

## Justice, Diversity, and Dialogue: Rawlsian Multiculturalism

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In this chapter, I argue that John Rawls' later work presents one of the most fruitful liberal frameworks from which to approach global cultural diversity. In his *Law of Peoples* (1999), the normative architecture Rawls provides is much more open to an intercultural/religious dialogue with various non-Western communities, such as the First Nations, than are other liberal approaches. Surprisingly, this has gone unnoticed in the literature on multiculturalism. At the same time, Rawls' framework is not problem free. Here, I am concerned with Rawls' conception of overlapping consensus as political, rather than comprehensive; or the idea that dialogue and discussion concerning issues of justice must necessarily, as a matter of principle, exclude philosophical or religious reasons. I argue that this constraint will only add to the unfair exclusion of legitimate concerns. Such problems are compounded in a colonial context where the voices of non-Western communities have been excluded and their self-understandings consistently denigrated for centuries. In the context of a globally diverse world, and in light of a history of Western colonialism, justice and fairness require that others be able to articulate their concerns according to their own self-understandings and as they see fit, even if we do not agree with these.

### RAWLS, LIBERAL, AND DECENT SOCIETIES

Discussions of liberal multiculturalism tend to focus on Will Kymlicka's view, even though this view is riddled with serious difficulties. One of the key respects in which Rawls' approach differs from Kymlicka's is that it

does not require the development of individual autonomy (as defined and prioritized by the liberal) as a pre-requirement to be a member in good standing with the international community, or what Rawls calls the “Society of Peoples.” Rather, one might say, Rawls’ liberalism is grounded more on the value of toleration. Indeed, Kymlicka brands Rawls’ view as such, and attacks him for moving from a comprehensive liberalism premised on the foundational value of individual autonomy (again, as defined by the liberal perspective) to a political conception (see Kymlicka 1995, 154–63). Kymlicka (2001, 53, 59–60, 208–9; 1995, 80–4, 87–9, 75, 101; 1989, 162–7, 177, 197, 253) attempts to convince fellow liberals that cultural membership is important because it provides the social conditions without which individual autonomy could not develop. This is ironic as one of the groups with which he himself is most concerned, the First Nations, desire collective rights so that they may pursue, in their public and governmental institutions, shared conceptions of the good life, thereby limiting an individual’s autonomy. This does not appear to present an obstacle to Kymlicka; he makes no distinction in kind between non-liberal and anti-liberal cultures and argues that liberality is a matter of degree, with Aboriginals on the march of historical progress toward an individualistic secular culture (Kymlicka 1995, 235, 171, 94; 1989, 180). To say the least, First Nations peoples do not see it this way (see Peetush 2003 for a detailed analysis of Kymlicka’s position).

The Rawlsian view of the relationship between liberal and non-liberal peoples is dramatically different from that of liberals like Kymlicka, whose position is grounded in the value of autonomy. Rawls argues, first of all, that we ought, as a matter of principle, to distinguish between cultures and nations that are non-liberal and those that are simply anti-liberal or outlaw states. Rawls argues that non-liberal peoples should be recognized and accepted as what he calls “decent” societies; that is, legitimate partners in an equal relationship with liberal peoples. Moreover, Rawls (1999, 59–60) argues that to “tolerate” non-liberal peoples means “not only to refrain from exercising political sanctions ... to tolerate also means to recognize these non-liberal societies as equal participating members in good standing of the Society of Peoples.” In addition, Rawls (1999, 61) remarks that “if liberal peoples require that all societies be liberal and subject those that are not to politically enforced sanctions, then decent non-liberal peoples ... will be denied a due measure of respect by liberal peoples” and that this “argues for preserving significant room for the idea of a people’s self-determination.”

On the other hand, Rawls’ (1999, 62) respect for non-liberal societies is on occasion muted by some of his other comments, such as, for example:

“when offered due respect by liberal peoples, [a non-liberal society] may be more likely, over time, to recognize the advantages of liberal institutions and take steps toward becoming liberal on its own.” This sounds closer to what Kymlicka has in mind for non-liberal peoples. But there is nothing in Rawlsian multiculturalism that theoretically requires such a view. This is in contrast to Kymlicka, the theoretical architecture of whose view hinges on developing liberal institutions as a prerequisite for being granted collective rights.

