DEMOCRACY IN DECENT NONLIBERAL NATIONS: A DEFENSE

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Western democracy theorists accept the "liberal democracy thesis" and claim that the only morally justifiable conception of democracy is liberal democracy regulated by substantive liberal values. According to this thesis, democracy not regulated by liberal values in nonliberal nations, if at all feasible, necessarily leads to the oppression of minorities and is therefore morally unjustifiable. This article aims to refute the liberal democracy thesis by arguing that democracy in "decent" nonliberal nations is not only feasible but also morally justifiable.

Democracy is often considered a quintessentially liberal political arrangement, especially in Western liberal societies. In the post-Cold War era, democracy has paradoxically become one of the most contagious political ideals in nations of the Third World,[1] whose cultures are predominantly nonliberal.[2] With the exception of dictators and totalitarian regimes jealously guarding their politico-economic privileges through repression, most political actors in such nations, especially those with grassroots support, seem to have been infected by the democracy fever. In other words, democracy has become a powerful aspirational goal for the majority in the nonliberal Third World.[3] This phenomenon poses some intriguing

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[1] While this term may sound awkward after the collapse of the "Second World," I use it to refer to regions of the world that have been adversely affected by Western and Japanese imperialism and colonialism.

[2] I call them "nonliberal nations" for short. "Nonliberal," "culture," and "nation" shall be elaborated on in sect. II.

[3] John Esposito and Dalia Mogahed show the widespread aspiration for democracy among Muslims in *Who Speaks for Islam?* (New York: Gallup Press, 2007) 47, 48, 56. According to Ken Silverstein, even political actors labeled as "terrorist" by the West, such as Hezbollah in Lebanon, Hamas in Palestine, and Muslim Brotherhood in Egypt, advocate democracy. "Parties of God: The Bush Doctrine and the Rise of Islamic Democracy," *Harper's Magazine* (March 2007): 34, 40.

normative questions for political theorists:[4] If democracy is quintessentially liberal, is it feasible in nations with nonliberal cultures? If not, can a normative conception of democracy be constructed that is compatible with nonliberal cultures? If so, is it philosophically justifiable? This article shall provide philosophically defensible answers to these questions from a communitarian perspective.

The pervasive notion in liberal societies that democracy is quintessentially liberal is largely due to the frequent identification of democracy with liberal democracy, endorsed by influential political theorists. This notion, however, is misconceived. Strictly speaking, democracy refers to a participatory political *process* expressed in its etymology, "rule by the people," and is in tension[5] with substantive liberal *values* of individual freedom and its cognates, such as equal freedom, civic equality, and fair opportunity.[6] Democracy as a political process without the constraint of liberal values is invariably viewed with suspicion by Western political theorists. According to Fareed Zakaria, for example, whose critique of "illiberal democracy at home and abroad" was a *New York Times* best seller in 2003,[7] democracy alone often amounts to "sham" or even "bandit" democracy.[8] Some theorists seem even more skeptical, alleging that nonliberal nations are "inegalitarian," depriving "women of important rights such as the right to education and to equal opportunity in employment,"[9] or that their institutions are "discriminatory and undemocratic,"[10] or that their members tend to think of themselves as unable to "think, act, or imagine beyond 'their culture,'"[11] etc.[12]

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[4] Although political "philosophers" and "theorists" are generally distinguished based on their respective academic disciplines of philosophy and political science, I shall use "theorists" to encompass both.

[5] See James Bohman, "The Coming of Age of Deliberative Democracy," *The Journal of Political Philosophy* 6/4 (1998): 400–25, 403.

[6] The liberal value of individual freedom and its cognates are expressed differently as "basic liberty, basic opportunity, and fair opportunity" in Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard UP, 1996) 12; as "liberty and opportunity" in their *Why Deliberative Democracy?* (Princeton, NJ: Princeton UP, 2004) 103; and as "equal freedom, basic opportunity, and civic equality" in Amy Gutmann, *Identity in Democracy* (Princeton, NJ: Princeton UP, 2003) 28.

[7] Fareed Zakaria, *The Future of Freedom: Illiberal Democracy at Home and Abroad* (New York: W.W. Norton, 2003).

[8] Ibid: 18, 109.

[9] Allen Buchanan, "Rawls's Law of Peoples," *Ethics* 110 (July 2000): 697–721, 697.

[10] Charles Beitz, "Rawls's Law of Peoples," *Ethics* 110 (July 2000): 669–696, 687.

[11] Gutmann (2003): 48.

[12] For similar sentiments, see Susan Okin, "Feminism and Multiculturalism: Some Tensions," *Ethics* 108 (1998): 661–84; Joseph Raz, "Multiculturalism: A Liberal Perspective," *Ethics in the Public Domain* (New York: Clarendon Press, 1994) 184–85; Will Kymlicka, *Multicultural Citizenship* (Oxford, UK: Clarendon Press, 1995) 75, 153, 158; Jeff Spinner, *The Boundaries of Citizenship* (Baltimore: The Johns Hopkins UP, 1994) 69, 70, 72; Charles Taylor, "Politics of Recognition,"

They may agree with Zakaria that if democracy is so broadly defined as having "a government created by elections in which every adult citizen could vote" at least once in the recent past,[13] then some nonliberal nations may be "democratic," if only by stipulation. However, they would concur with Zakaria that such democracies are "sham" democracies.

What, then, counts as true democracy according to these Western political theorists? Only liberal democracy, the participatory politics that facilitates the majority rule regulated by substantive liberal values, qualifies as genuine democracy.[14] Some theorists even argue that liberal values and the democratic process ought to merge together and thereby equate democracy with liberal democracy, refusing to apply the term "democracy" to any other form of democracy. Any democratic process not regulated by liberal values, according to these theorists, may lead to the oppression of minorities and is thereby morally unjustifiable. Therefore, the only true and morally acceptable democracy is liberal democracy. I shall call this claim the "liberal democracy thesis."

The primary aim of this article is to demonstrate the implausibility of the liberal democracy thesis by arguing that democracy as participatory politics in "decent"[15] nonliberal nations is not only feasible but also morally justifiable. This article takes the following steps to achieve this aim: In order to understand the nature of the liberal democracy thesis, I shall examine a conception of liberal democracy proposed by Joshua Cohen. It shall be shown that this conception of liberal democracy is predicated on the liberal conception of persons as free and equal individuals and liberal values, such as individual freedom, that are prevalent in liberal societies. While conceding that liberal democracy is not feasible in even decent nonliberal nations, I shall nonetheless argue not only that nonliberal nations can be democratic but also that nonliberal democracy is morally justifiable. As premises to this argument, I shall construct, first, a complex and fluid conception of culture that generates the ineluctable fact of intracultural pluralism

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Multiculturalism and the "Politics of Recognition," ed. Amy Gutmann (Princeton, NJ: Princeton UP, 1994) 62, 66–68, 72–73.

[13] Zakaria (2003): 13. This definition of democracy, however, is too anemic and is better described as "competitive authoritarian." See Steven Levitsky and Lucan Way, "The Rise of Competitive Authoritarianism," *Journal of Democracy* 13/2 (2002).

[14] Zakaria (2003): 19; Joshua Cohen, "Procedure and Substance in Deliberative Democracy," *Democracy and Difference*, ed. S. Benhabib (Princeton, NJ: Princeton UP, 1996) 97–98; Cohen, "Democracy and Liberty," *Deliberative Democracy*, ed. Jon Elster (Cambridge, UK: Cambridge UP, 1998) 187, 201; Gutmann and Thompson (1996): ch. 1, esp. 26 ff.; Ronald Dworkin, "What is Equality? Part 4: Political Equality," *Philosophy and Democracy: An Anthology*, ed. T. Christiano (Oxford, UK: Oxford UP, 2003) 117–21; while Beitz does not directly discuss liberal democracy, his "human right to democracy" is unmistakably liberal (Beitz [2000]: 687).

[15] I shall closely follow John Rawls's definition in *The Law of Peoples* (Cambridge, MA: Harvard UP, 1999a).

and, second, a morally justifiable normative conception of persons as "valuational agents" compatible with how members in nonliberal nations think of themselves. I shall end the article by examining the status of liberal democracy, which is culturally specific to liberal societies without the cross-cultural applicability claimed for it by liberal theorists.

