

Reaching For My Gun: Why we shouldn't hear the word "culture" in normative political theory

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Abstract

Culture is a notoriously elusive concept. This fact has done nothing to hinder its popularity in contemporary analytic political philosophy among writers like John Rawls, Will Kymlicka, Michael Walzer, David Miller, Iris Marion Young, Joseph Raz, Avishai Margalit and Bikhu Parekh, among many others. However, this should stop, both for the *metaphysical* reason that the concept of culture, like that of race, is itself either incoherent or lacking a referent in reality, and for several *normative* reasons. I focus on the following interconnected points:

- The vagueness of the term allows a myriad of candidates to claim rights, and typically to the detriment of increased equality (e.g., the claim that homosexual marriage is a "threat to traditional marriage") and environmental goals (e.g., the polluting rights of the Amish).
- Cultural capital cannot be regulated in the way that political capital must be regulated without undermining the cultures supposedly being protected. And the possession of cultural capital is almost never democratically regulated. In particular, granting cultures political status creates intergenerational conflict, rewarding the elders and creating incentives to be conservative and restrict cultural mobility of the younger generation.
- The notion of a group *owning* "its" culture is conceptually suspect and corrupted by the foregoing points about unequal cultural capital. In defending a group's right to preserve its culture we do not defend equally the rights of the individuals that make it up (and assuming that the group paying lip service to liberal values overrides culturally ingrained inequities is to ignore the distinctive ways oppression can be realized in different ways of life), and we ignore altogether the rights of those who may be unfairly denied recognition as "members" of the culture (for example, African Americans enslaved by Native Americans but now excluded from nation membership).

Key Words

Culture, multiculturalism, liberalism, Will Kymlicka, Brian Barry

1. Introduction

About nine years ago, Will Kymlicka, the prolific Canadian political philosopher who has arguably done most to popularize and legitimize the use of "culture" in analytic political philosophy, gave a talk entitled

“Liberal Culturalism: An Emerging Consensus?” in which he answered the question with a resounding yes, and defined the subject of that consensus as

the view that liberal democratic states should not only uphold the familiar set of common civil and political rights of citizenship which are protected in all liberal democracies, they must also adopt various group-specific rights or policies which are intended to recognize and accommodate the distinctive identities and needs of ethnocultural groups.¹

This view, he claims,

has arguably become the dominant position in the literature today, and most debates are about how to develop and refine the liberal culturalist position, rather than whether to accept it in the first place.²

Brian Barry, however, begs to differ. In his refreshingly acerbic 2001 work *Culture and Equality*, he rejoined:

I have found that there is something approaching a consensus among those who do not write about it that the literature of multiculturalism is not worth wasting powder and shot on.³

Adds Barry, these observers have been waiting for the movement to “sink under the weight of its intellectual weaknesses.”⁴ *Culture and Equality* represents several musket-loads of powder and shot to help it on its way.

While I might not be prepared to use Barry’s intemperate language, I would count myself more in sympathy with him than with Kymlicka, for reasons both metaphysical and ethical. The metaphysical reason is that the concept of “culture” is in a position exactly analogous to that of “race,” in that the elements that are said to determine it do not line up neatly because the concept itself does not, in Aristotle’s phrase, “carve nature at the joints.” That this should be true of a term in common parlance that originated in theory is not entirely surprising, as once a term enters the public sphere it tends to become fuzzier and more open to ambiguities. However, I maintain further that there is no useful role for more narrowly

defined, technically exact definitions of the term, because it is always parasitic on pre-existing notions, to which it adds nothing, except perhaps a sanitizing cover for less appetizing concerns. In sum, the term is either too confused and self-contradictory to be meaningful, or is redundant, and, worse, euphemistic.

My ethical reasons for taking Barry's side follow both from the foregoing point that its vagueness invites malicious exploitation, and that it can be used to mask or legitimize flagrantly unjust and inequalitarian power-plays. Insofar as "culture" is used intelligibly, a culture will be a political entity with power structures and means of control and manipulation that must be open to exactly the kind of critique that those who appeal to the term "culture" hope to forestall.