What does it mean for peoples to be considered decent? For Rawls, this judgment has a few basic conditions. Decent societies must not have aggressive aims; they must secure for their members “urgent” or fundamental human rights; in the least, they must allow members consultation in political decisions and allow members a meaningful role in political decisions; they must allow for dissent and provide official channels in which dissent is heard; and they must allow emigration (see Rawls 1999, 37, 61, 65–7, 74–5). Rawls’ (1999, 65) set of urgent or human rights include: “the right to life (to the means of subsistence and security); to liberty (to freedom from slavery, serfdom, and forced occupation, and to a sufficient measure of liberty of conscience to ensure freedom of religion and thought); to property (personal property); and to formal equality as expressed by the natural rules of justice (that is that similar cases be treated similarly).” From the perspective of a liberal democratic schedule of rights, this list seems rather limited. But Rawls thinks that it is a mistake to conflate the extensive list of liberal democratic rights with the minimal conditions a society needs to meet in order for it to be considered decent. Along these lines, societies based around more substantive or comprehensive views of the good, or non-secular nations (e.g., various Aboriginal communities, Islamic peoples), are to be considered decent as long as they can protect their members from various abuses and harms.

Of course, in such a society freedom of conscience would not be as extensive as in a liberal society, since one particular view of the good or a particular religion may dominate public policy. But, as long as such a society could protect members who did not share the dominant view from threat or persecution, it would be deemed a decent society.

In a similar vein, Graham Walker (1997) contends that liberalism and constitutionalism do not historically or conceptually coincide. Historically, Walker argues, constitutionalism came first and seeks as its object to fetter political power. Indeed, as long as a society has norms and institutions constitutionally enshrined that can protect its members from the arbitrary abuse of political power, there is no reason why such a society should not

be seen as an acceptable form of social order. James Tully (1995), Charles Taylor (1995, 1999), and Bhikhu Parekh (2000) share a broadly analogous approach in this regard.

This is in stark contrast to theorists such as Jack Donnelly (1999), Inoue Tatsuo (1999), the late Brian Barry (2001), and Kymlicka, who assumes that to be an acceptable or legitimate form of social organization, to be considered “decent,” one needs not only to agree on certain basic ethical norms, but to adopt liberalism as a whole. This includes adopting the primacy of individual autonomy as conceptualized within liberal theory, and the language and philosophy of individual rights, along with its concomitant philosophical assumptions, for example, the division between church and state, the private and public sphere, and its various legal forms and institutions.

I think this is unreasonable. That a society does not have a division between church and state, does not instantiate ethical norms in terms of individual rights, or is based on substantive ideals or religious values does not mean that it does not have moral or ethical standards against various abuses, such as rape, murder, torture, slavery, or genocide. It does not mean that it does not have positive duties to help and protect the vulnerable and the weak, that it does not respect life, or prize the values of compassion, care, fairness, and trust. Ethical conduct was not invented by Western liberal societies. Of course, how such cross-cultural values are defined, prioritized, and balanced is a matter of cultural context, but that is to be expected. How else could it be? Even if we have a socio-biological story of why it is that human beings as a species share various kinds of norms, such norms always interact with stories and narratives about purpose and meaning, or frameworks of significance as Clifford Geertz (1973) points out. This is a part of what it means to be human. In the context of globalization, transnational corporations, and certain shared features of modern life that represent common threats, we need to work out together what exactly such cross-cultural values are and the range of legitimate variance we are willing to accommodate. In addition to ensuring equality among various peoples, this is why cross-cultural dialogue becomes critical.

