Liberalism and Minority Rights.
An Interview

WILL KYMLICKA* and RUTH RUBIO MARÍN**

Abstract. The interview focuses on Kymlicka’s major area of research, i.e., the issue of minority rights. Kymlicka explains why the rights of national minorities have been traditionally neglected in the Western political tradition. He argues that these rights promote individual freedom, and so should be seen as promoting liberal democratic principles. The interview covers many issues including the relationship between ethno-cultural groups and other forms of “identity politics”; how to individuate cultural groups with legitimate claims to minority rights; whether something like a “cosmopolitan view” can seriously challenge the need for minority rights; what are the dangers of building transnational political institutions such as the EU for democratic citizenship; what are the bases of social unity in multination states and what are the limits of toleration of illiberal minorities.

1.

Rubio Marín

What prompted your concern for minority cultures initially?

Kymlicka

Growing up in Canada, it was difficult to avoid the issue of minority rights. My first clear political memories as a child date from the early 1970s, which

* Will Kymlicka was born in Canada. He studied philosophy in Queen’s University and received his Ph.D. at Oxford, England. He has since occupied different teaching and research positions in the Universities of Ottawa, Toronto and Princeton. Currently, he is a Professor in the Department of Philosophy at Queen’s University. Among other things, he is the author of Liberalism, Community, and Culture (1989), Contemporary Political Philosophy: An Introduction (1990), Multicultural Citizenship: A Liberal Theory of Minority Rights (1995a) and the editor of The Rights of Minority Cultures (1995b). His book Multicultural Citizenship was awarded the 1996 Ralph J. Bunche Award by the American Political Science Association “for the best scholarly work in political science which explores the phenomenon of ethnic and cultural pluralism.”

** Ruth Rubio Marín was born in Spain. She studied law in the Law School of Sevilla and received her Ph.D. at the European University Institute in Florence. Among other things, she is the author of Immigration as a Democratic Challenge: Citizenship and Inclusion in Germany and the United States which will soon be published by Cambridge University Press.

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happened to coincide with the resurgence of both Québécois nationalism and native Indian political mobilization. For as long as I can remember, there has been a tangible threat of secession in Quebec, and the situation of Indians has been Canada’s greatest source of domestic and international shame. So I grew up with the sense that some sort of special accommodations were needed for these minorities.

But I only became interested in minority rights as a philosophical issue in graduate school at Oxford in the mid-1980s. I was attending lectures by some of the most pre-eminent political theorists in the English-speaking world—Ronald Dworkin, Steven Lukes, G. A. Cohen, Joseph Raz. They were lecturing on liberal political theory, and in particular on liberal egalitarian theories of distributive justice, and on the debate between liberals and “communitarians,” which was just emerging at that time. I was very impressed and excited by their work on liberal egalitarianism, and agreed entirely with their refutations of communitarianism. I thought they had done a brilliant job explaining and defending liberal notions of individual autonomy and equality of resources.

And then one day Charles Taylor came to give a workshop in Oxford, presenting his unique form of communitarianism. I knew of his work beforehand, and disagreed with him, as I did with other communitarians. But in this talk, Taylor started discussing Canadian politics, and argued that only communitarianism could defend special rights for groups like the Québécois or native Indians. I was hoping that Dworkin and the other liberal theorists in the workshop would challenge him on this, but instead they agreed with him that liberalism ruled out such special rights. This bothered me immensely, since I was powerfully attracted to liberal egalitarian theories of justice, yet I grew up with the assumption that justice required some sort of “special status” for Quebec and Aboriginal peoples. I felt compelled to sort out this apparent inconsistency in my views. And, with the exception of a few years working for the government on reproductive technologies, that has been my major area of research ever since.

2.

Rubio Marín

In your work, you denounce a traditional neglect of minority cultures in the Western political tradition, not only in its liberal, but also in its socialist versions. How do you explain this?

Kymlicka

I do not think there is a single factor which explains this neglect. Communitarians argue that the flaw in the liberal tradition is its “atomism” or
“abstract individualism,” which neglects the ways individuals are influenced by, and immersed in, social relations and cultural communities. But as I noted earlier, I do not find the communitarian critique of liberal individualism compelling. Many liberals have been fully aware of these social and cultural dimensions of human existence, and have integrated them into their theories of individual freedom and equality. The problem is that most liberals have assumed, implicitly or explicitly, that individuals will achieve their freedom and equality within the majority culture; that minority cultures would and should disappear; and hence that modern states would, over time, become “nation-states,” with a common language and national identity.

The sources of these assumptions are not so much in liberal individualism, as in more general Enlightenment and nineteenth-century beliefs about the nature of modernization. According to most views of modernization, the “great nations,” such as France, Italy, Poland, Germany, England, Hungary, Spain, and Russia, were the carriers of historical development. The smaller “nationalities,” like the Czechs, Croats, Basques, Welsh, Bulgarians, Romanians and Slovenes, were seen as backward and stagnant, and so could only participate in modernity by abandoning their national character and assimilating to a great nation.

