

SHOULD THE LIBERAL STATE HELP ITS CITIZENS MAINTAIN THEIR
VOLUNTARY ETHNOCULTURAL IDENTITIES, AND USING WHAT MEASURES?

by

JENNIFER ANN JACKSON

B.A. (Hons.), The University of British Columbia, 1991.

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF

THE REQUIREMENTS FOR THE DEGREE OF

MASTER OF ARTS

in

THE FACULTY OF GRADUATE STUDIES

Department of Political Science

We accept this thesis as conforming
to the required standard

THE UNIVERSITY OF BRITISH COLUMBIA

July 1992

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Department of Political Science

The University of British Columbia
Vancouver, Canada

Date July 22 1992

ABSTRACT

This thesis offers a general discussion of the reasons which might be given to justify a liberal state's political affirmation of all ethnocultural identities in its jurisdiction. Although I hope my argument may be pertinent to practical debates about state recognition of ethnocultural identities, I am primarily concerned with liberal theory's ability to provide such a justification.

An immigrant society that contains voluntary ethnocultural associations raises important normative considerations of the sort that political theorists address. These associations, perhaps unlike those of the colonial plural society, are to be valued by liberals because they are driven not only by fate but also by choice. In societies made up in part of immigrants from diverse ethnocultural backgrounds, some people choose to express their individuality in this way. However, this choice is not always easy to make. In the historical experience of plural immigrant societies like Canada and the United States, for example, there have been certain periods when ethnocultural association and expression were not affirmed but despised by the majority of people. In circumstances of majority hostility and government indifference such choices can only

be made by individuals who possess courage and determination to go against public opinion. People lacking these exceptional traits will, in effect, be denied an essential element of freedom. This seems both unreasonable and unwarranted if something can be done to change it which does not sacrifice a value of equal importance.

I conclude that no such sacrifice is necessary in the case of political affirmation of ethnocultural identities. No one will be disadvantaged as a result of this kind of state intervention. In acknowledging all ethnocultural identities to be good and worthy, in no way can the liberal state inadvertently inflict indignity on any individual or group. Nor does this measure involve taking anything away from the political community as a whole. Political affirmation of ethnocultural groups in a plural immigrant society is an integrative--although not assimilative--principle. Members of such respected and worthy groups would have a stake in the political community that adopted such measures: they would have a significant reason to obey and be loyal to that political community. In sum: the political affirmation of the dignity of all ethnocultural identities in a plural society is integrative,

entails no significant costs, and is the right thing for a liberal state to do.

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ACKNOWLEDGEMENTS

This thesis would have been very difficult to complete without Professor Sam LaSelva's continuous support. His encouragement gave me the confidence to pursue this subject according to my own intellectual disposition, and he was always prepared to discuss my ideas, difficulties, and concerns. Professor Alan Cairns' careful and detailed criticism of an earlier draft prompted me to reconsider my initial assumptions. As a result, I believe I have produced a better thesis than might otherwise have been the case. I admire these two scholars and offer my sincere thanks. I have only myself to blame for any errors of fact or judgment which remain. I should also like to thank Professor Jean Laponce for lending me the unpublished State of the Art Review on Canada's Multicultural Society, even while he was in the process of editing the manuscript. Finally, I owe much to the love and support of my parents and of Steven Preece.

FOREWORD

How does one choose a suitable topic for a masters thesis? This question preoccupies every graduate student faced with such a task. Fortunately, my thesis supervisor gave me a word of advice that was, in retrospect, very helpful. He encouraged me to choose a topic for which I felt a genuine intellectual passion.

I live in a plural immigrant society and my ethnocultural heritage means a great deal to me. I am proud of my ancestors who came from Denmark, England and Croatia and I have engaged in activities which reflect my interest in these countries. I have travelled to Europe and visited Denmark, England and Croatia. I have researched my English family tree in St. Catherine's House, London, and studied English literature. I have read East European history and literature in translation. I am a member of Husak--the Croatian Students' Association at the University of British Columbia--and I proudly wear a sweatshirt that reads "Zivila Hrvatska" or "Long live Croatia".

While it is easy for me to wear my Croatian sentiments on my shirt in public, such an open display would have been more difficult for my grandfather to make when he was a newly arrived immigrant to Canada in the 1920s. He and his father were ridiculed and chastised for being "bohunks"--a

pejorative term then commonly used in reference to Slavs. Even as a young girl I could not understand why someone I loved would have been despised simply for being who he was: an immigrant who was proud to be a Canadian citizen--he always wore a maple leaf pin on his lapel--but at the same time also proud to be Croatian. Why, I asked, did he change his name from Josef Prpic to Joe Perpick? That way it was easier to get jobs and to get along better with other Canadians. I received the same answer from my Danish grandfather when I asked why he gave up Johannes Joachumsen in favour of John Jackson. By the 1970s, however, this anglicizing of names was no longer necessary. My newly arrived Croatian cousins retained Prpic just as it was.

This new state of affairs is in my opinion better rather than merely different. I believe it is intrinsically right for citizens in plural immigrant societies to have their ethnocultural identities respected, and wrong for them to be despised on these or any other irrelevant grounds. I will attempt to justify this moral conviction in terms of liberal political theory.

I

INTRODUCTION

There are...ethnic groups who want to maintain their original language and culture, at least in their homes, in their private meetings and in their churches. Should the state help them achieve this objective, and using what measures? I am not yet ready to answer this question very precisely. I'll only repeat what I said in Sainte-Marguerite: in human relations, majorities can afford to be generous. ...Civilization begins when the stronger voluntarily refuses to abuse his or her power; in other words, when the majority recognizes "minority rights."

Andre Laurendeau

This thesis was inspired by a political practitioner who was dealing with a specific policy issue in a particular country at a certain moment in its history. Andre Laurendeau, while reflecting on his experience as co-chairman of the Canadian Royal Commission on Bilingualism and Biculturalism, wondered if the Canadian state should help ethnocultural associations maintain their language and culture, and using what measures. Laurendeau was not able to give a detailed answer--although it is important to note that the Commission itself recommended Canadian government support of ethnic associations which laid the foundations for Canada's policy of multiculturalism¹. Laurendeau did,

1 Preliminary Report, The Royal Commission on Bilingualism and Biculturalism (Ottawa: Queen's Printer, 1965), p. 51.

however, suggest a general principle for dealing with such normative questions: "Civilization begins when the stronger voluntarily refuses to abuse his or her power; in other words when the majority recognizes minority rights."²

I share Laurendeau's humanitarian conviction about minority rights and will seek to justify an affirmative answer to his provocative question. This thesis will investigate the value of social dignity for ethnocultural groups and their members in plural immigrant societies. This is an emerging subject for liberal political theorists, perhaps owing to the fact that free societies with ethnocultural associations are a relatively recent phenomenon. The existence of these societies may require modification of liberal assumptions and arguments regarding the legitimate role of the state in conferring dignity on its citizens.

My guiding moral principle--to echo liberal thinker Judith Shklar--"is that social diversity is something that any liberal should rejoice in and seek to promote, because it is in diversity alone that freedom can be realized."³ However, it is important to emphasize that I will not be concerned with the particular experience of any real state

2 Patricia Smart, The Diary of Andre Laurendeau (Toronto: Lorimer and Company, 1991), p. 149.

3 Judith N. Shklar, Legalism (Cambridge, Mass.: Harvard University Press, 1986), p. 5.

or society, and I do not offer any prescriptions or solutions for specific plural immigrant countries and their problems. What I do offer is a general discussion of the reasons which might be given to justify a liberal state's political affirmation of the dignity of all ethnocultural identities in its jurisdiction. Although I hope my discussion may be pertinent to practical debates about state recognition of ethnocultural identities, I am primarily concerned with liberal theory's ability to provide such a justification.

In addressing this question, I make a number of assumptions which are important to identify and defend from the outset. For my discussion to be more than merely fanciful--and thus a bona fide political theory topic--it must, of course, have some foundation in human experience. That is to say, it must address circumstances which, though general in nature, nonetheless are broadly similar to those which really exist in particular countries. I therefore assume, firstly, that free societies with ethnocultural associations do exist. If asked what kind of living society my thesis has in mind, I would respond that it would belong in the same category of societies as Canada, the United States, and Australia--in short, it would be predominantly a society of immigrants and thus one characterized by a

variety of secondary ethnicities.⁴ It would therefore be a society in which a substantial number of people voluntarily belong to ethnocultural associations. This is in fact the case in the above-mentioned countries. Even if such people represent only five percent of the overall population of a country, they would still constitute a considerable number in their own right--one million in a country of twenty million, ten million in a country of two hundred million. Thus, even at this relatively low level, voluntary ethnocultural association and expression would be significant.