#### HUMAN RIGHTS AND OVERLAPPING CONSENSUS

Building consensus on practical norms, while not being concerned about various peoples’ justifications for doing so, seems like a good strategy in a globally divergent context. This is certainly a useful approach because sometimes our philosophical and spiritual reasons, or horizons of signifi-

cance and meaning, in relation to ethical norms can be so disparate, and even antagonistic, that discussion seems pointless. Indeed, discussions in this area can be counter-productive. They are often enmeshed in the context of power relationships between historically, socially, and economically divergent groups; dominant parties exert an enormous force on what is to count as the good, the reasonable, and the rational. So, why not agree to disagree when it comes to fundamentals, and discuss things that we can all relate to, like security, bodily integrity, freedom from hunger, access to education, and basic health care? These matter to all of us, and in a way that does not require that we discuss issues of meaning and purpose. There is much to be said for this approach, yet at the same time, I find myself uncomfortable with it.

One of the key reasons for my discomfort is that even basic goods, things that we can indeed all relate to (for example, the right to life, security of person, freedom from torture) are perhaps sometimes themselves the subject of disagreement, even though there may be overlapping similarities. Such differences are often a result of our deeper conceptions of the good, and lead to divergences when we attempt to specify, in practice, various norms and how they should be defined and balanced. This is evident in various non-Western challenges to human rights articles as not cross-culturally applicable (see Peetush 2008 for discussion). We need to ask here: How does Rawls propose to separate the purely practical and political from the comprehensive? The distinction rests on the idea that the former is more limited in terms of scope and applies only to the basic economic, social, and political structure of a society. In contrast, a comprehensive doctrine applies to and includes wider-reaching subjects that deal with, for instance, “what is of value in human life, and ideals of personal character” (Rawls 1993, 13). Accepting “political liberalism,” according to Rawls, “does not presuppose accepting any particular comprehensive, religious, philosophical, or moral doctrine” (*ibid.*, 175).

This is where I am not entirely convinced: the very idea that a conception of justice should only apply to the economic, social, and political domain of a society, and that this can and ought to be distinguished from the “non-political” domain, is itself a comprehensive doctrine integral to Western liberal secular society and not found in many other traditions of thought. This view certainly has wide-ranging implications for issues of value in human life. For example, as various spokespersons of Aboriginal communities in Canada argue, this is a culturally embedded view that privileges liberal secular modes of social organization (see Peetush 2009). Specifically, the very notions of what one considers limited or political,

and extensive or comprehensive, are themselves intricately embedded in substantive philosophical views: in other words, there is no “political” as opposed to “comprehensive.”

According to Rawls (1993, 18–19), the normative “political” conception of person conceives the latter as having two moral powers: the capacity for a sense of justice and the capacity for a conception of the good. This clearly excludes, for example, other sentient beings. But how is this not a “comprehensive” view – even in the domestic context? From whose perspective does it, as Rawls says, “involve no particular metaphysical doctrine about the nature of persons?” (29). This is certainly not so, for example, from various Aboriginal, Buddhist, or Hindu perspectives where the basic unit of moral and political consideration may also encompass other sentient beings. From such other various perspectives, a restriction of this notion to include only human beings itself constitutes a comprehensive and deeply metaphysical doctrine.

So, while it is true that we may all agree that security, bodily integrity, freedom from hunger are important to all of us – we have an overlapping consensus here – our understanding of these notions may differ in important ways that do not overlap, and that involve deeper philosophical or religious values to which we subscribe. There is no use pretending that we are on neutral political ground while everyone else is not, especially in a highly globalized and interconnected world.

In this context, it is not possible to avoid discussions of value. For example, one would have to explain, in opposition to Aboriginal peoples or Buddhists, why animals or the environment are not included. How does one avoid getting into deep philosophical terrain here? Moreover, who gets to determine whether one’s views are metaphysical or not? From whose perspective are they so? Sometimes tension between Western and non-Western nations results when basic concepts are not in accord. This can certainly be the case in conflicts between Aboriginal and non-Aboriginal societies; for example, on issues concerning self, agency, property, secularism. This is why it is important to lay these out clearly on the table.