We find this attitude amongst Marxists as much as liberals. Just as Mill said that the Québécois should accept assimilation into the majority English-speaking culture of Canada, so Marx said that the Czechs should integrate into German culture.

Socialist hostility to minority rights is often explained in terms of its commitment to “internationalism.” As Marx famously said in the Communist Manifesto, the proletariat have no nationality—they are workers of the world. Marxists often view cultural or national divisions as temporary stopping-points on the way to being citizens of the world. But I believe it is a particular conception of modernization, rather than liberal “individualism” or socialist “internationalism,” which has really determined traditional liberal and Marxist opposition to the rights of minority cultures. After all, Mill and Marx did not reject all group identities between the individual and the state. Rather, they privileged a particular sort of group—the “great nation”—and denigrated smaller cultures. They did not express an indifference to people’s cultural identities or group loyalties. Rather, they insisted that progress and civilization required assimilating “backward” minorities to “energetic” majorities.

This assumption is slowly being abandoned. The claim that the Czechs were incapable of participating in the modern world except by assimilating into the German nation has been proven wrong. The Québécois have also successfully resisted assimilation, and now form a vibrant modern society. But this nineteenth-century view continues unconsciously to affect how many people respond to some minority groups (e.g., indigenous peoples). Moreover, it explains why so many political theorists, on all points of the political
spectrum, unthinkingly adopt the “State-Nation-Language” model of political communities which renders the very existence of national minorities invisible.

There are other factors which have affected attitudes towards minority rights. For example, in many parts of the world, there is the fear that minorities will be disloyal, and hence a source of domestic or international instability. Also the enormous international influence of the Black civil rights movement in the United States has highlighted issues of racial discrimination to the exclusion of issues of cultural survival and collective autonomy. Given the way the Western political tradition has either neglected or denigrated the claims of minority cultures, theorists today are increasingly recognizing that we need to examine these issues anew, starting from scratch.

3.

Rubio Marín

You see yourself as a committed liberal who believes strongly in the primacy of individual freedom and autonomy. Yet at the same time, you speak for group rights as legitimate to help oppressed or disadvantaged minorities preserve their culture. Among these rights, you refer, for instance, to special land and language rights, to rights of special representation in the political institutions of the larger society (including the right of veto in certain issues which may be of essential concern to minorities) and to the right of self-government. How do you reconcile the defense of these and similar group rights with some of the well-established assumptions of the liberal state such as the equality of civil and political rights of every citizen? What about the liberal principle of state neutrality concerning the options in the cultural market?

Kymlicka

The assumption that minority rights are inconsistent with liberal norms of individual freedom and equality stems, at least in part, from a confusion over the term “group rights.” Demands for minority rights are often described, by both their defenders and critics, in the language of “group rights.” Defenders, however, typically describe group rights as supplementing individual rights, and hence as extending traditional liberal democratic principles to deal with new challenges, whereas critics tend to assume that group rights involve restricting individual rights, and hence as threatening basic liberal-democratic values.

But the obvious truth of the matter is that some group rights conflict with individual rights, and some do not. Consider two kinds of rights that a group might claim: the first involves the right of a group against its own members; the second involves the right of a group against the larger society.
Both kinds of group rights can be seen as protecting the stability of national, ethnic or religious groups. However, they respond to different sources of instability. The first kind is intended to protect the group from the destabilizing impact of internal dissent (e.g., the decision of individual members not to follow traditional practices or customs), whereas the second is intended to protect the group from the impact of external pressures (e.g., the economic or political decisions of the larger society). I call the first “internal restrictions,” and the second “external protections.”

Now internal restrictions clearly are a threat to individual rights. Many groups seek the right to legally restrict the freedom of their own members in the name of group solidarity or cultural purity. Such rights are invoked by theocratic and patriarchal cultures where women are oppressed and religious orthodoxy enforced. Such internal restrictions are widely opposed in Western democracies, and rightly so. Groups are free to impose certain restrictions as conditions for membership in voluntary associations, but it is unjust to use governmental power, or the distribution of public benefits, to restrict the liberty of members.

External protections, by contrast, can be entirely consistent with liberal norms. Many groups seek to protect their distinct identity by limiting their vulnerability to the decisions of the larger society. For example, reserving land for the exclusive use of a minority group ensures that it will not be outbid for the land by the greater wealth of outsiders. Guaranteeing representation for a minority on advisory or legislative bodies reduces the chance that the group will be outvoted on decisions that affect the community. Devolving power to local levels enables the group to make certain decisions on its own. These sorts of external protections are not inconsistent with liberal democracy, and may indeed promote justice. They may help put the different groups in a society on a more equal footing, by reducing the extent to which minorities are vulnerable to the larger society.