I. LIBERAL DEMOCRACY THESIS

The liberal democracy thesis, according to which the only morally justifiable form of democracy is liberal democracy, is so pervasive in the liberal West among not only laypeople but also political theorists that a crucial question often gets overlooked: What is the philosophical justification for the prevailing belief that liberal democracy is the only justifiable conception of democracy? In this section, I shall reconstruct an argument for liberal democracy entailed by Joshua Cohen's theory of deliberative democracy, considered by many political theorists as one of the strongest proposals for liberal democracy.[16]

Cohen stands in the tradition of political liberalism[17] and accepts the Rawlsian conception of "moral persons" predicated on two "basic powers." The first is the capacity to form "a conception of their own good," which comprises "powers of reasoning ('deliberative reason') to form, revise, and actively pursue a system of ends and values." The second is the capacity for "a sense of justice," which is "the capacity to form and to act on a conception of fair terms of social cooperation."[18] Cohen calls the second capacity "deliberative capacities" or "political capacity"[19] and further elaborates on it as "the capacities required for entering into a public

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[16] Cohen's works utilized in the reconstruction are "Moral Pluralism and Political Consensus," *The Idea of Democracy*, ed. D. Copp, J. Hampton, and J. Roemer (Cambridge, UK: Cambridge UP, 1993) 270–91; "A More Democratic Liberalism: Political Liberalism," *Michigan Law Review* 92 (May, 1994): 1503–46; Cohen (1996); "Deliberation and DemocraticLegitimacy," *Deliberative Democracy*, ed. James Bohman and William Rehg (Cambridge, MA: MIT Press, 1997) 67–92; Cohen (1998); "Reflections on Habermas on Democracy," *Ratio Juris* 12(4) (December 1999): 385–416; "For a Democratic Society," *Cambridge Companion to Rawls*, ed. Samuel Freeman (New York: Cambridge UP, 2003); "Is There a Human Right to Democracy?," *The Egalitarian Conscience*, ed. C. Sypnowich (New York: Oxford UP, 2006) 226–50.

[17] Rawls has explicitly endorsed "deliberative democracy" in "The Idea of Public Reason Revisited" *The Law of Peoples: with "The Idea of Public Reason Revisited"* (Cambridge, MA: Harvard UP, 1999b) 138. Although Gutmann and Thompson (1996, 2004) provide another influential version of deliberative democracy, in line with Rawls's political liberalism, Rawls points out that Gutmann and Thompson's theory is "more general and seems to work from a comprehensive doctrine." See Rawls (1999b): 137, footnote 19.

[18] Cohen (2003): 107. See also Rawls, *A Theory of Justice* (Cambridge, MA: Belknap Press, 1971) 505.

[19] Cohen (2006): 240.

exchange of reasons and for acting on the result of such public reasoning."[20] The possession of this second capacity renders members of the liberal society fundamentally equal to one another[21] and thereby forms the bedrock of deliberative democracy. Deliberative democracy is a rigorous process of "public reasoning"[22] that promotes "a discursive formation of will and opinion" among equals.[23] In this process, the exercise of "state power" is authorized by "the *collective decisions* of the equal members of a society who are governed by that power."[24] Deliberative democracy is possible only for those who have capacities for social cooperation and who are thereby willing to arrive at and abide by collective public decisions among equals.

Arriving at collective decisions compelling to all will not be easy, however, because of the other crucial capacity of moral persons to subscribe to a "conception of their own good." Rawls's later term for this is "comprehensive doctrine" and Cohen in turn calls it a "philosophy of life."[25] Cohen defines it as "an all-embracing view, religious or secular in foundation, liberal or traditionalist in substance, that includes an account of all ethical values and, crucially, provides a general guide to conduct."[26] In other words, a philosophy of life is a perspective on life adopted by an individual that includes particular interpretations of moral values and the good life and thereby guides the subscriber's actions. It is comprehensive in that it encompasses a wide range of human concerns but at the same time specific and concrete enough to provide a practical guide for action. A plurality of reasonable philosophies of life is "the normal result of [the] culture of free institutions."[27] This is the fact of "reasonable pluralism."[28] Even in favorable social circumstances that allow reasonable persons to exercise practical reason freely, the pursuit of their philosophies of life may often lead to disagreements and even conflicts. Hence members of liberal societies must acknowledge the "burdens of judgment" that even persons willing to live on terms acceptable to others may disagree on philosophies of life.[29]

Although a consensus on philosophies of life is not possible, equal members of liberal societies may achieve a "narrower political agreement" consisting of

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[20] Cohen (1997): 73.

[21] Cohen (2006): 240.

[22] Cohen (1998): 193.

[23] Ibid: 186.

[24] Ibid: 185, original emphases.

[25] See Rawls, *Political Liberalism* (New York: Columbia UP, 1993) 13. I shall use Cohen's term unless otherwise noted.

[26] Cohen (1999): 396.

[27] Rawls (1999b): 131.

[28] Rawls (1993): 63; Cohen (1996): 96.

[29] Cohen (1994): 1537; Rawls (1993): 54–56.

political values pertaining to their common political arrangements,[30] which would form "a subset of moral values."[31] The process by which this agreement is reached is an "idealized procedure of political deliberation."[32] In this ideal deliberative procedure, participants must accept the *normative* conception of persons as free, equal, and reasonable and consider themselves as such: First, persons are free in that they may participate in this process and have their political arguments taken seriously without having to accept any particular "comprehensive moral or religious view." Second, persons are both "formally" equal in having an equal standing and "substantively" equal in not being affected by the existing distribution of power and resources. Third, persons are reasonable in that they acknowledge that others, free and equal in the sense elaborated on above, cannot be expected to agree with them on philosophies of life and recognize that they must live with others "on terms that those others, as free and equal, also find acceptable."[33]

The narrower political agreement reached in this process would be not only procedural, as it pertains to political processes, but also substantive in advocating the most extensive total system of equal basic liberties for each individual compatible with a similar system of liberties for others.[34] Cohen's staunch advocacy of extensive individual liberties indicates the grave significance that he, as a political liberal, attributes to the value of individual freedom to form and pursue one's philosophy of life, a long-standing liberal value.[35] Accepting this liberal value implies conceiving of persons as having the final authority to form and pursue their philosophies of life, which must be respected by others, and therefore free from the external imposition of comprehensive moral or religious views. Equality and reasonableness are derivative values, dependent on the primary value of individual freedom. Therefore equality among persons in liberalism means equality in their freedom to form and pursue their philosophies of life[36] and reasonableness in liberalism means the willingness to accept that all individuals are equally free to form and pursue their philosophies of life. The political goal of liberalism centered on the value of individual freedom, then, is to protect an extensive set of liberties to maximize every member's individual freedom to form and pursue a

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[30] Cohen (1998): 186f.

[31] Cohen (1994): 1533.

[32] Cohen (1998): 193–94.

[33] Ibid: 187.

[34] Cohen (2003): 89.

[35] With the possible exception of William Galston ("Two Concepts of Liberalism," *Ethics* 105/3 [1995]: 516–34), the overwhelming majority of liberals advocate individual freedom, often referred to as "autonomy," as a core liberal value. See John Christman and Joel Anderson (ed.), *Autonomy and the Challenges to Liberalism* (New York: Cambridge UP, 2005); Nomy Arpaly, *Unprincipled Virtue* (New York: Oxford UP, 2003); Sarah Buss, "Personal Autonomy," *Stanford Encyclopedia of Philosophy* (March 2002).

[36] This liberal conception of equality underlies the liberal values of civic equality and fair opportunity.

philosophy of life compatible with similar freedom for others.[37] Substantive liberal values therefore emerge as "elements of democracy rather than as constraints upon it." Deliberative democracy, therefore, is "a substantive, not simply procedural, ideal."[38]

II. IS LIBERAL DEMOCRACY COMPATIBLE WITH DECENT NONLIBERAL CULTURE?

If democracy is understood as liberal democracy, liberal theorists are correct that democracy is not feasible in nations whose cultures are largely nonliberal, even if decent. Before I elaborate on this, let me first clarify the key concepts involved. *Culture* is a comprehensive way of life, predicated on common institutions, language, valuational (moral/religious) frameworks, and history, shared by members of "an intergenerational community" occupying a particular locality that has endured over time.[39] The extension of cultural communities, although variable relative to members' "imagination," by and large coincides with nations in the modern era, which function as primary sponsors of standardized general education.[40] I shall therefore refer to the physically extended cultural intergenerational community united by "common sympathies" among members generated by a common culture[41] as *nation*. Nation, then, represents "ethnicist" nation, coextensive with culture, and is distinct from "state," which is primarily a territorial-political unit.[42] A state may be multinational in which multiple minority nations coexist with a dominant nation; in such cases, my discussion would apply to each nation, not to the multinational state itself.

I shall consider a culture/nation *nonliberal* when two conditions hold pertaining to a large majority of members: First, they regard themselves as "responsible and cooperating members of their respective groups"[43] rather than as unaffiliated individuals with the final authority to determine and pursue their philosophies of life; and second, they subscribe to communitarian values on the variation of the "common good," rather than liberal values of individual freedom and its cognates.

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[37] The practical difference between versions of "comprehensive"/"perfectionist" liberalism and political liberalism seems to be that the latter, while committed to politically protecting members' individual freedom, does not promote it as a societal goal, while the former advocates both.

