

Pluralism, Relativism, and Cultural Rights
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Note: This work, hopefully, will become part of the larger project that is my dissertation. Very briefly, the heart of that project is a conflict between two sets of ideals. One set may be called “ideals of multiculturalism,” and would include the belief that one ought to respect or at least tolerate cultural practices that are different from our own. From the perspective of a large multinational state, then, to properly tolerate or respect or treat justly the members of a minority to culture may include recognizing various cultural rights or other policies to accommodate cultural difference. The other set, “ideals of liberalism,” would include among others the idea that a state or otherwise sovereign group ought to respect the liberty of its members, and treat all members equally (this would most likely include a list of universal human rights). The source of the conflict, simply, is that many of the cultures that one would wish to tolerate and respect are often remarkably intolerant and disrespectful to certain members of their culture, and in ways that treat certain members radically unequally and threaten their basic liberties. The goal of my dissertation, understood most basically, is to identify, to characterize, and, eventually, to provide a way of resolving, conflicts that arise between liberalism and multiculturalism. Any general comments on these issues are welcome.

The goal of this paper is to examine two different explanations of why cultural rights or other multicultural policies might be important. These different explanations stem from two different conceptions of the nature of moral truth, namely, pluralism and cultural relativism. The goal is not to make a definitive statement about the truth about morality, but to answer the following question: What do such conceptions of moral truth entail for what it means for a state to be just with respect to culture? If pluralism or cultural relativism, respectively, is understood to be the truth about morality, what cultural rights ought a larger nation-state recognize and respect? The idea is that a thorough answer to these questions will bear directly on many existing theories of cultural rights, many of which are advocated more or less from one of these two

perspectives, and provide a more general understanding of what a plausible account of cultural rights or multicultural accommodation¹ would look like.

Let us begin with cultural relativism. Relativists make any number of claims, including but not limited to the following (which, while they go naturally together, are independent of one another, in the sense that some of them may be true even if others are false):

1. Different cultures have different moral codes.
2. There is no objective standard that can be used to judge one societal code as better than another.
3. The moral code of our own society has no special status; it is merely one among many.
4. There is no universal truth in ethics – that is, there are no moral truths that hold for all peoples at all times.
5. The moral code of a culture determines what is right within that society; that is, if the moral code of a culture says that a certain action is right, then that action *is* right, at least within that culture.
6. It is mere arrogance for us to try to judge the conduct of other peoples. We should adopt an attitude of tolerance toward the practices of other cultures.

While the goal of this paper is not to “disprove” cultural relativism, but to show the relationship between cultural relativism and cultural rights, we ought to at least make mention of a common mistake made by relativists. To begin, it seems that relativists mistake what a “universalist” means when she says that something is morally true, or morally better or worse. The assumption, in most cases, is that what it would mean for there to be a universal morality is that there is some “nature of things,” independent of human action and human history, upon which to ground moral principles.² Since such an independent nature of things, clearly, does not exist, there is no such thing as a universal

¹ The reason why I try to avoid simply referring to “cultural rights” is that I am not sure that the language of rights is the most helpful for articulating why policies of multicultural accommodation are important. Nonetheless, the term “cultural right” is sufficiently pervasive in these debates that it is natural for me to use it.

² The idea that such an independent nature of things, even if it did exist, could ground morality is itself problematic. For a critique of ethical naturalism, see Larmore, Charles, *The Morals of Modernity*. Cambridge: Cambridge University Press 1996, Ch. 5.

moral principle. The best that we can hope to have is widespread agreement among the moral norms of different cultures (which is unlikely, insofar as the commensurability of values between distinct cultures would even make sense for the relativist).

Of course, the fact that universal ideas of the good arise from human experience and human history does not mean that all morality is relative to one's particular history or experience. However, this is precisely the claim that is asserted by relativists (and in particular, cultural relativists). The argument, often referred to as the cultural differences argument (CDA)³, is a simple one: (1) Different cultures have different moral codes, based on the experience of different environments and history. (2) Therefore, there are no universal moral principles, only opinions, which vary from culture to culture.⁴ Such an argument, while remarkably convincing, particularly to first and second year university students, is obviously unsound.⁵ Simply because different people from different cultures believe different things does not mean that there is no universal moral truth. It only means *that they believe different things*. Such reasoning, while poor, is understandable when one considers that what most relativists demand of a universal moral principle is that it be found in an independent nature of things (or based on some non-rational religious or metaphysical assumption). It is far from clear, however, that this is what a universal moral principle would require.