I assume, secondly, that individuals who are inclined to associate in this way value their identities as members of such ethnocultural groups. Their individual sense of self-worth is contingent to some degree on the social dignity of these associations. As Donald L. Horowitz suggests,

4 Fred W. Riggs has suggested a distinction between primary ethnicity--referring to expressions of ethnicity by ethnic groups within the confines of their ethnic homeland--and secondary ethnicity--referring to expressions of ethnicity by immigrant groups in countries not of their ethnic origin. See "Modes of Ethnicity," in S. Devetak and M. Rogac (eds.), Ethnicity Today: Eastern and Western Approaches (Ljubljana: Institute for Ethnic Studies, 1988), pp. 71-91.

if the need to feel worthy is a fundamental human requirement, it is satisfied in considerable measure by belonging to groups that are in turn regarded as worthy. Like individual self-esteem, collective self-esteem is achieved largely by social recognition. Everywhere...collective social recognition is conferred by political affirmation.⁵

This sociological view of the relationship between dignity and association raises important normative questions of the sort that political theorists address. Since liberalism is committed to promoting and justifying the values of liberty, personal autonomy and equality, a liberal state would want to ensure that individuals who desire to express their ethnicity are free and able to do so and that such expression is respected by society at large--in other words, that this choice is given as much respect as other choices. As Laurendeau points out, this basic social esteem would seem to be a requirement of civilization, or at least of liberal civilization.

This is not to say, however, that members of ethnocultural associations are excused from civil requirements themselves--far from it. Reciprocal responsibilities apply to them also. Ethnocultural associations must respect the legitimate demands of the state concerning the associations' treatment of their members, non-members, and the public at large. Ethnocultural associations--and all other voluntary associations for that matter--cannot usurp the state's authority but can only

5 Donald L. Horowitz, Ethnic Groups in Conflict (Berkeley: University of California Press, 1985), p. 185.

employ free consent and persuasion. This restriction enables individuals to adopt and relinquish various memberships--including ethnocultural memberships--as they wish. It therefore preserves liberty. Thus, there is no contradiction between ethnic association and freedom in such a society.

Thirdly, I assume that negative liberty is inadequate for the task of providing social dignity. My thesis will attempt to illustrate why--when applied to ethnocultural association and expression--negative liberty assumptions allow a situation prejudiced in favour of the dominant way of life--where one exists--and against other ways. Negative liberty can ensure that one's freedom to associate will not be obstructed by any other agent. But it cannot ensure that individuals who choose to associate in ethnic or other particular ways will be accorded dignity by the public at large. Indeed, negative liberty--other things remaining equal--is more likely to produce assimilation, since the only way individuals can acquire dignity in such a situation is by conforming to the dominant choice.⁶ Thus people are discouraged from making associations they might otherwise have considered valuable.

Finally, my thesis assumes, values and affirms a world of diversity that reflects an endless variety of voluntary associations and encourages corresponding identities which

6 Jean Laponce, Languages and Their Territories (Toronto: University of Toronto Press, 1987).

the unencumbered human personality creates. Consequently, in discussing the grounds for a liberal state's affirmation of ethnocultural identities I am in no way excluding the possibility that other kinds of voluntary identities may also justifiably receive state recognition on similar grounds. In no way do I intend to privilege the decision to associate along ethnocultural lines and I do not deny that members of ethnocultural associations may also possess other memberships and corresponding identities or that such identifications may be freely taken up or discarded at any time. My fundamental value is voluntary choice within a plural society--including the choice of ethnocultural identification and affiliation.

II

VARIETIES OF PLURALIST THEORY

Political theorists have reflected on plural societies in several different ways. It is important at the outset to sketch these approaches and locate my argument within them. We can conveniently classify pluralist theory into two general categories: descriptive pluralism and normative pluralism. Descriptive pluralism is mainly concerned with characterizing particular historical societies.⁷ Normative pluralism, in contrast, celebrates an ideal plural society and explicitly identifies it as good in its own right. Although I have in mind the kind of pluralist society represented by Canada and the United States, the argument is written in the genre of normative pluralism.

Descriptive Pluralism

Within this category it is important to distinguish the purely descriptive pluralism of anthropologists and sociologists from the mixed descriptive-prescriptive

7 For a discussion of the category I have termed "descriptive pluralism" see David Nicholls Three Varieties of Pluralism (London: Macmillan, 1974). Also see his The Pluralist State (London: Macmillan, 1975), esp. ch. 5: "The State, the Group, and the Individual".

pluralism of British political theorists and American political scientists. The pluralism of anthropologists and sociologists attempts to describe colonial societies in tropical areas.⁸ The overarching colonial society is the result of an external imposition--European imperialism--and would not otherwise exist. By contrast, the internal societies are the local populations and their traditional organizational units--tribes for example. The overarching society created by European imperialism and colonialism is plural since it incorporates but does not assimilate these many smaller, indigenous ethnic societies. This general plural society is held together by a common economic and administrative system backed by force which does not permit warfare or other hostilities between the indigenous groups. But the externally created plural society is not liberal: it pays limited attention to the personal freedom or well-being of individuals within the indigenous groups it encapsulates, being concerned mainly to establish and enforce an overarching rule of law between the groups and their members. Primarily for this reason liberal political theorists would be inclined to regard it as paternalist or authoritarian. However, they might find reasons to justify it--John Stuart Mill justified foreign intervention and

8 The classical study is J. S. Furnivall, Colonial Policy and Practice (Cambridge: Cambridge University Press, 1948).

colonial rule over indigenous despotisms.⁹ But anthropologists and sociologists have been concerned mainly to portray this type of society and not to justify it.

A second variety of descriptive pluralism--one which possesses a prescriptive element--attempts to describe advanced western societies. Unlike tropical colonies, these plural societies are characterized not simply by ethnic group diversity but also by a diversity of many kinds of voluntary associations--religious, economic, artistic, professional, and so forth. This pluralist theory, according to David Nicholls, represents a reaction against political theories which tend to ignore the presence and importance of groups within society.¹⁰ Its advocates argue that political theories which focus merely on the relationship between the individual and the state fail to capture and therefore also to consider the significance of society's collective elements. More than merely emphasizing the existence and importance of voluntary association in society, they make the prescriptive claim that social diversity is desirable since it constitutes a check against state absolutism. These theorists therefore conclude that any attempt by the state

9 J. S. Mill, "A few words on Non-Intervention, in G. Himmelfarb (ed.), Essays on Politics and Culture by John Stuart Mill (New York: Doubleday, 1963), ch. 10.

10 Nicholls, Three Varieties of Pluralism, p. 2.

to undermine the existence of voluntary association should be resisted in the name of freedom.

The kind of pluralist argument I have briefly described was first made by J.N. Figgis, Harold Laski, Ernest Barker, and other English political theorists.¹¹ Later it was adapted by David Truman, Robert Dahl and other American political scientists to explain and justify the American form of government.¹² Because pressure groups which lobby governments are a ubiquitous feature of American politics which seems to reinforce constitutional checks and balances they are considered by these plural theorists as not only significant but valuable as well. In sharp contrast, British theorists usually condemn action by voluntary associations that seeks partial and preferential treatment by the state.¹³

11 J. N. Figgis, Churches in the Modern State (London: Longmans, 1913), H. J. Laski, Authority in the Modern State (New Haven: Yale University Press, 1919), Ernest Barker, Principles of Social and Political Theory (Oxford: Oxford University Press, 1961).

12 David Truman, The Governmental Process (New York: Knopf, 1951) and Robert A. Dahl, A Preface to Democratic Theory (Chicago: University of Chicago Press, 1956).

13 Nowadays single issue groups are often considered to obstruct rather than facilitate American constitutional democracy.

Normative Pluralism

This variety of pluralist theory celebrates pluralism as a good in its own right since it is only in situations of social diversity that freedom can be fully realized. In celebrating diversity, theorists like Judith Shklar, Isaiah Berlin, and Joseph Raz are not concerned with describing group co-existence--like anthropologists and sociologists--nor exclusively with limiting state absolutism--like British and American pluralists.¹⁴ Instead, their emphasis is on the individual's ability to define, pursue and realize his or her conception of the good life--in other words, to be fully autonomous and esteemed. A diversity of choices is identified by these theorists as an essential requirement for such an existence--which they would argue is the most fundamental political good of all. The Judith Shklar quotation which I cited in my introduction is a good example of this kind of value statement. The works of Isaiah Berlin and Joseph Raz are also representative of this liberal point of view.

