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| Position paper The British model: the failure of the Rawlsian model |
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On 5 August 2005, four weeks after the bombings of London's transport network that killed 52 innocent passengers and injured 700 more, Tony Blair announced a series of anti-terror measures that signified a radical departure from the traditional British approach towards its Muslim community. If implemented, their combined impact would be to end the policy of "Londonistan" – the contract whereby political asylum was given to radical Islamist ideologists in return for keeping Britain safe from violence.

Tony Blair's proposals include the expulsion of fanatical Islamist clerics (following the French and Spanish example) and the closure of religious centres where "extremism ferments". Together, they herald a new age of conscious societal integration in Britain in place of the general atmosphere of *laissez-faire*.

Londonistan used to represent the tip of the multicultural iceberg, to the point of becoming a caricature of it. It posited the theory that the offer of refuge to radical ideologues would allow them to exert a positive influence on young people tempted by Islamist violence, and thus dissuade them from rebelling against a state which had allowed Abu Hamza, Abu Qatada, Omar Bakri and the like to flourish.

For a decade, the policy "worked" insofar as it did save Britain from violent attack. But it had a cost: the spread of radical, extremist discourse, regarded as lawful provided it did not lead to violence. This discourse made its voice heard in Britain thanks to a total absence of a national identity among many young people (despite their British citizenship), as well as to the exacerbation of an international Islamist identity accentuated by the grand deeds of the global jihad.

In this light, new legal restrictions have above all a symbolic, after-the-event effect. But they also illustrate the fact that the intellectual bedrock permitting Londonistan to be built in the first place retains its relevance. This bedrock is a multiculturalism that regards what differentiates religious and ethnic communities as essential, and that sees what unifies individuals as citizens of the same society – beyond race or faith – as of secondary importance.

The unique aspect of multiculturalism is not the emphasis on differentiation as such – for every society is differentiated, chiefly by never-ending conflicts among the social groups driving it; only totalitarian utopias appear free from such fissures. The unique aspect is the belief that individuals are determined by an unchanging cultural "essence" that is particular to each "community", and that the political (and indeed legal) establishment must take these essences into account as a priority, following by that principles advocated by Rawls.

In Britain, multiculturalism was the product of an implicit social consensus between leftwing working-class movements and the public-school-educated political elite. Their alliance allowed one side to monitor immigrant workers (Pakistan in particular) and the other to secure their votes, through their religious leaders, at election time. The July bombings have somehow destroyed this consensus.

In this paper, I will argue that the British model illustrates the limits of multiculturalism and tolerance. Drawing on politico-philosophical references, I will try to explain how Britain came back to the fragmented "millet" system of the Ottoman Empire for the sake of multiculturalism and Rawlsian ideals.

Britain's response to minorities' claims: from Marshall to Rawls

Before the 1980s and the rise of minorities's claims, the prevalent model was what Kymlicka calls "citizenship-as-rights" whose goal was to promote a certain sort of common national identity amongst citizens.

T.H Marshall in his book *Class, Citizenship and Social Development* published in 1965 defended the idea that citizenship is not only a legal status defined by a set of rights and responsibilities. It is also an identity, an expression of one's membership in a political community. And his argument for extending citizenship rights to include basic social rights, such as health care and education, was precisely that it would help promote a common sense of national membership and national identity. Ensuring that people had health care and education was important for Marshall not just for humanitarian reasons – i.e. to meet basic needs. Social rights would also help integrate previously excluded groups into a common national culture, and thereby provide a source of national unity and loyalty. The goal was to include people in a 'common culture' which should be a "common possession and heritage".

Marshall felt that a common set of social rights would integrate people into a common national culture, and that this was good from the point of view of both the previously excluded group and the state. Marshall assumed that cultural integration was good for the working class, since they were of course native-born English – i.e. English by ethnicity, religion, language. They ought to be co-owners of the national culture, as it were, since it is their national culture. They are not members of some other nation, with its own national culture. They are English, and have a birthright to share in its national history and culture.

This attempt to integrate the working class into a national culture was not entirely done for altruistic reasons. There were fears that if the working class did not identify with and feel loyal to British civilizations, its member might be tempted to support "foreign" ideas, particularly communism and Soviet Bolshevism.' Moreover, from the point of view of the state, it is easier to govern a society when its citizens share a common national language, culture, and identity. All of the major functions of the state-communication and consultations, planning, investment, regulations, enforcement-work better if there is a certain cultural commonality amongst citizens. Integrating citizens into a common national culture also may promote mutual understanding, trust, and solidarity.