[38] Cohen (1998): 187.

[39] See Kymlicka (1995): 18, 76.

[40] See Ernest Gellner, *Nations and Nationalism* (Oxford, UK: Blackwell, 1983) 111; see also Benedict Anderson, *Imagined Communities* (London: Verso, 1991).

[41] Rawls (1999a): 24.

[42] Anthony Smith, *Theories of Nationalism* (London: Duckworth, 1983) 176–80. Not every nation has a state, as the Kurds and Tibet illustrate. "Nations" are equivalent to Rawls's "peoples." For a similar identification, see Kymlicka (1995): 18.

[43] Rawls (1999a): 65–66, 79.

Such a nation may include some members, a small minority, who consider themselves as free and equal individuals and subscribe to liberal values.[44] Therefore, "nonliberal nation" stands for "predominantly nonliberal nation." While some Third World nations may be less nonliberal than others, due to prolonged and extensive interactions with the liberal West, my focus is on predominantly nonliberal nations, because a major point of contention here is whether such nations can be democratic. To the extent that a predominant majority shares the communitarian conception of persons and values, the nonliberal culture/nation is homogeneous.[45] Characterizing nonliberal culture/nation as homogeneous, however, does not imply that its members subscribe to a monolithic and static cultural "essence" nor that they have unanimous agreements on all aspects of their culture/nation, as we shall see. Culturally immersed and emotionally attached members of a homogeneous nonliberal nation may still disagree about various elements of their culture/nation as well as about how it should be restructured going forward.

When are nonliberal nations decent? Rawls proposes in *The Law of Peoples* two plausible conditions for decency applicable to peoples/nations: Internationally, decent nations do not have aggressive aims toward other nation-states and respect their independence. Domestically, their legal system is such that, first, it secures for all members "human rights proper,"[46] which are "a special class of urgent rights"[47] that are "necessary conditions of any system of social cooperation"[48]; second, it imposes "*bona fide* moral duties and obligations [. . .] on all persons" within the territory; and third, judges and other officials administering the legal system are faithful to "a common good idea of justice"[49] that protects "the human rights [proper] and the good of the people they represent" and maintains "their

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[44] Some members may subscribe to less individualistic, but still Western, socialist/communist ideals.

[45] Examples of homogeneous nonliberal nations are various ethnic-religious nations in the Middle East and elsewhere, in which the emphasis on nonliberal ethnic or religious identity is public and pronounced. However, even in seemingly liberalized and secularized East Asian nations, such as South Korea, their nonliberal Confucian culture is quite pervasive. Even though the nonliberal Confucian identity in South Korea is diluted and diffuse, daily practices indicate the pervasiveness of Confucian values among the overwhelming majority, operating at "the most basic level of the popular consciousness and in the routines of daily life" (Koh [1996]: 194). Indeed, even members who are "westernized," through Western education for example, are not quite the free and equal individuals envisioned by liberalism, as most take their Confucian familial identity and values/practices for granted. See Koh Byong-ik, "Confucianism in Contemporary Korea," *Confucian Traditions in East Asian Modernity*, ed. Tu Wei-Ming (Harvard UP, 1996).

[46] Rawls (1999a): 80, n. 23.

[47] Ibid: 79.

[48] Ibid: 68. On the Muslim aspiration to protect human rights proper, see Khaled Abou El Fadl, "Islam and the Challenge of Democracy," *Boston Review* (April/May, 2003): 10; in the case of Confucianism, see Daniel Bell, *Beyond Liberal Democracy* (Princeton, NJ: Princeton UP, 2006) pt. I.

[49] Rawls (1999a): 65–66.

security and independence."[50] In Rawls's ideal conception of international relations that he calls a "realistic utopia,"[51] just liberal societies ought to "tolerate" decent nonliberal nations by not only "refrain[ing] from exercising political sanctions—military, economic, or diplomatic—to make a people change its ways" but also recognizing them as "equal participating members in good standing of the Society of Peoples."[52]

Many in liberal societies may deny that nonliberal nations can be decent, alleging that nonliberal cultural valuational frameworks are incompatible with human rights proper. This position is profoundly misinformed. Most, if not all, long-standing nonliberal cultural valuational frameworks[53] are predicated on communitarian values, exemplifying culturally specific ways of actualizing the common good. They are highly esteemed and staunchly defended by members as refined expressions of their own moral and aesthetic sensibilities. Further, as candidates for the common good, these cultural values are typically respectable moral values, predicated on the equal worth of each member as constitutive of the community, requiring a fair treatment of and social cooperation among members in their collective pursuit of the common good. In particular, the basic well-being of each member is considered worthy of protection by the community itself as integral to its collective well-being. While fuller interpretations of each member's basic well-being may diverge from culture to culture, all decent nonliberal cultures may agree that the absolute minimum for its maintenance would consist in securing each member's vital human goods, such as life, physical security, subsistence, basic freedom, and moderate amount of property necessary for a decent human life. Therefore, communitarian cultural values entail basic moral injunctions—*derivative moral rules*—that aim to secure vital human goods of each member, necessary for her basic well-being. Human rights proper are nothing other than cultural members' entitlements to vital human goods, the protection of which is necessary to promote the common good.

Actual nonliberal nations may not be perfectly decent, as decency is a normative idea functioning as an ideal to be emulated, much like liberal justice in actual liberal societies. Yet nonliberal nations, whose members—including government officials—"have the capacity for moral learning and know the difference between right and wrong as understood in that society,"[54] subscribe to the ideal of decency,

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[50] Ibid: 69.

[51] Ibid: 11.

[52] Ibid: 59.

[53] Examples include not only Buddhism, Confucianism, Christianity, Hinduism, Islam, Judaism, but also "panentheism" of various indigenous cultures. See J. B. Callicott and T. W. Overholt, "Traditional American Indian Attitudes toward Nature," *Voices of Wisdom*, ed. G. Kessler (Belmont, CA: Wadsworth, 2000).

[54] Rawls (1999a): 66.

and make a concerted effort to reconstitute their polity accordingly, despite trials and errors, may be considered (by and large) decent. This is not much different from taking liberal societies, despite numerous instances of injustice, as (by and large) just. If decency is construed in this way, then many nonliberal nations in the Third World, which are internationally nonaggressive and domestically approximating the ideal of decency through peaceful collective negotiations, are decent.[55] Even in some "outlaw states" or "overburdened societies," segments of the population that advocate social and political reforms inspired by the ideal of decency may count as decent,[56] on whose shoulders rests the future, however remote under current circumstances, of their society as a decent nation.[57]

The claim made at the outset that liberal democracy is not feasible even in decent nonliberal nations can now be elaborated on. Charles Beitz provides one of the most clear and unequivocal elaborations on this. In criticizing Rawls's proposal in *The Law of Peoples* to accept decent nonliberal peoples/nations as equal partners in an ideal global contract,[58] Beitz argues that Rawls's proposal is "excessively deferential to societies with discriminatory or *undemocratic* institutions."[59] As we have seen, decent nonliberal cultures/nations uphold human rights proper, which include "the right to life (to the means of subsistence and security); to liberty (to freedom from slavery, serfdom, and forced occupation, and to a sufficient measure of liberty of conscience to ensure freedom from religion and thought); to property; and to formal equality (that is, that similar cases be treated similarly)."[60] According to Beitz, a significant problem with Rawls's human rights proper is that they exclude the "rights of democratic political participation"—the right to liberal democracy—for each individual member.[61] Indeed, human rights

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[55] See footnote 45; for the prevalent Muslim aspiration for decency, see also Esposito and Mogahed (2007): 18, 46.

[56] Prime examples include Ken Saro-Wiwa's movement to protect his Ogoni people's well-being and their environment in Nigeria and the majority of the people, including Buddhist monks, in Myanmar who advocate democracy.

[57] Although the focus of this article is on decent nonliberal nations, the hope is that my case for democracy in decent nonliberal nations may provide a rationale for and moral sustenance to struggles by decent groups within outlaw states and overburdened societies to transform their entire society into a decent nonliberal nation.

[58] Beitz (2000). For similar positions, see also Buchanan (2000); Kok-Chor Tan, "Liberal Toleration in Rawls's Law of Peoples," *Ethics* 108/2 (1998): 276–95.

[59] Beitz (2000): 687, emphasis added. Beitz argues that the foundation of human rights ought to be "the reasonable interests of *individuals*," from which the individual right to liberal democracy can be derived. Beitz, "Human Rights as a Common Concern," *American Political Science Review* 95 (2001): 269–83, 277, emphasis added; see also Betz (2000): 683–84; *Political Theory and International Relations* (Princeton, NJ: Princeton UP, 1979/1999) 53. For a similar conception of human rights, see Gutmann (2003): 57, 65, 66, 84.