Judith Shklar observes that pluralism is a central feature of modern societies which no contemporary political

¹⁴ Shklar, Legalism; Isaiah Berlin, The Crooked Timber Of Humanity (London: John Murray Ltd., 1990); Joseph Raz, The Morality of Freedom (Oxford: Clarendon Press, 1986).

theory can ignore without losing its relevance.¹⁵ More than this, however, she endorses the belief that diversity should be cherished and encouraged by liberals since it is only in situations of diversity that individual freedom can be realized. In Shklar's view, a free society is one in which individuals are both allowed and encouraged to make effective social choices from a variety of alternatives. She makes plain that it is not only the range and number of choices available which determine the degree of freedom, but also the respect among those who choose different alternatives. Shklar reminds liberals of a frequently forgotten point: if it requires extraordinary determination and courage to pursue a course of life or express an opinion which contradicts those of the majority, then one is not living in a free society. Judith Shklar specifically acknowledges that this view of liberalism reflects both the apprehensions and adverse experiences of minority groups.

Isaiah Berlin defines humans as possessing wills, sentiments, beliefs, ideals, and ways of living peculiar to themselves.¹⁶ Consequently, humans crave room to "be themselves" and opportunities to express those characteristics which define their individuality: the wish to be and do something of their own choosing, and not simply that which another has ordered them to do or to become.

15 Shklar, Legalism, p.

16 Berlin, The Crooked Timber Of Humanity, p.

Berlin insists that governments must recognize human dignity and should not try to reduce everyone to a "universal human material" devoid of individuality. Many of the choices an individual makes will concern his or her relationships with others: human beings are social animals. In totality they desire and form an extremely diverse range of associations which reflect their above noted sentiments, beliefs, ideals and ways of living. Included among these are associations which reflect their identifications with particular religious, racial or ethnic groups. Most people want to associate freely with other people like themselves: people with whom they can feel at home. They do not wish to be obliged to assume personas or form associations which are contrived for them by others: whether that is the state or the party or the corporation or any other agency which aims at reducing if not eliminating the recalcitrant individuality of human beings. Berlin believes that humans seek liberty of action, determination of their own lives, and are naturally resistant to dilution, assimilation and depersonalization. For these reasons he advocates pluralism. A human being must always be an end--his own man or woman--and never the means of somebody else.

Joseph Raz thinks that an autonomous person is above all else part author of his or her own life.¹⁷ The autonomous person's life is as much a result of what he or

17 Raz, The Morality of Freedom, p. 204.

she might have chosen as it is what he or she did in fact choose. In other words, a person is autonomous only if he or she possesses a variety of acceptable choices. If those choices are restricted or inhibited in any way the individual is accordingly deprived of autonomy and freedom. By the same token, if choices are expanded autonomy and freedom are accordingly increased. Raz believes that social plurality widens human choice and in so doing is a precondition of personal autonomy. Social diversity is a good thing and a means to the good life. Consequently, governments dedicated to personal autonomy must do more than tolerate social diversity, they must take positive measures to support and encourage it.

The argument I present in this thesis falls within the tradition of normative pluralism. Like Shklar, Berlin, and Raz, I too believe that diversity is a good in itself. I share with them a view of humans as unique individual personalities. According to this liberal view, a society predicated on individuality will require diversity--including a diverse range of voluntary associations among which may be ones based on ethnicity or culture. My argument seeks to justify not only government toleration but also positive government action to promote ethnocultural diversity and to affirm the dignity, esteem and mutual respect which--as Judith Shklar reminds liberals--are intrinsic to robust individuals.

An immigrant society that contains voluntary ethnocultural associations raises important normative questions for pluralist theory. These associations, perhaps unlike those of the colonial plural society, are to be valued by liberals because they are driven not only by fate but also by choice. In societies made up in part of immigrants of diverse ethnocultural backgrounds some people choose to express their individuality in this way. However, this choice is not always easy to make. In the historical experience of plural immigrant societies like Canada and the United States, for example, there have been certain periods when ethnocultural association and expression were not affirmed but despised by the majority of people--at least in part, I will argue, because governments did not actively recognize and respect them. Consequently, Judith Shklar's conditions for a free society--at least concerning ethnocultural association and expression--have not always been satisfied. In circumstances of majority hostility and government indifference such choices can only be made by individuals who possess courage and determination to go against hostile public opinion. People lacking these exceptional traits will, in effect, be denied an essential element of freedom. This seems both unreasonable and unwarranted if something can be done to change it which does not sacrifice a value of equal importance. I do not believe any such sacrifice is necessary.

What implications do issues such as these have for normative pluralist theory? Given the fact that many human beings do not possess a robust individuality which would enable them to rise above such adversities it seems entirely appropriate and reasonable to consider what a liberal state might do to compensate. I turn to this question in chapter V. It is first necessary, however, to clarify the value at stake: what is human dignity and why is it a social good?

III

HUMAN DIGNITY IN POLITICAL THEORY

Dignity as a Social Good

It might be thought that dignity, esteem, respect, self-worth and similar topics are appropriate subjects only of social psychology.¹⁸ There is of course no question that social psychologists should examine these topics since they obviously have to do with individual states of mind. However, dignities and indignities are also fundamental subjects of political theory since these individual states of mind arise out of social evaluation by other agents--including not only other people but also the state. They are human values which can be socially and politically affirmed, denied or ignored. Consequently, dignities and indignities provoke normative questions of the sort that political theorists ordinarily discuss. What claim can individuals have on other individuals and the state to respect their dignity? In what circumstances should liberal governments legitimately deny the dignity of particular citizens? When should liberal governments actively affirm the dignity of

18 The Oxford English Dictionary defines "dignity" in its first signification as: "The quality of being worthy or honourable; worthiness, worth, nobleness, excellence."

citizens? And can governments ever legitimately ignore their indignity? I address this last question in the next chapter.

I will argue here that values which dignify persons--esteem and respect for example--are primary social goods that every individual in a liberal society has a right to enjoy. Of course, dignity has many sources but for some people in immigrant plural societies this enjoyment will come from membership in ethnocultural associations. The liberal state--because it fundamentally values liberty, personal autonomy and equality and thus a society characterized by diversity--is reciprocally obliged to affirm the dignity of all individuals--including those who choose to be members of such associations. However, because ethnocultural identities have sometimes been despised by majority opinion in immigrant plural societies which claim to be liberal I am singling out this particular source of human esteem and contempt for attention.

A caveat is necessary at this point. I do not deny that certain human choices and actions may be justifiably despised by liberals and by liberal states.¹⁹ They should despise murderers or child abusers or wife batterers or terrorists or any one else who inflicts harm upon innocent persons. Public contempt can justifiably be directed against such agents not only because their actions warrant it but also because such contempt actually encourages a social

¹⁹ Raz, The Morality of Freedom, p. 404.

good: a society that will not condone such people. No liberal and no liberal state should refrain from expressing such contempt when and where it is justified. And if a state did refrain from condemning such agents--perhaps because it could do little about them--it certainly could not claim to be a liberal state--or perhaps even a state, for that matter.²⁰

However, indignities which are bestowed upon individuals exclusively as a result of their race, ethnicity, language, culture or religion are an entirely different matter and cannot be justified. In a liberal society this particular type of indignity is intrinsically wrong because it is not merited in any way. To indulge in it or even to tolerate it would be unacceptable conduct for any genuine liberal.

Dignity, esteem, respect and self-worth are, I argue, intrinsic social goods. By "intrinsic good" I mean a human value whose merit will be self-evident to any reasonable person. For example, we are identifying intrinsic goods when we acknowledge that every child deserves love or that no person should be tortured or tormented. Similarly, an "intrinsic evil" is a human abuse which any reasonable

20 This calls to mind a famous remark of Augustine: "States without justice are but robber bands enlarged." City of God (Chicago: Benton Publishers, 1952), part IV, section iv.

person would recognize and condemn. Murder, child abuse, wife battering, and terrorism are examples of intrinsic evils. I maintain that it is also intrinsically wrong for an individual to be despised exclusively because of his or her ethnocultural membership, and, furthermore, that the liberty of individuals who are so despised is thereby diminished in a significant way. I elaborate on this point in the next section.

