A MULTICULTURAL CONTINUUM: A CRITIQUE OF WILL KYMLICKA’S ETHNIC-NATION DICHOTOMY

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In *Multicultural Citizenship*, Will Kymlicka deepens the line of argument he developed in *Liberalism, Community and Culture* that recognition of special rights for cultural minorities is compatible with liberalism. The idea that group based rights conflict with liberalism is of recent origin, Kymlicka claims. Many prominent nineteenth century liberals appealed to liberal values of autonomy and equality to defend special rights for cultural minorities, and Kymlicka wishes to appeal to the same values.

Contemporary liberals have often been occupied by a perceived conflict between the individual and the collective that they believe group rights create. Such a conflict occurs, however, according to Kymlicka, only if group rights are defined as the right of a collective to regulate the activity of its members in any way it wishes. Claims for such internal rights are much less often voiced in contemporary politics of difference, however, than claims to what Kymlicka calls “external rights,” the rights of a cultural minority to preserve its culture and way of life as against the encroachment or domination of a majority culture. Group-based external rights do not conflict with the pursuit of individual autonomy. On the contrary, Kymlicka’s central claim is that individual autonomy requires membership in and maintenance of a culture of one’s own, because the choices autonomy entails require a meaningful context that only a culture provides. While it is possible for individuals to leave one culture and acquire another, and some people choose to do so, the process is usually difficult and painful, so no one should be forced to do so because his or her culture has been suppressed or allowed to atrophy.

Contrary to the view held by many liberals, moreover, the liberal state cannot be neutral among cultures. A state must conduct business in some language or languages, and it is almost always aligned in many other ways with the majority culture in its jurisdiction. Thus justice requires that public policy actively compensate for the lack of recognition or the disadvantage that some members of the polity suffer because of their cultural membership by according cultural minorities special rights such as language rights, religious-based exemptions, representation rights and rights of self-government.

In *Multicultural Citizenship*, Kymlicka takes an important new step in a liberal theory of group-based rights. We should distinguish types of cultural minorities,
he suggests, because the requirements of justice in the form of special rights are different for different kinds of groups. Thus Kymlicka distinguishes two kinds of cultural minorities, nations and ethnic groups. Corresponding to these two kinds of minorities are two kinds of group rights, self-government rights, and polyethnic rights. Both national minorities and ethnic groups also often should have representational rights, but often for different reasons. Representational rights are often a corollary of self-government rights for national minorities, whereas representation rights for ethnic minorities redress political disadvantage in larger decision-making processes. Both the rights of national minorities and polyethnic rights are best justified on grounds that they put the cultural minorities on a more equal footing with a dominant culture within a polity. Such rights can also sometimes be justified by appealing to historical agreements, which are more common for national minorities.

I find Kymlicka’s liberal defense of group rights for cultural minorities powerful and persuasive. I agree with Kymlicka that a liberal polity can and should publicly recognize cultural plurality. I also endorse Kymlicka’s move to distinguish kinds of cultural minorities and develop specific arguments about justice required for each. I find that Kymlicka does not follow through on this pluralizing project, however. He stops with a duality, rather than a plurality. I shall argue in this comment that the dichotomy between nation and ethnicity is too categorical, and that the categorical distinctions Kymlicka sets up as following from this distinction create too rigid and even contradictory an account of multicultural citizenship. Loosening this distinction and creating a continuum would better serve Kymlicka’s purposes, I believe. I will also suggest that Kymlicka’s use of the concept of “nation” is questionable, and not necessary to serve his purposes.

Cultural minorities can be divided into two kinds, according to Kymlicka, nations and ethnicities. A nation is “a historical community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language or culture” (11). An ethnic group, on the other hand, is a group with common cultural origins, but whose members do not constitute an institutionally complete society concentrated in one territory. For Kymlicka there are two kinds of multicultural societies, multinational societies and polyethnic societies, and many contemporary states are both. Multinational societies are created by the incorporation of two or more nations, whether by agreement or force. Polyethnic societies are the result of the immigration of persons from other societies into a new society. Belonging to a national minority is thus involuntary, an unchosen fact of history. Ethnic minorities, on the other hand, have chosen to relinquish their original culture and enter a new society.