[60] Rawls (1999a): 65.

[61] Beitz (2000): 684.

proper are not meant to be "peculiarly liberal or special to the Western tradition"[62] and, consequently, not predicated on the liberal conception of persons as free and equal individuals nor the fundamental liberal value of individual freedom. Therefore, Beitz's assessment that even decent nonliberal nations cannot be liberally democratic is correct.

Does this mean that democracy itself is impossible in decent nonliberal nations? Some liberal theorists indeed argue that not only liberal democracy but also *any* conception of democracy is incompatible with nonliberal cultures. Amy Gutmann is a prime example. She correctly points out that the prevailing conception of culture among members in nonliberal nations is the "comprehensive" conception that views culture as "providing them with a common language, history, institutions of socialization, range of occupations, lifestyles, distinctive literary and artistic traditions, architectural styles, music [. . .] and customs that are shared by an intergenerational community that occupies a distinct territory."[63] Yet Gutmann goes on to argue that taking comprehensive culture—what I call culture—to be constitutive of members' identities is tantamount to assuming that there is "a single culture [that] encompasses"[64] and "constrains the identities (and therefore the lives) of its members."[65] Gutmann insists that such a conception of culture is ideological not only in presupposing "a singularity of cultural identity that largely does not exist," but also in implying that "individuals cannot think, act, or imagine beyond 'their culture' which is singular." In other words, the comprehensive conception of culture, according to Gutmann, implies that members are cultural puppets and rationalizes unfair restrictions of some members' equal individual freedom.[66] If Gutmann is correct, then many, if not most, members of nonliberal nations who indeed view their culture as "comprehensive" are dangerously self-deluded.

Is Gutmann correct? In order to assess Gutmann's claim properly, we need to examine her argument that justifies the claim. Although Gutmann herself does not provide an explicit argument, it is not difficult to reconstruct the argument. Given her advocacy for political liberalism and explicit use of "comprehensive" to characterize culture, Gutmann seems to take comprehensive culture as a subset of comprehensive doctrines or philosophies of life. If this were the case, then taking comprehensive culture as constitutive of members' identities would be tantamount to imposing a particular philosophy of life on individuals whose philosophies of

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[62] Rawls (1999a): 65.

[63] Gutmann (2003): 40.

[64] Ibid: 47.

[65] Ibid: 40.

[66] Ibid: 48. Gutmann presents this argument in relation to nonliberal cultural minorities in the liberal West, justifying intervention by the dominant liberal society. It is applicable to foreign nonliberal nations and Beitz recommends foreign intervention, albeit of nonmilitary nature, in the name of the liberal conception of human rights that includes the right to liberal democracy ([2001]: 277).

life are bound to diverge. Therefore, if Gutmann is correct, any society in which a majority of members views their culture as comprehensive cannot be decent, let alone democratic, because a particular philosophy of life that poses as comprehensive culture would be imposed on some, if not most, members, whose philosophies of life differ from the former. The only morally justifiable alternative, then, is for members to abandon the comprehensive conception of culture altogether, as Gutmann asserts.[67]

III. NONLIBERAL CULTURE AND VALUATIONAL AGENTS

This liberal allegation that the comprehensive conception of culture is incompatible with decency and democracy, however, is misguided, as it is predicated on a fundamental confusion between two distinct concepts, "comprehensive doctrine" and "comprehensive culture." A comprehensive doctrine/philosophy of life is an individual's broad outlook on life, which includes particular interpretations of certain core moral/religious values and the good life, that guides her actions. It is comprehensive in that it encompasses a wide range of concerns relevant to the individual but at the same time specific and concrete enough to provide her with a practical guide. Comprehensive culture (culture for short), on the other hand, is a comprehensive way of life, encompassing a wide range of human concerns relevant to *all* members, predicated on common institutions, language, valuational (moral/religious) frameworks, and history, shared by members of a cultural community.

Accepting the comprehensive conception of one's culture and acknowledging the cultural dimension of one's identity do not determine one's philosophy of life that entails specific and concrete guides in life. The reason is that culture is not "singular" or static, but rather complex at any moment in time and emergent over time.[68] Any long-standing culture is complex at any moment in time, comprising multilayers of beliefs—both normative and descriptive, institutions, and practices/customs, interconnected in a feedback loop: Cultural institutions and practices may be reinforced or weakened, as their justificatory valuational frameworks,

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[67] Interestingly, this is equivalent to seeing themselves as free and equal individuals unconstrained by their culture. In other words, rejecting the comprehensive conception of culture as defined by Gutmann is equivalent to accepting the liberal conception of persons, which is why most liberal philosophers are against the concept of "comprehensive" culture. See Gutmann (2003): 81–84; Samuel Scheffler, "Immigration and the Significance of Culture," *Philosophy and Public Affairs* 35/2 (2007): 93–125; Jeremy Waldron, "Minority Cultures and the Cosmopolitan Alternative," *University of Michigan Journal of Law Reform* 25 (1992): 751–93; Brian Barry, *Culture and Equality* (Cambridge, MA: Harvard UP, 2001) ch. 7; Kwame Appiah, *The Ethics of Identity* (Princeton, NJ: Princeton UP, 2005) ch. 4.

[68] For a relevant discussion pertaining to culture, see Edward Shils, *Tradition* (Chicago, IL: The U of Chicago P, 1981).

consisting of various normative and descriptive beliefs, gain or lose popular support. Similarly, valuational frameworks may be strengthened or invalidated, as institutions and practices they justify gain or lose popular support.

Among normative beliefs constitutive of valuational frameworks, two kinds are central: Cultural values and their interpretations. Any cultural community is a hybrid of multiple external cultural influences, although its specific mode of hybridity will be unique, and encompasses a plurality of cultural values[69] with varying origins—some indigenous to a specific locality, some imported from foreign traditions, and still others syncretic to an amalgamated culture. Even in homogeneous nonliberal nations in which the majority adheres to relatively few widely accepted cultural values, members would subscribe to diverse interpretations of cultural values with different emphases, some of which may be more consistent and systematic, while others more intuitive and unstructured. The multiplicity of normative beliefs, in potential combination with innumerable descriptive beliefs, generates countless valuational frameworks, some prominent and some marginal, circulating within the nation. By drawing from these, even members of a homogeneous nonliberal nation would form divergent philosophies of life. Further, culture is constantly shifting over time as a result not only of members interacting and exchanging ideas with members of other nations, but also of the internal dialectic taking place as members engage in cultural dialogues among themselves concerning the meaning of their cultural values, institutions, and practices.

If cultures are ineluctably complex and shifting, as described, is it still possible for members of a nonliberal nation to have a "singularity of cultural identity" that renders them as cultural puppets, as Gutmann claims? After all, most members of even decent nonliberal nations do not think of themselves as free and equal individuals nor endorse the liberal value of individual freedom as their cultural value. Rather, they consider themselves as "responsible and cooperating" members of their cultural community/group and uphold communitarian values that promote the well-being of the community as a whole.[70] I propose the conception of *valuational agents*[71] as a morally justifiable normative conception of persons compatible with this self-conception of members in nonliberal nations. In order to show that democracy among valuational agents is possible, I shall argue in the rest of this section that valuational agents in nonliberal nations, who view

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[69] In the case of Muslim societies, see Esposito and Mogahed (2007): 27, 37.

[70] See Esposito and Mogahed (2007): 26, 46, 113–14; in the case of the Confucian Self, see Tu Wei-ming, "On the Mencian Perception of Moral Self-development," *Humanity and Self-Cultivation* (Berkeley, CA: Asian Humanities Press, 1979).

[71] This conception has been inspired by Charles Taylor's discussion of "strong evaluator." See "What Is Human Agency?" *Philosophical Papers*, Vol. 1 (Cambridge, U.K.: Cambridge UP, 1985).

their culture as comprehensive and subscribe to nonliberal cultural values, are not necessarily cultural puppets.

Valuational agents have the capacity to form, revise, and pursue a philosophy of life, much like liberal agents. They also possess the "political capacity" to "understand, to apply, and to act [in accordance with] the fair terms of social cooperation."[72] In other words, they are "moral persons" in the Rawlsian sense and are "decent and rational and [. . .] capable of moral learning as recognized in their society."[73] Possessing the two basic powers and qualifying as moral persons, however, does not necessarily imply subscribing to the liberal conception of persons as free and equal individuals, contrary to Cohen's claim.[74] The liberal conception of free and equal individuals is normative and the descriptive characterization of human agents as moral persons is compatible with other normative conceptions of persons, including that of valuational agents.