But on Rawls’ view, such discussions are, in principle, barred from the public domain by his conception of public reason. Particular “comprehensive” philosophical doctrines, religious or non-religious, should not in principle enter into discussions concerning basic issues of justice, either at a domestic or an international level. The content of public reason must be constrained by a purely “political” conception of justice. I recognize that the content of such reason will differ at the domestic and global levels. In terms of discussions held by the United Nations (UN), dialogue concern-

ing human rights articles must be constrained by international public reason, but even here, as in the domestic case, the content of public reason must be given in non-metaphysical, non-religious and non-philosophical terms (see Rawls 1999, 18, 55, 68, 123). Rawls later revises this account to allow parties to introduce philosophical doctrines into political discussion, but only if they give public reasons to support whatever such views are introduced. But this proviso does not alter the ideal, which is still that comprehensive doctrines should be kept to the “non-public” realm (e.g., in universities or in homes). If these do enter discussions concerning basic issues of justice, then parties had better be prepared to justify themselves by the use of public reasons appropriately constrained by a political conception of justice (see Rawls 1999, 37, 54–7, 134, 140–6, 175; 1993, l–lvii, 220, 223–8, 245–6).

Within such constraints, how is it possible for the relationship between various divergent communities to fully develop on the basis of equality, where all have the freedom fully to articulate their reasons and justifications according to their various self-understandings? This is a matter not only of fostering and furthering mutual understanding; it is a struggle for equality, respect, and acceptance of cultural differences and the legitimacy of such differences. That is especially important in a historical context where the self-understandings of formerly colonized peoples, such as those of the indigenous peoples of Canada, are not only repeatedly excluded, but denigrated. Indeed, the history of colonialism is replete with not only the illegal acquisition of territory, but the uncritical and illegitimate universalization of a narrow and specific perspective to all of humankind. Various self-understandings, ideas, and ways of life are uncritically presumed to be universal, objective, and neutral, and non-Western communities are simply required (or forced) to assimilate. Cultural difference is constructed as deviance and the self-understandings, beliefs, values, practices, and forms of social organization of non-Western nations are considered to be inferior and in need of civilization and progress. This kind of discourse is still alive and hinders intercultural dialogue and mutual cooperation. Voices are often excluded and marginalized.

Thus, the distinction between the political and comprehensive is more than just overdrawn; it can be misleading in a manner that silences those that have views divergent from our own. It is far too easy and tempting for dominant groups simply to label others’ views as involving comprehensive or religious doctrines, and therefore as having no place in public discourse. This is something of concern, given the unequal historical power relationship between Euro-Western and non-Western nations.

Let me draw on Rawls' own example of one's attitude toward animals and the environment, as it shows just the sort of concerns I have about equality and the illegitimate exclusion of voices. In discussing "non-public" reasons for being concerned with animals and the environment, Rawls (1993, 245–6) actually refers to a view that is similar to that of Aboriginal peoples: "suppose our attitude toward the world is one of natural religion" and we think that "human beings should bear a certain stewardship toward nature." Rawls (*ibid.*, 227–30) asserts that, apart from the fact that such an attitude rests in the non-public realm, "the status of the natural world and our proper relation to it is not a constitutional essential or a basic issue of justice."

But again, from whose perspective is this so? For Aboriginal communities, this is certainly a basic matter of justice that cannot be relegated to the domain of "non-public" reason where it should not enter into political discussion. Members of various Aboriginal nations argue that their relationship to the earth constitutes the cornerstone of their various cultural self-understandings. Such a relationship is integral to notions of self and agency. For example, in her paper "Iyani: It Goes This Way" (1980), Paula Gunn Allen (191) explains:

We are the land. To the best of my understanding, that is the fundamental idea embodied in Native American life and cultures ... More than remembered, the earth is the mind of the people as we are the mind of the earth. The land is not really the place (separate from ourselves) where we act out the drama of our isolate destinies. It is not a means of survival, a setting for our affairs, a resource on which we draw in order to keep our own act functioning. It is not the ever-present "Other" which supplies us with a sense of "I." It is rather a part of our being, dynamic, significant, real. It is ourselves, in as real a sense as such notion as "ego," "libido" or social network, in a sense more real than any conceptualization or abstraction about the nature of human being can ever be. The land is not an image in our eyes but rather it is as truly an integral aspect of our being as we are of its being ... Nor is this relationship one of mere "affinity" for the earth. It is not a matter of being "close to nature." The relation is more one of identity, in the mathematical sense, than of affinity. The Earth is, in a very real sense, the same as ourself (or selves).