According to Kymlicka, justice for national minorities requires self-government rights, the rights of the national minority to govern their own affairs within their own territory, alongside and distinct from the larger society. While such self-government may function to redress past injustice or compensate for present disadvantage, the primary justification and purpose for self-government rights is
to recognize and maintain the distinctness of a people. Polyethnic rights, on the other hand, give special recognition to cultural minorities in order to compensate for the disadvantages they would otherwise have in political participation and economic opportunity in the larger society. The objective of polyethnic rights is thus to promote the integration of ethnic minorities into the larger society, whereas self-government rights of national minorities have a separatist tendency.

I find Kymlicka’s account here unnecessarily dichotomous. He sets up two categories which are opposing and mutually exclusive in their characteristics. All cultural minorities are supposed to fall on one side or the other of this dichotomy, even though Kymlicka points out that some groups do not fit the classification. Most prominent among these are African-Americans, who are neither an incorporated national group nor an immigrant group, but descendants of slaves who were transported to a new land by the most brutal force, violently deprived of their original cultures, but also forced to remain segregated from the new culture.

Kymlicka dismisses the need to revise his categorization due to this anomaly because, he claims, the situation of African-Americans is virtually unique in the world. While the situation of all peoples is unique, the situation of peoples of Indian descent who were carried to many parts of Africa and Asia by British imperialists has similarities to that of African-Americans. These members of an Indian diaspora also do not fit Kymlicka’s classification of distinct peoples in their original homeland, on the one hand, or of voluntary immigrants, on the other. Kymlicka himself suggests that refugees and so called guest-workers also do not fit the model. Given the vast differences of wealth and poverty in the world, moreover, he admits that many of those who leave poor countries to seek a better life elsewhere cannot be said to be forsaking their original cultures voluntarily.

Another important category of cultural minority which I think does not fit Kymlicka’s classification, but which he does not mention, is former colonial subjects. After the Second World War many former subjects of British, Dutch or French colonialism were promised citizenship in a universal and culturally neutral modern state, to which they immigrated. Once there, many were segregated, exploited and excluded. Slaves, transported forced labor, political and economic refugees, guest workers, colonial subjects, are all anomalies on Kymlicka’s classification, but together they account for a large portion of the forebears of contemporary multicultural minorities.

My examples of anomalies have focused on who cannot be considered a voluntary immigrant, but I think that the concept of nation is similarly problematic. Were Jews a nation prior to the founding of the state of Israel, on Kymlicka’s concept? What are the reasons for not considering African-American groups who have lived in Detroit or rural Alabama for generations as national groups?

I think these questions and anomalies show that Kymlicka’s desire to develop two mutually exclusive categories of cultural minorities is misguided, and that it is far better to think of cultural minorities in a continuum, or perhaps in a set of
continuua. (At one point [25] Kymlicka himself raises and rejects the proposal that differences among cultural minorities be thought of in terms of a continuum, but I do not see that he has given reasons for the rejection.) Thinking of differences among cultural groups as a matter of degree rather than kind, however, seems to me to fit the facts better and to support more nuanced moral arguments.

Whether a cultural group can be thought of as a societal culture, which Kymlicka calls a nation, whose practices and institutions cover a full range of human activities (75), is certainly a matter of degree, rather than the either/or distinction Kymlicka makes it. Whether a cultural minority dwells within a larger society because of voluntary actions on the part of its members is also a matter of degree. Cultural minorities vary along a continuum, finally, in the degree and manner in which they wish to integrate into a larger society and the degree they wish to be separate, and the degree to which the larger society welcomes their participation also varies.

As with many dichotomies, Kymlicka’s dichotomy is based on a unifying category, the category of nation. The distinction between nation and ethnic group reduces to a matter of national origin. Members of national minorities are persons living within a culturally and territorially distinct national group along with another or other national groups, and members of an ethnic minority have immigrated from other nations into a society whose nationality they intend to adopt (18). Nationhood is the fundamental concept here. In Kymlicka’s conceptualization, a nation is internally unifying and for this reason essentially separatist. The distinction between national minority and ethnic minority turns out to be a distinction between a cultural group that wishes to and has the right to be a separate and distinct society, on the one hand, and a cultural minority that wishes to or is expected to integrate into a larger nation. Kymlicka makes it clear that liberals cannot condone the defining of a nation in terms of race or descent, and therefore that a nation should be able and willing to integrate new cultural minorities into itself. On Kymlicka’s account, separation and integration are the only options for a cultural minority. I think that this analysis, however, puts into question the very possibility of a multicultural society.