A liberal state which encouraged or even merely turned a blind eye to such indignities would, in the first place, undermine its own legitimacy. Individuals who were despised as a result of their race, ethnicity, language, culture or religion would have legitimate grievances against it. Why should individuals support and obey a state which participated or acquiesced in a diminution of their liberty? Why should they pay taxes or serve in the army or in other ways be responsible citizens if this were the case? In short, why should despised and disesteemed citizens remain loyal when their suffering is encouraged or ignored by public officials? Political theorists will recognize these questions as highlighting important problems of political obligation which could arise in liberal countries where minority ethnic groups and their members are held in contempt.

These problems would not be as likely to arise, however, in liberal states which affirmed the dignity of ethnocultural groups and their members. Citizens who are

publicly respected by their governments are more likely to recognize them as legitimate. Individuals and groups would have a stake in that state which recognized and affirmed their dignity: they would have a compelling reason to identify with that state and be loyal to it. One could therefore argue that the affirmation of ethnocultural identities by the state would be not only the right thing to do, it would also be in the state's interest. I return to these issues in the final chapter.

Even beyond this, a state which affirmed the dignity of ethnocultural groups would benefit not only those groups and their members or even itself but all citizens and the country at large.²¹ In affirming the dignity of minorities, such a state would be encouraging the development of a positive social climate in which every particular association and expression would be welcomed. The dignity of the minority would make a contribution to not only the dignity of the majority but to the good of the society as a whole. A society of such widely distributed social respect would qualify as a good society in normative pluralist theory.²²

21 Raz, The Morality of Freedom, p. 256.

22 Shklar, Legalism, p. 6.

Freedom and Dignity

There is an important relationship between freedom and dignity which must be clarified. While freedom alone cannot create esteem or self-worth--as I will argue in the next chapter--contempt and scorn which is tolerated can nevertheless diminish or restrict freedom. Despised and denigrated identities--as indicated--will only be displayed and the associations based on them will only be supported and sustained by individuals who possess exceptional courage and determination in the face of strong and persistent social pressures to do otherwise. However, the average person--who must be the main focus of any realistic political theory--cannot be expected to possess such strength of character. Given this climate of negative public opinion, he or she is less likely to support these associations--even if he or she privately values them. Thus, because public opinion is, in effect, dictating the kind of choices such average people make, these individuals can no longer be considered "free" in the full liberal sense of the word.

The tyranny of majority opinion has been of great concern to liberal thinkers at least since the time of John Stuart Mill.²³ Indeed, Mill is the preeminent liberal commentator on this subject and for this reason it is

23 John Stuart Mill, On Liberty And Other Writings (Cambridge: Cambridge University Press, 1989).

necessary to quote him at some length. Liberals cannot ignore that society as much as government can exercise "mandates", and if society exercises wrong or illegitimate mandates then "it practices a social tyranny more formidable than many kinds of political oppression, since...it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself." He continues: "The likings and dislikings of society, or of some powerful portion of it, are thus the main thing which has practically determined the rules laid down for general observance, under the penalties of law or opinion."

Mill particularly sees in the development of religious pluralism--in which minorities eventually gained "permission to differ"--the "battle field" on which "the rights of the individual against society have been asserted on broad grounds of principle, and the claim of society to exercise authority over dissentients, openly controverted." However he continues: "so natural to mankind is intolerance in whatever they really care about, that religious freedom has hardly anywhere been practically realised...In the minds of almost all religious persons, even in the most tolerant countries, the duty of toleration is admitted with tacit reserves."²⁴ As I will argue below, in our time this equally applies to ethnicity.

²⁴ Mill, On Liberty, ch. 1.

Mill develops his argument for individuality and individual liberty with awareness of such difficulties fully in mind. "There is a limit to the legitimate interference of collective opinion with individual independence: and to find that limit, and maintain it against encroachment, is as indispensable to a good condition of human affairs, as protection against political despotism."²⁵ He goes on to explain why barriers to the encroachment of public opinion on individual liberty are necessary: "As it is useful that while mankind are imperfect there should be different opinion, so is it that there should be different experiments of living; that free scope should be given to varieties of character, short of injury to others...Where, not the person's own character, but the traditions or customs of other people are the rule of conduct, there is wanting one of the principal ingredients of human happiness, and quite the chief ingredient of individual and social progress."²⁶

These arguments can serve as a springboard for exploring the relationship between hostile public opinion, dignity and freedom. Social tyranny and the pressures for conformity which express it do not ennoble the individual human being in the way liberalism desires. Instead it restricts, reduces, and handicaps individuals by obliging them to adapt to the conforming expectations of the majority

25 Mill, On Liberty, ch. 1.

26 Mill, On Liberty, ch. 3.

and refrain from freely and fully expressing their own desires and inclinations in associating with whomever they wish.²⁷ They cannot as effectively conduct "experiments in living" which, for liberals, is the purpose of life.

Imagine the alienation, frustration, low self-esteem and other suffering that social conformity produces. Suppose I really value my minority immigrant ancestry, whatever it may be, but public opinion and social pressure prevent me from expressing this openly by joining with others like myself and forming an ethnocultural association which celebrates our common heritage. I avoid associating with them, and they with me, because we genuinely worry that public opinion would take real offense at our ethnic pride. We fear that we would very likely become the object of derision and contempt. If I am a person of average sensibilities and strength of will I might very well deny myself and give up this social experiment for the sake of avoiding a public stigma which might otherwise be attached to me by all those who cannot tolerate people who are different from themselves.

27 Will Kymlicka argues in a similar vein, referring to aboriginal communities, that cultural membership is a primary good for people because anyone who is stripped of such membership is stunted in his or her personal development. See Liberalism, Community and Culture (Oxford: Oxford University Press, 1989).

We can readily imagine plural immigrant societies in which individuals who valued ethnocultural association become victims of such social tyranny and are effectively inhibited by it. Public opinion would ridicule those who were openly "ethnic" and applaud those who assimilated. In a predominantly Anglo-Saxon immigrant society, for example, "Smolensky" might be not only difficult for most people to pronounce and spell but it might also be despised. "Smith", on the other hand, would be recognizable and respected. This is a small example, to be sure, but it represents a big issue: the opportunity for people to be who and what they happen to be, and freely express that identity, even if it is inconvenient and unwelcomed by the majority. Shedding ethnicity for such expedient reasons would be regretted by liberals who value free choice and expression and condemn what Mill terms "moral coercion of public opinion".²⁸

"Melting pots" which resulted not from freedom of choice in questions of identity but, instead, from such moral coercion would be illiberal and would not be justified. A liberal would want to prevent situations in which an individual felt obliged to "pass" for something other than what he or she really was in order to avoid social ridicule and contempt.

The social tyranny I have described imprisons the genuine interests, desires, passions, and sensibilities of the human personalities affected. It prevents certain

²⁸ Mill, On Liberty, p. 13.

individuals from living and enjoying the life they really value. Instead, they are obliged to live a deception: to suppress and conceal their true beliefs and inclinations and values beneath a veneer of social conformity defined by majority opinion. This is not conducive to the free development of individual personality. Nor is it conducive to the development of the kind of liberal society in which such individuals can flourish.²⁹

Contempt as a Social Fact

It is a human predilection to respect those who are like ourselves and despise those who are different. Monastic retreats, hippie communes, Hutterite villages, nudist colonies, and other attempts to live--at least for a time--in isolation from the larger surrounding society although perhaps extreme are nevertheless expressions of a general human desire. Even if the vast majority of people would not go to these extremes of isolation, they still seek out the company of those who share their convictions and inclinations. This common desire is the basis of friendships, clubs, churches, parties and associations generally. However, if one such conviction or inclination dominates the larger society it may be the origin of that

29 Vaclav Havel, Living in Truth (Boston: Faber and Faber, 1986), part one, discusses an extreme version of such a social tyranny.

"moral coercion of public opinion" which targets individuals and groups who do not conform to its expected model of behavior.

As long as everybody chooses to exercise his or her freedoms in the same general way, their freedom remains untested. It is easy to respect my neighbor's freedom when he or she exercises it as I exercise my own. When this is the case, my neighbor's choices and values will be similar to mine and consequently I will have little if any excuse to chastise these choices. For example, my neighbor and I may enjoy freedom of religious worship but as long as we both choose to attend the Anglican service on Sunday there is no way of knowing how powerful or effective a freedom it really is. The same cannot be said of situations in which two or more different creeds exist side by side in the same society. The individual who adheres to one will have far less in common with and probably much that is different from the individual who adheres to another. Thus disrespect for and even interference in the life of another become real temptations. Consequently the freedom of everyone to practice his or her preferred religion with dignity becomes a challenge. If suddenly my neighbor attends Catholic mass on Sunday or--even more controversially--goes to a synagogue on Saturday and works on Sunday while I continue to attend the Anglican service, the right of free religious worship and the protection it can provide become far more important.