Of course, some claims for external protections are unjust. Apartheid in South Africa is perhaps the clearest example, where whites, who constituted less than 20% of the population, demanded 87% of the land mass of the country, monopolized all the political power, and imposed their language on other groups. But in most cases, the minority has no ability or desire to dominate larger groups. The external protections they seek would not deprive other groups of their fair share of economic resources, political power or language rights. As a rule, minorities simply seek to ensure that the majority cannot use its superior numbers and wealth to deprive the minority of the resources and institutions needed to sustain their community. And that is, I think, a legitimate demand.

So whereas internal restrictions are almost inherently in conflict with liberal democratic norms, external protections are not—so long as they promote equality between groups, rather than allow one group to dominate or oppress another.
Rubio Marín

But you argue that minority rights are not only consistent with liberal democratic principles, but actually promote individual freedom. Can you explain?

Kymlicka

It is difficult to explain in a few sentences. The basic idea is that, for most people, individual autonomy is bound up with the options available within their own culture. But the sort of “culture” I have in mind is a specific one—namely, a “societal culture,” by which I mean a territorially-concentrated culture, centred on a shared language which is used in a wide range of societal institutions, in both public and private life (schools, media, law, economy, government, etc.). Participation in such societal cultures provides access to meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres.

Needless to say, not all ethnocultural groups possess such a societal culture. For example, immigrant groups typically do not possess their own societal culture, and have generally integrated into the majority’s societal culture. However, non-immigrant minorities—such as indigenous peoples or other groups which have been colonized or conquered—typically do possess their own societal culture, and have fought to maintain their institutional and linguistic distinctness. I call such non-immigrant groups “national minorities,” since they often view themselves as distinct “nations” or “peoples,” even if they are a minority within a larger state. Generally speaking, then, it is “national” groups—whether it is the majority nation or a national minority—which possess societal cultures.

So my claim is that societal cultures provide a context within which individual and political choice become meaningful. Moreover, recent history suggests that people have a strong bond to their own national/societal cultures, and view their freedom and equality as tied up with the options it makes available. Insofar as external protections help protect the viability of national cultures, without restricting the basic liberties of their members, then they not only respect, but actually enhance, people’s autonomy.

This idea that people are strongly tied to their national/societal cultures may sound “communitarian.” But since my theory insists that the individual members of these national cultures remain free to question, revise and reject traditional ways of life, it is not privileging community traditions over individual choices. I am not saying that we should protect the “authentic” or “traditional” culture of a community, or that community values trump individual rights. The theory remains deeply individualist,
both at a foundational moral level (since the justification for cultural protection derives from its promoting individual well-being), and at a political level, since the protection of cultural minorities is not allowed to justify infringing the liberties of group members.

5.

*Rubio Marín*

Part of the confusion in the current prolific debates on multiculturalism and minority politics seems related to the great variety of issues these debates cover, including race relations, gender struggles and gay and lesbian concerns. Your work focuses on one kind of minority, namely ethno-cultural minorities. What exactly do you understand by “ethno-cultural minority”? And where, if anywhere, does the specificity of cultural minorities’ claims rest vis-à-vis the other socially oppressed minorities engaged in group politics and group rights debates?

*Kymlicka*

There are lots of important similarities between ethno-cultural groups and other forms of “identity politics,” which explains why they are often lumped together under the term “multiculturalism.” From my point of view, the key question we need to ask of any form of group-based politics is whether they are seeking accommodation *within* the larger society—i.e., within the common institutions which form its societal culture—or are they seeking to form or maintain themselves as a separate and self-governing society, with their own societal culture? In this respect, non-ethnic identity groups all fall on the integrationist side. They are all seeking accommodation within the larger society, despite the adoption of pseudo-nationalist rhetoric by some groups—e.g., “queer nation.” In this sense, conflating ethno-cultural groups with non-ethnic identity groups often serves to obscure the distinctive issues raised by national minorities.

Of course, many ethno-cultural groups also are integrationist in their basic outlook. And insofar as immigrant groups, for example, are seeking accommodation within the larger society, they often raise the same issues as women, gays or non-ethnic religious groups—e.g., how to modify family policy, or work schedules, or educational curriculum, in order to accommodate previously excluded groups. So there are important analogies between the claims of justice made by these social movements and the claims of ethno-cultural groups, since both have been excluded and marginalized in virtue of their “difference.” All of these are part of the larger struggle for a more tolerant, inclusive and democratic society, and there is no reason to view them as in conflict or competition with each other.