2. What is a culture?

The study of culture has long been the province of anthropologists. Indeed Roy Wagner wrote in 1975 that the concept

has come to be so completely associated with anthropological thinking that ... we could define an anthropologist as someone who uses the word 'culture' habitually.⁵

That is not to say that when they use the term, they mean the same thing by it. In fact, there are notoriously almost as many definitions of "culture" as there are anthropologists. To help classify views on the nature of culture, I propose the following axes of a taxonomy.

First, the thick/thin axis. A "thick" concept of culture would be one where one's culture explains just about every feature of oneself, as the anthropological pioneers seemed to view the cultures of the peoples they studied. Consider, for example, Edward Tylor's seminal definition of culture as "that complex whole which includes knowledge, belief, art morals, law, custom, and any other capabilities and habits acquired by man as a member of society." The thicker one's concept of culture, the less likely it will be that a state can forbear from interfering in the culture of its citizens. A "thin" conception, on the other hand, might distinguish culture from things like ethnicity, religion, morality. Liberal culturalists are likely to have thinner conceptions, because a liberal cannot endorse rights for racists or sadists, for example, simply through an appeal to culture.

A second axis is what I shall call a culture's "flexibility." Few anthropologists defend a concept of culture as inflexible, but such an idea is implied when cultural conservatives suggest that their culture will not survive if they are forced to give up a particular practice. To the degree that a large percentage of the particular practices that *now* make up a

specific culture are deemed essential to it – so that it would no longer be *the same* culture if it lacked them – the culture is inflexible.

Related to a culture's flexibility is the degree to which its nature is under the conscious control of those individuals who partake of it. Call this its degree of *ossification*. Clearly a culture cannot exist independently of humans, but to the extent that its participants see it as something they passively experience rather than actively influence, that culture is ossified. Alfred Kroeber's view of culture as analogous to a coral reef is an apt example.⁶

A further feature according to which one could classify views of "culture" is the extent to which a culture is seen as self-contained. The more one views a culture as an integrated whole, distinct in itself, and supplying a complete conceptual scheme for its participants, the further it is along this axis. Franz Boas pioneered the view of individual cultures as unique self-contained wholes, each incomparable with any other and not evaluable by any overarching criteria.

I hope it is evident that these different axes allow any number of completely incompatible views on the nature of culture. Thus, it is nonsense to talk of all anthropologists studying "culture" as if they were all looking at the same thing. Unfortunately, however, the term has now broken loose from its moorings and entered common parlance, not just in academic circles, or even in the West, but as Adam Kuper reports:

For anthropologists, culture was once a term of art. Now the natives talk culture back at them. "'Culture'—the word itself, or some local equivalent, is on everyone's lips," Marshall Sahlins has observed. "Tibetans and Hawaiians, Ojibway, Kwakiutl and Eskimo, Kazakhs and Mongols, native Australians, Balinese, Kashmiris, and New Zealand Maori: all discover they have a 'culture.'" The monolingual speakers of Kayapo in the South American tropical forest use the Portuguese term *cultura* to describe their traditional ceremonies. Maurice Godelier describes a migrant laborer returning to his New Guinea people, the Baruya, and proclaiming: "We must find strength in our customs; we must base ourselves on what the whites call culture."⁷

I believe that this seepage into widespread usage has influenced political philosophers, who are acting as if there was a single, well-understood conception of culture, when in fact, depending on where one's understanding of the term falls in the taxonomy I have outlined, "cultures" should be viewed more or less favorably by liberals. No liberal could consistently endorse a view of culture as highly ossified, inflexible and self-contained. The former two would render the liberal defense of autonomy rather farcical, and the final one undermines liberal notions of

universal human rights. But once you move far down those three axes, the value of cultures diminishes to the extent that they do not seem worthy of any protection that might diminish the rights of individuals. I think political philosophers keen to adopt culture-talk should be aware of the seriousness with which anthropologists take ethical relativism (which follows naturally from the view of cultures as self-contained). Consider, for example, this claim from a very thoughtful and fair-minded introduction to social and cultural anthropology:

Placed in its cultural context, Hofriyati female circumcision is neither irrational nor deliberately cruel and oppressive and is, moreover, a practice as much subscribed to by traditional Hofriyati women as men. We may find the consequences of such practices repellent, but we are hard pressed to find a moral basis for advocating its suppression that does not also violate the cultural autonomy of the Hofriyati.⁸

The authors end up by wondering “if it is logically possible to simultaneously subscribe to both the notion of universal human rights and a belief in the relativity of cultures.” I take it that this is not really a live issue in Anglophone political philosophy, and the answer is no, and so much the worse for the latter. Brian Barry used the following quote from the *New York Times* without comment as an opening salvo against “culture-talk” in a reply to his critics:

‘No person shall subject a child,’ says a recent bill approved by Kenya’s Parliament ‘to cultural rites, customs or traditional practices likely to affect negatively a child’s life, health, social welfare, dignity or psychological development.’

Mrs. Kemunto laments...that she may be the last one in the family to devote her life to what she calls the circumcision of young girls... ‘We’re losing our culture,’ she told a visitor.⁹

Of course, anthropologists who popularized the modern conception of a culture have also led the charge against it. Robert Lowie applied Shakespeare’s phrase “a thing of shreds and patches” to the term, to indicate how amorphous and *ad hoc* it could be. A. R. Radcliffe-Brown denied that there was ever a culture for anthropologists to study

since that word denotes, not any concrete reality, but an abstraction, and as it is commonly used, a vague abstraction.¹⁰

Kuper, South African in origin, is a critic of the term, tracing his suspicion of it to its use by Afrikaner intellectuals, and in particular, the ethnologist W.W. M. Eiselen to justify the policy of apartheid.¹¹ Obviously he sees this instance as a cautionary lesson in drawing normative political lessons from particular notions of culture, even those derived from the ardent anti-racist Franz Boas.¹²

I am a liberal, in the European rather than the American sense, a moderate man, a wishy-washy humanist ... Moderately materialist and with wishy-washy convictions about universal human rights, I am resistant to the idealism and relativism of modern culture theory, and I also have limited sympathy for social movements based on nationalism, ethnic identity, or religion, precisely the movements that are most likely to invoke culture in order to motivate political action.¹³

These are the anthropologists to whom we political philosophers should be listening.

3. Normative Worries

My first ethical concern about the use of the term “culture” in normative political theory should already be evident: the vagueness of the term allows it to become a catch-all, so that any practice, however recent and unsavory can be prettied-up as “essential” to a particular group’s culture. The major reason, I contend, for appealing to one’s culture in the political, legal or ethical sphere is as an attempted rebuttal to criticism on the basis of human rights or concepts of justice or equality. That is, when “culture” enters the discourse it is to rebut the kind of criticisms that liberals should make, as Barry’s example of Mrs. Kemunto illustrates.

My second kind of concern about allowing “culture” normative weight has to do with the relationship between each particular culture and those individuals who partake in it. I reject a conception of culture that presents cultures as inflexible or ossified because I believe that presenting cultures as such falsely undermines the freedom of individuals to influence their own culture, and covertly works to the advantage of cultural elites who are either rich in cultural capital or in a cultural position of power. If cultures are presented as groups of people whose practices should be immune (to some degree) from the criticisms that liberals care about, then “culture” operates as a kind of forcefield surrounding relations that appear to have a clear political structure but are thereby taken out of the sphere of political critique. One should be as suspicious of those rich in cultural capital defending a whole group’s culture as one should of an owner of the means of production “defending” the freedom of contract of the dispossessed. I am further suspicious of claims to cultures being self-contained. Such claims only sound plausible in the context of the small, very isolated, linguistically distinct societies much loved by the anthropological pioneers of culture-talk. But they make little sense in the context of modern so-called multicultural societies. Furthermore, such claims lead easily to excluding behavior on unjust grounds, such as exclusion of prospective members of a culture on grounds of blood or

residency. And once again, the gatekeepers are those rich in cultural capital, the possession of which a liberal might want to claim, they have no right to, or have gained unjustly.