It should be noted that there are more sophisticated versions of relativism than the cultural differences argument approach made famous by 30's and 40's era

³ For further analysis, see Rachels, James, *Patterns of Moral Complexity*. New York: McGraw-Hill 1978.

⁴ As good an example as any of such work is Benadict, Ruth, "Anthropology and the Abnormal," in *The Journal of General Psychology* 1934.

⁵ This is akin to what Williams calls "vulgar relativism." Williams, Bernard. *Ethics and the Limits of Philosophy*. Cambridge: Harvard University Press 1985.

anthropologists.⁶ Whether such theories are ultimately much better is a matter of debate, and one that I do not claim to add any insight to here. What I am most concerned with at this point is the relationship between cultural relativism and multiculturalism, and, more basically, tolerance. Intuitively, the relationship between cultural relativism and tolerance appears to be a close one (symbiotic, one might say). If one's conception of the right or the good is culturally defined, and there is no universal standard with which to judge the moral standards of our culture as in any way superior or inferior to those of any other, then one culture's "ethics" are no better or worse than another, but, by definition, just one among many.⁷ It would be mere arrogance (and ignorance), as the story goes, to make such judgments about the practices of another culture. The goal of many cultural relativists, it seems, is to make us aware of this fact. Once we come to understand cultural relativism to be the truth about morality, then, we will become exponentially more tolerant.⁸ We will recognize that what members⁹ of other cultures believe is right or wrong is right or wrong for them, and therefore not expect that they act in a way that is more in line with our moral norms. In fact, even those who find the position of cultural

⁶ For a more plausible accounts of relativism see Harman, Gilbert. "Moral Relativism Defended," *Philosophical Review*, 84 1975 and Williams, Bernard. *Ethics and the Limits of Philosophy*. Cambridge: Harvard University Press 1985.

⁷ This is not to say that they are equal, which implies some sort of evaluation, but that they are incommensurable.

⁸ Brian Barry traces such a movement historically as a combination of a response to British Imperialism and the work of post-enlightenment "pop intellectuals." Barry, Brian, *Culture and Equality*. Cambridge: Polity Press 2001.

⁹ One might ask which members, and rightfully so. Indeed, one of the most common criticisms of cultural relativism is that it fails to properly account for the diversity of beliefs within cultural groups. Many authors, such as Amartya Sen, have rightly criticized cultural relativists for failing to recognize and accommodate the diversity of ideals that naturally holds within any ostensibly distinct cultural group. See Sen, Amartya, and Martha Nussbaum, "Internal Criticism and Indian Relativist Traditions" in Krausz, M. (ed.) *Relativism: Interpretation and Confrontation*. Notre Dame University Press 1989, and Sen, Amartya, "India and the West," *The New Republic*, June 7, 1993.

relativism highly questionable often see tolerance as a welcome side effect of the theory.¹⁰

The truth of cultural relativism, however, does not lead to toleration. Consider again the most prominent claim of cultural relativists: morality is culturally defined, that is, that what it means for something to be right or wrong is for it to be right or wrong *for a particular culture*. Or, as Benedict puts it, that morality is “merely a convenient term for socially approved habits.” The problem for those who advocate cultural relativism in large part as a means of promoting tolerance, however, is that often the sort of practices that a culture defines as “right” or “proper” or “praiseworthy” will be ones that most relativists themselves would regard as radically intolerant. For example, one can easily imagine a culture whose members take as a fundamental goal of their lives the conversion of others to their religion. The end of conversion, moreover, might be so as to justify almost any means. What matters most is that all believe in the one true God. Such a society, which might even go so far as to invade other peoples and forcibly convert them, is the very definition of intolerance. Nonetheless, if cultural relativism is true, and such proselytizing practices are in fact central to such a society’s ethical worldview, then the actions described above are not only acceptable but also required. A member of such a society who refused to participate in such practices, regardless of how open-minded or tolerant such a person would appear to the relativist, would, by definition, be immoral.