As you know, with the restoration of the democratic regime in Spain there has been a strong revival of nationalist movements which were oppressed under Franco’s dictatorship. This, I think, brings up an interesting, more general question. One may disagree and oppose the repression of national minorities. However, the fact remains that on some occasions a minority culture might have been so reduced that it can no longer offer a meaningful and comprehensive context of choice for new generations. This, for instance, seems to be the case with many indigenous groups on the American continent. At that point, is the allocation of special resources and rights justifiable as a means to recover or rebuild the minority’s culture or can it be that, given the circumstances, the resources should be better spent to facilitate the integration of the remaining members into the majority culture and institutions?

This is a very difficult question. Given the attempts to coercively assimilate many national minorities—particularly indigenous peoples—it would not be surprising if there is very little left of some cultures. Some indigenous communities have been decimated in size, denied the right to maintain their own institutions, and progressively demoralized. Under these circumstances, it might seem more rational to integrate into the mainstream, rather than struggle in vain to preserve something that is already lost.

And indeed a few indigenous peoples have in fact chosen as a group to relinquish their national rights, and in effect to be treated as a disadvantaged ethnic or racial group. This is always an option, and national minorities are under no duty to try to maintain themselves as a distinct society, if they no longer think the effort worthwhile.

However, I believe that the decision about whether to integrate must be left to the members of the minority themselves. For one thing, majority cultures would have a perverse incentive to destroy the societal culture of national minorities, and then cite that destruction as a justification for compelling assimilation. We should not establish a system which enables majorities to profit from their own injustices. Moreover, weakened and oppressed cultures can regain and enhance their richness, if they are given the appropriate conditions. There is no reason to think that weakened indigenous communities, for example, cannot become vibrant and diverse cultures, drawing on their traditional culture while incorporating the best of the modern world, if given the requisite preconditions.

Moreover, while struggling to maintain or rebuild a devastated culture may seem like an almost impossible task, we should not assume that integration is any easier. After all, if a group has been devastated in this way,
it is usually because they faced a particularly extreme degree of prejudice on the part of others. So they may face enormous barriers to integration. This indeed is the experience of many indigenous peoples, who have been discriminated against in the larger society.

7.

 Rubio Marín

The revival of nationalist movements in Spain has also brought about the upsurge of smaller nationalist movements such as that in Valencia which, interestingly, seems to be shaping their identity not only by opposition to the majority culture but, more importantly, against that of other national minorities, such as the Catalan who, if looked at from the outside, they seem to share historical and linguistic commonalities. This raises the question of how properly to individuate new cultural minorities. When can we say that a group is “different enough” from the majority and/or other minorities to be recognized as a cultural minority and be granted the corresponding status and prerogatives?

 Kymlicka

I think every scholar of nationalism in this century agrees that there is no set of necessary or sufficient conditions for identifying and individuating “nations.” Many theorists say that language is perhaps the single most important “marker” of national identity, and I would agree. But even this is a surprisingly vague criterion. What distinguishes a “language” from a “dialect,” for example? Linguists often joke that a language is a dialect with an army.

The indeterminate nature of nationhood introduces a lot of theoretical messiness, but I think many people exaggerate the practical problems this creates. I do not think we will see a never-ending procession of groups declaring themselves to be “nations.” It is important to remember that there are costs, as well as benefits, to adopting a nationalist stance. The more a group demands its own separate institutions, the less claim it has to participation and representation in the institutions of the larger society, and the less claim it has to have its distinct identity and practices accommodated within those larger institutions. This is an enormous cost, and I do not think people will be willing to accept it unless (a) they are already de facto excluded from the institutions of the larger society, as a result of linguistic differences, or a history of discrimination; and (b) they are capable of forming a genuinely viable and flourishing society on their own. Put another way, I do not think people will support what we might call “vanity” nationalist movements. I think the failure of the Lombard League in Italy is a good example of this. Elites may try to invent a new “nation” in
order to consolidate their power within the group—they might prefer to be the big fish in a small pond of Lombardy than to be a small fish in the bigger pond of Italy. But these elites have had trouble gaining popular support because the average person in Lombardy not only feels a sense of attachment to the larger Italian society, but also has genuine opportunities to participate in it, unhampered by linguistic barriers, prejudice or discriminatory practices. For most people in Northern Italy, redefining themselves as a separate “Lombard” nation would have great costs, and few benefits. So I think that for nationalist politicians to succeed in Valencia, despite their apparent similarities with Catalonia, it would have to be the case that people in Valencia really feel that they do face barriers to full and equal participation in either Catalan or Castilian institutions.

8.

Rubio Marín

Many liberals have questioned whether the defenders of minority rights are not simply exaggerating our dependence on cultural groups. Some of them advocate the so-called cosmopolitan alternative. This alternative stresses the fact that in the modern world people live “in a kaleidoscope of cultures,” moving freely and picking among the products of different cultural traditions. Jeremy Waldron (1995), for instance, mentions the example of a Québécois who eats Chinese food and reads Grimm’s Fairy Tales to her child while listening to Italian opera. With the globalization of trade, the increase in human mobility and the development of international institutions and communications the “cosmopolitan alternative,” they say, can only gain in force. How does this “cosmopolitan alternative” challenge your thesis?