Of the two basic capacities of moral persons, Cohen emphasizes the political capacity as central to his liberal project of deliberative democracy. Similarly, I take valuational agents' *moral capacity*, of which political capacity forms a subset, as central to democracy in nonliberal nations. The moral capacity of valuational agents is predicated on the fact that they are ineluctably moral beings who have deep and powerful moral intuitions about how to treat their fellow humans with normal mental and emotional capacities.[75] In their attempt to answer inescapable and profound moral questions concerning the treatment of others, valuational agents are moved to embrace certain fundamental values and ideals that they regard as "incomparably more important than others but provide the standpoint from which these must be weighed, judged, decided about"—or "hypergoods." Hypergoods, as the criteria by which valuational agents make second-order valuations, are "essential to [their] identity"[76] and form the core of their philosophies of life.

Valuational agents, however, are culturally embedded members of one nation or another. Consequently, values constitutive of their hypergoods are cultural, as they originate from multiple values circulating in their particular nation at a particular

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[72] Rawls (1993): 19.

[73] Rawls (1999a): 71.

[74] Cohen (2006): 241–42.

[75] This assumes a certain metaphysical position about human beings, which I cannot fully discuss here. Let it suffice to say that it is increasingly supported by cutting-edge research in psychobiology, developmental psychology, and neuroscience. See Marc Hauser, *Moral Minds* (New York: Ecco, 2006); Frans de Waal, *Primates and Philosophers* (Princeton, NJ: Princeton UP, 2006); Laurence Trancredi, *Hardwired Behavior* (New York: Cambridge UP, 2005) esp. ch. 6; Richard Royce, *The Evolution of Morality* (Cambridge, MA: MIT Press, 2006) sect. 4.5. For more on valuational agents, see Ranjoo Seodu Herr, "Liberal Multiculturalism," *Philosophical Forum* 38/1 (2007): 23–41.

[76] Taylor, *Sources of the Self* (Cambridge, UK: Cambridge UP, 1989) 63.

historical juncture. Further, although cultural values may be more or less general and abstract, all cultural values must be interpreted in order to have a determinate meaning and function as specific practical guides in the lives of valuational agents.[77] Interpretations of cultural values are bound to be culturally specific and intersubjective, as they are predicated on "webs of interlocution" among those who share a particular language, cultural history, and geographic location. Hypergoods, then, are *cultural values adopted by valuational agents with particular interpretations that are culturally specific*. Our moral "instinct," accordingly, receives "a variable shape in culture."[78]

The cultural particularity interwoven in the interpretations of cultural values at the core of valuational agents' philosophies of life crucially defines who they are and becomes partly constitutive of their identity. This is not to say that all valuational agents are fully conscious of the cultural dimension of their identity. In fact, many may remain unaware unless they experience contrast or exclusion.[79] However, valuational agents who are aware of their hypergoods' cultural specificity and thereby accept the "comprehensive" conception of culture, would identify themselves as culturally immersed members of a particular nation, committed to the maintenance and flourishing of the nation as the source of as well as the arena in which to actualize their cherished hypergoods. I therefore use "valuational agents" and "culturally embedded and self-identified members of a particular nation" ("national members" for short) interchangeably. Culturally immersed quasi-members who, as adults, adopt a foreign nation as their own are also national members in this sense. What about those who think of themselves as liberal agents and advocate liberal values in a nonliberal nation? Even these individuals count as national members, as long as they are culturally immersed and self-identify as members, promote their unconventional hypergoods as the best candidates for the national common good, and are committed to the preservation of the nation as the primary arena in which to actualize their candidates for the common good. Although the value of individual freedom by itself is not a communitarian value, if one advocates equal individual freedom for *all* national members, then it may take on communitarian implications and become a candidate for the common good. The "common sympathies" among members, then, are predicated not on the uniformity of their interpretations of the common good but rather on their recognition of one another as national co-members whose

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[77] For example, although the Confucian value of social harmony is less culturally specific than the value of "filial piety," the former would be interpreted as requiring filial piety, thereby gaining cultural specificity through interpretation.

[78] Taylor (1989): 5.

[79] Stuart Hall, "Introduction," *Questions of Cultural Identity*, ed. S. Hall and P. du Gay (London: Sage, 1996) 4.

well-being is encompassed by the common good and who therefore ought to be included in collective deliberations concerning the common good.

Are valuational agents in nonliberal nations, who subscribe to the comprehensive conception of their culture and recognize the cultural dimension of their identities, cultural puppets that "cannot think, act, or imagine" beyond their "singular" culture? The answer is an emphatic "No." While the range of philosophies of life compatible with a particular culture would not be limitless, revolving around particular cultural values and their interpretations circulating within the nation, no monolithic and static singular set of cultural elements exists to be engraved in and constrain the identities of every member. Rather, the existence of plural cultural values as well as their interpretations—cultural valuational frameworks—within the nation accords national members a degree of freedom in constructing their philosophies of life, which in turn will lead to different programs of action and modes of conduct. Indeed, national members think of themselves as free agents and this self-conception is justified because valuational agents are free in the intuitive and basic sense of having "the ability to get what one wants"[80]: They willingly embrace their cherished hypergoods, structure their philosophies of life accordingly, and make choices among options provided by their complex and emergent culture.[81]

In this regard, those who conceive of themselves as liberal agents and those who conceive of themselves as valuational agents committed to nonliberal values are not so different. A major difference between them lies in the content of their cherished hypergoods and to whom/what they attribute the final authority to determine the configurations of their moral lives. For liberal agents, their hypergoods include the value of individual freedom to form and pursue their philosophies of life. Accordingly, they grant the final authority to shape the moral terrains of their lives to their individual selves, not to external authority figures. Liberal agents regard themselves as consummate individuals free to choose to be moral (or not) by consulting their own subjective conative attitudes. Values at the core of their philosophies of life are conceived of as those that "satisfy" their deeper higher-order desires.[82] Some liberal agents may advocate maximum individual freedom for all as the common good, but this is not necessarily a moral requirement for liberal agents. Nonliberal hypergoods of valuational agents, on the other hand, are distinctly communitarian values promoting the common good of one

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[80] Gary Watson, "Free Agency," *Free Will*, ed. Watson (New York: Oxford UP, 1982) 100.

[81] See Herr (2007): 34–40.

[82] See Harry Frankfurt, "The Faintest Passion," *Necessity, Volition, and Love* (New York: Cambridge UP, 1999) 13; Michael Bratman, "Planning Agency, Autonomous Agency," *Personal Autonomy*, ed. James Taylor (New York: Cambridge UP, 2005) 45. See also Rawls (1971) on "deliberative rationality," 417.

kind or another. By and large, the final moral authority is attributed to those external to themselves, whether authoritative others—including spiritual beings— whom they respect and admire, or cultural groups of identification from whom they inherit their cherished hypergoods, or an abstract idea of humanity itself as the ultimate source of moral imperatives.[83] When valuational agents wholeheart-edly embrace such values of external higher moral authorities as their hypergoods, such values function as their internalized moral compass.

IV. INTRACULTURAL PLURALISM

If nonliberal culture is complex and valuational agents/national members are respectable moral agents, as I have argued, then the default mode of nonliberal nations is the coexistence of multiple cultural values and interpretations, whereby national members subscribe to different hypergoods and a fortiori different phi-losophies of life. Although national members may recognize one another as co-members of a shared culture, the specificities of members' identities would diverge as a result of their subscription to different philosophies of life. This divergence generates disagreements on the meaning of their cultural values, insti-tutions, norms, and practices and, consequently, potentially conflicting programs of action and modes of conduct. I shall refer to this as the fact of *intracultural pluralism*. Under noncoercive circumstances, the intracultural pluralism of phi-losophies of life is unavoidable even among members committed to the preserva-tion and flourishing of their homogeneous nonliberal culture/nation. As members try to negotiate their differences about the common good and attempt to arrive at reasonable agreements on various elements of their nonliberal culture/nation, reconfigurations and modifications of the culture/nation would be inevitable.