Perhaps, a relativist might reply, that the problem in this case is that members of such a culture have failed to recognize the truth of cultural relativism, and, if they had, they would be far more tolerant. This response, however, seems to rest on the very sort of claim that cultural relativism would preclude one from making, particularly cross-

¹⁰ Rachels, James, *Patterns of Moral Complexity*. New York: McGraw-Hill 1978.

culturally. In other words, the claim is tantamount to saying that there is some universal moral standard or truth that applies to everyone, in this case, that one should tolerate cultural difference. To be clear, the source of the problem is not that relativists have claimed that morality is relative to a particular culture. This claim, while universal in scope, is not self-contradictory, as is sometimes thought, so long as it is merely a descriptive claim about “moral practices.” Of course, once relativists argue that a particular response should follow from the descriptive truth of relativism, they are making the sort of universal normative claim that is inconsistent with relativism. Without making such a claim, however, there is no reason to believe that relativism will lead to toleration. Perhaps what many relativists have in mind is a sort of universal ethic of toleration, but, if this is the case, then it is clear that the best way to proceed is not to argue that morality is relative to one’s culture. In fact, I will argue, that the best way to proceed is to advocate a certain sort of liberalism, and with such “universals” as human rights.¹¹ In any even it is true that, logically, cultural relativism does not entail toleration.

As I imagine is becoming clear, the inability of the truth of cultural relativism to give one reason to tolerate cultural difference mirrors its inability to serve as a justification for policies of multiculturalism. If moral truth is in fact relative to a particular culture, then why should any particular culture adopt policies that accommodate and protect cultural difference? Granted, if the majority culture values toleration in a particular way, it might choose to adopt such policies. Perhaps, under this interpretation, what cultural rights theorists are advocating is that the majority be consistent with an ideal that they already hold. However, if any culture, even a generally

¹¹ Naturally, many people who make relativist claims do not do so with tolerance in mind. For some, and this may in fact be more often than not in the case of “professional ethicists,” relativism merely represents skepticism in the possibility of universal moral truths.

liberal one (i.e. individuals have a set of basic liberties, are able to participate in government, etc.), doesn't take such tolerance to be central to their liberal program, it is difficult to see how one, if cultural relativism is taken to be the truth about morality, could argue that they "ought" to be more tolerant. To do so would be to advocate a certain ideal of liberalism, from a certain justification for liberalism, which many cultures, though generally liberal in practice, might not believe in. In other words, cultural relativism provides no justification for why any individual or group ought to be more tolerant, or why anyone's cultural traditions, other than one's own, might be valuable.

The point here is that cultural rights only make sense from a liberal perspective, and only given a particular argument for why liberalism is important. Namely, cultural rights are only important if one takes pluralism as more or less the truth about morality. To begin, it is important to be clear about what we mean when we say that one "takes pluralism as the truth about morality." There are at least two different accounts of pluralism active in the discourse, which, as Charles Larmore points out, have a tendency to be conflated.¹² The first, attributed to Isaiah Berlin, is most expressly a statement about the nature of morality itself. Specifically, Berlin's pluralism, as opposed to monism, denies that for any question of value there is one objectively true answer. He questions whether every question of value is, even in principle, solvable. He writes, "Some skeptical thinkers in the ancient world – Carneades, for example – went further and uttered the disquieting thought that some ultimate values might be incompatible with one another, so that no solution could logically incorporate them all. There was something of this doubt about the logic of the concept of the perfect society not only among the Greeks, but in the Renaissance too, in Pontano, in Montaigne, in Machiavelli, and after them in Leibniz and Rousseau, who thought that no gain could be made without a corresponding loss. Something of this, too, seemed to lie at the heart of the tragedies of

¹² Larmore, Charles, *The Morals of Modernity*. Cambridge: Cambridge University Press 1996, chapter 7.