Kymlicka

Waldron raises a perfectly valid point—cultural interchange does occur on a massive scale in the modern world, and moreover, this is a good thing. Liberals cannot accept any conception of culture that sees the process of interacting with and learning from other cultures as a threat to “purity” or “integrity,” rather than as an opportunity for enrichment. Liberals want a societal culture that is rich and diverse, and much of the richness of a culture comes from the way it has appropriated the fruits of other cultures. So we do not want to build closed walls around cultures, to cut them off from “the general movement of the world,” as John Stuart Mill once put it.

Waldron worries that the desire for a richer and more diverse cultural life conflicts with the insistence on maintaining distinct cultures. He argues that if we want to increase the range of valuable options available to people, we would be better off abandoning the idea of separate cultures, and instead
promoting a mélange of cultural meanings from different sources. This is what he calls the “cosmopolitan alternative” to minority rights.

It is not clear to me, however, whether Waldron’s “cosmopolitan alternative” is really all that different from the position he claims to be attacking. It seems to me that Waldron’s primary concern is to reject the idea that our choices and self-identity are defined by our ethnic descent. For example, he suggests that a Québécois woman who eats Chinese food and reads Roman mythology to her child, or an Irish-American who likes Inuit art and listens to Italian opera on a Japanese stereo, is living in “a kaleidoscope of cultures,” since these cultural practices originated in different ethnic groups.

But this sort of cultural mélange—which is indeed a characteristic of modernity—does not involve moving between societal cultures, as I have defined that term. It is simply enjoying the opportunities provided by the pluralistic societal culture which characterizes contemporary French-speaking Quebec society, or contemporary English-speaking American society. On my view, the Québécois form a distinct culture in North America because they are a historical community with a more or less complete set of societal institutions operating in the French language. There is nothing in the idea of a societal culture which precludes the incorporation of new ideas and practices from other parts of the world. The fact that some Québécois now eat Mexican food and practice Zen Buddhism does not mean that they cease to form a distinct culture, living and working in French-language institutions. It simply means that the societal culture they belong to is an open and pluralistic one, which borrows whatever it finds worthwhile in other cultures, integrates it into its own practices, and passes it on to the subsequent generations. And as I said, this sort of cultural interchange is a good thing, from a liberal point of view.

So cultural isolationism is neither the aim nor the effect of the sort of language rights and self-government being sought by national minorities in the West. Waldron ignores this possibility because he assumes that the aim of minority nationalists is to protect the “authenticity” of their culture. This may be an accurate characterization of certain illiberal nationalisms in Eastern Europe. But liberal nationalists do not seek to preserve their “authentic” culture, if that means living the same way that their ancestors did centuries ago, unable to learn from other peoples and cultures. They want to live in modern democratic societies, and to share in a common Western civilization. What the Québécois or Catalans want, for example, is to preserve their existence as a culturally distinct group—always adapting and transforming their culture, of course, but resisting the pressure to abandon entirely their group life and assimilate into the larger society. In short, these minority cultures wish to be cosmopolitan, and embrace the cultural interchange Waldron emphasizes, without accepting Waldron’s own “cosmopolitan alternative,” which denies that people have any deep bond to their own language and cultural community.
Rubio Marín

We live in an era of regional process of economic integration, NAFTA, Mercosur and the European Union being examples of this. Processes of political integration may follow and, in fact, we see that this is already happening within the European framework. How does somebody who is concerned about the preservation of national communities as you are, envisage the possibility of moving the forum of democratic deliberation from the state to supra-national institutions? In relation to this, according to you, are there any kinds of guarantees that should accompany the process of building the European Union?

Kymlicka

I think there is a real danger that the building of transnational political institutions, like the EU, could weaken democratic citizenship, even if these institutions themselves become more transparent and accountable. As I see it, the reason why the EU suffers from a democratic deficit is not simply its institutional infirmities (e.g., the weakness of the elected European Parliament compared to the unelected Commission). More importantly, the EU cannot be genuinely democratized, because democratic politics is politics in the vernacular. Just as individual choice is most meaningful when people have access to the options available within their own national culture, so too I think that democratic citizenship is most meaningful when people are able to participate and deliberate within their own national institutions in their own language. If Danes get together (as Danes) to debate (in Danish) the place of Denmark in the European Community, that can be a truly democratic and participatory debate. But if we ask Danes to get together with Germans and Greeks to discuss (as Europeans) the future of Europe (in English), that is much less likely to be a participatory or democratic debate. Only a select group of people will have the means or inclination to participate in such a debate.

