life, and conceptions of the good within the same society, it appears as a meta-conception of the good, or as a good *sui generis*. This understanding of cultural plurality can be justified by the above mentioned John Stuart Mill's argument contending that clashes of opinion are beneficial for the finding of truth and for the spiritual development of humanity, and by Joseph Raz' argument stressing the favorable influence of cultural plurality on the development of citizens' personal autonomy.

In this case, the government would as well be bound to promote various cultural options, with the exception of those colliding with the liberal constitution. But its moral burden of justification would be somewhat reduced as compared to the previous solu-

[19] As such a general criterion of moral value can be considered Martha C. Nussbau's "essentialist" universal "ethics of human capabilities", and the corresponding "thick vague theory of the good". This ethics requires the promotion of cultural groups whose conceptions of good life promise to employ and to develop those capabilities (Cf.: Martha C. Nussbaum, Menschliches Tun und soziale Gerechtigkeit. Zur Verteidigung des aristotelischen Essentialismus, in: Micha Brumlik, Hauke Brunkhorst (eds.), *Gemeinschaft und Gerechtigkeit,* Fischer, Frankfurt am Main, 1993, pp. 323-61).

tion to the problem of distribution of cultural support: it would not have to differentiate between the morally good and the morally neutral cultural options, the promotion of both being justified by the superordinate value of cultural plurality.

Another argument reducing the moral burden of a government promoting various cultural communities is the argument of incommensurability.[20] If the cultures of these communities are at least partly incommensurable, then it is impossible to devise general criteria for the selection of cultural options to be promoted, and a reproach can hardly be made to governments practicing a policy of multiculturality not bound to any general principles of the distribution of cultural aid. *Ultra posse nemo obligatur!*

However, even if cultural plurality – Rawls' "fact of pluralism" – is accepted as value *sui generis*, and the problems implied in the incommensurability of different cultures are understood, frictions and conflicts between cultural groups will inevitably arise. Fortunately, although incommensurability rules out generally valid principles of a just distribution of cultural support, it does not rule out agreements between the representatives of various groups on *ad hoc* regulations of their conflicts.[21] This is true even when – in terms of the postmodernity-debate – radically heteromorphous language games do not allow the establishment of generally valid rules of discourse and the achieved local agreements are consequently precarious because of semantic incongruities.

Yet, where there is a voluntary consensus – the local conditions of deliberation, negotiation, understanding, and choice being also consensually accepted – there is fairness. In other words, incommensurabilities do not rule out fair agreements on optimum solutions of moral conflicts.[22] Thus, in a culturally plural society exhibiting numerous

[20] According to Raz, *The Morality of Freedom*, ibid., p. 322, "A and B are incommensurate if it is neither true that one is better than the other nor true that they are of equal value". He distinguished between small-scale (narrow, marginal, insignificant) and large-scale (wide, radical, significant) incommensurabilities, the latter implying the radical incomparability of options: "This *radical incomparability* includes even the possibility of judging that of two options neither is better nor are they of equal value" (Raz, ibid., p. 329). More important concerning cultural plurality are the "constitutive incommensurabilities", i. e. incommensurabilities of important projects, comprehensive goals of forms of life defining the identities of the agents. Here the agents refuse to exchange options which are mutually exclusive, or even to think of their comparability or exchangeability, in order not to abuse the ability to successfully pursue their actual options (Raz, ibid., p. 345f; cf. pp. 345-56, passim).

[21] E. g., Stephen Mulhall and Adam Swift stress in *Liberals and Communitarians*, Blackwell, Oxford, 1992, pp. 128: "The political theorist should recognize both that distributive principles must be good-specific and that good-specific principles must be culture-specific". The same has to be recognized by the representatives of cultural communities negotiating fair solutions to intercultural problems and conflicts.