A culture, to the extent that such a thing is intelligible, is both had by and produced by a group of people. What the liberal culturalists want to defend is a person's right to have her own culture. But I want to draw attention to the fact that that culture has been produced and can be controlled by others. That is, to be part of a culture is to be subject in various ways to the control of others. This need not be a bad thing: liberals do and should defend the rights of individuals to subject themselves to all sorts of control by others (Barry gives the example of the S&M club "Salon Kitty"¹⁴) but liberals must also concede that false consciousness concerning the extent to which one is acceding to the control of others can undermine the autonomy that liberals aim to defend. I contend that cultures are experienced passively ("had") by the great majority, but used, to their own advantage, by a minority, and to the extent that either kind of cultural participant reifies "their" culture as an entity above and beyond the people that make it up, autonomy is being undermined in an iniquitous way.

In sum, granting anything that approximates the most plausible definitions of the concept normative weight in political theory requires violations of human rights to a degree unacceptable to anyone who values such things (which should include all liberals).

4. Kymlicka's Case for Culture

Barry's position is more obviously classically liberal: there are no self-styled "liberal racists," "liberal sexists" or "liberal heterosexists". Thus it is worth examining in detail the case for liberal culturalism, and here I shall focus on Kymlicka's own.

The question a classic liberal will ask of a liberal culturalist is this: "why shouldn't the rights of people who see themselves as sharing a culture be on a par with the rights of those who see themselves as sharing an interest in collecting stamps? That is, protected to the extent covered by the liberal right of free association? What is so special about *culture* that it should get protection on the ground floor, as it were, and not derivatively?"

Kymlicka takes this question head on. His argument rests on the following key claims:

1. No state can avoid favoring a particular societal culture.
2. The state's favoring of a particular societal culture works to the detriment of minority cultures.

3. One's culture is an essential basis for the autonomy, the exercise of which for every citizen it is the state's role to protect.

Before we can assess this argument, we need to understand what Kymlicka means by "culture." Each one is, he writes

an intergenerational community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and history.¹⁵

For him, the key debate surrounds *societal* cultures, each of which is 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.)¹⁶

Note the elements Kymlicka focuses on. No mention is made of other favorites, such as religion, attitudes to kinship, ethnicity, *et. al.* Instead what matters is language (in particular), territory, and history. His conception is thus comparatively thin, to use the terminology I introduced earlier, but thick enough to be objectionable, I will claim below.

The first claim in Kymlicka's is perhaps the most important for the liberal culturalist case. If true, it marks a key distinction between a shared interest in stamp collecting and a shared interest in culture. It means that the classical liberal goal of state neutrality is impossible, and more strongly, that anyone claiming neutrality is in the grips of ideology. What, then, is Kymlicka's case for this claim? He specifically attacks a distinction pressed by other writers between *ethnic* and *civic* nations. According to Michael Walzer, for example, the former promote and support a specific culture, whereas the latter are "neutral" amongst cultures. Walzer suggests a clear example of a civic nation is the United States. Not so, argues Kymlicka:

The fact is that the American government very actively promotes a common language and societal culture. Thus it is a legal requirement for children to learn the English language and American history in schools; it is a legal requirement for immigrants (over the age of 50) to learn the English language and American history to acquire American citizenship; it is a de facto requirement for employment in government that the applicant speak English; court proceedings and other government activities are typically conducted only in English; and the resulting legislation and bureaucratic forms are typically only provided in English.¹⁷

Note here Kymlicka's preoccupation with language. No mention is made of history or territory, and perhaps that is all to the good. If cultures are to be given normative weight, why should we favor groups that have a history over groups that are recent? And why should we favor groups that

have a homeland over groups that do not? Those with a homeland are *already* advantaged. Kymlicka does give non-linguistic examples of states' lack of cultural neutrality – specifically, public holidays, government uniforms and flags, anthems and mottoes are all unavoidably tied to a specific culture. However, these examples are less convincing. New holidays and uniforms can be invented, and these would not favor any culture by his definition, because they lack a history.