So I would not necessarily favour strengthening the power of the EU at the expense of national legislatures (e.g., by dropping the veto power of governments). Most people’s sense of political efficacy rests on their participation in national political life, and if the latter is weakened, people’s commitment to democratic citizenship may also weaken. Of course, maintaining the veto power may not be feasible if and when the EU expands to include Central and Eastern European countries. And I am in favour of such an expansion, if only as a way of securing the transition to democracy in these countries. But however the EU develops, I think steps should be taken to ensure that people’s relationship to the EU is still strongly mediated by their national legislatures.
10.

Rubio Marín

In your book *Multicultural Citizenship* (1995a) you show an increasing concern with immigrant communities. However, you also make a basic distinction between the kinds of claims national minorities and immigrant communities can legitimately make. Basically, whereas the first should enjoy rights enabling them to preserve their societal culture, all you argue for in the case of immigrant communities are rights to facilitate their integration into the mainstream society, such as what you call “polyethnic rights” to accommodate specific religious and cultural practices which might not be adequately supported through the market (e.g., funding immigrant language programmes) or which are disadvantaged, even if unintentionally, by existing legislation (e.g., exemption from Sunday closing legislation or dress codes that conflict with religious beliefs). The aim, you recognize, is to accommodate their difference within the mainstream institutions, and not to have immigrants recreate their societal culture in the new country. Leaving aside other considerations, it seems that for you, what makes the basic difference is that immigrants have voluntarily decided to relinquish their societal culture. However, it appears that most large scale immigration movements in the modern world cannot be portrayed as truly free enterprises, being, as they are, the result of economic deprivation and political unrest. In fact, the very importance that you attach to working and living in one’s own culture as something people can be assumed to want, whatever else they want, should make us suspicious about interpreting migrations as free processes of waiver of rights. What is your view?

Kymlicka

It is true that migration in the world today is often not really voluntary. However, some of it is, and more importantly, as more and more countries industrialize, the decision to emigrate will become increasingly voluntary for many people. For example, the massive emigration from Ireland or Spain earlier in this century could plausibly be said to have been compelled by poverty. But if Irish or Spanish citizens migrate today, it is much more likely to be a genuine choice. And we should presumably be aiming for a world in which all migration is voluntary in this way. So I think it is worth thinking about the rights of voluntary migrants, and my claim is that voluntary immigrants cannot claim the same rights to separate and self-governing institutions as national minorities.

Moreover, even if the migration was involuntary, it is not clear that immigrants really want the same sort of separatism as national minorities. They know that they constitute a small and dispersed minority in their new country, and that, even with generosity and toleration, they cannot recreate...
the full set of institutions and practices which they had in their homeland. They can preserve some specific rituals, but they cannot recreate the same sort of institutionally complete and evolving culture they left behind, which provided options across the full range of human endeavours. They know that if they want to have access to the opportunities which the modern world makes available, they can only do so through integration into the language and institutions of the host society. This seems to be recognized and accepted as much by involuntary refugees as voluntary immigrants. In the United States and Canada, for example, there is no significant difference in the pattern or speed of integration between immigrants and refugees.

11.

Rubio Marín

So what you are saying is that often it is immigrants themselves who do not want to recreate their own societal culture because they are more interested in ensuring for themselves, and I would assume also for their children, the opportunities the new society has to offer them. But this does not take us very far. We still do not know whether this would be the case if immigrant communities were encouraged or given the means to recreate their own societal culture in the new society, a societal culture they could then decide to abandon and freely choose to assimilate into the mainstream society.

Kymlicka

This is an interesting theoretical question, but it is unrealistic in practice, for two reasons. First, states would not admit any immigrants if they were required to grant immigrants the same rights as national minorities. States only accept immigrants if they see it as in their interest to do so, and they would only see it in their interest to do so if the immigrants integrate into the host society. So insisting that states grant immigrants the rights and powers needed to recreate a societal culture would simply bring immigration to a standstill.

Second, except under unusual conditions, immigrants are too small and dispersed to form viable and flourishing societal cultures. The major exception would be cases of large-scale immigration to a neighbouring country. For example, I have no doubt that Hispanics in Texas and California could, with appropriate language rights and educational policies, form a Spanish-speaking societal culture in the United States. But I do not see that this is a viable option for Vietnamese immigrants to the United States.

12.

Rubio Marín

On some occasions, you claim, neither “polyethnic rights” nor special group representation rights within the larger society’s political institutions are sufficient to ensure that national or ethnic minorities are not ignored on decisions that are made on a country-wide basis. So some degree of self-government becomes necessary to prevent national minorities being out-voted by the majority on decisions that are of particular importance to their cultures such as education, immigration, resource development, language and family. How can we tell what kind of group right a given ethnic minority really needs? So, for instance, in the Spanish case, do you think that the current system of regional autonomies satisfies the national minorities sufficiently or do you think that some kind of federalistic solution will sooner or later be necessary to accommodate them?