Sophocles, Euripides, and Shakespeare. Nevertheless, the central stream of the Western tradition was little affected by this fundamental doubt. The central assumption was that problems of value were in principle soluble, and soluble with finality. Whether the solution could be implemented by imperfect men was another question, a question which did not affect the rationality of the universe. This is the keystone of the classical arch, which, after Herder, began to crumble.”¹³

Berlin concludes, then, that at least in questions of value, there can in principle be more than one equally objective truth. Between two such value claims, moreover, there is no standard with which to evaluate them.¹⁴ They are both equally true.¹⁵

The second sort of pluralism, attributed to John Rawls, does not make such a controversial ethical claim. Rather, Rawls’ “reasonable pluralism,” or, as Larmore refers to it, “reasonable disagreement,” is a response to the fact that reasonable people will tend to disagree about what it means to lead a good or valuable life. The reasonable person, according to Rawls, is willing to (1) propose fair terms of cooperation and to abide by them as others do, and (2) recognize the burdens of judgment¹⁶ and to accept their

¹³ Berlin, Isaiah, *Vico and Herder: Two Studies in the History of Ideas*. London: Hogarth Press 1976, p. 206-207.

¹⁴ This may or may not mean that such values cannot be balanced against one another. For a diverse set of opinions on this subject, see Chang, Ruth, *Incommensurability, Incomparability, and Practical Reason*. Cambridge, Harvard University Press, 1997.

¹⁵ This point, of course, does not entail that *all* value claims are equally true, as a relativist would argue.

¹⁶ Rawls provides an “incomplete list” of the burdens of judgment on pp. 56-57 of *Political Liberalism*. They include:

- a. The evidence – empirical and scientific – bearing on the case is conflicting and complex, and thus hard to assess and evaluate.
- b. Even when we agree fully about the kinds of considerations that are relevant, we may disagree about their weight, and so arrive at different judgments.
- c. To some extent all our concepts, and not only moral and political concepts, are vague and subject to hard cases; and this indeterminacy means that we must rely on judgment and interpretation (and on judgments about interpretations) within some range (not sharply specifiable) where reasonable persons may differ.
- d. To some extent (how great we cannot tell) the way we assess and weight moral and political values is shaped by our total experience, our whole course of life up to now; and our total experiences must differ. Thus, in a modern society with numerous offices and positions, its various divisions of labor, its many social groups and their ethnic variety, citizens’ total experiences are disparate enough for their judgments to diverge, at least to some degree, on many if not most cases of any significant complexity.
- e. Often there are different kinds of normative considerations of different force on both sides of

consequences for the use of public reason in directing the legitimate use of political power in a constitutional regime.¹⁷ Recognizing the burdens of judgment, then, a reasonable person will understand the importance of a fair basic structure, with reciprocity in social and political life. A reasonable person, therefore, will not advocate a policy that burdens the expression of other reasonable comprehensive doctrines.¹⁸ Rather, public life will be governed by an overlapping consensus of shared ideals. From the perspective of Rawls' reasonable pluralism, then, Berlin's pluralism, as a more controversial statement about the nature of ethical truth, is itself a source of reasonable disagreement.

Our goal here is not to defend Larmore's description of the differences between "pluralism" and "reasonable disagreement," which I find entirely convincing, but to make clear what I mean when I say that justification for cultural rights or policies of multicultural accommodation relies on the belief in a sort of pluralism. The sort of pluralism I intend to examine is Rawls' idea of reasonable disagreement, or the idea that similarly reasonable, educated, informed, people will tend to disagree on certain questions of value. From this point forward I will refer to this idea simply as reasonable pluralism.¹⁹

an issue and it is difficult to make an overall assessment.

Rawls, John, *Political Liberalism*. Cambridge, MA: Harvard University Press, 1993.

¹⁷ To be a reasonable person is not the same as being a rational person (i.e. it might be rational for one, from a position of strength, to advocate a policy that threatens citizens who don't share his religious beliefs, but that doesn't mean that such a policy is reasonable).

¹⁸ Again, Rawls takes care to distinguish reasonableness from rationality, though, as he points out, the two ideas may be complementary in any individual person. From a Kantian perspective, however, one might argue that a rational person could not will an intolerant state to be a universal law of nature for she should recognize that her comprehensive doctrine may be in the minority (either numerically or in terms of power), and how could she, then, will that the state adopt policies that would burden the expression of this doctrine?

