

Political Liberalism, Just Background Conditions, and Cultural Identity

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Received: 20/10/2018 Accepted: 25/11/2018
DOI: 10.22096/HR.2019.111288.1154

Abstract

A perennial objection to liberal political regimes is their purported role in the loss of minority cultural traditions and the resulting homogenization and impoverishment of public culture. Critics argue that liberalism does not, contrary to its stated commitments, foster a plurality of cultural and moral identities because it reinforces and systematically benefits the conception of the person it assumes as fundamental, that is, a characterization of persons as isolated, atomistic, and self-interested individuals. A legal regime of rights is the chief mechanism by which this conception of the person is institutionalized. Although leading political liberals, including John Rawls, have shown that political liberalism does not in fact rely upon metaphysical claims of this sort, the criticism remains that when it comes to a plurality of cultural and moral identities, liberalism is in practice, if not in theory, profoundly illiberal. I respond to this criticism and argue that properly understood and established, political liberalism is fully compatible with a diverse range of cultural, religious, and moral identities. My argument depends on two claims. First, political liberalism is primarily concerned with the establishment of just background conditions, which includes such things as economic equality of opportunity, procedural fairness, and the protection of basic human rights. I argue that these just background conditions are compatible with a wide range of cultural institutions and traditions because they are far less determinate of actual legal and social institutions than most theorists (including most liberals) realize. Second, a key feature of achieving just background conditions is the public regulation of capital and other fundamental economic institutions. This in turn permits the regulation of

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commerce, including by extension, legal authority over media and advertising. It is precisely this unregulated, uncontrolled growth of global media that in fact threatens traditional cultures and identities. Indeed, far from supporting the emergence of a homogenizing global media culture, political liberalism is, I argue, the only plausible political theory with adequate conceptual resources to counter the hegemony of global media and the nihilistic consumerism that so often accompanies it. As a practical matter, I show that in a just society, adherents of reasonable doctrines (i.e., philosophical and religious beliefs and traditions that do not insist upon using the mechanism of the state for their exclusive advantage) will agree and affirm that the state has protected and preserved the background conditions necessary for the possibility of practicing reasonable doctrines. To illustrate this, I consider several examples of minority religious traditions which I argue are compatible with a political liberal society. In the concluding portion of the paper, I briefly compare my position with Will Kymlicka's work on minority groups rights and suggest that political liberalism has adequate resources to address the concerns he raises.

Keywords: Political Liberalism; Identity; Individuals; Culture; Economy Equality.

Bibliography

A) Books & Journals

1. Avila, Mitch (2004). "Political Liberalism and Asymmetrical Rights for Minority Comprehensive Doctrines," *Human Rights Review*, Vol. 5, No. 2, pp. 3-21.
2. Avila, Mitch (2007). "Defending a Law of Peoples: Political Liberalism and Decent Peoples," *The Journal of Ethics*, Vol. 11, No. 1, pp. 87-124.
3. Buchana, Allan (2000). "Rawls's Law of Peoples: Rules for a Vanished Westphalian World" *Ethics*, Vol. 110, No. 4, pp. 697-721.
4. Hirschmann, Nancy J. (1992). *Rethinking Obligation*, NY: Cornell University Press.
5. Meyers, Eva Kittay (1998). *Love's Labor*, London: Routledge.
6. Murphy, Liam & Nagel, Thomas (2002). *The Myth of Ownership*, Oxford: Oxford University Press.
7. Pateman, Carole (1989). *The Disorder of Women*, California: Stanford University Press.
8. Pogge, Thomas W. (2001). "Rawls on International Justice," *The Philosophical Quarterly*, Vol. 51, p. 247ff.
9. Rawls, Jones (1993). *Justice as Fairness*, New Jersey: Harvard University Press.
10. Rawls, Jones (1993). *Law of Peoples*, New Jersey: Harvard University Press.
11. Rawls, Jones (1997). "The Idea of Public Reason", *the University of Chicago Law Review*, Vol. 64, No. 3, p. 179.
12. Sullivan, Stefan (2002). *Marx for a Post-Communist Era: On Poverty, Corruption and Banality*, London: Routledge.