But what's wrong with a state favoring a particular culture anyway? Obviously a liberal would find it objectionable if the societal culture was inherently illiberal, say, endorsing the greater value of one sex, race or sexuality over all alternatives, but if cultures were necessarily illiberal then there would be no liberal culturalists. So why should a liberal care about states endorsing “thin” cultures that are not illiberal? American schoolchildren are often told the value of voting by the story that English beat out German as official language of America by one vote. But a moment's thought should remove any “scare-value” in this story – it would just be told in German had the opposite occurred (and perhaps the Beatles would have come *directly* from Hamburg). Certainly Brian Barry fails to see the problem:

No doubt every language has its own peculiar excellences, but any language will do as the medium of communication in a society as long as everybody speaks it.¹⁸

Kymlicka has to show two things: first that the state supporting a societal culture negatively affects minority cultures, and that this is a bad thing for the *members* of those cultures. Again, his case for the first focuses on language:

it is very difficult for languages to survive in modern industrialized societies unless they are used in public life. Given the spread of standardized education, the high demands for literacy in work, and widespread interaction with government agencies, any language which is not a public language becomes so marginalized that it is likely to survive only amongst a small elite, or in a ritualized form, or in isolated rural areas, not as a living and developing language underlying a flourishing societal culture.¹⁹

Again, this would seem to be a loss to the world as a whole, but, ironically, not necessarily to the individuals who *would* have spoken the language. They are, if anything, better off, it would seem, because they speak a language that more other people speak and that allows them access to a wider range of options for careers or paths of life. How can Kymlicka argue that they lose out unless their language is institutionally protected?

His argument has two steps: first, a conception of the prerequisites for liberty:

Put simply, freedom involves making choices amongst various options, and our societal culture not only provides these options, but also makes them meaningful to us.²⁰

And second, the claim that a societal culture is essential to liberty so conceived:

The freedom which liberals demand for individuals is not primarily the freedom to go beyond one's language and history, but rather the freedom to move around within one's societal culture, to distance oneself from particular cultural roles, to choose which features of the culture are most worth developing, and which are without value.²¹

Thus, Kymlicka concludes, a liberal who values the autonomy of individuals has a reason to value societal cultures instrumentally (and by extension, assign rights to individuals to help them preserve access to their cultures) because they are essential prerequisites of that autonomy.

Kymlicka's argument can be criticized as providing weak support for those who care deeply about preserving cultures. A communitarian would balk at the assumption of a universalist, non-relativistic set of values, according to which some cultures could be ranked inferior to others (to the distaste of any Boasian, for example) to the extent that they allow the violation of individual rights. Furthermore, it makes no attempt to defend claims of ethnicity or religion as bases of individual cultures, when in fact, these are the "cultures" that people who use the term most care most about. Finally, "culture" is only of instrumental value, on this view, insofar as it performs the autonomy-enabling function, and *any* culture that fulfills this function will do, as Jeremy Waldron was quick to point out.²²

Kymlicka's response is that movement between cultures is rare and difficult, comparable to taking a vow of poverty and entering a religious order. For this reason, one should be regarded as being reasonably entitled to *one's own* culture, and not required to give it up.

The problems for this position are several. First, as-yet-unborn individuals do not have a culture yet, and so they would not qualify for Kymlicka's protective rights. But the effect of this would be annihilation for every minority culture if a majority culture could insist that all newborns be brought up speaking its language. Kymlicka can only avoid this by focusing on the rights of parents to pass on their culture to their children, but this would require a whole new argument, also fraught with difficulties, particularly for a liberal. Any action by a parent that could infringe on the potential autonomy of their children is to be frowned upon, and children are not in a position to give binding consent to their treatment in the way that members of *Salon Kitty* are.