The crucial importance of land to self and identity is widely shared amongst many Aboriginal peoples. For example, James Sakj Youngblood



Henderson (1995, 217) (Chickasaw and Cheyenne) in Saskatoon explains that land is the “ecological space that creates our consciousness, not an ideological construct or a fungible resource.” And, land defines and has “always” defined Aboriginal “identity, their spiritual ecology, their reality” (ibid., 293). Elder Alex Skead (quoted in *Royal Commission on Aboriginal Peoples* 1995, 435) in Winnipeg (Ojibway) similarly remarks that “this is my body when you see this mother earth.” Oren Lyons (1980, 173) (Onondaga and Iroquois Confederacy) in New York describes the relationship between self and land as so critical that it is conceived as the relationship between mother and child. Justice Mary Ellen Turpel (1989–90, 29) (Cree) argues that moral agency in Aboriginal communities is derived from their spiritual relationship and responsibility for “Mother Earth.”

Such sentiments are echoed countless times across various Aboriginal tribes in Canada; as illustrated, for example, by the hundreds of interviews taken by the Government of Canada for the Royal Commission on Aboriginal Peoples (RCAP) (1996). RCAP (1996, 430) commissioners argued that disputes will never be wholly resolved unless dialogue and negotiations are “guided by one of the fundamental insights from our hearings: that is, to aboriginal peoples, land is not just a commodity; it is an inextricable part of aboriginal identity, deeply rooted in moral and spiritual values.”

Of course, I am not claiming all Aboriginal peoples share the same traditional views of the land, which are closed, homogenous, and unchanging. Nevertheless, I contend there exist certain distinct and pervasive resemblances among specific ideas that continue to flourish in many of these communities. Land as an intimate aspect of one’s being is one of these.

After hundreds of years of subjugation and resistance, Aboriginal peoples continue to struggle for the power to determine the lives of their communities. A key conflict between Aboriginal peoples and Canada is not simply about demanding the return of land; it is deeper than this. They seek self-definition; they seek to be able to promote and live by their various distinct understandings. As importantly, they demand that such self-understandings be recognized by the Crown with respect and be seen as legitimate differences regarding living and being in the world. This is why the Delgamuukw decision of 1997 was critical. For the first time in Canadian history, Aboriginal oral traditions were recognized and given some weight in relation to non-Aboriginal traditions.

The importance of this insight has been recognized by the UN as a matter of international justice; for example, in the recently passed Declaration on the Rights of Indigenous Peoples (United Nations General Assembly,

2007). The Declaration makes no qualms about respecting substantive indigenous doctrines. It states that “respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment” (ibid., 2). It goes on to argue that self-determination for Aboriginal peoples means that they “have the collective and individual right to develop their distinct identities and characteristics ... Have a right to maintain their distinctive spiritual and material relationship with the lands, territories, waters, and coastal seas and other resources which they have traditionally owned” (2007, 4).

But on Rawls’ account of public reason, one would have to argue that such views have no place in a discussion of human rights or self-determination. They are not a legitimate matter for the discussion of public policy surrounding essentials of justice. These are, to use Rawls’ own words, attitudes of natural religion, involving deep philosophical questions of value (1993, 245–6). According to Rawls, all we can say is that, in the international context (and perhaps in the case of internal formerly colonized peoples), non-liberal peoples ought to be allowed to live according to their various substantive doctrines as long as they ensure for their members urgent human rights, are not aggressive, and have some form of political accountability. This goes a long way toward the cultural recognition of non-liberal communities, but such a consensus is potentially too fragile for a number of reasons.

