

The Rights of Minority Cultures

(Editor: Will Kymlicka, Oxford University Press, Oxford, 2004)

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Liberal thinkers discuss about the role of public education in promotion of personal freedoms. However, the question is in what language the public education should be held. Book *The Rights of Minority Cultures*, edited by Will Kymlicka whose first edition was published in 1994, is full of those kinds of questions. Numerous editions that followed, including the one we use here, show that the demand for its topic is not the matter of past.

Since the language issue is an integral part of numerous ethno-cultural conflicts worldwide, the issue of use of language is central in discussions about the relation between personal freedom and political community. Kymlicka thinks that ethno-cultural conflicts are often focused on issues that political thinkers simply choose to ignore. These issues revolve around limits and power of political communities, language rights and policy of immigration and naturalization.

In the absence of determined principles, those conflicts are often being solved by pure force, believes Kymlicka (p. 2). There is very little understanding about what would be fair and just solution to those conflicts. However, Kymlicka (p. 3) thinks that in the last couple of years a number of problems, brought around by ethno-cultural movements, entered the sphere of political theory. Consequently, political theory is requested to explain those conflicts, help us identify morally defensible positions and create politically implementable solutions for them.

Kymlicka does not leave political theory aside because he thinks that the very recognition of those problems' existence can shed some light on some of the basic concepts and principles of political theory. Namely, those problems help us realize that our traditional understanding of freedom, equality, democracy and justice might be based on unconfirmed assumptions about state's ethnical or cultural semblance. Kymlicka emphasizes (p. 3) that those assumptions could be unchangeable within the context of multiethnic or multinational states.

The Rights of Minority Cultures is divided in following parts: *Historical Background*, *Cultural Membership*, *Forms of Cultural Pluralism*, *Individual Rights and Group Rights*, *Minority Rights and Democratic Theory*, and the final chapter *Controversies* that deals with specific areas which illustrate general discussions about international law, religious tolerance, immigration and secession.

Kymlicka emphasized that by his choice of texts he wanted to present the most recent writings of political and legal thinkers who have been exploring issues that were granted little or no attention on seminars about ethnic.

The first part, *Historical Background*, is opened by Vernon Van Dyke's article *The Individual, the State, and Ethnic Communities in Political Theory*. The article discusses the established relationship between individual and state which Van Dyke sees as indicator of liberal political theory's limitation. Namely, the theory does not include issues of ethnical communities and other communities that are not part of groups whose rights and duties the theory addresses.

Van Dyke concentrates on the theory's limitations. According to him liberal political theory is limited because of its taken-for-granted assumption that citizens feel as part of a special group that share common language, desire to live together and to be organized as state through some form of »social contract«.

According to Van Dyke, the problem lies in the fact that many states are made of two or more cohabitating communities. According to some recent data, there are over 600 active language (linguistic) groups and 5 000 ethnic groups in 184 independent countries. There are only few countries in the world whose citizens share the same language or belong to the same ethno-national group. Finally, Van Dyke argues that individualism is indeed the obstacle to the liberal theory and because of it the theory is incapable to ascribe any status to the groups settled on the scale between individual and state.

In his article *Marx, Engels and the National Question* E. Nimni finds a similar pattern in the Marxist tradition. To put it at best, Marxists are indifferent and even hostile toward demands of minority cultures. Nimni said that Marx and Engels have adopted the right of »big European nations« on independence. Therefore, they have supported union of France, Italy, Poland and Germany as well as independence of England, Hungary, Spain and Russia. At the same time they have renounced even the idea of granting the same rights to smaller nations like Czechs, Croatians, Basques, Welsh, Bulgarians, Romanians and Slovenians. »Smaller nations« were expected to assimilate into »big nations« without being granted minority rights including language rights or right to national autonomy.

Cultural Membership is the second part of Kymlick's anthology. It discusses the issue of belonging to cultural groups. What role do these groups have in the people's lives? If these groups become exposed to assimilation or other forms of instability, how does that affect an individual?

In the article *National Self-Determination* A. Margalit and J. Raz discuss two reasons why the membership in pervasive culture is crucial for people's well being. Cultural membership enables people to have reasonable choices of running their lives in which the similarity (affinity for) with the culture determines the limits of imaginable. If the group's culture is in decline or exposed to repression, the possibilities and chances available to its members fade away, becoming less and less attractive, which all together offers less opportunity for successful outcome. Therefore, cultural identity offers to people an »anchor« for self-identification. In return it means that people's self-respect is utterly connected to the achievements of their group. In the article *Minority Cultures and the Cosmopolitan Alternative* J. Waldron refuses such claims and explains how minority rights' defenders often exaggerate in emphasizing our dependence on cultural groups. He defends »cosmopolitan alternative« in which people can choose among offered »cultural fragments« that emerge from various ethno-cultural sources without feeling of membership or belonging to a certain culture. Furthermore, Waldron asks if today there is such a thing like various cultures at all. Namely, globalization of trade, increase in human mobility and development of international institutions and communications make it all impossible to determine precisely where one culture ends and other begins.