[22] It is possible to conceive a rather reduced idea of justice without fairness, for example by applying recognized principles of justice to insufficiently or inadequately described situations. Such inadequacies may be due to incommensurabilities. Bringing them to prominence is the intention of Judith Shklar in her *Faces of Injustice* (Yale UP, New Haven and London, 1990). It is possible as well to have fairness without justice, in the form of a narrow area of tentative consensus disconnected from any comprehensive system of principles or rules of justice.

For instance, if a hermit needs seclusion and a playboy lots of money, and if the hermit is helped to live in seclusion and the playboy to conduct his pretentious life, then it hardly makes sense to say that the distribution of these incommensurable social goods is just, but it may be considered as fair. In addition, they both may be

conflicts of more or less incommensurable cultural options, the (inevitably restricted) justice of the liberal constitution and laws as the basis of the legitimacy of the social and political order can be supplemented by the (unrestricted) fairness of *ad hoc* agreements.

6. Deliberative Finding of Consensus on Policies of Cultural Support

The above conclusion has in recent years been confirmed by the fact that in the discussions conducted by political philosophers concerned with the described problems of cultural plurality, "deliberation" has become one of the key words.

Thus, Amy Gutmann proposes "deliberative universalism" as a minimal version of universalism providing for adequate conditions of deliberations on fundamental moral conflicts, including the intercultural ones.[23] "Deliberative universalism ... consists of (1) a set of substantive principles of justice that are unreasonable to reject or necessary for deliberation, and (2) a set of procedural principles that support actual deliberation about fundamental moral conflicts, ... and that provisionally justify reasonable outcomes of deliberative processes by appropriately authorized and accountable decision makers."[24]

Jürgen Habermas develops the concept of "deliberative democratic politics". Such politics "should be conceived as a syndrome that depends on a network of fairly regulated bargaining processes and of various forms of argumentation, including pragmatic, ethical and moral discourses, each of which relies on different communicative presuppositions and procedures. In legislative politics the supply of information and the rational choice of strategies are interwoven with the balancing of interests, with the achievement of ethical self-understanding and the articulation of strong preferences, with moral justification and tests of legal coherence".[25]

Seyla Benhabib stresses the rationality and the legitimatory power of public deliberation. She says that the basic idea behind the discourse model of ethics and politics "is that only those norms, i. e., general rules of action and institutional arrangements, can be said to be valid which would be agreed to by all those affected by their consequences, if such agreement were reached as a consequence of a proces of deliberation which had the following features: a. participation in such deliberation is governed by the norms of equality and symmetry; all have the same chances to initiate speech acts,

considered to have made a "good deal" at the expense of the other side, which from the moral point of view probably isn't very noble, but all the more beneficial for the satisfaction of the subcultures of hermits and playboys, and for social peace between them.

[23] Amy Gutmann, The Challenge of Multiculturalism in Political Ethics, *Philosophy & Public Affairs*, Vol. 22, No. 3, Summer 1993, pp. 171-206, p. 206.

[24] Gutmann, ibid., p. 200.

[25] Jürgen Habermas, Three Normative Models of Democracy, *Constellations*, Vol. 1, No. 1, April 1994, pp. 5f.

to question, to interrogate, and to open debate; b. all have the right to question the assigned topics of conversation; c. all have the right to initiate reflexive arguments about the very rules of the discourse procedure and the way in which they are applied or carried out."[26]

Yet, democratic deliberations might introduce an element of instability into culturally plural societies, since cultural orientations of the population might deviate considerably from a liberal political culture. Therefore, in some trade-offs between the liberal principles and values and the particular cultural values of the members of some communities may be unavoidable.

These trade-offs may have two forms. First, the liberal government may reduce some rights and liberties of all citizens in order to protect a cultural community, with the possible exception of the members of that community. And second, the government may have to acquiesce to considerable reductions of rights and liberties in some communities. To be sure, the members of these communities have to be aware of their right to quit the community, i. e. they have to voluntarily accept these reductions. However, the formal liberty to quit one's community and way of life might appear as a rather unattractive project, membership in cultural groups being the basis of self-respect of modern individuals.