First, it has the danger of unjustly excluding potentially legitimate concerns because supposedly substantive and comprehensive issues are not matters for the political domain. These issues are relegated to the private realm and the margins of political debate. At the same time, it privileges liberal conceptions (e.g., of self, agency, property) because these are held to be “political” and non-substantive. This is conceptually problematic, as so-called “liberal political values” are as comprehensive and philosophical as any other perspective. One cannot assume that Western liberal principles of social and political organization are somehow natural and shared by all other cultures. These are themselves the particular manifestation of a particular collective imagination of how human beings and society ought to work. As such, in contact with other cultures, I do not see how one can avoid discussing deep and substantive views in the public and political domain, especially when basic concepts may not be shared. This problem is only exacerbated in the colonial context.

Rawls’ distinction between the comprehensive and political is therefore a throwback to the idea of liberal neutrality, even though he attempts to

distance himself from this idea. But liberalism is not neutral, and indeed, should not remain neutral when it comes to discussing important issues such as human rights.

Rawls' later revised proviso – that Aboriginal peoples, when bringing up their philosophical doctrines, should provide “public reasons” shared by dominant Western parties – also does not help in furthering mutual understanding. Understanding and appreciating the importance of these issues in such a diverse context requires being open to reasons that may not be public or that Western communities may simply not share. Of course, this is not to say that others need to agree with or adopt these doctrines.

Second, the Rawlsian overlapping consensus is rather close to a *modus vivendi* (in other words, a delicate balance of making sure we have as many guns as they do). The problem is that differences in substantive views will lead to continual differences in practice. As Charles Taylor argues, and Jacques Maritain before him, such divergences usually manifest when we attempt to clarify with others the exact nature and prioritization of basic ethical standards/human rights articles around which we need to build consensus. They will manifest in our accounts of what we are willing to live with as an acceptable range of interpretation regarding the specification and application of such articles. This is something Maritain argued in 1948 (VII–VIII):

Where the difficulties and arguments begin is the determination of the scale of values governing the exercise and concrete integration of these various rights. Here we are no longer dealing with the mere enumeration of Human Rights, but with the principle of dynamic unification whereby they are brought into play, with the tone, scale, with the specific key in which different kinds of music are played on the same keyboard, music which in the event is in tune with, or harmful to, human dignity.

In the global context of attempting to build consensus on basic ethical norms or human rights, it seems to be that the way to decide on a range of acceptable interpretations is through a thorough discussion of such differences, which will invariably implicate discussion of deeper philosophical doctrines. How else are we to understand why they do or do not agree? How else are we to judge whether their justifications are not simply self-interested distortions, constructed by those who are in power for the sake of power? Dialogue is the key here, but it cannot proceed in the way

it needs to without access to comprehensive and deeply philosophical doctrines.

#### FUSION OF HORIZONS

Discussion of various comprehensive doctrines seems especially salient in the context of colonialism, where the charge is that the self-understandings, ideas, and works of non-Western peoples, like the First Nations, have been denigrated for centuries. As previously mentioned, the demand for cultural recognition is not always just a demand that others acknowledge the pursuit of cultural identity-in-general as a legitimate goal, or that shared ends be allowed as legitimate considerations in public policy. Oppressed communities further request that we recognize and respect aspects of their particular traditions, that these are seen to be of equal value. In the context of Aboriginal Canadians, the demand is not simply that they be provided with economic protections, for instance. It is also that their modes of existence be recognized and respected as worthwhile ways of living in the world, a sense that colonialism attempted to destroy. The demand for recognition in this stronger form is crucial to a dialogue between Western and non-Western groups. Decolonization is in part about this struggle for respect.

As Charles Taylor argues, however, an acknowledgment of worth, if it is to be sincere, has to be based on study and understanding. It cannot just be made out of hand, without any knowledge of the particulars in question. This requires a theoretical framework in which such substantive issues can be fully articulated and conceived to be legitimate matters for public and political dialogue.