In an ethnically homogeneous society like England the earliest attempts to limit the moral tyranny of public opinion--as Mill reminds us--were made out of a regard for religious nonconformists--who were its most obvious targets. John Locke's famous Letter Concerning Toleration, for example, argued that religious beliefs must not be coercively imposed.³⁰ This conviction became enshrined in British law beginning with the Act of Toleration (1689) (which granted freedom of worship beyond the established Church of England to Presbyterians, Congregationalists, Baptists, and Quakers) and in subsequent acts that extended this freedom to Unitarians (1813), Catholics (1829), and Jews (1858).³¹

In immigrant plural societies this human predilection for intolerance will also tend to assert itself along ethnocultural lines. On the same street or even in the same apartment building one person might be English and another Italian, or Polish, or perhaps even Chinese. They may eat different foods, read different books and magazines, play different games, listen to different music, speak different languages, and perhaps even possess different physical characteristics--in addition to possibly having different

30 John Locke, A Letter Concerning Toleration, J. H. Tully (ed.) (Indianapolis: Hackett, 1983).

31 J. E. Bury, A History of Freedom of Thought (London: Williams and Norgate, no date), pp. 100-105.

religious beliefs. In short, those usual boundaries which separate people into more or less homogeneous national geographical units do not exist in immigrant countries, and this fact inevitably generates distinctive problems of toleration and respect. Consequently, race, ethnicity, culture and language--in addition to religion--are likely to be tests of liberty for the plural immigrant societies of the twentieth century.

These difficulties may be further exacerbated if one ethnocultural group arrives first and establishes the prevailing values of the immigrant society as a whole. This pioneer ethnic group may come to disparage groups which arrive later and do not easily conform to their beliefs, customs and way of life. It may even promote assimilation through public opinion--especially if it is the majority. This, of course, was the case in both Canada and the United States where the pioneer Anglo-Saxon group for a time looked down upon later immigrants of different ethnic origins. Yankee Americans and English Canadians even created a vocabulary which consisted of pejorative references for all other ethnic groups: Irishmen were "Paddies", Poles were "Polacks", Spaniards were "Dagos", Chinese were "Chinks", African Americans were "Niggers", and so forth. These derogative labels were symptomatic of a more important general contempt which placed assimilationist pressures on members of disparaged ethnocultural groups--all who were not Anglo-Saxon.

Contempt is often accompanied by discrimination. For example, both were widespread during the time when Canada and the United States were experiencing great waves of immigration. Thus it is important to clarify the relationship between them. A person who discriminates necessarily also disesteems the object of his discrimination, but a person who disesteems may not discriminate. Take, for example, the case of a nineteenth century Yankee (American of English descent) who despises the Irish. This Yankee holds all Irishmen in contempt; they are Catholics, have too many children, are drunkards, and even believe in fairies. The Yankee who discriminates takes this contempt one step further: he not only despises the Irish but also refuses to have anything whatsoever to do with Irishmen in his public as well as his private life. Above the door to his business hangs the sign "No Irish wanted here". Thus he actively discriminates against the object of his contempt. However, the consequence of contempt is not always discrimination. It is plausible that another Yankee who equally despises Irishmen may nevertheless work alongside an Irishman dawn to dusk, Monday to Friday, year in and year out--though he would never voluntarily associate with any Irishman in his own free time. Thus while contempt is present wherever discrimination occurs, a lack of discrimination is not proof of respect. Consequently, banning discrimination does not necessarily remove disesteem. That may require positive affirmation on the part

of liberal governments as I will argue in the following two chapters.

IV

NEGATIVE LIBERTY AND DIGNITY

The Idea of Negative Liberty

Negative liberty signifies the idea of freedom from interference or coercion by the state, private individuals, or groups.³² According to this conception, interference presupposes an identifiable interfering agent. Underlying this definition of liberty is the assumption that each individual left to himself or herself has an equal chance to succeed or fail in his or her chosen life plan. According to this ideal, human beings do not need to be further empowered to exercise their freedom; this ability is inherent in the unencumbered individual. Consequently, if interference in the lives of individuals is prohibited, each person will be able to develop whatever talents and pursue whatever interests he or she desires. If an individual in this position fails to carry out "experiments in living" it is his or her responsibility alone.

Mill's "moral coercion of public opinion" is obviously an amorphous and pervasive form of coercion unlike the

32 Benn and Peters, The Principles of Political Thought, pp. 247-249.

identifiable interfering agent idea of negative liberty.³³ Consider, for example, situations where an Anglo-Saxon majority of which Tom Brown may be a member considers all Irish to be ignorant, irresponsible and contemptible. Negative liberty assumptions would not identify this contempt as a form of coercion: no significant connection between freedom and states of mind like dignity and indignity is acknowledged. For example, Sean Murphy's freedom is seen to be complete as long as Tom Brown does not threaten him with a gun, or steal his life savings or dismiss him from work on wrongful grounds, or refuse him service in a restaurant for discriminatory reasons, and so forth.

According to the negative liberty ideal, how should a liberal state act? Of course, it should not abuse its own powers: its actions should be limited to the negative role of preventing one agent from coercing another. Two general principles of state action follow from this ideal: state nonintervention and neutrality regarding the lives of its citizens. First, a liberal state committed to negative liberty should not intervene in the private affairs of its citizens as long as they harm no other agent. It is only when coercion of one agent by another agent arises that the

33 The discrepancy between "moral coercion" and the "harm principle" may be an anomaly in Mill's argument on liberty.

state is obliged to intervene. Second, a liberal state committed to negative liberty should be neutral regarding the freely chosen values and lifestyles of its citizens. Partiality is to be avoided and even condemned because it favours one interest, activity, value or way of life over another and therefore has discriminating consequences on an individual's ability to pursue these options. If a liberal state supports one interest, activity, value or way of life, then an individual or group of individuals who prefer another will be unfairly disadvantaged.

Given these two leading principles, what actions would a liberal state constrained by negative liberty take to preserve individual freedom?³⁴ It would, of course, establish and enforce a system of criminal law that prohibited coercive behavior on the part of private individuals and groups. The intention here would be to deter physical threats to individual liberty. Such a state would no doubt also prohibit negligence, breach of contract, wrongful dismissal and other such wrongs--i.e., a system of civil law would be enforced. A liberal state would also prohibit discriminatory practices in employment, in education, in the provision of services, and so forth--by both public and private agents. Furthermore, in its dealings

34 Andrew Vincent, Theories of the State (Oxford: Basil Blackwell, 1987), esp. ch. 3: "The Constitutional Theory of the State".

with citizens, such a state would not want to favour or penalize one equally valid moral belief (i.e., one that did not entail harm) over another.³⁵

Advantages and Disadvantages of Negative Liberty

The principles of liberty have in practice encouraged--among other things--the development of anti-discrimination legislation. Discriminatory practices in employment, for example, have in recent times been recognized as infringements upon the liberty of individuals. Consequently, liberal states--such as Canada and the United States--have enacted similar although not identical legislation to ban discrimination by both public and private agents. Under this kind of legislation, for example, it would be illegal for a Yankee to advertise "No Irish Wanted Here" or use other irrelevant criteria such as race, religion, sex, and so

35 For a detailed analysis of negative liberty see Benn and Peters, The Principles of Political Thought, esp. ch. 10: "Freedom as a Political Ideal"; Isaiah Berlin, Four Essays on Liberty (Oxford: Oxford University Press, 1989), esp. ch. 3: "Two Concepts of Liberty"; and J. R. Lucas, The Principles of Politics (Oxford: Clarendon Press, 1985), esp. section 32, "Freedom", section 33, "Freedom to and Freedom From," section 34, "Freedom under the Law", section 35, "Legality: The External Aspect", and section 36, "Legal Liberty".

forth in hiring. Discriminatory government practices have also been rescinded and prohibited in these two states. For example, country of origin quotas in immigration that gave preference to certain ethnic groups and restricted others have been abandoned by Canada. Similarly, discriminatory legislation that imposed a head tax on Chinese immigrants or that denied suffrage to specific ethnic or racial groups--as existed in early twentieth century Canada and the United States--has been abolished. Measures such as these have definitely furthered the cause of liberty in plural immigrant societies.