As seen from the standpoint of liberal political culture, these trade-offs have to be accepted and recognized as fair results of democratic deliberations. In some cases they alone can prevent the radicalization of some cultural communities and their leaders and thus stabilize these communities, intercultural relations and the whole constitutional order. However, this general objective requires that the application of this instrument be limited to narrow areas and implemented with utmost care. If this is not possible be-

[26] Seyla Benhabib, Deliberative Rationality and Models of Democratic Legitimacy, *Constellations*, Vol. 1, No. 1, April 1994., p. 31.

This list of examples could be extended. For instance, in the quoted article Seyla Benhabib refers to the model of deliberative democracy as proposed by Joshua Cohen, Deliberation and Democratic Legitimacy, in: Alan Hamlin, Philip Pettit (eds.), *The Good Polity, Normative Analysis of the State*, Basil Blackwell, London..., pp. 17-34. Agnes Heller (*Beyond Justice*, Basil Blackwell, London, 1987) conceives a society consisting of many cultural communities whose members are engaged in a discussion on justice – its meaning, contents, institutions, and policies. She expects the results of this discussion to be just if the axiological and procedural constellation of the discussion is also just and believes that political philosophers are able to define a set of values and procedural rules that can be universally accepted as just, thus constituting the "maxim of dynamic justice". In a dispute with Michael Walzer she insists that "ways of life fitted into this novel framework can be as unlike if compared with one another as the way of life of the Fiji fishermen is different from the way of life of the Homeric heroes" (Agnes Heller, An incomplete answer to Michael Walzer's remarks, *Theory and Society*, Vol. 19, 1990, pp. 231-3, p. 233. Cf.: Michael Walzer, The virtue of incompletion, *Theory and Society*, Vol. 19, 1990, pp. 225-9. Dick Howard (Toward a Politics of Judgement, *Constellations*, Vol. 1, No. 2, Oct. 1994, pp. 286-305) points to the ubiquitous conflicts between the individual will and the general norms of justice and to the problems arising when a new situation cannot be subsumed under the existing laws and rules. He proposes a "politics of judgement" which "implies the rejection of the increasing juridification of political life which seeks formal answers to fundamental questions on which difference of opinion is legitimate and where compromise must be based on the strenght of argument rather than the argument of strenght" (p. 302) and requires the communication of individual experiences to interested and affected others as a result of "the need to judge without pre-existing concepts, the necessity of assuming by responsibility and at the same time seeking assent from my fellow citizens whose diversity and autonomy I accept" (p. 301).

cause the citizens in their majority tend to support non-liberal values and groups, no constitutional safeguards, legal instruments, cultural policies and deliberative democratic procedures will in the long run be able to prevent the weakening and destruction of liberal institutions. Then, as the Old Testament and John Locke correctly say, only heaven can prevent war: *Judicet Dominus arbiter hujus diei, inter Israel & inter filios Ammon*[27].

7. Conclusions

1. A liberal society is a fertile soil for the appearance and thriving of manifold groups constituted around different doctrines and conceptions of good life, including traditional and modern cultural communities and communes. In contrast, liberal society is hardly a fertile soil for secluded communes which entirely absorb the lives of their members.

2. These groups and communities are dependent on the liberal state both as the supplier of insitutional and material support, and as the protector of the individual rights and liberties of their memebers.

3. A liberal government has a vested interest in supporting associations, communities and communes which respect its constitutional principles, since as a rule these communities cultivate values and virtues highly important for the stability of the institutional order of the state.

4. Because of the differences and even incommensurabilities between cultural options, it is hardly possible to achieve a broad consensus on general principles of the distribution of cultural support.

5. Consequently, in liberally constituted, culturally plural societies deliberative democratic negotiation and decision procedures have to play a dominant role in finding fair solutions to conflicts concerning the distribution of cultural support.

Translated by the author

[27] Cf.: John Locke, *Second Treatise of Government* § 21; *Biblia Sacra Vulgatae Editions*, Liber Judicum 11, 27.