The dichotomy between separation and integration, which correlates with the dichotomy between nation and ethnic group, forces Kymlicka into unnecessary tensions and contradictions in his account of multicultural citizenship. For example, Kymlicka claims that in the modern world the boundaries of nationhood cannot for the most part be the same as the boundaries of statehood. World order would be too unworkable if every people that rightly claims to be a nation were recognized as a sovereign state. Consequently, many if not most states must be multinational, recognizing rights of self-government for national minorities within some form of federation. Kymlicka admits, however, that such self-government rights tend to promote the separation of the nation from the other nations in the federation, thus endangering the political unity of the federation. Within a less all-or-nothing concept of nation and self-governance, however, this
tension in Kymlicka’s account would be reduced (and in fact, Kymlicka softens
the distinction on pp. 181–182 – for just this reason?).

The same dichotomy forces a contradiction on the other side of Kymlicka’s
account, I believe. As against many universalist and assimilationist accounts of
liberalism, Kymlicka argues that ethnic minorities should often have special
culturally based rights in order to achieve respect and inclusion in the larger
society. Sikhs or Jews ought to be able to serve in the armies of their countries
without violating their religious dress requirements; speakers of Spanish or Turkish
should be able to obtain an equal education without having to learn the dominant
language first. The purpose of such special rights, however, according to
Kymlicka, is to “ensure their integration into a common culture,” and to develop
in them “a sense of shared loyalty to a common civilization” (180). Unlike
national minorities, whose objective is to maintain themselves as a distinct
people, ethnic minorities “are demanding inclusion into the dominant national
culture” (180).

But this sounds contradictory to me: ethnic minorities should have their
cultural specificity recognized and respected as a means of their inclusion in the
dominant national culture. Kymlicka fails to distinguish here between inclusion
in economic opportunity and political decision-making, and inclusion in the
dominant national culture. Many of those groups Kymlicka classifies as ethnic
minorities today demand inclusion in economic and political life at the same time
that they reject the expectation that they should become socially and culturally
integrated. The separatist impulse of some groups Kymlicka classifies as national
minorities, moreover, may not be as strong as he suggests. Many Native-
American peoples wish to use self-government rights, for example, partly in order
to promote the inclusion of their members in the larger economy in ways that will
most benefit them and remain compatible with their culture and values. Regarded
through such examples, the difference between those groups Kymlicka calls
nations and those he calls ethnic groups can become less stark, though still real as
a matter of the degree of distinctness.

I advocate such a softening and pluralizing of the differences among cultural
minorities for many reasons, several of which I have already referred to. It allows
more possibility for considering the specific issues of justice at stake for different
groups, because it can take more into account the history of how the group
became a cultural minority, to what degree that process was chosen and to what
degree the group has been welcomed into the economic and political life of the
society. It also allows more differentiation of respects in which a group seeks or
ought to have integration, and respects in which its members seek to remain sepa-
rate. I believe that a softening and pluralizing of this distinction may also enable
a conceptualization of the possibility that persons, and not only societies, can be
multicultural, or at least bicultural.

But most important for me, I think that if we conceptualize a continuum with
separate and distinct people at one end, and nearly assimilated groups with only
a few cultural differences at the other, we can eliminate the idea of nation, as Kymlicka uses it, altogether. Justice and world peace are badly served, I believe, by retaining the idea of a bounded people with “inherent” rights, as Kymlicka puts it, to be sovereign over a bounded territory. Many distinct peoples do and should have self-government rights, but I suggest that these can only be morally grounded in arguments about how those rights are necessary in order to rectify injustice or promote greater justice. As the world becomes more and more integrated, and government regulation potentially refers to so many kinds of issues and jurisdictional layers, moreover, many self-government rights need not be tied to bounded territory, and it is possible for a group to have self-government rights with respect to some issues and not others. As I read him, Kymlicka seeks just this sort of outcome with his conception of multicultural citizenship, but I believe that his use of the category of nation, which generates a dichotomous model of group difference, impedes him in the clarification of this multiculturalism.