Let me emphasize that this does not necessarily require that one agree with, convert to, or develop a personal preference for the particular views or practices or works in question. One can acknowledge and appreciate the worth of many things without doing so. On the other hand, at the outset, we may not have the theoretical resources to make any such judgments of value. As Taylor (1995, 252) explains, “for a culture sufficiently different, the very understanding of what it means to be of worth will be strange and unfamiliar to us.” The standards or “horizons” by which we decide what is meaningful and significant, or of worth, may be too disparate. This does not imply that different cultures are therefore imprisoned within their own cultural boundaries, or that we do not already share some cross-cultural horizons of meaning or worth. But that is why intercultural dialogue is critical. In the most fruitful cases, exchange results in the ex-

pansion, transformation, or fusion of our standards of meaning, significance, and worth.

Taylor illustrates this with the example of a raga, an Indian form of classical musical composition that has no fixed notes apart from a wide melodic and complex rhythmic structure in which the musician must improvise. “To approach, say a raga with the presumptions of value implicit in the well-tempered clavier would be forever to miss the point.” Appreciation occurs here when there is an expansion or a “fusion of horizons,” to use Gadamar’s (1995, 252) idea, or when our standards of value expand, transform, or fuse. Although we may have hitherto taken certain standards as “given” in our judgments (for example, that musical pieces have fixed compositions), our judgments now become situated as one possibility alongside the differing standards of the unfamiliar culture. So when we do arrive at an appraisal of worth, it will be through a viewpoint that we could not have had before dialogue, exchange, and study. In this sense, intercultural dialogue alters and changes us as much as it does the other; it is transformative. We learn more not only about others but ourselves in such a process. In this way, dialogue can also help us to become aware of critical exclusions.

The idea of a fusion of horizons, or at least a partial fusion, leaves open the possibility that our conceptions of human rights may be transformed through cross-cultural discussion and dialogue with members of other communities. Through cultural exchange, our horizons of meaning or significance may expand, transform, or fuse – even if partially. For example, in the interaction with Aboriginal or Buddhist or Hindu and Jain communities, one learns that their conception of the self encompasses a much wider space to include animals. Thus, respect for “persons” or “human” life and integrity will also include respect for animals. This awareness can affect the range of what one had hitherto considered a legitimate notion of the person, and consequently, taken to be the basic unit of moral and political consideration. In turn, one’s emphasis on certain values, of course, affects others’ self-understandings.

The view that one should always be open to learning from other peoples, that perhaps they too might have something insightful to offer, does not mean that Western liberals need now to abandon their concern with fundamental norms. It is not one step away from allowing torture and slavery, as Jeremy Waldron (1992) or Brian Barry (2001) might have us believe. Rather, the legitimacy of variances in fundamental norms needs to be arrived at through cross-cultural dialogue and mutual understanding, on all sides. Many times, accommodation will not be possible and tolera-

tion or a *modus vivendi* will present the only viable solutions. This does not, however, count against adopting an attitude of openness toward one another as an ideal to which we should aspire. Convergence on human rights requires just such an attitude, which the colonial context has made difficult.

## CONCLUSION

I believe that the normative architecture of a Rawlsian framework for global relations provides the most fruitful liberal pathway for Western nations to approach issues of cultural and religious diversity. It allows for the development of a just and equitable relationship between Western and non-Western cultures, as it conceptualizes these others on equal standing in a Society of Peoples, with no theoretical requirement that they must convert to liberal values. However, Rawls' insistence that the political be extracted from the comprehensive, philosophical, or religious, and that the latter be barred from political dialogue on issues of justice carries the danger of uncritically and unfairly excluding legitimate concerns and voices. The proposed separation is neither possible nor desirable. In the wake of an interconnected and decolonizing world, political unity cannot come from uniformity or the suppression of differences – history is replete with such disastrous attempts. It can only be achieved through a creative self-transformation that emerges from a dialogue with our interdependent others.

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