Kymlicka

The question of what national minorities “need” is vague. Need for what? If our only concern is that national minorities have what they need to preserve themselves as separate and self-governing society, then I think the status quo in Spain is probably fine. The Catalonians have constitutionally guaranteed powers of self-government, including control over the language of education and the bureaucracy, which has allowed them to pursue a remarkably successful program of “linguistic normalization.” This programme appears to be working, not just in enabling native-born Catalans to live and work in their language, but also in encouraging immigrants to integrate into the Catalan-speaking society. The situation is quite similar in Quebec. The status quo has provided sufficient levels of language rights and powers of self-government that there is no longer any realistic fear of linguistic assimilation. In both cases, however, the national minorities are not satisfied with the status quo. This suggests to me that the real issue is no longer the need for societal survival, but rather the need for recognition. In each case, this demand for recognition takes the form of a demand for some form of asymmetry amongst the units of the federation. That is, Quebecers and Catalonians want their region to be treated differently from other federal units in Canada or Spain, because they view themselves as nations, not just as “regions” within a common Canadian or Spanish nation. They want not just regional devolution, but also national recognition.

This is an important insight in Taylor’s recent work about the increasing importance of “the politics of recognition” (Taylor 1994). I think that there is a very good chance that Canada will eventually break apart because of our inability to resolve this issue of recognition. It is distressing that a country could fall apart over such an apparently trivial issue such as symbolic
recognition. But it is important to note that, if this is a petty concern, the pettiness is found on both sides. After all, the reason why the English-speaking majority in Canada is reluctant to accept asymmetry for Quebec is precisely that it would weaken or undermine the symbols of pan-Canadian nationhood which they have injected into Canadian institutions. Similarly, much of the opposition in Spain to asymmetry for Catalonia stems from a commitment to the earlier idea of the “Spanish nation, one and indivisible.” If national minorities are now obsessed with seeking symbolic recognition for their distinct national identity, it is at least in part because majorities have in the past adopted symbols which explicitly (and deliberately) denied their existence as distinct nations.

13.

Rubio Marín

As you recognize, one problem with self-government rights is that unlike “polyethnic rights” and special group representation rights (both of which may ultimately serve an integrative function by accommodating the needs of national or ethnic minorities within the larger society and institutions) self-government rights can fuel the ambitions of nationalist leaders who will be satisfied with nothing short of their own nation-state. This raises the question of the basis of social unity in a multination state. Once the myth of a “common nationality” expressed in a common state citizenship is abandoned, where can we find the source to further the sense of solidarity which is still needed to promote the public good and to face urgent issues of justice on the state level? In a few words, what can be the source of unity in a multination state which affirms, rather than denies, its national differences?

Kymlicka

I am increasingly doubtful that there is any general answer to this question. At any rate, I am sceptical that there is anything which philosophers can contribute to this question. The basis of social unity is, in the end, the desire to live together, and if two or more groups no longer have that desire, there is no way to prove that they ought to want to live together. In particular, there is no reason to assume that groups which share the same political principles should want to also share common political institutions. Philosophers have been prone to assume that shared norms or values provide a basis for social unity, but that seems clearly wrong-headed in the case of multination states. There is nothing inconsistent or puzzling about a national minority saying “yes we have the same political values as the majority, but we want to
pursue these values in our own institutions, rather than in shared institutions.” Without the desire for co-existence, even the best-designed institutions and procedures will ultimately atrophy, or get stuck in terminal gridlock.

Taylor has recently advanced the idea that “deep diversity” should be seen, not as a source of disunity, but precisely as the basis for social unity (Taylor 1991). He hopes that people can find it desirable and exciting to live in a country which is characterized, not just by diverse conceptions of the good or diverse ethno-cultural practices, but also by diverse national identities. There may be something in Taylor’s view here, but I am not sure how far it takes us. After all, this sort of deep diversity can be found even in comparatively small countries. One does not have to stay within a large multination state to share in the excitement of deep diversity. For example, if Quebec were to secede, it would still have a great deal of “deep diversity,” given the presence within Quebec of several indigenous peoples, an historic English-speaking community, as well as immigrants from all over the world. So the desire to live in a society of deep diversity does not really answer the question of why Quebeckers should want to continue to live in Canada (or why Catalans should want to continue to stay in Spain). In the end, as I said earlier, social unity rests on affections, not beliefs—people from different groups must, for whatever reason, want to continue to work together in common institutions.

The accidents of history and geography can help us predict when such a desire for co-existence will arise, or when it will gradually disappear, but I do not think that any particular set of political ideals or institutions will guarantee that it will arise and sustain itself over time.