If any dominant group disrupts this default mode and coercively constrains the flow of multiple values/interpretations, imposing on co-members a single set of "official" cultural values/interpretations that promotes their self-interest, then the culture/nation will degenerate into a stagnant pool of totalitarianism. This patho-logical state, however, ought not to be mistaken as a corollary of nonliberal culture, which is ineluctably fluid and complex. Brutal dictators can turn even liberal societies into totalitarian states overnight. A nonliberal nation can restrain totalitarian elements within, if, in full recognition of the fact of intracultural pluralism, it structures its political processes to "represent[] the diverse interests and opinions" of its members; allow members "to dissent from, and appeal, [] collective decisions"; and provide "public explanations for its decisions" justified by "a conception of the common good of the whole society." A nonliberal nation

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[83] For the last example, see Tu Wei-ming, "Pain and Suffering in Confucian Self-Cultivation," *Way, Learning, and Politics* (Singapore: Institute of East Asian Philosophies, 1989) 48.

is decent when its political processes exemplify these elements of Cohen's "collective self-determination."[84] Indeed, Cohen's collective self-determination, modeled after Rawls's "decent consultation hierarchy," is a concomitant of Rawlsian human rights and decency[85] and aims to capture the essence of participatory politics in a decent nonliberal people/nation, whose "basic structure" allows "different voices to be heard" and represents "the important interests of all members" through consultation and representation.[86] Consequently, even Beitz recognizes that "the constraints of decency are hardly undemanding" and that decent nonliberal nations, so conceptualized, are "not nonparticipatory."[87]

Beitz, however, deems even "not nonparticipatory" decent nonliberal nations that uphold human rights proper "undemocratic," arguing that human rights proper do not include the "rights of democratic political participation" for individual members. Indeed, Rawls's decent consultation hierarchy in "associational" Muslim nations, as represented by "Kazanistan,"[88] comprises "a family of representative bodies,"[89] which are "groups," not individuals.[90] As persons in noliberal nations think of themselves as "belong[ing] first to [. . .] groups," they are not viewed, even as they participate in the consultation process, as "separate individuals deserving equal representation"[91] but rather as "members of [groups]."[92] Beitz therefore charges that political processes in nonliberal nations, however participatory, ultimately fall short of democracy because they are not predicated on the liberal conception of persons as free and equal individuals. Even Cohen, who agrees with Rawls that decent nonliberal nations exemplifying collective self-determination deserve to be consulted by liberal societies as equal parties to the global contract, claims that collective self-determination does not amount to democracy.[93] Why? Cohen's answer parallels that of Beitz: Collective self-determination is not predicated on the liberal conception of persons.

Let us examine Cohen's argument in detail, as it reveals the core idea underlying democracy proper. According to Cohen, "a central role in any reasonable normative conception of democracy" is played by "an idea of equality." In other

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84 Cohen (2006): 233.

85 Ibid: 233, 238.

86 Rawls (1999a): 71. For Muslim sources on "representation" and "consultative government," see Abou El Fadl (2003): 7–8; Esposito and Mogahed (2007): 57.

87 Beitz (2001): 275.

88 Rawls (1999a): 64.

89 Ibid: 71.

90 Ibid: 72.

91 Ibid: 71.

92 Ibid: 73.

93 Cohen (2006): 233. Indeed, Rawls agrees with Cohen and Beitz that decent consultation hierarchy is not democratic (Rawls [1999a]: 72).

words, democracy is first and foremost "a type of society" characterized by equality among members who "relate to one another as equals"—"a society of equals."[94] Two ideas are "essential" to democracy as a society of equals: First, the relevant sense of equality here is equality in the "more or less universally" shared "political capacity"—Rawls's "sense of justice"—among members to "understand the requirements of mutually beneficial and fair cooperation, grasp their rationale, and follow them in their conduct." That is, "the basis of equality lies [. . .] in [. . .] political capacity." Second, those who are equal in their political capacity are "entitled to be treated with equal respect,"[95] which implies having "equal rights to participate in making fundamental judgements about society's future course."[96] So far, so good.

Cohen then argues that democracy as a society of equals is logically equivalent to a particular "form of political regime"[97] that entitles all members to "the basic liberties of citizenship." Such a regime presupposes the liberal "conception of persons as free and equal"[98] and requires institutions of "widespread suffrage and elected government under conditions of political contestation, with protections of the relevant liberties (of participation, expression, and association)."[99] Most members of nonliberal nations, however, do not subscribe to the conception of persons as free and equal individuals, whether or not they advocate such political institutions. If Cohen is right that democracy as a society of equals logically entails a liberal political regime predicated on the liberal conception of persons, then decent nonliberal nations, although collectively self-determining, cannot be democratic.

V. WHY DECENT NONLIBERAL CULTURE *CAN* BE DEMOCRATIC

Cohen's conclusion, however, is too hasty, as it is entailed by his unwarranted assumption that the only justifiable normative conception of persons compatible with the descriptive characterization of human agents as "moral persons" is the liberal conception. If the "essential" idea of equality constitutive of democracy is that those who have equal "political capacity" ought to be empowered to partici-pate in the political process that determines their society's future, then no good reason exists to disqualify collective self-determination in nonliberal nations for

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[94] Cohen (2006): 239. Cohen acknowledges that this idea comes from Rawls who "says that his two principles of justice as fairness express the underlying 'democratic conception of society as a system of cooperation among equal persons' " ([2006]: 240).

[95] Cohen (2006): 240.

[96] Ibid: 241.

[97] Ibid: 240.

[98] Ibid: 242.

[99] Ibid: 241.

democracy. Collective self-determination in nonliberal nations can incorporate an idea of equality among national members who are valuational agents: Equality among valuational agents rests on their moral capacity.[100] Valuational agents in nonliberal nations have equal moral capacity to embrace a set of cultural values/interpretations as their hypergoods and to form and pursue their philosophies of life accordingly. Because their hypergoods are not only moral but also communitarian, promoting the common good of the nation as a whole, valuational agents as national members not only "understand the requirements of mutually beneficial and fair cooperation, grasp their rationale, and follow them in their conduct," but also advocate particular visions about the national common good that would determine their "society's future course."

Despite their shared commitment to the national common good and emotional attachment to their culture/nation in which they are culturally immersed, national members are bound to disagree about how to understand and actualize the common good because of the circumstances of intracultural pluralism. If conferring equal respect on national members involves enabling equal members to "participate in making fundamental judgements about society's future course," then treating all members of a nonliberal nation with equal respect requires establishing and implementing fair political mechanisms to accommodate their disagreements about the common good inevitable under the circumstances of intracultural pluralism. These political mechanisms ought to ensure that members' different interpretations of and proposals for promoting the common good be represented equally; allow members to "dissent from, and appeal, those collective decisions" that prevent them from or disadvantage them for expressing their different viewpoints; and require political/cultural authorities to offer "public explanations" for adopting some interpretations of and proposals for promoting the common good, and not others, justifiable by "a conception of the common good of the whole society" that is acceptable to all reasonable national members. These requirements of Cohen's collective self-determination, then, function precisely to promote "a society of equals," in which members of a nonliberal nation equal in their moral capacity are "treated with equal respect" in being empowered to "participate in making fundamental judgements about society's future course." Although Cohen distinguishes it from and deems it inferior to (liberal) democracy, collective self-determination exemplifies Cohen's "essential" idea of democracy in decent nonliberal nations and succeeds in expressing equal respect to their members. In short, collective self-determination *is* democracy in nonliberal nations.

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[100] For a conception of equality in the Muslim tradition, see Abou El Fadl (2003): 6, 11, Esposito and Mogahed (2007): 11, 56; for Confucian equality, see Ranjoo Seodu Herr, "Confucian Democracy and Equality," unpublished manuscript (2009) pt. IV.

Democracy in any decent nation is predicated on an idea of equality among members and aims to confer equal respect on members based on that idea. The unavoidable fact of intracultural pluralism, however, necessarily entails internal disagreements and contestations over their cultural values, interpretations, norms, institutions, and practices. Democracy as a political process, then, must ensure that equal national members are not disadvantaged by their disagreements and enable them to express and negotiate their disagreements peacefully. The "liberal political regime," predicated on the liberal conception of persons, carries out this function in liberal societies, but it is not the only political mechanism to ensure equal member participation. Members of decent nonliberal nations may devise culturally specific political and social mechanisms compatible with their conception of persons as valuational agents committed to the national common good, which would enable co-members, who disagree about what is and how to actualize the common good, to deliberate collectively about which sets of cultural values they, as a collectivity, want to uphold as constitutive of the common good, which interpretations best represent the true spirit of cultural values, what institutions and policies to establish and implement, and what customs to encourage and propagate in order to actualize their common good. Democracy, then, is a politics that empowers, through various cultural institutions, equal national members to participate, free from coercion and deception, in the cultural/political/economic discourses aimed at actualizing the common good in their nation. This mainly procedural conception of democracy is compatible with both liberal and nonliberal values, depending on which cultural values national members collectively decide to uphold as their common good through peaceful political processes.[101] When the process of democracy is regulated by a nonliberal conception of the common good, then it represents nonliberal democracy.[102]

Recognizing that nonliberal nations can be democratic does not entail denying that numerous moral problems exist even in democratic/decent nonliberal nations. Indisputably, patriarchy is an intractable problem even in decent nonliberal nations as well as in liberal societies. Although patriarchy in nonliberal nations has often been cited by many liberal theorists as the main reason for mistrusting such nations and pressuring them toward liberalization,[103] many women of nonliberal nations, often stereotyped as mere "victims," have vehemently objected to such stances by outsiders as disrespectful and even "humiliating."[104] Indeed, contrary to

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[101] On how liberal values can also become the common good, see 323 above.

[102] On Muslim democracy, see Abou El Fadl (2003): 9; Esposito and Mogahed (2007): 48–49.