¹⁹ Of course, it may be interesting to examine the relationship between Berlin's more "pervasive" account of liberalism and cultural rights.

As Larmore points out, Rawls' does not make the kind of statement about the fundamental nature of morality that Berlin does. Therefore, when I wrote that cultural rights and other policies of multicultural accommodation depend upon a belief in the truth of pluralism, I was a bit misleading. Nonetheless, reasonable pluralism, or liberalism, does preclude certain sorts of claims about the nature of morality, at least in terms the role that such claims ought to play in public life.²⁰ Specifically, one must recognize a natural tendency toward reasonable disagreement. This recognition, however, need not lead to skepticism about rationality or truth in general.²¹ As Rawls points out, the recognition of a tendency toward reasonable disagreement need not imply that there aren't tons of unreasonable disagreements.²² His is not a skeptical statement about nature of objective truth but rather a statement about the limits of human knowledge. A reasonable person acknowledges the burdens of judgment.

Here we come to the central point of disagreement, at least in terms of cultural rights, between reasonable pluralism and relativism. From the perspective of reasonable pluralism, one can still meaningfully say that a society ought not to adopt certain policies towards its members. Specifically, a reasonable pluralist can say that a state ought not to unfairly burden the expression of different and disparate comprehensive doctrines, so long as such doctrines are reasonable.²³ If one takes cultural relativism to be the truth about morality, however, on what basis could she then argue that a multicultural nation-state ought to accommodate certain practices of the minority culture? The truth of

²⁰ The relationship between reasonable pluralism and liberalism is a well-documented one, and I will not repeat what has been said here, except insofar as it bears of issues of multiculturalism.

²¹ Indeed, skepticism in some ways seems to be incompatible with liberalism. After all, why would allowing for different conceptions of the good be valuable from the perspective of a skeptic?

²² Rawls, John, *Political Liberalism*. Cambridge, MA: Harvard University Press, 1993, p. 58.

²³ Similarly, and we shall come on to this point later, advocating cultural rights from the perspective of reasonable pluralism will provide a way of answering questions concerning problems of minorities within minorities.

cultural relativism, once again, does not give the members of the majority cultural group any reason to tolerate those in the minority. Reasonable pluralism can do just that.

Again, the goal of this paper is not to make a definitive statement about the nature of morality, but rather to make clear the link between cultural rights and two sorts of moral claims used to justify cultural rights and policies of multiculturalism. What bearing do the above points have on the viability of various theories of cultural rights? My belief is that the above points call into question any non-liberal theory of cultural rights. Moreover, I think that the lack of a link between cultural relativism and tolerance calls into question any theory of cultural rights that takes cultures themselves to be a matter of primary moral importance. Unless one accepts certain ideals of liberalism, stemming from what Rawls calls reasonable pluralism, as “true” for or applying to everyone, than there is no normative justification for demanding cultural rights or other policies of multicultural accommodation.²⁴

Before saying why a normative account of cultural rights must be liberal, we ought to at least briefly distinguish a liberal theory of cultural rights from other theories. So, what does it mean to be a liberal proponent of cultural rights? Again, such a claim means different things for different proponents. Perhaps, as is often the case in philosophy, it will be best to begin by saying precisely what it does not mean. A liberal proponent of cultural rights is precisely not a communitarian proponent of cultural rights.

²⁴ Or, in the least, it is difficult to see how there could be the sort of justification sufficient to argue that a society ought to change its ways. There may in some cases be practical reasons for such policies, of course, but what a normative theory of cultural rights would entail (and what any theory of rights ought to entail), is that a person has certain rights *even if* such rights don't serve practical ends, or otherwise valuable interests. This not too uncommon idea finds its best articulation in Dworkin, Ronald, *Taking Rights Seriously*, Cambridge, MA: Harvard University Press, 1977. For an interesting argument for why rights are valuable for inherently liberal democratic reasons, and an application of this point to the “Asian Values” debate, see Donnelly, Jack, “Human Rights and Asian Values: A Defense of ‘Western’ Universalism,” In Bauer, Joanne R. and Daniel A. Bell (eds.), *The East Asian Challenge For Human Rights*. Cambridge University Press, 1999.