The ideal of negative liberty has also influenced the liberalization of legislation designed to uphold specific beliefs or moral judgements.³⁶ H. L. A. Hart, for example, employed the principles of state nonintervention and neutrality to advocate the legalization of private homosexual acts between consenting adults.³⁷ His argument opposed the conservative position--defended by Lord Devlin--that to permit such practices would ultimately destroy Britain's prevailing morality and thus also the political

36 For a discussion of various liberal responses to law and morality see Basil Mitchell, Law, Morality and Religion In a Secular Society (Oxford: Oxford University Press, 1967).

37 H. L. A. Hart, Law, Liberty and Morality (Stanford: Stanford University Press, 1963).

community which it necessarily supported.³⁸ Neutrality and nonintervention have at least checked the tendency of moral majorities in democratic countries to have their beliefs enshrined as law. However, as I will now argue, they can do little or nothing to prevent the "tyranny of public opinion" and in particular the unwarranted infliction of indignity, disesteem and disrespect on ethnocultural minorities.

Liberals have employed the principles of negative liberty to combat the use of coercion by human agents to obstruct or interfere with the liberty of others. Yet as Mill reminds us, "social oppression" is more formidable since it penetrates "more deeply into the details of life" and enslaves even "the soul itself"--by depriving human beings of that social dignity which they have an intrinsic right to possess. Without dignity, individuals are not free in the fullest liberal sense. Unfortunately, the ideals of negative liberty cannot be employed to combat this insidious form of "social oppression".

Non-intervention and neutrality allow social tyranny and moral coercion to continue unimpeded. Paradoxically, therefore, nonintervention is not neutral at all because it allows a situation prejudiced in favour of the dominant way of life--where one exists--and against other ways. Nonintervention cannot prevent or discourage the

38 Patrick Devlin, The Enforcement of Morals (Oxford: Oxford University Press, 1965).

stigmatization and inhibition of ethnic expressions that do not conform to the majority's expectations. In a plural immigrant society, this would allow "melting pots" to result from "moral coercion" rather than freedom of choice.

As I intimated earlier, negative liberty assumes individuals are inherently robust and thus fully capable of conducting "experiments in living" without further support. This assumption would appear to indicate that self-esteem is internally rather than socially created and therefore not a fit subject of political concern. According to this view, if an individual lacks dignity or self-esteem, it is his or her own fault and not the fault of any other agent. Therefore no coercion--which can only occur between agents--can possibly have taken place. Such assumptions are, I have argued, mistaken. Dignity, esteem, respect, and self-worth are individual states of mind that arise out of social evaluation by other agents and therefore can be targets of "moral coercion". When the relationship between freedom and dignity is properly understood it becomes apparent that the principles of negative liberty cannot be employed to combat "social oppression" in plural immigrant societies.

The logic of prohibition is inapplicable to states of mind like dignity, esteem, respect and self-worth. The state could not control what its citizens thought, and--if it tried--such an attempt would be considered illiberal. Liberals do not dictate what other people think; they let each person decide what to believe for himself or herself.

The appropriate way for a liberal state to remedy and prevent the harmful effects of indignity is therefore by affirmation--the state should affirm the dignity of those who are now or previously were held in contempt. In this way, it may convince--as opposed to dictate or force--public opinion to view ethnic or other identities with respect.

Objections to positive affirmation could still be raised even if one recognizes that dignity is both socially conferred and related to freedom in a significant way. It could be noted that the Irish in the United States eventually gained general social approval and occupied a proud place in American society. This suggests that immigrant societies contain a social mechanism which--over time--eliminates social contempt for minority ethnocultural individuals and groups. This may very well be the case. However, I am arguing that it is wrong that someone would have to suffer such contempt in his or her lifetime even though his or her children or grandchildren would not have to suffer it in theirs. Liberals absolutely insist that every individual be treated as an end in his or her own right and not as a means to somebody else's end--even if this somebody is their own progeny. It is wrong that someone must be, in effect, a "second class" citizen if something can be done to correct it which does not require unreasonable sacrifice on the part of everyone else. I believe that no such sacrifice has to be made to support

public policies which affirm the dignity of ethnocultural groups and their members.

A critic could also argue that in calling for the liberal state to affirm the dignity of despised ethnocultural groups I am espousing a version of affirmative action--which is in itself problematic.³⁹ Affirmative action is designed to counteract the effects of discrimination--which I have acknowledged is related to contempt. Members of groups discriminated against in the past are given preferential treatment in the present as compensation. While the motivation behind affirmative action is unquestionably liberal and valuable, unfortunately the policy itself may have consequences which raise further problems of justice and equality. While affirmative action assists members of previously discriminated groups, in so doing it discriminates against everyone else (the Bakke case is an illustration of this resulting reverse discrimination⁴⁰).

39 Nathan Glazer, "Individual rights against group rights" in Eugene Kamenka and Alice Erh-soon Tay, (eds.), Human Rights (London: Edward Arnold, 1978), pp. 87-103.

40 Bakke applied for admission to the University of California Medical School at Davis and was twice turned down even though he satisfied the minimum entrance requirements. Bakke later argued his right to be assessed on non-discriminatory grounds was denied because the school reserved sixteen affirmative action places for minorities.

This problem, however, would not result from a liberal state's affirmation of dignity: affirming the dignity of one ethnic group does not entail despising another as I will argue in the next chapter.

The United States Supreme Court eventually ordered that Bakke receive a place in the medical school but ambiguously upheld the legitimacy of affirmative action.

V

THE POLITICAL AFFIRMATION OF DIGNITY

A Justification of State Affirmation

Liberals want to ensure that every individual is free to pursue the widest possible range of interests, activities, values or ways of life. In order to exercise this freedom in the full liberal sense, an individual requires dignity, esteem, respect, and self-worth. Consequently, these states of mind are intrinsic social goods which every individual has a right to possess. Accordingly, indignity, disesteem, disrespect, and contempt can neither be promoted nor even ignored by the liberal state.

The state must actively intervene to counter the "moral coercion of public opinion" which tends to bestow esteem and to inflict contempt on ethnocultural identities in an unwarranted and discriminatory manner. The state can do that by explicitly affirming that every citizen has a right to display his or her ethnic pride if he or she chooses, and to have that pride respected by others. Displaying one's ethnicity is not "un-American", "un-Canadian" or "un" anything else for that matter. On the contrary, the United States, Canada, and other liberal countries with plural immigrant societies should be committed to preserving and

promoting the freedom to make these and other voluntary choices.

While state affirmation of dignity cannot by itself prevent or eliminate the tendency for public opinion to become oppressive, it can nevertheless go a considerable way towards counteracting it. In conferring dignity, no other agent has as much authority as the state. When the state acknowledges a choice to be valid and worthy of respect--even if public opinion believes otherwise--that choice becomes not only acceptable but also honorable. For example, it cannot be dishonorable to possess an Irish, a Ukrainian, an Italian, a Chinese, a Japanese or any other ethnocultural identity if the Canadian state says the Irish, the Ukrainians, the Italians, the Chinese, the Japanese, and every other ethnic group in Canada is an important part of the definition of what it means to be Canadian.

Moreover, by acknowledging ethnocultural identities as worthy the state may convince individuals who previously despised some or perhaps even all of them to change their attitude--and thereby change public opinion. For example, if the state says Irishmen are valuable citizens and that Irish culture can contribute to the richness and diversity of American society, then the Yankee Tom Brown may eventually come to respect and even like the Irishman Sean Murphy. Instead of merely tolerating his presence during working hours, Tom may one day voluntarily associate with Sean after work and on holidays. In this general atmosphere of social

acceptance, Tom may even admit that his mother was in fact Irish herself and decide to rediscover his own Irish heritage.

Furthermore, the affirmation of dignity does not entail any social costs--unlike affirmative action policies. No one will be disadvantaged as a result of this kind of state intervention. In acknowledging all ethnocultural identities to be good and worthy, in no way can the state inadvertently inflict indignity upon the ethnic identity of any individual or group: neither the Yankee American nor the English Canadian nor the person who chooses not to possess an ethnic identity will have his or her choices disesteemed as a consequence of such state affirmation. Bestowing dignity does not involve taking a social good away from one group of individuals in order to give that same good to another group--it does not require any "Robin Hood practices" whatsoever. Nor does it involve taking anything away from the political community as a whole--as I will argue in the next chapter.

Therefore, a liberal state has a duty to ensure that the dignity it confers is enjoyed by everyone. This would be the intrinsically right thing for any liberal state to do. By the same token, it would be intrinsically wrong for any liberal state to allow public opinion alone to distribute dignity and assign disesteem. It was wrong for Canada not to confer this dignity upon all its immigrant groups in the

past and it is right that Canada does confer it on them all today.