In the third part, *Forms of Cultural Pluralism*, the articles discuss the meaning of adjustment of cultural identities. In articles *Individual Rights Against Group Rights* and *Pluralism: A Political Perspective* N. Glazer and M. Walzer discuss the possibilities of cultural identities' adjustment by mentioning two models for adjustment of ethno-cultural difference: indiscriminate model and protective-promotional model. Basically, the indiscriminate model is being implemented since the 17th century in liberal European countries regarding religious minorities. According to that model, religious minorities are being protected indirectly by being guaranteed the individual freedom of religious observance. Therefore, people can freely gather with other members of the same religion without fear from state's discrimination or persecution. Indiscriminate model expands this principle to ethno-cultural differences. Ethnic identity is like religion: a personal matter not a matter of state. Therefore, individuals should be free to express it in their private lives. State or its institutions have no share in that. The second one, protective-promotional model, involves public measures for the sake of protection and promotion of ethno-cultural identity. It includes rights on language, regional autonomy, private property, political representation, veto and so on. Kymlicka claims that the difference between the model of group's rights and the indiscriminate

model is well known from literature but it's hard to recognize it in practice.

According to Glazer's point of view, the choice between indiscriminate and group's rights is actually the choice between creation of common national culture and acceptance of eternal existence of two or more national cultures within a state.

The fourth part, *Individual Rights and Group Rights*, contains the articles of D.M. Johnston, M. Hartney, C. Kukathas and L. Green. D.M. Johnston explores recent analysis of group's rights in an attempt to define the term »group« and in what sense such »group« has rights. On the other hand, M. Hartney agrees that belonging to a group or a community represents a great value for an individual but he argues that such a demand in itself does not imply that groups should have those rights. Although both authors deal with familiar questions about priorities of individual and community, Hartney notices an important difference. Namely, in some cases, minority cultures demand their rights in respect to wider society in order to protect themselves from political and economic decisions of the majority. In other cases, minority culture demand its rights against its own members in order to protect a traditional way of life in respect to the demands of individuals. In order to differentiate between these two types of demands Kymlicka calls the first type »external protections« and the second one »internal restrictions«. However, in his article C. Kukathas defends the right of minority culture to impose upon its members internal restrictions of freedom as long as that membership does not jeopardize the basic freedom of individual which is the right to leave the group.

In the fifth part, *Minority Rights and Democratic Theory*, in the article *Self Determination versus Predetermination of Ethnic Minorities in Power-Sharing Systems* Arend Lijphart discusses the demands of minority for greater representation in political process. He deals with his known theme – consociational democracy as a form of political representation based on group's basic representative body. In the article *Democracy and Difference: Some Problems for Feminist Theory* A. Philips discusses similar issues from feminist perspective. Philips also emphasizes the question of reliability of group-based systems of quotas in parliamentary system. Namely, there is often a lack of mechanisms that would make those MP's responsible to their respective groups that they represent. There is also no way to determine what those group members truly want.

The sixth part, *Controversis*, deals with recent events of scandals and affairs related to problems of minority cultures' rights. Thus, in the B. Parekh's article *The Rushdie Affair: research Agenda for Political Philosophy* he discusses numerous questions about the nature of multiethnic society. Parekh emphasizes the following fields:

- Is integration of immigrants one-way or two-way process?

- Are Western democracies really value-neutral in their relationship toward religious groups?
- Should the laws against libel, which protect an individual, be extended so to protect groups from various forms of defamation and hatred speech?
- Are the traditional patterns of free speech's moral basis too much focused on speaker, which thus ignore the rights of listeners?

Parekh suggests that while the »Rushdie Affair« will fade away from our memory, these questions will gain importance since the western states will become more and more multicultural due to influx of immigrants. In this part of the book also appear the articles of S.J.Anay,

J.H. Carens and A.Buchanan that are complement to the Parekh's article. They deal with questions of controversy and conflict in multiethnic societies. Thus they analyze the problems of secession in multiethnic states, ethno-cultural differences within states, limitation of immigration based on cases familiar to us like the dissolution of Czechoslovakia and former Yugoslavia.

The choice of articles and authors makes the Will Kymlicke's anthology *The Rights of Minority Cultures* the necessary tool for analysis of modern trends in discussions about neglected issues in the field of political science as well as the capital work for the field of social and political anthropology.

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