The debate between liberalism and communitarianism is a well-traveled one, and I certainly don't claim to say anything new or interesting about it here. Recognizing that this characterization is a bit simplistic, we might say that what communitarians dispute is liberalism's prioritization of individual autonomy. What liberals ignore, it is argued, is the fact that people are constituted by the community in which they live, the ideals they follow, the social organizations that give their lives structure, and the traditions that form their consciousness and habits.²⁵ Individuals are embedded in and a product of their communities. Communities themselves, therefore, on this view, are uniquely important, and cultural rights for a communitarian are best viewed as a way to protect against the erosion of community brought on, to a great extent, by liberalism's obsession with the individual.²⁶

For a liberal proponent of cultural rights, the existence of any individual culture in particular and cultural diversity in general are not valuable for their own sake, but only insofar as their existence promotes the sort of liberty and equality, and with them individual autonomy²⁷, that liberals take as being valuable for all humans. Of course, in order to find cultural rights compelling one must recognize that one's culture or community plays a significant role in the development of the individual, and that being able to live according to the values and traditions of one's culture is something that one can be expected to want or demand. The difference, however, is that, for the liberal, the individual is the primary concern, not the survival of any particular culture. Therefore, a

²⁵ I'm sure that the reader is familiar with examples of communitarian thought. When I write this I am most expressly thinking of the work of Michael Sandel. See Sandel, Michael, *Liberalism and the Limits of Justice*. Cambridge: Cambridge University Press 1982.

²⁶ A communitarian, it should be noted, would probably not address the issues with the language of rights.

²⁷ This autonomy part may be a bit more controversial. We shall address issues about whether cultural rights make sense without the value of autonomy in a later section.

liberal must recognize that cultural traditions may change or become less desirable. In other words, while recognizing that one's culture plays an important and even foundational role in the life of the individual, a liberal must acknowledge that one's culture does not *constitute* the individual. An individual is more than simply a product, a reflection of the ends of that culture.²⁸ Similarly, a liberal must recognize difference and disagreement not only between cultures but also within them. For the liberal, an individual can and must choose between various cultural traditions.²⁹

As is probably clear, communitarians are one example of a group of theorists that take one's culture to be a matter of primary moral concern. This idea, of course, is not limited to theorists that are generally associated with communitarianism. Many proponents of cultural rights, some of which perhaps would even call themselves liberal, take one's culture to be a primary matter of moral concern, in the sense that they see one's ethical worldview as intrinsically tied to their culture. One can only find life options meaningful, under this conception, if they fit one's existing cultural traditions. Examples of such theorists would definitely include Iris Marion Young and Brikhu Parekh, among others, as well as, perhaps, the ostensibly liberal Will Kymlicka.³⁰ While it is not possible here to do justice to the subtleties and ingeniousness of such theorists' work, we can nonetheless argue that such theorists share in common a conception of the

²⁸ Sandel, Michael, "Morality and the Liberal Ideal." *The New Republic*, May 7, 1984.

²⁹ This claim, of course, need not entail the "free-wheeling" cosmopolitan alternative presented by Jeremy Waldron. Waldron, Jeremy, "Minority Cultures and the Cosmopolitan Alternative." *University of Michigan Journal of Law Reform*, 25 (1992), pp. 751-793.

³⁰ Examples of their work include: Parekh, Brikhu, *Rethinking Multiculturalism*. Cambridge: Harvard University Press, 2000. Parekh, Brikhu, "The Logic of Intercultural Evaluation" In J. Horton and S. Mendus (eds), *Toleration, Identity, and Difference*, Basingstoke: Macmillan Press 1999. Young, Iris Marion, *Justice and the Politics of Difference*. Princeton: Princeton University Press 1990. Kymlicka, Will, *Liberalism, Community, and Culture*. New York: Oxford University Press, 1989. Kymlicka, Will, *Multicultural Citizenship*. Oxford: Oxford University Press, 1995.

moral importance of culture³¹ that calls into question their ability to provide a normative justification for cultural rights, particularly to majority cultures who do not value tolerance and accommodation.³² What such theorists have in common is an idea of why culture is of particular importance. Specifically, they share with communitarians the conception of culture as part of the context from which our identities are shaped that is inseparable from who we are as persons. Individual identity is shaped by and provided context through membership in groups, of which cultural groups are the most important.³³ One's culture not only provides her with life options, but also forms the basis for why she ought to see such options as meaningful (the lenses through which she sees the world, if you will).