[103] See Okin, "Gender Inequality and Cultural Differences," *Political Theory* 22 (1994): 5–24; Okin (1998); Joseph Raz, "Multiculturalism: A Liberal Perspective," *Ethics in the Public Domain* (New York: Clarendon Press, 1994); Spinner (1994): 70; Gutmann (2003). On how this stance has been used to justify "Western intervention," see Esposito and Mogahed (2007): 106.

[104] Esposito and Mogahed (2007): 111, 124–25.

the Western stereotype, women in nonliberal nations have been advocating gender equity/justice, while fully subscribing to their cultural values.[105] What they advocate is not the liberalization of their culture but rather internal democracy.[106]

Indeed, democracy, as a political process by which a national culture is reconfigured through peaceful contestations and negotiations among members regarding its various elements, is the best way to mitigate, if not resolve, the most truculent problems in the nation. Culture, as a dense and complex plexus with interlocking values, interpretations, institutions, and social practices, constantly shifting over time, contains seeds of novel and innovative reforms and reconstructions within. In order to recognize such seeds, however, one must not only adopt a holistic and organic outlook on culture as a complex entity that is perpetually evolving and potentially self-correcting, but also sort through complexities and subtleties of multifarious cultural elements. Only culturally embedded members emotionally attached to the culture/nation as their own would adopt such an outlook, engage in such time-consuming endeavors, and thereby identify seeds of moral progress within the culture. Although it is by no means the case that such a perspective on culture would be achieved by all national members, it is more likely to be attained by members than not. Hence I call it the "insider's perspective."[107]

Democracy, then, is most effectively carried out by national members with the insider's perspective and is therefore an inherently internal process. This does not mean that cultural outsiders are necessarily excluded in democracy. Some outsiders well-versed in or knowledgeable about a foreign culture may offer fresh insights previously unavailable within the nation among members. Such insights, however, must be tested and contextualized by national members in order to play any meaningful role in internal democracy. The role of outsiders in democracy should be strictly as supporters of national members and never as primary agents

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[105] See Ranjoo Seodu Herr, "The Possibility of Nationalist Feminism," *Hypatia* 18(3) (2003): 135–60; "A Third World Feminist Defense of Multiculturalism," *Social Theory and Practice* 30(1) (2004): 73–103; Helena Andrews, "Muslim Women Don't See Themselves as Oppressed, Survey Finds," *New York Times*, June 8, 2006. On Muslim women's commitment to their cultural values, see Silverstein (2007): 37–38; Esposito and Mogahed (2007): 53–54, 107–08, 113–17, 130; Shirin Ebadi, *Iran Awakening* (New York: Random House, 2006).

[106] Ebadi (2006): 214; See also "Nobel Peace Winner Shirin Ababdi," *Newshour*, May 5, 2006, ⟨http://www.pbs.org/newshour/bb/middle_east/jan-june06/abadi_5-05.html⟩, accessed May 9, 2006; Malalai Joya, the brave Afghan female dissident, states that "I think that no nation can donate liberation to another nation. Liberation is not money to be donated. It should be achieved in a country *by the people themselves*." "Enemies of Happiness," *Now*, March 2, 2007, ⟨http://www.pbs.org/now/shows/309/index.html⟩.

[107] Ranjoo Seodu Herr, "Cultural Claims and the Limits of Liberal Democracy," *Social Theory and Practice* 34(1) (2008): 25–48, 35.

with the authority to intervene or impose.[108] If violence and coercion, whether from within or without, are suppressed and peaceful interactions among disagreeing members are secured, members would be empowered to voice their divergent views on the common good, and the nation as a collectivity may tap into rich internal resources to reorganize and improve its cultural institutions, rules, and practices. In the process of peaceful contestations and negotiations among national members to settle their differences about various cultural elements and reach reasonable collective decisions acceptable to all, many, if not most, problematic cultural institutions, customs, and norms would be considerably mitigated, if not eliminated.

VI. WHY NONLIBERAL DEMOCRACY *IS* MORALLY JUSTIFIABLE

Liberal theorists may still be concerned about the moral justifiability of nonliberal democracy. In particular, the regulative role played by the common good in nonliberal democracy may raise the specter of the "tyranny of the majority." Homogeneous religious nonliberal nations, such as Rawls's Kazanistan, may seem to exemplify this danger best, as they, albeit decent, promote "an official religion" to which the majority of the population subscribes, open official positions to only followers of that religion, grant "special privileges" to the institutions of the official religion, or select representatives not through competitive general elections but through "separate social groups."[109] Accordingly, those who do not subscribe to the official religion may be restricted in their cultural/political participation, deprived of the "equal freedom of public religious practice" or "equal access to public office."[110] More generally, in decent homogeneous nonliberal nations, those who lack self-identification as national members and emotional connection to the nation may be restricted in their cultural/political participation. The crux of this liberal concern, then, is this: Nonliberal democracy as participatory politics among national members, who are committed to widely accepted nonliberal cultural values, may not only exclude but potentially oppress residents within the nation who do not self-identify as national members. In other words, it may lead to the tyranny of national members over outsiders within.

In order to show why this concern is misplaced, let me first point out that members of decent nonliberal nations, including the government officials, are

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[108] The popular notion in the liberal West that democracy can be "exported" to undemocratic nations from the outside is not only misguided but gravely dangerous, as it can rationalize morally unjustifiable military invasions, such as the American invasion of Iraq in 2003, which can disrupt or derail any internal democracy, however incipient. See also Ebadi (2006): 214.

[109] Cohen (2006): 233; see also Rawls (1999a): 74–76.

[110] Beitz (2001): 274.

moral persons who subscribe to nonliberal communitarian cultural values that entail derivative moral rules, which aim to protect human rights proper of any resident in the nation. Second, culturally embedded national members are united by common sympathies toward one another as co-members, who are viewed as deserving of inclusion in collective deliberations about the common good. Further, they recognize that members' candidates for the common good may vary due to the circumstances of intracultural pluralism. Therefore, even those self-proclaimed atheists or individuals committed to liberal value ought to be considered as legitimate national members deserving of equal participation in internal democracy, as long as they are culturally embedded and self-identify as members, committed to the preservation and flourishing of the nation as an arena in which to actualize their unconventional candidates for the common good.

Those individuals in homogeneous nonliberal nations who are not culturally embedded or do not self-identify as members or are not emotionally attached to the nation as their own, then, are most likely a small number of foreigners.[111] Decent nonliberal nations must be tolerant[112] of such individuals and should first offer them an option to become full members through cultural immersion. If they refuse and desire to leave, they must be allowed a safe exit. If they choose to stay while remaining emotionally detached from the nation and its culture, on the other hand, certain "individual rights" of participation, such as the "equal freedom of public religious practice" or "equal access to public office," may be justifiably restricted. As long as such individuals do not pose a clear threat to the nation or other members, however, restrictions of their individual liberties ought not to involve direct harm to their vital human goods, as the common good mandates the protection of vital human goods—human rights proper—for all national residents, including foreigners. Such moral restraint, after all, is what defines a decent nation, setting it apart from outlaw states or overburdened societies.

Another liberal skepticism about nonliberal democracy concerns the treatment of members themselves in the process of nonliberal democracy. Liberal theorists are bothered by the fact that nonliberal democracy does not require a liberal political regime, consisting of "free and fair elections, [. . .] the rule of law, a separation of powers," among others,[113] that protects the interests of individual members. In particular, Rawls's characterization of decent consultation hierarchy[114] as excluding elections based on the equal representation of all adult

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[111] If the case involves a minority nation within a multinational state, then the former's collective right to self-determination ought to be respected by the state. See Ranjoo Seodu Herr, "In Defense of Nonliberal Nationalism," *Political Theory*, 34(3) (2006): 304–327.

[112] For the Islamic emphasis on tolerance, see Abou El Fadl (2003): 9–10.

[113] See Zakaria (2003): 17.

[114] Rawls (1999a): 71.

individuals—"one member, one vote"[115]—has been at the center of this second liberal concern about nonliberal participatory politics.

Rawls's decent consultation hierarchy may be a brilliant thought experiment that highlights the dispensability of universal suffrage in nonliberal participatory politics in "associational" Muslim societies. Such a process of collective deliberation and participation would count as nonliberal democracy in my account, if the national majority favors it. There is nothing unreasonable about valuational agents who identify themselves as group members deciding to delegate their power to group leaders or elders, deserving of respect and trust, to represent their collective interest in the bigger national political arena.[116] This is an acceptable form of representation in decent associational nonliberal communities consisting of multiple religious or ethnic subgroups that enjoy high levels of trust and loyalty among group members, on one crucial condition: Subgroup members ought to be entitled to revoke their devolution of power to the group leaders, should the leaders, who turn out to be immoral or incompetent, renege on their responsibility to promote the group interest.