14.

Rubio Marín

In the US, the Amish have claimed the right to withdraw their children from schools before the age of 16, which is the age of compulsory education. They thereby seek to limit severely the extent to which their children can learn about the outside world. They argue that freedom of religion protects a group’s freedom to live in accordance with its doctrine, even if this limits the individual freedom of the children. As you know, in a famous case, Wisconsin v. Yoder, the Supreme Court accepted the Amish community’s claim. As you also know, other ethno-cultural minorities embrace other “illiberal” practices and values, such as female circumcision, compulsory arranged marriages and many others, often related to systematic gender discrimination. This raises the issue of the limits of toleration of “illiberal minorities” in a liberal society, or, as others have phrased it, the problem of “minorities within minorities” or

dissidents. Do you see in this a conflict between two liberal values, autonomy and toleration? How should liberal states deal with their “illiberal minorities”? Would you agree with those who argue that all the liberal state can legitimately require from its “illiberal minorities” is that they guarantee the right of the individual to exit the group?

Kymlicka

There is a growing literature these days discussing whether “autonomy” or “tolerance” should be the foundational value within liberal theory. The predominant view used to be that liberal states should protect and promote individual autonomy. But we are increasingly aware that some traditionalist cultural groups and conservative religious groups object to this emphasis on autonomy, which they see as destructive of their inherited practices and established authorities. In order to accommodate such groups, some prominent liberals now argue that liberalism should downplay the role of autonomy, and instead seek to define a more “tolerant” form of liberalism which will not be perceived as threatening by non-liberal cultural and religious groups.

I myself am sceptical of this idea that liberalism can or should be grounded in tolerance rather than autonomy. Or rather, I think that the only conception of tolerance which liberals can accept is one which is itself grounded on the value of individual autonomy. For example, the liberal notion of religious toleration is one which is firmly committed to individual freedom of choice. Religious toleration, for liberals, does not primarily mean that each religious group accepts the existence of other religions, agreeing not to interfere in each other’s practices. Rather, religious toleration means that individuals have a right to freedom of conscience, a right which may well conflict with the wishes of the group they were raised in. Individuals not only have a right to continue practising the religion they grew up with, but also a right to question and revise their religious beliefs, even if this upsets or offends other members of their group. Religious toleration, for liberals, means that individuals have the right to question their inherited beliefs and traditional religious authorities, and it is a violation of freedom of conscience for groups to try to prevent their members from engaging in such critical evaluation of their inherited beliefs.

So toleration, for liberals, is not primarily a matter of groups tolerating other groups, but rather of groups (and the state) tolerating individual freedom of choice. The only way to defend this choice-centred notion of toleration, I believe, is by appeal to the value of autonomy. And for freedom of choice to be meaningful, it is not enough for individuals simply to have a legal right to exit their existing group; they also need the sort of liberal education which exposes them to other ways of life, and which equips them with the cognitive capacities to evaluate these alternatives in an intelligent and informed
way. So, on my reading of the liberal tradition, toleration is not an alternative to autonomy, but rather is grounded in respect for autonomy, and liberal toleration requires protection for individual autonomy.

This is not to say that a liberal state should coercively intervene in illiberal groups whenever they restrict the autonomy of their individual members. For one thing, coercive intervention in illiberal groups may backfire. Moreover, the liberal state may not have the legitimate authority to intervene in the first place. This is particularly true in cases of indigenous groups which were conquered or colonized, or in some other way involuntarily incorporated into a larger state. Under these circumstances, the larger state may have no legitimate authority to intervene in the internal affairs of a self-governing indigenous community. (By contrast, imposing liberal rules on immigrant groups is more legitimate, I think, since acceptance of liberal principles can be seen as one of the terms of their admission).

So the question of whether to intervene in illiberal groups does not really involve a conflict between two competing liberal principles of “autonomy” and “toleration.” Rather, it raises questions about the limits on the scope of liberal principles, and about the limits on the authority of liberal states to impose these principles. This is not to say that intervention is never justified in the case of indigenous peoples. For example, intervention is surely justified in the case of torture, slavery, or ethnic cleansing, just as these are legitimate grounds for intervention in foreign countries. But we need not appeal to distinctively liberal principles to justify intervention in such cases of the gross and systematic violation of human rights. Liberalism involves more than simply the protection of human rights, and just for that reason, state intervention in illiberal groups to protect liberal principles raises issues of authority and jurisdiction in a much more serious way than intervention to protect human rights.

(for Will Kymlicka)
Queen’s University
Department of Philosophy
Waston Hall
Kingston
Ontario K7L 3N6
Canada

(for Ruth Rubio Marín)
University of Seville
Departamento de Derecho Constitucional
Avda. del Cid, s/n
E-41004 Sevilla
Spain

References