While such views, depending upon the author, may not be expressly relativist, they appear to share with relativists the problem of providing normative justification for cultural rights or policies of multicultural accommodation. For at least Young and Parekh, among others, one's culture plays a constitutive role in one's ethical worldview.³⁴ That is, one can only see something as right or wrong, or good or bad, and therefore one can only be right or wrong, or good or bad, in terms of the norms and traditions of his or her culture. If this claim is accurate, however, then one wonders why the members of

³¹ It should be noted that Young's understanding of culture is more flexible than most of her peers, and would also include such things as "Gay" culture or "Women's" culture.

³² Of course, to whom else would one have to justify cultural rights?

³³ Of course, one would be a fool to argue that an individual could have an "ethical worldview" that is wholly independent of cultural experience. What a liberal must accept, however, is that an individual can make meaningfully autonomous choices, and therefore recognize that some of these choices might run counter to existing cultural traditions, and as still be valuable.

³⁴ Kymlicka may have an idea (more limited) of the role culture plays in the formation of the individual that may be more in line with Rawls' reasonable pluralism. Perhaps culture, for Kymlicka, fills the role of providing a basis for individual choices of the "good life" or, in Rawls' terms, one's comprehensive doctrine. Thus, such culturally relative goods ought not to apply to the basic structure of society, which would allow for the coexistence of many incompatible comprehensive doctrines. Where and how to draw such lines would then become the question (and one that might be easier for Rawls to answer than Kymlicka). All of this is to say that I am not sure at this point how my argument would apply to Kymlicka.

any culture that does not already accept cultural rights or policies of multicultural accommodation ought to do so? Such policies, as I have argued, would, for them, have no normative basis. As is the case if cultural relativism is true, the “ought” for such people is determined by their cultural norms and traditions, which, generally, do not include the ideals of autonomy and tolerance necessary to sufficiently characterize the importance of cultural rights.

As we alluded to earlier, one could avoid this problem, to a degree, by asserting that what he or she meant is not that autonomy or tolerance are intrinsically valuable for humans, but rather that, given the fact that some cultures, namely liberal ones, do value these things, cultural rights would be required in order for members of such cultures to be morally consistent.³⁵ Perhaps this is the most accurate reading of Kymlicka.

Nonetheless, if one argues that cultural rights are necessary because culture plays a constitutive role in one’s ethical worldview, such that one can not see something as worthwhile unless such worth is based in one’s cultural traditions, then the proponent of cultural rights is left with no grounds for arguing that members of a culture that do not currently value autonomy or recognize cultural rights ought in fact to do so. Such cultures ought, simply, to be as they currently are.

With these negative points in hand, it is necessary to say a bit about how liberalism, with its recognition of reasonable pluralism, unlike cultural relativism, can provide a justification for policies of multicultural accommodation. After all, cultural relativism and reasonable pluralism stem from the idea that people often disagree about value in such a way that there is no (at least obviously) more objectively correct answer.

³⁵ Though it also seems true that in certain cultures consistency is simply not a worthwhile goal, either for individuals or the state.

For the cultural relativist, morality is contingent upon the values and norms of one's culture, and therefore it makes no sense to refer to a moral truth between cultures, or the idea of one cultural practice being objectively better than another. Similarly, for the reasonable pluralist, recognizing the burdens of judgment means recognizing that for certain questions there may be no correct answer, if not in principle than at least at this time, given the limitations of human knowledge. One might wonder why, if there is no correct answer in such cases, liberalism entails that a certain sort of response to this ambiguity, namely an intolerant one, is an unjust one? Why might the affirmation of reasonable pluralist lead one to value policies of multicultural accommodation?