In short, extending citizenship to include common social rights was a tool of nation-building, intended in part to construct and consolidate a sense of common national identity and culture. And this helps explain how these social rights are implemented in practice. For example, the right to education is not a right to education in any language the children or parent choose, but rather to education in the national language, since the goal is not just to meet some abstract need for rationality, literacy, or knowledge, but also to educate people in a way that will help integrate them into the national culture. Similarly, Western countries do not provide health care in separate hospitals for each ethnic group since the goal is not only to meet certain basic needs in the abstract, but rather to create a common sense of citizenship, based on common entitlements and common experiences in the exercise of those entitlements. Social rights are, in general, the right to gain certain common benefits through common public institutions operating in a common national language, so as to meet basic needs while simultaneously creating a common national identity.

So the traditional model of "citizenship-as-common-rights" was deeply connected to ideas of national integration. This link between common citizenship rights and national integration is now under attack. It has become clear that many groups, especially religious or ethnic, still feel marginalized or stigmatized despite possessing the common rights of citizenship. Many members of these groups feel marginalized, not (or not only) because of their socio-economic status, but also because of their socio-cultural identity-their "difference". To build on Nancy

Fraser classification and terminology, one can say that Marshall's conception of citizenship rights was primarily intended to make sense of the political struggle over economic inequalities. But there was another hierarchy in British society that Marshall paid less attention to. This is a status hierarchy, which says that it is better to be English than Irish; better to be Protestant than Catholic (and better to be a Christian of either sort than Jewish or Muslim); better to be white than black; better to be male than female; better to be heterosexual than homosexual; and better to be able-bodied than disabled. This status hierarchy is reflected in a history of discriminatory laws against lower-status groups, and in their ongoing invisibility or stereotyping in the media, schools, museums, or state symbols. All of these public institutions either discriminate against, or simply ignore, lower-status groups.

To respond to these new claims emerging in the 1980s from different groups and especially the Muslim community, the successive British governments followed (consciously?) Rawls' recommendations. After developing his theory of justice and its two main principles stating inter alia that according to the liberty principle everyone must have access to the broader set of liberties and fundamental values – i.e. individual autonomy, Rawls has tried to make it fit with the fact that some people do not see their commitments as revisable and therefore do not enjoy the full autonomy he advocates. It is particularly the case of religious people. Apostasy and heresy are unthinkable for them. How should the liberal state respond?

Rawls suggests that only strong right of individual freedom of conscience can protect smaller religious groups (including communitarian religious groups) from the intolerance of larger religious groups. In a number of places he suggests that without guarantees of “equal liberty of conscience”, minority faiths could be persecuted by dominant religious groups. So even if the members of a communitarian group conceive their religious views as non revisable, they will still endorse individual freedom of conscience as the best or only way to protect themselves from persecution by other group. The idea that we can form and revise our conception of the good is, Rawls says, strictly a “political conception” of the person, adopted solely for the purposes of determining our public rights and responsibilities. It is not, he insists, intended as a general account of the relationship between the self and its ends applicable to all areas of life. It is essential to stress that citizens in their personal affairs, or in the internal life of associations to which they belong, may regard their final ends and attachments in a way very different from the way the political conception involves.

This being said, let us quote a speech given by CRE¹ chair Trevor Phillips at the Manchester Council for Community Relations on September 22, 2005.

What makes us British

Too much that is too abstract is already being said on the subject of Britishness, but there are some simple truths that should bind us together.

First and foremost, our shared values: for example an attachment to democracy, freedom of speech, and equality, values which anyone who expects to live in Britain must respect and abide by, both notionally and in practice.

Second, we share common traditions which, whatever we do at home, we all agree to respect and observe in our everyday encounters. Central to these I would say are our common language, our good manners, our care for children. [...]

Thirdly, we maintain diverse, individualistic, even eccentric lifestyles in our private lives. No-one tells us how to speak, how to dress, what we should eat or how we should worship. These are all individual choices, to be respected as long as they do not interfere with our fundamental values, or our long-cherished traditions. And unlike some other countries, we tend to embrace new additions to our lifestyle choices – whether it is new music, or new kinds of clothes.

¹ Commission for Racial Equality in Britain

The whole Rawlsian philosophy is here: the common shared principles of the public sphere, the clear distinction made with the private one, the non-interference with the core values of society, etc.