A second problem for Kymlicka's position is that it faces a dilemma. Either it must claim that cultures are inflexible, or it makes the use of the term "culture" redundant. That is, supposing we grant that individuals need their own cultures, why must we accept that those cultures must remain as they are now? Why can't Quebecois culture become Anglophone (it has lost every other feature that made it distinctive, as Kymlicka himself points out²³)? The answer must be that there is a limit to the flexibility of cultures, that the language in particular must stay the same. But why? The only plausible reason I can think of would draw on the *Sapir-Whorf* hypothesis, that each language has an attendant self-contained conceptual scheme, and with each language goes a complete way of viewing the world that is inherently valuable because unique. But, aside from the contested nature of the *Sapir-Whorf* hypothesis, Kymlicka can't really take this tack, because if true it shows that each language is *intrinsically* valuable, but Kymlicka's argument appeals only to the *instrumental* value of a culture to the individuals that make it up, and neither Sapir nor Whorf would want to claim that any language is better than any other for a particular human to speak.

The real reason why Kymlicka's position holds appeal is because people *care* about their cultures, and this fact should be respected. But then again, a lot of people care about their race, care very passionately that their children must believe what they believe, and care very passionately that homosexuals should not marry. I believe that if Kymlicka's case works, then members of a particular generation have as least as much claim to possessing a distinctive culture and should be given the right not to have to give it up at the encroachment of the younger generation. That we do not take such a claim seriously shows our attitude to cultures that are inflexible.

Kymlicka does not have to adopt an inflexible conception of culture, though. The alternative is to point to the right to self-determination of people in groups. But what is the need for "culture" if you take this tack? It drops out of the picture altogether, and classical liberals can accept the liberal culturalists back into the fold.

I submit, then, that the so-called liberal culturalist is caught in a dilemma. A thick notion of "culture" allied to the political defenses advocated by the liberal culturalist would allow illiberal oppression of members of the culture. Liberalism requires a commitment to a set of basic human rights that cannot permit such treatment. On the other hand, any "thinning" of the notion of culture produces the kind of thing that it is implausible to see as truly vital to the individual's identity or exercise of autonomy.

I further submit that the “consensus” trumpeted (albeit mutedly) by Kymlicka is an illusory one and rests solely on the vagueness of the term “culture”. If the use of that term was banned, we would see a quick splintering of the so-called alliance.

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Notes

¹ *Politics in the Vernacular* (Oxford: Oxford University Press, 2001), p. 42.

² *Ibid.*

³ *Culture and Equality* (Cambridge, MA: Harvard University Press, 2001), p. 6.

⁴ *Ibid.*

⁵ *The Invention of Culture* (Chicago: Chicago University Press, 1975), p. 1. Cited by Adam Kuper, *Culture: The Anthropologists' Account* (Cambridge, MA: Harvard University Press, 1999), p. 16.

⁶ John Monaghan and Peter Just, *Social and Cultural Anthropology, a Very Short Introduction* (Oxford: Oxford University Press, 2000), p. 46.

⁷ Kuper, p. 2.

⁸ Monaghan and Just, pp. 51-2.

⁹ *New York Times*, 6 January, 2002. Cited in *Multiculturalism Reconsidered*, ed. Paul Kelly (Cambridge: Polity, 2002), p. 204.

¹⁰ “On Social Structure,” *Journal of the Royal Anthropological Institute*, 70 (1940): 1-12. Cited in Kuper, p. xiv.

¹¹ Kuper, pp. xi-xv.

¹² Kuper, p. xii.

¹³ Kuper, p. xi.

¹⁴ *Culture and Equality*, p. 347, notes 90 and 91.

¹⁵ *Multicultural Citizenship* (Oxford: Oxford University Press, 1995), p. 18.

¹⁶ *States, Nations and Cultures* (Amsterdam: Van Gorcum, 1997), p. 24.

¹⁷ *Ibid.*, p. 23.

¹⁸ *Culture and Equality*, p. 107.

¹⁹ *States, Nations and Cultures*, p. 25.

²⁰ Kymlicka 1995, p. 83.

²¹ Kymlicka 1995, pp. 90-91.

²² “Minority Cultures and the Cosmopolitan Alternative,” *University of Michigan Law Review*, 62/3-4.

²³ Kymlicka 1995, pp. 87-8.