The short answer is because she is reasonable. While a reasonable person is free to adopt any number of equally valuable conceptions of the good life, she must recognize the burdens of judgment. This recognition need not entail, of course, that any individual has to see her particular conception of the good life as just one among many. She may believe that existing evidence points toward her conclusion.³⁶ Nonetheless, she will also recognize that existing evidence in these cases does not rule out one or many alternative conclusions. Others may disagree and not be irrational.

Moreover, implicit in the recognition of reasonable disagreement is that there may be countless unreasonable disagreements. Once again, to admit that people differently situated may disagree, whether in regard to questions of value or questions of science, is not to say that the correctness of any answer is relative to one's situation. To affirm reasonable pluralism is not to affirm relativism or skepticism. Therefore, not every belief espoused by the majority of a particular culture need be considered as "correct" as any other belief. Rather, it is to make a statement about the limits of human knowledge, and,

³⁶ Or, at least, that she has not been given any particular reason to doubt this conclusion.

as a justification of a liberal democratic state, to conclude that the state ought to allow the expression of reasonable conceptions of the good life even if, indeed especially if, such ideas are not held by the majority. Rawls writes,

“To conclude: reasonable persons that see the burdens of judgment set limits on what can be reasonably justified to others, and so they endorse some form of liberty of conscience and freedom of thought. It is unreasonable for us to use political power, should we possess it, or share it with others, to repress comprehensive views that are not unreasonable.”³⁷

Here the link between reasonable pluralism and liberalism becomes clear. Liberalism seeks to describe a fair set of procedures that all reasonable people could agree to despite differing conceptions of the good life.³⁸ Recognizing the burdens of judgment, then, these people will take care not to adopt a set of procedures that burdens reasonable conceptions of the good life, or privileges one conception of the good life over another. The state ought to be neutral with respect to such issues.³⁹ From the perspective of the reasonable pluralist, then, a justification for cultural rights begins to present itself. Cultural rights may be necessary to offset the tendency of members of the majority culture to privilege their own conception of the good life. Similarly, cultural rights can protect members of minority cultural groups from policies that would disproportionately burden their conception of the good.

Once again, the goal of this paper is not to defend a certain conception of cultural rights, but rather to examine the relationship between cultural rights and two alternative conceptions of moral truth. The claim is that, for those who take reasonable pluralism to be the truth about morality, there may be good reason to believe that a state ought to

³⁷ Rawls, John, *Political Liberalism*. Cambridge, MA: Harvard University Press, 1993, p. 61.

³⁸ Such people believe, furthermore, that there are general capacities of reason that apply to all human beings.

³⁹ What it means for a state to be sufficiently neutral, of course, is still a matter of debate.

respect cultural rights or other policies of multicultural accommodation. As Rawls points out, being reasonable is not the same as being rational. Therefore, there may be no reason that one could give a rational but unreasonable person that would convince her to be reasonable.⁴⁰ Nonetheless, among reasonable persons, cultural rights claims appear to have some justification.

Among those who believe that cultural relativism is the truth about morality, however, such justification is non-existent. To claim that value is relative to a particular culture is to preclude any argument that the members of a culture ought to behave in any way that is different than they currently do (unless of course their behavior conflicts with the norms of their culture). It is to deny that the members of any culture ought to be more tolerant or more accommodating of minority cultures than they already are. The lack of link between cultural relativism and tolerance calls into question any theory of cultural rights that justifies such rights in terms of what might be called a “strong” or “communitarian” thesis about the significance of culture as a context of choice. If a person is simply a product of her culture, and there is no “her” that is separable from the beliefs of her culture, then there are no grounds from which to argue that she ought to revise her beliefs to support policies that accommodate those whose cultural practices and traditions are different from hers.⁴¹ If our goal is to provide a justification of cultural rights, therefore, these points cast significant doubt on the usefulness of any theory that denies that there might be something that is inherently valuable to humans, or applicable

⁴⁰ For my money, I think that a “fully” rational person will be reasonable. I have little to no idea, however, what an argument for such a position would look like.

⁴¹ Moreover, perhaps ironically, there is no reason for one to value the ability to live the sort of life that is meaningful to her.

to all humans, independent of the existing practices and traditions of one's culture. Such theories, it appears, are simply non-starters.