Following these principle, British governments offered refuge to radical ideologues hoping they would exert a positive influence on young people tempted by Islamist violence. They didn't realize they were fragmenting the societies in blocks which were not interfering with each other as recommended by Rawls but whose inner development was far more dangerous.

The return to the “millet system”

In the 'millet system' of the Ottoman Empire, for example, Muslims, Christians, and Jews were all recognized as self-governing units (or 'millets'), and allowed to impose restrictive religious laws on their own members. The Ottoman Turks were Muslims who conquered much of the Middle East, North Africa, Greece, and Eastern Europe during the fourteenth and fifteenth centuries, thereby acquiring many Jewish and Christian subjects. For various theological and strategic reasons, the Ottomans allowed these minorities not only the freedom to practise their religion, but a more general freedom to govern themselves in purely internal matters, with their own legal codes and courts. For about five centuries, between 1456 and the collapse of the empire in the First World War, three non-Muslim minorities had official recognition as self-governing communities (the Greek Orthodox, the Armenian Orthodox, and the Jews) each of which was further subdivided into various local administrative units, usually based on ethnicity and language. Each millet was headed by the relevant church leader (the Chief Rabbi and two Orthodox Patriarchs), and the legal traditions and practices of each religious group.

While the Christian and Jewish millets were free to run their internal affairs, their relations with the ruling Muslims were tightly regulated. In particular, non-Muslims could not proselytize. But within these limits, they enjoyed significant self-government, obeying their own laws and customs. Their collective freedom of worship was guaranteed, together with their possession of churches and synagogues, and they could run their own schools.

This system was generally humane, tolerant of group differences, and remarkably stable. But it was not a liberal society, for it did not recognize any principle of individual freedom of conscience. Since each religious community was self-governing, there was no external obstacle to basing this self-government on religious principles, including the enforcement of religious orthodoxy. Hence there was little or no scope for individual dissent within each religious community, and little or no freedom to change one's faith. While the Muslims did not try to suppress the Jews, or vice versa, they did suppress heretics within their own community.

The millet system was, in effect, a federation of theocracies. It was a deeply conservative and patriarchal society, antithetical to the ideals of personal liberty endorsed by liberals from Locke to Kant and Mill.

Nowadays in Britain, it seems that the millet system is back. Following Rawls' philosophy, the British governments have built stumbling blocks of people who evolve divergently within their own “millet”. In the name of “tolerance”, the British authorities have responded to demands for reinstating the old model. But this is not the sort of tolerance which liberals historically have endorsed. So it is not enough to say that liberals believe in toleration. The question is, what sort of toleration? Historically, liberals have believed in a specific notion of tolerance-one which involves freedom of individual conscience, not just collective worship. Liberal tolerance protects the right of individuals to dissent from their group, as well as the right of groups not to be persecuted by the state. It limits the power of illiberal groups to

restrict the liberty of their own members. The British governments have completely perverted the liberal ideal for electoral purpose. They let group leaders organize their millet in exchange of votes from the community. Good old politics seems stronger than centuries of political philosophy heritage.

To conclude, we can say with Harding that the development of blocks within Britain is primarily the result of self-seeking group leaders (e.g. “ethnic entrepreneurs”), who encourage feelings of resentment and inequality amongst group members in order to justify maintaining control over them, and to justify receiving government grants for their organizations. On this view, group elites have an incentive to keep group members in a (real or perceived) position of disadvantage, since their clientele and funding would dry up if group members succeeded in the larger society. This is particularly true for Muslim communities where individual freedom is often close to zero, where individuals have practically no choice but to follow the *charia* and stay within the community either because they are ill-informed and manipulated by religious ideologues or because life would simply be impossible in the outside world. The British politicians have completely been blind to all this. They have let the groups self-govern and did not want to interfere according to pervert liberal principles. This is a tremendous mistake.

The result has been the development of a radical Islam with Islamists like Omar Bakri Muhammad – the flamboyant Syrian founder of al-Muhajiroun, supporter of Osama bin Laden and the “magnificent nineteen” hijackers of 9/11 freely preaching an unacceptable hatred.

For Britain, the awakening is brutal. The government is now trying to better understand the different communities. A commission has been set up by Tony Blair to “study the Muslim way of life in Britain”. The discoveries are scary. The gap between the “millets” is much wider than thought and Rawls’ advice may not have been the best ones after all. Everyone now hopes it is not too late to reconnect this fragmented society around common values as advocated by Marshall and in particular the British liberal one by excellence: individual autonomy.