Rawls's decent consultation hierarchy, however, is not a representative form of nonliberal democracy at work in actual Muslim nations. Many, if not most, political actors with grassroots support in Muslim nations advocate universal suffrage and some Muslim theorists even argue that such a "liberal" institution is compatible with Muslim values.[117] Unlike the other so-called liberal institutions, such as the rule of law/constitutionalism and the separation of powers, the prototypes of which existed in pre-modern nonliberal nations,[118] precedents for universal suffrage, which is a relatively recent phenomenon even in modern liberal societies, are harder to find in historical nonliberal nations. Yet even

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[115] Beitz (2001): 274; Cohen (2006): 227.

[116] See, for example, Rawls (1999a): 70–78. Bell's advocacy of the "Xianshiyuan" in Confucian democracy seems to be in line with this line of reasoning (167).

[117] Silverstein argues that the "new Islamic movements," such as Hamas and Hezbollah, endorse "free elections" and that if free and fair elections were widely implemented then such groups would "control significant blocs, if not majorities, in almost every [Muslim] country" ([2007]: 34). Indeed, Hamas won 74 seats out of 132 in the largely free and fair Palestinian Legislative Council elections of 2006. See http://www.ifes.org/features.html?title=How%20Hamas%20Won%20the%20Majority, accessed 3/30/09; Abou El Fadl argues that democracy which assigns "equal rights of speech, association, and suffrage to all" may indeed be "most effective in helping [Muslims] promote" central Muslim values ([2003]: 6).

[118] See Chaihark Hahm, "Constitutionalism, Confucian Civic Virtue, and Ritual Propriety," pt. III and IV; Jongryn Mo, "The Challenge of Accountability," both in *Confucianism for the Modern World*, ed. D. Bell and C. Hahm (Cambridge, UK: Cambridge UP, 2003). Also, Abou El Fadl states that in the Muslim tradition the ideals of "the rule of law" and "limited government" are already incorporated in the political system of the "caliphate" ([2003]: 6).

universal suffrage may be adopted by decent nonliberal nations, if their majority agrees that it may aid equal member participation in their nonliberal democratic process. When it is so adopted in nonliberal democracy, however, it would be a nonliberal institution justified by communitarian arguments predicated on the conception of valuational agents, not by arguments predicated on the liberal conception of persons. What defines an institution as either liberal or nonliberal is not its constitutive components but rather its justificatory rationale.

Although I agree with Cohen that democracy requires both an idea of equality and a political regime to implement this idea,[119] it is the former that forms the core of democracy. Interpretations of equality, however, differ in liberal and nonliberal societies, predicated on their respective conceptions of persons. Different interpretations of equal membership, in turn, entail different institutions and mechanisms of democracy that enable equal member participation. To insist that "democracy" be reserved only for a particular form of political regime predicated on the liberal "ideal of free and equal personhood"[120] is to be blind not only to reasonable pluralism at the global level but also to the cultural particularity of liberal democracy itself. Not only is this position "deeply patronizing"[121] in its implication that nonliberal nations, even if decent, are incapable of achieving the lofty ideal of democracy by themselves, but it is also potentially subversive of the progress toward mutual understanding and respect among different decent societies, necessary for achieving lasting global peace.

VII. THE STATUS OF LIBERAL DEMOCRACY

What are the implications of all this for liberal democracy? If my argument so far is plausible, then liberal democracy is culturally specific, applicable primarily in liberal societies, whose members share a liberal comprehensive way of life, predicated on common institutions, language, valuational frameworks (centered around liberal values), and history. While I anticipate loud protestations from liberal theorists, Samuel Scheffler's recent account of culture in liberal societies superbly illustrates my point. As Scheffler criticizes those unspecified others with "the twin tendencies to reify cultures and to assign each individual to a single culture,"[122] he argues that cultural survival is predicated on "an ever-changing but sufficiently large and continuous group of people" using "enough of the culture's central ideas, practices, values, ideals, beliefs, customs, texts,

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[119] Cohen (2006): 240.
[120] Gutmann and Thompson (2004): 99.
[121] Cohen (2006): 246.
[122] Scheffler (2007): 99.

artifacts, rites, and ceremonies to structure sufficiently large portions of their lives and experiences."[123] These central ideas, values, practices, and so on are predicated on "the history of particular people [. . .] with their contingent array of practices, affiliations, customs, values, ideals, and allegiances" in a particular locality, unified by a common language. Scheffler calls this the "national culture," which "cannot be treated by the state as just one culture among others" because it "influence[s] everything from the choice of official languages, national holidays, and public monuments and ceremonies to the regulation of work, education, and family arrangements" and "shape[s] the character of those basic social, political, and legal institutions that serve to enforce the political and civic culture."[124]

Liberal culture differs from nonliberal culture, however, in its prevailing liberal conception of persons, values, politico-economic institutions, norms, and practices. Scheffler, in line with political liberalism, emphasizes the liberal "political culture" that encompasses various political and economic institutions, protecting "basic [individual] rights and liberties" and promoting fair redistribution of resources in accordance with "the principles of justice [that] set out fair terms of cooperation among free and equal citizens."[125] Such institutions are predicated on the fundamental liberal value of individual freedom entailed by the liberal conception of persons as free and equal individuals. The liberal conception of persons and values are culturally specific, nurtured by "inherited traditions of practice and conviction" of "a particular set of people," maintained and enforced by the comprehensive "national culture."[126] Although members of liberal societies who subscribe to such culturally specific ideas and values are often oblivious to their cultural specificity, as these are advertised as "universal" ideas and values transcending particular cultures,[127] liberal cultures are as culturally specific as any other in their ideas and values, in potential conflict with other cultural ideas and values. Therefore, liberal cultures cannot be considered as "far more limited in scope and far more open to alternative contents" as to be compatible with diverse world cultures.[128]

Cohen seems to acknowledge this, as he concedes that moral and political ideas—including the conception of persons—and sensibilities of reasonable persons are formed "less by reasoning or explicit instruction [. . .] than by mastering" values and principles entrenched in the "liberal public culture" in the

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[123] Ibid: 107–08.
[124] Ibid: 113.
[125] Ibid: 110.
[126] Ibid: 111.
[127] See footnote 67; Herr (2007): sect. V.
[128] Gutmann (2003): 81.

process of civic participation in various shared public institutions.[129] "[T]he political ideas 'expressed' in common, public institutions and appealed to in the culture to justify those institutions" shape the moral and political education of citizens. Therefore, the "narrower agreement" of liberal deliberative democracy, which forms the substantive content of the liberal political consensus, is actually based on prevailing ideas and values that members of liberal societies find "familiar and attractive"[130] as a result of either enculturation or acculturation. In short, the substantive liberal values and ideas at the core of liberal democracy are culturally specific, accessible only to those who are culturally embedded, whether by birth or prolonged residence, in liberal societies. The flip side of this is that liberal values and ideas would not be familiar and attractive to those who are not culturally embedded in liberal societies and are thereby devoid of the cross-cultural appeal attributed to them by liberal theorists.

Liberal democracy, at the core of which are liberal ideas and values, is therefore a participatory politics applicable primarily in liberal societies. It enables its members, who view themselves as free and equal individuals, to participate equally in internal contestations and negotiations concerning how to interpret and promote the fundamental liberal values of individual freedom, civic equality, and fair opportunity in their political, social, and cultural institutions and practices. Rephrased in this way, liberal democracy turns out to be a special instantiation of the broader conception of democracy developed in this article, regulated by substantive liberal values.[131] Liberal democracy is a culturally specific form of participatory politics in liberal societies, whereby members deemed equal in their "political capacity" are "entitled to be treated with equal respect" in being empowered to "participate in making fundamental judgements about society's future course" as free and equal individuals.

The conception of democracy advocated in this article is predicated on the conception of persons as valuational agents, which is a broader conception of persons that captures the gist of who we are as human agents. What defines and elevates human agents over all other earthly creatures is their moral nature and their aspiration to be morally good. Yet they are also culturally embedded members of nations. Consequently, as they devote themselves to some fundamental moral values—hypergoods—they strive not only to live by them in their personal lives but also to improve their particular nations by actualizing such

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[129] Cohen (1998): 189.

[130] Ibid: 190.

[131] Cohen recognizes that liberal democracy is "one form of collective self-determination" ([2006]: 233).

values in public as the common good. Under the circumstances of intracultural pluralism, however, democracy is a critically important political mechanism necessary for ensuring that all national members participate in the amelioration of their common social, political, and economic system equally and peacefully. The aim of this article has been to show that democracy in this sense is not only feasible but also morally justifiable in decent nonliberal nations. If my argument is plausible, then the liberal democracy thesis, which alleges that only liberal democracy is morally justifiable and therefore deserves the sacred title of "democracy," is false.

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