The good society of normative pluralist theory is a society wherein a diversity of values, interests, activities, and ways of life flourish in an atmosphere of respect. Nobody's choices would be despised or ridiculed or held in contempt on irrelevant grounds such as ethnicity, race, religion, sex, and so forth. "Melting pots" that might emerge in this ideal society result from choices which are freely made rather than from inhibition or stigmatization. Here, people would abandon their ethnic identities only if that is what they really want and not because public opinion would otherwise make them suffer. Furthermore, assimilation would never be a final decision: individuals would always be free to reclaim or rediscover their ethnocultural heritage if they desire.

Possibilities for Affirmation

What measures could a liberal state take to affirm the dignity of all ethnocultural identities in its jurisdiction? Public policy-makers would, of course, have to consider the specific circumstances of their own country and tailor measures to them. It is not the role of the political theorist to provide specific advice. However, political theorists should be prepared to offer general--although admittedly tentative--reflections on the practical implications of their normative analyses. There are several

conceivable measures a liberal state could take which can be derived from my argument.

Firstly, it could provide funding to ethnocultural associations which met certain minimum membership requirements. Of course, the state could not reasonably be expected to fund an ethnocultural group having an insignificant membership. Such funding would be primarily symbolic and would cost the government comparatively little. Irish folk festivals, Ukrainian dancers, Italian singers, Chinese cultural centers, Japanese martial arts centers, and so forth could all be eligible for such financial support from the state. The government could also assign responsibility for the funding of ethnocultural groups to one of its ministries which might then administer a grant application and distribution program. Such an institutional arrangement would itself be an important affirmation of the worthiness of ethnocultural choices; if the organization of government reflects such choices they must be important and honorable.

Secondly, through school curricula it could promote-- among others--the history, religion, customs, languages, literature, architecture, music, and dance of its many ethnocultural groups. Students presumably would not only gain greater insight into various cultures but might also learn to respect and celebrate social diversity. The state might thereby foster in the next generation a public opinion

which is more receptive to expressions of ethnocultural identities.

Thirdly, it could encourage ethnocultural broadcasting. For example, radio and television stations could be required to include a minimal percentage of ethnocultural content in their regular program scheduling as part of state licensing regulations. Perhaps a separate station or channel could even be set aside for this purpose. Such programs could provide another opportunity for individuals to maintain or rediscover their ethnocultural heritage if they choose. Admittedly, this would be a small encroachment on the freedom of most of the audience--but surely it would not be unreasonable.

Finally, a liberal state committed to affirming the dignity of the ethnocultural identities of all its citizens could decide to constitutionalize that affirmation. It might, for example, include a clause in its constitution which recognized that the country was in significant measure the creature of its many immigrants of diverse ethnocultural backgrounds. Such a clause could also require the state to preserve and promote the dignity of all ethnocultural groups in its jurisdiction.

Andre Laurendeau's Legacy

This thesis was inspired by the reflections of a political practitioner who was dealing with a specific policy issue in a particular country at a certain moment in

its history; that man was Andre Laurendeau and his country was Canada. Following the recommendations of The Royal Commission on Bilingualism and Biculturalism (1964-1967)--which Andre Laurendeau co-chaired--Canada instituted a policy of multiculturalism. I think it is important to comment briefly on this policy because it is an example of what one liberal country with a plural immigrant society has done to affirm the dignity of all the ethnocultural identities of its citizens.

Prior to the 1960's, Canadian governments did not affirm the dignity of ethnocultural identities.⁴¹ Instead, when ethnic diversity was considered at all in government circles--and, one may conjecture, in Canadian society at large--it was looked upon as a disintegrating element which required assimilation into a singular Canadian identity. Whether this assimilation would assume an Anglo-Saxon mold or something entirely new was the topic of much debate.⁴²

41 T. C. Christopher, "The 1982 Charter of Rights and Freedoms and Multiculturalism", Canadian Review of Studies in Nationalism, XIV, 2 (1987), p. 332f.

42 For a discussion of the changing attitudes towards non-English and non-French ethnic groups in Canada during the twentieth century see Howard Palmer, "Reluctant Hosts: Anglo-Canadian Views of Multiculturalism in the Twentieth Century", Multiculturalism as State Policy: Conference Report (Ottawa: Queen's Printer, 1976), pp. 81-117.

John Diefenbaker's vision of an "unhyphenated Canadianism" was an example of the latter kind of assimilation.⁴³ Recognizing that distinct ethnic identities could become the targets of discrimination, he endeavored to create a Canadian identity in which all ethnicities would blend to form a common "Canadianess".

However, Quebecois demands for status and recognition as one of Canada's two "founding nations" produced a dualist response from the Pearson government. In an effort to accord Quebec the special status it sought, the federal government created the Royal Commission on Bilingualism and Biculturalism. Canada was to be conceived as a nation born of two parents--the English and the French--each of which had an important and dignified role to play in the future of the country. To the surprise, chagrin and possibly even dismay of some members of the commission, this definition of Canada met with unexpected and fierce opposition from non-English and non-French--the so-called "third-force"--Canadians. This dualist vision of Canada was felt to have little if any regard for the dignity of "other" ethnocultural groups. In presentation after presentation, especially in Western Canada where the "third-force" was demographically most significant, the question was asked: "but where am I as a Canadian of non-English and non-French ancestry in this definition of Canada?" "What role do I have

43 Palmer, "Reluctant Hosts", pp. 90-100.

in the future of my country?" "Is the contribution of my forebears to be ignored, obscured, forgotten?" "Am I to become a second class Canadian?" It is obvious that the constitutional doctrine of dualism had a powerful emotional impact upon these ethnocultural groups, who felt cheated, ignored, irrelevant.⁴⁴ The word "multicultural" appears to have been coined by "third-force" Canadians as they tried to create a political discourse that dignified their ethnocultural identities.

This demand for multicultural recognition and respect was not--in fairness could not be--overlooked by the commission. Consequently, the fourth volume of the Report on Bilingualism and Biculturalism was dedicated to the concerns of these "other Canadians." By recognizing their contribution to the development of the nation as important and honorable it sought to dispel their fears of being insignificant and perhaps unworthy. Book IV specifically outlines the historic contribution of many of the most sizeable ethnocultural groups--Germans, Scandinavians, Dutch, Ukrainians, Doukhobours, Jews, Hungarians, Italians,

44 For a discussion of the symbolic repercussions of dualism for "third-force" Canadians, see Raymond Breton, "The Production and Allocation of Symbolic Resources: An Analysis of the Linguistic and Ethnocultural Fields in Canada". Canadian Review of Sociology and Anthropology, vol. 21 (1984), pp. 123-144.

Russians, Greeks, Slavs, Icelanders, Negroes, Japanese, Asians. The commission made sixteen recommendations which reflected multicultural demands for social dignity including: anti-discrimination legislation, the rejection of country of origin quotas in immigration, the creation of heritage (that is, non-English and non-French) language education programs in public schools, Canadian Radio and Television Commission (CRTC) provisions for heritage language broadcasting, and general government support of ethnic associations.⁴⁵

In response to these recommendations, the Trudeau government in 1971 officially rejected the idea of biculturalism, advocating instead "bilingualism within a multicultural framework."⁴⁶ In announcing this change in policy, the prime minister declared "there cannot be one cultural policy for Canadians of British and French origin, another for the original peoples, and yet a third for all others. No ethnic group takes precedence over another and no

45 Preliminary Report, The Royal Commission on Bilingualism and Biculturalism (Ottawa: Queen's Printer, 1965), p. 51.

46 Government of Canada, Minister of State for Multiculturalism, Multiculturalism and the Government of Canada (Ottawa: Queen's Printer, 1978).

citizen or group of citizens is other than Canadian."⁴⁷

Canadians were told that a hierarchy of "Canadianess" did not exist and would not be permitted to exist; Canadians of every ethnocultural identity were fully and equally citizens.

The federal government thereby committed itself to: (1) support all of Canada's cultures, and to assist--resources permitting--those cultural groups which have demonstrated a desire and effort to continue to develop, a capacity to grow and contribute to Canada, as well as a clear need for assistance; (2) assist members of all such groups to overcome social barriers to full participation in Canadian society; (3) promote interchange amongst all Canadian cultural groups in the interest of national unity; (4) assist immigrants to acquire at least one of Canada's official languages in order to become full participants in Canadian society.⁴⁸

To achieve these goals, the Canadian government introduced a number of administrative changes. In 1972 a Minister of State for Multiculturalism was appointed to promote the new federal policy, and in the following year the Canadian Consultative Council on Multiculturalism was

⁴⁷ Multiculturalism and the Government of Canada, p. 45.

⁴⁸ Multiculturalism and the Government of Canada, pp. 50-51.

created to encourage discussion of cultural policies at both the federal and provincial levels. In addition to funding cultural associations, the federal government financed special multicultural programs conducted by various federal agencies such as the National Museum of Man, the National Film Board, the National Library, and the Public Archives. It also established a number of federally funded programs at the provincial level--in particular, heritage language preservation designed to encourage heritage language acquisition and retention by children of various cultural communities. These programs have been particularly active in Alberta, British Columbia, Manitoba, Ontario, and Saskatchewan where demographics reflect a noteworthy ethnocultural diversity.⁴⁹

Encouraged by the recommendations and policies of the late sixties and early seventies, multicultural groups were dismayed by the Trudeau government's initial proposals (1978-1979) for a Canadian Charter of Rights and Freedoms.⁵⁰ In trying to secure the rights of English and French

49 For an overview of the Canadian policy of multiculturalism see T. C. Christopher "The 1982 Charter of Rights and Freedoms and Multiculturalism", Canadian Review of Studies in Nationalism, vol. 14 (1987), esp. pp. 334-337.

50 Roy Romanow, John Whyte and Howard Leeson, Canada Notwithstanding: The Making of the Constitution 1976-1982, (Toronto: Carswell/Methuen, 1984), pp. 7-10, 76-83.

language groups across the country, the government had--in the opinion of multiculturalists--completely ignored or perhaps conveniently forgotten the interests of those whose heritage was neither French nor English.⁵¹ "Third-force" Canadians again feared they might become relegated to a "second class" status in Canada. Where, they asked, was the government's avowed commitment to the multicultural heritage of Canadians? Had this commitment to foster ethnic diversity been only so many words? Or, even more incriminatingly from the multicultural viewpoint, did the federal government believe that multiculturalism was, relatively speaking, trivial. A policy, yes, but not a constitutional principle? In the eyes of ethnocultural leaders, multiculturalism had to be more than "so many ethnics dancing in a church basement"; it had to reflect fundamental values about cultural equality and the very definition of Canada.⁵²

51 Alan Cairns has noted that multicultural leaders and other "constitutional outsiders" employ "the language of status...they evaluate their treatment through the lens of pride, dignity, honour, propriety, legitimacy, and recognition--or their reverse." This observation suggests the social good in question is dignity. Disruptions: Constitutional Struggles from the Charter to Meach Lake (Toronto: McClelland & Stewart, 1991), p. 132.

52 For a discussion of minority ethnocultural perceptions of the events leading up to the 1982 Charter of

Ethnocultural associations immediately began a concentrated lobbying effort to have the principle of multiculturalism entrenched in Canada's constitution. In the 1980-1981 Joint Senate and House of Commons Committee Hearings on the Proposed Constitution their representatives repeatedly emphasized three basic points: (1) "third-force" Canadians had made an important contribution to Canadian development; (2) this contribution deserved political recognition and encouragement; (3) in particular, the proposed charter must entrench a general commitment to multiculturalism, heritage language rights, and protection against discrimination.

These ethnocultural demands were embodied in several clauses of the 1982 Canadian Charter of Rights and Freedoms. The principle of multiculturalism found expression in section 27 which stipulates that everything in the Charter "shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians." Section 22 specifies that the legal or customary rights of any language that is not English or French is neither abrogated nor derogated by the Charter. Finally, the equality rights clause of section 15 prohibits discrimination based on "race, national or ethnic origin".

Rights and Freedoms, see Manoly R. Lupul, "The Tragedy of Canada's White Ethnics: A Constitutional Post-Mortem", Journal of Ukrainian Studies, vol. 7 (1982), pp. 1-10.

"color" and "religion"--among other things. As can be seen, provisions in the Canadian Charter include both the (positive) affirmation of ethnocultural dignity and the (negative) prohibition of discriminatory acts based on ethnocultural criteria.

VI

CONCLUSION

There are several objections concerning political affirmation of ethnocultural groups in plural immigrant societies that could be raised and must be addressed to bring this argument to a conclusion. First, it might be feared that such affirmation will undermine the legal obligations of members of such groups to the larger political community or state. They might think that within their own ethnic communities the rules of the larger political community do not apply. For example, certain non-Western groups may believe they are free to practice ritual mutilation of children. Or an ethnic group may think it can dictate--at penalty of expulsion--who its members must associate with, how they must vote, and so forth. Or members of an ethnic group may think they can use their citizenship in the present state to buy and export arms for wars in their ancestral countries. Or they might even think they are at liberty to commit acts of terrorism against rival ethnic groups in their present country when the ancestral nations of these two groups are at war.

However, political affirmation does not legally privilege any citizens on whom it is conferred: members of ethnocultural groups, no more and no less than any other

citizens, remain bound by the laws of the state. Ethnocultural associations--like any other voluntary associations--are not above the law: they cannot appropriate the authority or powers of the state; some of their members cannot resort to threats or acts of violence against other members, nonmembers, or other associations.⁵³ Every state has a criminal justice system and law enforcement agencies to deal with these and other criminal acts. In short, members of ethnocultural groups are subject to the rule of law like everybody else.

Second, it might be feared that political affirmation of ethnocultural groups will undermine loyalty, patriotism and other political sentiments toward the present state. This fear could arise from the belief that members of such groups will retain a primary loyalty to their ancestral state or nation. For example, some members may not only think of themselves totally in terms of their ethnic membership and no longer as citizens of their present state, but may even think--as a result of this affirmation--that ethnic loyalty is the only political sentiment their present state requires of them.

Liberals do not and should not dictate the private opinions and sentiments--political or otherwise--their citizens might hold. Furthermore, if such groups and their

⁵³ S. I. Benn and R. S. Peters, The Principles of Political Thought (New York: Collier, 1964), pp. 332-340.

members did possess strong foreign allegiances there would be very few occasions when that patriotism conflicted with allegiance to their present country. As long as loyalties do not conflict, there is no inherent problem with possessing more than one. But suppose such a conflict did arise and individuals wanted to act on their private political opinions against the interests of their present state. The social mechanisms for conformity to the norms of the immigrant country would still be compelling. I have argued that certain choices--namely criminal acts--should be held in contempt by public opinion, and further that liberal states have an obligation to promote this contempt in the name of a social good--a society that will not tolerate harm inflicted upon innocent individuals. Public opinion should despise anyone engaging in disloyal acts. In so doing it would inhibit many individuals from acting on their private political beliefs in this unacceptable way. However, suppose a few individuals nevertheless were prepared to act on their disloyalty despite laws that forbid it and public opinion that would despise them for doing it. Such isolated acts are no more likely to pose a serious threat to the larger political community than any other criminal behavior.

Third, it could be argued that immigrants and their descendants must accept and conform to the prevalent ways and standards of living of their adopted country. They would not be expected to use private property--including housing--in the same way they would use it in their ancestral

country, for example, crowding a large extended family into a small nuclear family dwelling, or keeping livestock in suburban backyards. This argument cannot be denied: certain standard lifeways of their adopted country must be observed out of courtesy to their neighbors. They have no right to impose on citizens of their adopted country in such ways.

In a liberal country the universal standard imposed on all is a standard of law--in the above examples, local by-laws. A uniform observance of what could generally be termed the "harm principle" by all citizens is a fundamental requirement of a liberal state. Diversity in all other areas of life is an intrinsic good for liberals, and is celebrated rather than condemned. By conducting "experiments in living" which do not violate this harm principle citizens are acting in accordance with the liberal ideal. There is no valid reason in liberal thought why such experiments cannot include ethnic ways of life if they are freely chosen by the individuals involved and are not imposed upon them by anyone else.

Behind these objections there may be a fundamental concern about social disintegration. However, this fear is unfounded. Political affirmation of ethnocultural groups in a plural immigrant society is in fact an integrative--although not assimilative--principle. Members of such respected and worthy groups would have a stake in the political community that adopted such measures: they would have a significant reason to identify with and be loyal to

that political community. By the same token, a government which ignored or tolerated public opinion which was hostile to such groups and individuals would be encouraging societal divisions among its citizens and inviting the disaffection or disloyalty of those who were suffering from acts of contempt and discrimination by the majority. In sum: the political affirmation of the dignity of all ethnocultural identities in a plural immigrant society is integrative, entails no significant social costs, and is the right thing for a liberal state to do.

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